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**HOUSE BILL 1169**

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**State of Washington**                      **66th Legislature**                      **2019 Regular Session**

**By** Representatives Peterson, Griffey, Goodman, Ortiz-Self, and Pollet

Read first time 01/16/19. Referred to Committee on Local Government.

1            AN ACT Relating to clarifying reimbursement for certain clean-up  
2 or removal actions by fire protection jurisdictions; adding a new  
3 section to chapter 52.30 RCW; and adding a new section to chapter  
4 35.103 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 52.30  
7 RCW to read as follows:

8            A fire protection district or regional fire protection service  
9 authority is entitled to recover from an insurer the reasonable costs  
10 associated with the cleanup or removal of hazardous waste and other  
11 hazardous materials, including debris or vehicle fluids of any kind,  
12 when responding to an incident on private or public property,  
13 including public roadways, that involved an insured party. The amount  
14 of a claim shall not exceed the insured party's policy liability  
15 limit, except in cases where extraordinary costs, as defined in RCW  
16 4.24.314, are incurred by the fire protection district or regional  
17 fire protection service authority.

18            NEW SECTION.    **Sec. 2.**    A new section is added to chapter 35.103  
19 RCW to read as follows:

1       A municipal fire department is entitled to recover from an  
2 insurer the reasonable costs associated with the cleanup or removal  
3 of hazardous waste and other hazardous materials, including debris or  
4 vehicle fluids of any kind, when responding to an incident on private  
5 or public property, including public roadways, that involved an  
6 insured party. The amount of a claim shall not exceed the insured  
7 party's policy liability limit, except in cases where extraordinary  
8 costs, as defined in RCW 4.24.314, are incurred by the fire  
9 department.

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