

RCW 70.54.500 Motor carriers—Access to restroom facilities.

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Consignee" means a person or business who takes delivery of property, cargo, or materials transported in interstate or intrastate commerce from a motor carrier.

(b) "Motor carrier" includes "common carrier," "contract carrier," and "private carrier" as defined in RCW 81.80.010.

(c) "Restroom" means a bathroom facility as required by rules authorized under chapter 49.17 RCW, located on the premises of, and operated by, a shipper or consignee and that is intended for use by customers or employees of the shipper or consignee.

(d) "Shipper" means a person or business who tenders property, cargo, or materials to a motor carrier for transportation in interstate or intrastate commerce.

(2) A shipper or consignee required to provide a restroom by rules authorized under chapter 49.17 RCW must allow a motor carrier delivering goods to or picking goods up from a shipper or consignee to use that restroom during normal business hours if:

(a) The restroom is located in an area where providing access would not create an obvious health or safety risk to the motor carrier; and

(b) Allowing the motor carrier to access the restroom does not pose an obvious security, health, or safety risk to the shipper, consignee, or its employees.

(3) A shipper or consignee is not required to make any physical changes to a restroom under this section and may require that an employee accompany a motor carrier to the restroom.

(4) A shipper or consignee or an employee of a shipper or consignee is not civilly liable for any act or omission in allowing a motor carrier to use a restroom if the act or omission:

(a) Is not willful or grossly negligent;

(b) Occurs in an area of the shipper or consignee facility that is not accessible to the public; and

(c) Results in an injury to or death of the motor carrier or any individual other than an employee accompanying the motor carrier.

(5) (a) The department of health has jurisdiction to enforce this section.

(b) The department of health may issue a warning letter to a shipper or consignee for a first violation of this section, informing the shipper or consignee of the requirements of this section. A shipper or consignee that violates this section after receiving a warning letter is guilty of a class 2 civil infraction under chapter 7.80 RCW. [2023 c 251 s 1.]