
HOUSE BILL 2873

State of Washington 65th Legislature 2018 Regular Session

By Representatives Blake, Condotta, and Goodman

Read first time 01/19/18. Referred to Committee on Judiciary.

1 AN ACT Relating to motorcycle profiling; and amending RCW
2 43.101.419.

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

4 **Sec. 1.** RCW 43.101.419 and 2011 c 49 s 1 are each amended to
5 read as follows:

6 (1) No state or local law enforcement officer or law enforcement
7 agency shall engage in motorcycle profiling.

8 (2) The criminal justice training commission shall ensure that
9 issues related to motorcycle profiling are addressed in basic law
10 enforcement training and offered to in-service law enforcement
11 officers in conjunction with existing training regarding profiling.

12 ~~((+2))~~ (3) Local law enforcement agencies shall add a statement
13 condemning motorcycle profiling to existing policies regarding
14 profiling.

15 ~~((+3))~~ (4) Victims of motorcycle profiling are entitled to
16 maintain a private civil cause of action in a court of competent
17 jurisdiction against the persons or agencies who profiled them. The
18 principle of respondent superior applies to motorcycle profiling
19 claims. If motorcycle profiling is established, victims are entitled
20 to enjoin further violations and recover actual damages, reasonable
21 attorneys' fees, and costs.

1 (5) For the purposes of this section, "motorcycle profiling"
2 means the illegal use of the fact that a person rides a motorcycle or
3 wears motorcycle-related paraphernalia as a factor in deciding to
4 stop and question, take enforcement action, arrest, or search a
5 person or vehicle with or without a legal basis under the United
6 States Constitution or Washington state Constitution.

--- END ---