

SHB 1271 - S COMM AMD  
By Committee on Transportation

ADOPTED 04/05/2023

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04  
4 RCW to read as follows:

5 "Organ transport vehicle" means any vehicle operated or  
6 contracted by an organ procurement organization as defined in RCW  
7 68.64.010, and clearly and identifiably marked as such on all sides  
8 of the vehicle.

9 **Sec. 2.** RCW 68.64.010 and 2010 c 161 s 1156 are each amended to  
10 read as follows:

11 The definitions in this section apply throughout this chapter  
12 unless the context clearly requires otherwise.

13 (1) "Adult" means an individual who is at least (~~eighteen~~) 18  
14 years old.

15 (2) "Agent" means an individual:

16 (a) Authorized to make health care decisions on the principal's  
17 behalf by a power of attorney for health care; or

18 (b) Expressly authorized to make an anatomical gift on the  
19 principal's behalf by any other record signed by the principal.

20 (3) "Anatomical gift" means a donation of all or part of a human  
21 body to take effect after the donor's death for the purpose of  
22 transplantation, therapy, research, or education.

23 (4) "Decedent" means a deceased individual whose body or part is  
24 or may be the source of an anatomical gift.

25 (5) "Disinterested witness" means a witness other than the spouse  
26 or state registered domestic partner, child, parent, sibling,  
27 grandchild, grandparent, or guardian of the individual who makes,  
28 amends, revokes, or refuses to make an anatomical gift. The term does  
29 not include a person to which an anatomical gift could pass under RCW  
30 68.64.100.

1 (6) "Document of gift" means a donor card or other record used to  
2 make an anatomical gift. The term includes a statement or symbol on a  
3 driver's license, identification card, or donor registry.

4 (7) "Donor" means an individual whose body or part is the subject  
5 of an anatomical gift.

6 (8) "Donor registry" means a database that contains records of  
7 anatomical gifts and amendments to or revocations of anatomical  
8 gifts.

9 (9) "Driver's license" means a license or permit issued by the  
10 department of licensing to operate a vehicle, whether or not  
11 conditions are attached to the license or permit.

12 (10) "Eye bank" means a person that is licensed, accredited, or  
13 regulated under federal or state law to engage in the recovery,  
14 screening, testing, processing, storage, or distribution of human  
15 eyes or portions of human eyes.

16 (11) "Guardian" means a person appointed by a court to make  
17 decisions regarding the support, care, education, health, or welfare  
18 of an individual. The term does not include a guardian ad litem.

19 (12) "Hospital" means a facility licensed as a hospital under the  
20 law of any state or a facility operated as a hospital by the United  
21 States, a state, or a subdivision of a state.

22 (13) "Identification card" means an identification card issued by  
23 the department of licensing.

24 (14) "Know" means to have actual knowledge.

25 (15) "Minor" means an individual who is less than (~~eighteen~~) 18  
26 years old.

27 (16) "Organ procurement organization" means a person designated  
28 by the secretary of the United States department of health and human  
29 services as an organ procurement organization.

30 (17) "Parent" means a parent whose parental rights have not been  
31 terminated.

32 (18) "Part" means an organ, an eye, or tissue of a human being.  
33 The term does not include the whole body.

34 (19) "Person" means an individual, corporation, business trust,  
35 estate, trust, partnership, limited liability company, association,  
36 joint venture, public corporation, government or governmental  
37 subdivision, agency, or instrumentality, or any other legal or  
38 commercial entity.

1 (20) "Physician" means an individual licensed or otherwise  
2 authorized to practice medicine and surgery or osteopathic medicine  
3 and surgery under the law of any state.

4 (21) "Procurement organization" means an eye bank, organ  
5 procurement organization, or tissue bank.

6 (22) "Prospective donor" means an individual whose death is  
7 imminent and has been determined by a procurement organization to  
8 have a part that could be medically suitable for transplantation,  
9 therapy, research, or education. "Prospective donor" does not include  
10 an individual who has made a refusal.

11 (23) "Reasonable costs" include: (a) Programming and software  
12 installation and upgrades; (b) employee training that is specific to  
13 the organ and tissue donor registry or the donation program created  
14 in RCW 46.16A.090(2); (c) literature that is specific to the organ  
15 and tissue donor registry or the donation program created in RCW  
16 46.16A.090(2); and (d) hardware upgrades or other issues important to  
17 the organ and tissue donor registry or the donation program created  
18 in RCW 46.16A.090(2) that have been mutually agreed upon in advance  
19 by the department of licensing and the Washington state organ  
20 procurement organizations.

21 (24) "Reasonably available" means able to be contacted by a  
22 procurement organization without undue effort and willing and able to  
23 act in a timely manner consistent with existing medical criteria  
24 necessary for the making of an anatomical gift.

25 (25) "Recipient" means an individual into whose body a decedent's  
26 part has been or is intended to be transplanted.

27 (26) "Record" means information that is inscribed on a tangible  
28 medium or that is stored in an electronic or other medium and is  
29 retrievable in perceivable form.

30 (27) "Refusal" means a record created under RCW 68.64.060 that  
31 expressly states an intent to bar other persons from making an  
32 anatomical gift of an individual's body or part.

33 (28) "Sign" means, with the present intent to authenticate or  
34 adopt a record:

35 (a) To execute or adopt a tangible symbol; or

36 (b) To attach to or logically associate with the record an  
37 electronic symbol, sound, or process.

38 (29) "State" means a state of the United States, the District of  
39 Columbia, Puerto Rico, the United States Virgin Islands, or any

1 territory or insular possession subject to the jurisdiction of the  
2 United States.

3 (30) "Technician" means an individual determined to be qualified  
4 to remove or process parts by an appropriate organization that is  
5 licensed, accredited, or regulated under federal or state law. The  
6 term includes an enucleator.

7 (31) "Time sensitive organ or tissue donor" means an organ being  
8 transported for human transplant or a tissue donor being transported  
9 for the purpose of recovery that is time sensitive but not an  
10 emergency.

11 (32) "Time urgent organ" means an organ being transported for  
12 human transplant that a member of the transplant team or a  
13 representative of the organ procurement organization declares an  
14 emergency.

15 (33) "Tissue" means a portion of the human body other than an  
16 organ or an eye. The term does not include blood unless the blood is  
17 donated for the purpose of research or education.

18 ((+32+)) (34) "Tissue bank" means a person that is licensed to  
19 conduct business in this state, accredited, and regulated under  
20 federal or state law to engage in the recovery, screening, testing,  
21 processing, storage, or distribution of tissue.

22 ((+33+)) (35) "Transplant hospital" means a hospital that  
23 furnishes organ transplants and other medical and surgical specialty  
24 services required for the care of transplant patients.

25 ((+34+)) (36) "Washington state organ procurement organization"  
26 means an organ procurement organization that has been designated by  
27 the United States department of health and human services to  
28 coordinate organ procurement activities for any portion of Washington  
29 state.

30 **Sec. 3.** RCW 46.37.190 and 2020 c 95 s 1 are each amended to read  
31 as follows:

32 (1) Every authorized emergency vehicle and organ transport  
33 vehicle shall, in addition to any other equipment and distinctive  
34 marking required by this chapter, be equipped with at least one lamp  
35 capable of displaying a red light visible from at least ((five  
36 hundred)) 500 feet in normal sunlight and a siren capable of giving  
37 an audible signal.

38 (2) Every school bus and private carrier bus shall, in addition  
39 to any other equipment and distinctive markings required by this

1 chapter, be equipped with a "stop" signal upon a background not less  
2 than (~~fourteen~~) 14 by (~~eighteen~~) 18 inches displaying the word  
3 "stop" in letters of distinctly contrasting colors not less than five  
4 and nine-tenths inches high, and shall further be equipped with  
5 signal lamps mounted as high and as widely spaced laterally as  
6 practicable, which shall be capable of displaying to the front two  
7 alternately flashing red lights located at the same level and to the  
8 rear two alternately flashing red lights located at the same level  
9 and these lights shall have sufficient intensity to be visible at  
10 (~~five hundred~~) 500 feet in normal sunlight.

11 (3) Vehicles operated by public agencies whose law enforcement  
12 duties include the authority to stop and detain motor vehicles on the  
13 public highways of the state may be equipped with a siren and lights  
14 of a color and type designated by the state patrol for that purpose.  
15 The state patrol may prohibit the use of these sirens and lights on  
16 vehicles other than the vehicles described in this subsection.

17 (4) The lights described in this section shall not be mounted nor  
18 used on any vehicle other than a school bus, a private carrier bus,  
19 (~~or~~) an authorized emergency or law enforcement vehicle, or an  
20 organ transport vehicle.

21 (5) The use of the signal equipment described in this section and  
22 RCW 46.37.670, except the signal preemption devices used by public  
23 transit vehicles and department of transportation, city, or county  
24 maintenance vehicles that are not used in conjunction with emergency  
25 equipment, shall impose upon drivers of other vehicles the obligation  
26 to yield right-of-way and stop as prescribed in RCW 46.61.210,  
27 46.61.370, and 46.61.350.

28 **Sec. 4.** RCW 46.37.380 and 2010 c 8 s 9052 are each amended to  
29 read as follows:

30 (1) Every motor vehicle when operated upon a highway shall be  
31 equipped with a horn in good working order and capable of emitting  
32 sound audible under normal conditions from a distance of not less  
33 than (~~two hundred~~) 200 feet, but no horn or other warning device  
34 may emit an unreasonably loud or harsh sound or a whistle. The driver  
35 of a motor vehicle shall when reasonably necessary to insure safe  
36 operation give audible warning with his or her horn but shall not  
37 otherwise use such horn when upon a highway.

1 (2) No vehicle may be equipped with nor may any person use upon a  
2 vehicle any siren, whistle, or bell, except as otherwise permitted in  
3 this section.

4 (3) It is permissible for any vehicle to be equipped with a theft  
5 alarm signal device so long as it is so arranged that it cannot be  
6 used by the driver as an ordinary warning signal. Such a theft alarm  
7 signal device may use a whistle, bell, horn, or other audible signal  
8 but shall not use a siren.

9 (4) Any authorized emergency vehicle may be equipped with a  
10 siren, whistle, or bell capable of emitting sound audible under  
11 normal conditions from a distance of not less than (~~five hundred~~)  
12 500 feet and of a type conforming to rules adopted by the state  
13 patrol, but the siren shall not be used except when the vehicle is  
14 operated in response to an emergency call or in the immediate pursuit  
15 of an actual or suspected violator of the law, in which latter events  
16 the driver of the vehicle shall sound the siren when reasonably  
17 necessary to warn pedestrians and other drivers of its approach.

18 (5) Any organ transport vehicle may be equipped with a siren,  
19 whistle, or bell capable of emitting sound audible under normal  
20 conditions from a distance of not less than 500 feet and of a type  
21 conforming to rules adopted by the state patrol, but the siren shall  
22 not be used except when the vehicle is transporting a time urgent  
23 organ as defined in RCW 68.64.010, in which case the driver of the  
24 vehicle shall sound the siren when reasonably necessary to warn  
25 pedestrians and other drivers of its approach.

26 **Sec. 5.** RCW 46.37.670 and 2005 c 183 s 2 are each amended to  
27 read as follows:

28 (1) Signal preemption devices shall not be installed or used on  
29 or with any vehicle other than an emergency vehicle authorized by the  
30 state patrol, an organ transport vehicle, a publicly owned law  
31 enforcement or emergency vehicle, a department of transportation,  
32 city, or county maintenance vehicle, or a public transit vehicle.

33 (2) This section does not apply to any of the following:

34 (a) A law enforcement agency and law enforcement personnel in the  
35 course of providing law enforcement services;

36 (b) A fire station or a firefighter in the course of providing  
37 fire prevention or fire extinguishing services;

38 (c) An emergency medical service or ambulance in the course of  
39 providing emergency medical transportation or ambulance services;

1 (d) An operator, passenger, or owner of an authorized emergency  
2 vehicle in the course of his or her emergency duties;

3 (e) A driver of an organ transport vehicle when a vehicle is  
4 transporting a time urgent organ as defined in RCW 68.64.010;

5 (f) Department of transportation, city, or county maintenance  
6 personnel while performing maintenance;

7 (~~(f)~~) (g) Public transit personnel in the performance of their  
8 duties. However, public transit personnel operating a signal  
9 preemption device shall have second degree priority to law  
10 enforcement personnel, firefighters, emergency medical personnel, and  
11 other authorized emergency vehicle personnel, when simultaneously  
12 approaching the same traffic control signal;

13 (~~(g)~~) (h) A mail or package delivery service or employee or  
14 agent of a mail or package delivery service in the course of shipping  
15 or delivering a signal preemption device;

16 (~~(h)~~) (i) An employee or agent of a signal preemption device  
17 manufacturer or retailer in the course of his or her employment in  
18 providing, selling, manufacturing, or transporting a signal  
19 preemption device to an individual or agency described in this  
20 subsection.

21 **Sec. 6.** RCW 46.61.210 and 1965 ex.s. c 155 s 32 are each amended  
22 to read as follows:

23 (1) Upon the immediate approach of an authorized emergency  
24 vehicle, or organ transport vehicle transporting a time urgent organ  
25 as defined in RCW 68.64.010, making use of audible and visual signals  
26 meeting the requirements of RCW 46.37.190, or of a police vehicle  
27 properly and lawfully making use of an audible signal only the driver  
28 of every other vehicle shall yield the right-of-way and shall  
29 immediately drive to a position parallel to, and as close as possible  
30 to, the right-hand edge or curb of the roadway clear of any  
31 intersection and shall stop and remain in such position until the  
32 authorized emergency vehicle or organ transport vehicle has passed,  
33 except when otherwise directed by a police officer.

34 (2) This section shall not operate to relieve the driver of an  
35 authorized emergency vehicle or organ transport vehicle from the duty  
36 to drive with due regard for the safety of all persons using the  
37 highway. To the greatest extent practicable, organ transport services  
38 as defined in RCW 18.73.030 shall notify the state patrol when an

1 organ transport vehicle is operating under the provisions of this  
2 section.

3 **Sec. 7.** RCW 46.61.165 and 2019 c 467 s 3 are each amended to  
4 read as follows:

5 (1) The state department of transportation and the local  
6 authorities are authorized to reserve all or any portion of any  
7 highway under their respective jurisdictions, including any  
8 designated lane or ramp, for the exclusive or preferential use of one  
9 or more of the following: (a) Public transportation vehicles; (b)  
10 motorcycles; (c) private motor vehicles carrying no fewer than a  
11 specified number of passengers; (~~(d)~~) (d) organ transport vehicles  
12 transporting a time urgent organ or a time sensitive organ or tissue  
13 donor as defined in RCW 68.64.010; or (e) the following private  
14 transportation provider vehicles if the vehicle has the capacity to  
15 carry eight or more passengers, regardless of the number of  
16 passengers in the vehicle, and if such use does not interfere with  
17 the efficiency, reliability, and safety of public transportation  
18 operations: (i) Auto transportation company vehicles regulated under  
19 chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated  
20 under chapter 81.70 RCW, except marked or unmarked stretch limousines  
21 and stretch sport utility vehicles as defined under department of  
22 licensing rules; (iii) private nonprofit transportation provider  
23 vehicles regulated under chapter 81.66 RCW; and (iv) private employer  
24 transportation service vehicles, when such limitation will increase  
25 the efficient utilization of the highway or will aid in the  
26 conservation of energy resources.

27 (2) Any transit-only lanes that allow other vehicles to access  
28 abutting businesses that are authorized pursuant to subsection (1) of  
29 this section may not be authorized for the use of private  
30 transportation provider vehicles as described under subsection (1) of  
31 this section.

32 (3) The state department of transportation and the local  
33 authorities authorized to reserve all or any portion of any highway  
34 under their respective jurisdictions, for exclusive or preferential  
35 use, may prohibit the use of a high occupancy vehicle lane by the  
36 following private transportation provider vehicles: (a) Auto  
37 transportation company vehicles regulated under chapter 81.68 RCW;  
38 (b) passenger charter carrier vehicles regulated under chapter 81.70  
39 RCW, and marked or unmarked limousines and stretch sport utility



1 vehicles as defined under department of licensing rules; (c) private  
2 nonprofit transportation provider vehicles regulated under chapter  
3 81.66 RCW; and (d) private employer transportation service vehicles,  
4 when the average transit speed in the high occupancy vehicle lane  
5 fails to meet department of transportation standards and falls below  
6 (~~forty-five~~) 45 miles per hour at least (~~ninety~~) 90 percent of  
7 the time during the peak hours, as determined by the department of  
8 transportation or the local authority, whichever operates the  
9 facility.

10 (4) Regulations authorizing such exclusive or preferential use of  
11 a highway facility may be declared to be effective at all times or at  
12 specified times of day or on specified days. Violation of a  
13 restriction of highway usage prescribed by the appropriate authority  
14 under this section is a traffic infraction. A person who commits a  
15 traffic infraction under this section is also subject to additional  
16 monetary penalties as defined in this subsection. The additional  
17 monetary penalties are separate from the base penalty, fees, and  
18 assessments issued for the traffic infraction and are intended to  
19 raise awareness, and improve the efficiency, of the high occupancy  
20 vehicle lane system.

21 (a) Whenever a person commits a traffic infraction under this  
22 section, an additional monetary penalty of (~~fifty dollars~~) \$50 must  
23 be collected, and, in the case that a person has already committed a  
24 violation under this section within two years of committing this  
25 violation, then an additional (~~one hundred fifty dollars~~) \$150 must  
26 be collected.

27 (b) Any time a person commits a traffic infraction under this  
28 section and is using a dummy, doll, or other human facsimile to make  
29 it appear that an additional person is in the vehicle, the person  
30 must be assessed a (~~two hundred dollar~~) \$200 penalty, which is in  
31 addition to the penalties in (a) of this subsection.

32 (c) The monetary penalties under (a) and (b) of this subsection  
33 are additional, separate, and distinct penalties from the base  
34 penalty and are not subject to fees or assessments specified in RCW  
35 46.63.110, 3.62.090, and 2.68.040.

36 (d)(i) The additional penalties collected under (a) of this  
37 subsection must be distributed as follows:

38 (A) Twenty-five percent must be deposited into the congestion  
39 relief and traffic safety account created under RCW 46.68.398; and

1 (B) Seventy-five percent must be deposited into the motor vehicle  
2 fund created under RCW 46.68.070.

3 (ii) The additional penalty collected under (b) of this  
4 subsection must be deposited into the congestion relief and traffic  
5 safety account created under RCW 46.68.398.

6 (e) Violations committed under this section are excluded from  
7 eligibility as a moving violation for driver's license suspension  
8 under RCW 46.20.289 when a person subsequently fails to respond to a  
9 notice of traffic infraction for this moving violation, fails to  
10 appear at a requested hearing for this moving violation, violates a  
11 written promise to appear in court for a notice of infraction for  
12 this moving violation, or fails to comply with the terms of a notice  
13 of traffic infraction for this moving violation.

14 (5) Local authorities are encouraged to establish a process for  
15 private transportation providers, as described under subsections (1)  
16 and (3) of this section, to apply for the use of public  
17 transportation facilities reserved for the exclusive or preferential  
18 use of public transportation vehicles. The application and review  
19 processes should be uniform and should provide for an expeditious  
20 response by the local authority. Whenever practicable, local  
21 authorities should enter into agreements with such private  
22 transportation providers to allow for the reasonable use of these  
23 facilities.

24 (6) For the purposes of this section, "private employer  
25 transportation service" means regularly scheduled, fixed-route  
26 transportation service that is similarly marked or identified to  
27 display the business name or logo on the driver and passenger sides  
28 of the vehicle, meets the annual certification requirements of the  
29 department of transportation, and is offered by an employer for the  
30 benefit of its employees.

31 **Sec. 8.** RCW 47.52.025 and 2013 c 26 s 3 are each amended to read  
32 as follows:

33 (1) Highway authorities of the state, counties, and incorporated  
34 cities and towns, in addition to the specific powers granted in this  
35 chapter, shall also have, and may exercise, relative to limited  
36 access facilities, any and all additional authority, now or hereafter  
37 vested in them relative to highways or streets within their  
38 respective jurisdictions, and may regulate, restrict, or prohibit the  
39 use of such limited access facilities by various classes of vehicles

1 or traffic. Such highway authorities may reserve any limited access  
2 facility or portions thereof, including designated lanes or ramps for  
3 the exclusive or preferential use of (a) public transportation  
4 vehicles, (b) privately owned buses, (c) motorcycles, (d) private  
5 motor vehicles carrying not less than a specified number of  
6 passengers, ~~((e))~~ (e) organ transport vehicles transporting a time  
7 urgent organ or a time sensitive organ or tissue donor as defined in  
8 RCW 68.64.010, or (f) the following private transportation provider  
9 vehicles if the vehicle has the capacity to carry eight or more  
10 passengers, regardless of the number of passengers in the vehicle,  
11 and if such use does not interfere with the efficiency, reliability,  
12 and safety of public transportation operations: (i) Auto  
13 transportation company vehicles regulated under chapter 81.68 RCW;  
14 (ii) passenger charter carrier vehicles regulated under chapter 81.70  
15 RCW, except marked or unmarked stretch limousines and stretch sport  
16 utility vehicles as defined under department of licensing rules;  
17 (iii) private nonprofit transportation provider vehicles regulated  
18 under chapter 81.66 RCW; and (iv) private employer transportation  
19 service vehicles, when such limitation will increase the efficient  
20 utilization of the highway facility or will aid in the conservation  
21 of energy resources. Regulations authorizing such exclusive or  
22 preferential use of a highway facility may be declared to be  
23 effective at all time or at specified times of day or on specified  
24 days.

25 (2) Any transit-only lanes that allow other vehicles to access  
26 abutting businesses that are reserved pursuant to subsection (1) of  
27 this section may not be authorized for the use of private  
28 transportation provider vehicles as described under subsection (1) of  
29 this section.

30 (3) Highway authorities of the state, counties, or incorporated  
31 cities and towns may prohibit the use of limited access facilities by  
32 the following private transportation provider vehicles: (a) Auto  
33 transportation company vehicles regulated under chapter 81.68 RCW;  
34 (b) passenger charter carrier vehicles regulated under chapter 81.70  
35 RCW, and marked or unmarked limousines and stretch sport utility  
36 vehicles as defined under department of licensing rules; (c) private  
37 nonprofit transportation provider vehicles regulated under chapter  
38 81.66 RCW; and (d) private employer transportation service vehicles,  
39 when the average transit speed in the high occupancy vehicle travel  
40 lane fails to meet department standards and falls below ~~((forty-~~

1 ~~five~~) 45 miles per hour at least (~~ninety~~) 90 percent of the time  
2 during the peak hours for two consecutive months.

3 (4) (a) Local authorities are encouraged to establish a process  
4 for private transportation providers, described under subsections (1)  
5 and (3) of this section, to apply for the use of limited access  
6 facilities that are reserved for the exclusive or preferential use of  
7 public transportation vehicles.

8 (b) The process must provide a list of facilities that the local  
9 authority determines to be unavailable for use by the private  
10 transportation provider and must provide the criteria used to reach  
11 that determination.

12 (c) The application and review processes must be uniform and  
13 should provide for an expeditious response by the authority.

14 (5) For the purposes of this section, "private employer  
15 transportation service" means regularly scheduled, fixed-route  
16 transportation service that is similarly marked or identified to  
17 display the business name or logo on the driver and passenger sides  
18 of the vehicle, meets the annual certification requirements of the  
19 department, and is offered by an employer for the benefit of its  
20 employees.

21 **Sec. 9.** RCW 18.73.140 and 2000 c 93 s 19 are each amended to  
22 read as follows:

23 The secretary shall issue an ambulance, organ transport vehicle,  
24 or aid vehicle license for each vehicle so designated. The license  
25 shall be for a period of two years and may be reissued on expiration  
26 if the vehicle and its equipment meet requirements in force at the  
27 time of expiration of the license period. The license may be revoked  
28 if the ambulance, organ transport vehicle, or aid vehicle is found to  
29 be operating in violation of the regulations promulgated by the  
30 department or without required equipment. The license shall be  
31 terminated automatically if the vehicle is sold or transferred to the  
32 control of any organization not currently licensed as an ambulance,  
33 organ transport vehicle, or aid vehicle service. The license number  
34 shall be prominently displayed on each vehicle.

35 **Sec. 10.** RCW 18.73.081 and 2022 c 136 s 3 are each amended to  
36 read as follows:

37 In addition to other duties prescribed by law, the secretary  
38 shall:

- 1 (1) Prescribe minimum requirements for:
- 2 (a) Ambulance, air ambulance, organ transport vehicles, and aid
- 3 vehicles and equipment;
- 4 (b) Ambulance and aid services; and
- 5 (c) Minimum emergency communication equipment;
- 6 (2) Adopt procedures for services that fail to perform in
- 7 accordance with minimum requirements;
- 8 (3) Prescribe minimum standards for first responder and emergency
- 9 medical technician training including:
- 10 (a) Adoption of curriculum and period of certification;
- 11 (b) Procedures for provisional certification, certification,
- 12 recertification, decertification, or modification of certificates;
- 13 (c) Adoption of requirements for ongoing training and evaluation,
- 14 as approved by the county medical program director, to include
- 15 appropriate evaluation for individual knowledge and skills. The first
- 16 responder, emergency medical technician, or emergency medical
- 17 services provider agency may elect a program of continuing education
- 18 and a written and practical examination instead of meeting the
- 19 ongoing training and evaluation requirements;
- 20 (d) Procedures for reciprocity with other states or national
- 21 certifying agencies;
- 22 (e) Review and approval or disapproval of training programs; and
- 23 (f) Adoption of standards for numbers and qualifications of
- 24 instructional personnel required for first responder and emergency
- 25 medical technician training programs;
- 26 (4) Prescribe minimum requirements for liability insurance to be
- 27 carried by licensed services except that this requirement shall not
- 28 apply to public bodies; and
- 29 (5) Certify emergency medical program directors.

30 **Sec. 11.** RCW 18.73.030 and 2022 c 136 s 1 are each amended to

31 read as follows:

32 The definitions in this section apply throughout this chapter

33 unless the context clearly requires otherwise.

34 (1) "Advanced life support" means invasive emergency medical

35 services requiring advanced medical treatment skills as defined by

36 chapter 18.71 RCW.

37 (2) "Aid service" means an organization that operates one or more

38 aid vehicles.

1 (3) "Aid vehicle" means a vehicle used to carry aid equipment and  
2 individuals trained in first aid or emergency medical procedure.

3 (4) "Ambulance" means a ground or air vehicle designed and used  
4 to transport the ill and injured and to provide personnel,  
5 facilities, and equipment to treat patients before and during  
6 transportation.

7 (5) "Ambulance service" means an organization that operates one  
8 or more ambulances.

9 (6) "Basic life support" means noninvasive emergency medical  
10 services requiring basic medical treatment skills as defined in this  
11 chapter.

12 (7) "Collaborative medical care" means medical treatment and care  
13 provided pursuant to agreements with local, regional, or state public  
14 health agencies to control and prevent the spread of communicable  
15 diseases which is rendered separately from emergency medical service.

16 (8) "Communications system" means a radio and landline network  
17 which provides rapid public access, coordinated central dispatching  
18 of services, and coordination of personnel, equipment, and facilities  
19 in an emergency medical services and trauma care system.

20 (9) "Council" means the local or regional emergency medical  
21 services and trauma care council as authorized under chapter 70.168  
22 RCW.

23 (10) "Department" means the department of health.

24 (11) "Emergency medical service" means medical treatment and care  
25 which may be rendered at the scene of any medical emergency or while  
26 transporting any patient in an ambulance to an appropriate medical  
27 facility, including ambulance transportation between medical  
28 facilities.

29 (12) "Emergency medical services medical program director" means  
30 a person who is an approved medical program director as defined by  
31 RCW 18.71.205(4).

32 (13) "Emergency medical technician" means a person who is  
33 authorized by the secretary to render emergency medical care pursuant  
34 to RCW 18.73.081, under the responsible supervision and direction of  
35 an approved medical program director, which may include participating  
36 in an emergency services supervisory organization or a community  
37 assistance referral and education services program established under  
38 RCW 35.21.930, or providing collaborative medical care if the  
39 participation or provision of collaborative medical care does not  
40 exceed the participant's training and certification.

1 (14) "Emergency services supervisory organization" means an  
2 entity that is authorized by the secretary to use certified emergency  
3 medical services personnel to provide medical evaluation or initial  
4 treatment, or both, to sick or injured people, while in the course of  
5 duties with the organization for on-site medical care prior to any  
6 necessary activation of emergency medical services. Emergency  
7 services supervisory organizations include law enforcement agencies,  
8 disaster management organizations, search and rescue operations,  
9 diversion centers, and businesses with organized industrial safety  
10 teams.

11 (15) "First responder" means a person who is authorized by the  
12 secretary to render emergency medical care as defined by RCW  
13 18.73.081.

14 (16) "Organ transport service" means an organization that  
15 operates one or more organ transport vehicles.

16 (17) "Organ transport vehicle" has the same meaning as in section  
17 1 of this act.

18 (18) "Patient care procedures" means written operating guidelines  
19 adopted by the regional emergency medical services and trauma care  
20 council, in consultation with the local emergency medical services  
21 and trauma care councils, emergency communication centers, and the  
22 emergency medical services medical program director, in accordance  
23 with statewide minimum standards. The patient care procedures shall  
24 identify the level of medical care personnel to be dispatched to an  
25 emergency scene, procedures for triage of patients, the level of  
26 trauma care facility to first receive the patient, and the name and  
27 location of other trauma care facilities to receive the patient  
28 should an interfacility transfer be necessary. Procedures on  
29 interfacility transfer of patients shall be consistent with the  
30 transfer procedures in chapter 70.170 RCW.

31 (~~(17)~~) (19) "Prehospital patient care protocols" means the  
32 written procedure adopted by the emergency medical services medical  
33 program director which direct the out-of-hospital emergency care of  
34 the emergency patient which includes the trauma care patient. These  
35 procedures shall be based upon the assessment of the patient's  
36 medical needs and what treatment will be provided for emergency  
37 conditions. The protocols shall meet or exceed statewide minimum  
38 standards developed by the department in rule as authorized in  
39 chapter 70.168 RCW.

1       (~~(18)~~) (20) "Secretary" means the secretary of the department  
2 of health.

3       (~~(19)~~) (21) "Stretcher" means a cart designed to serve as a  
4 litter for the transportation of a patient in a prone or supine  
5 position as is commonly used in the ambulance industry, such as  
6 wheeled stretchers, portable stretchers, stair chairs, solid  
7 backboards, scoop stretchers, basket stretchers, or flexible  
8 stretchers. The term does not include personal mobility aids that  
9 recline at an angle or remain at a flat position, that are owned or  
10 leased for a period of at least one week by the individual using the  
11 equipment or the individual's guardian or representative, such as  
12 wheelchairs, personal gurneys, or banana carts.

13       NEW SECTION.   **Sec. 12.** A new section is added to chapter 18.73  
14 RCW to read as follows:

15       (1) An organ transport service may not operate in the state of  
16 Washington without holding a license for such operation, issued by  
17 the secretary in consultation with the department of licensing.

18       (2) Organ transport services must ensure that personnel operating  
19 organ transport vehicles:

20       (a) Are at least 25 years of age;

21       (b) Are a current, previous, or retired police officer,  
22 firefighter, or EMS provider;

23       (c) Have a minimum of five years' experience operating a police,  
24 fire department, or emergency medical service vehicle under emergency  
25 conditions;

26       (d) Have passed a preemployment driver's license check showing no  
27 more than one moving vehicle violation in a rolling three-year  
28 period, with annual license reviews thereafter;

29       (e) Have passed a preemployment drug screen, with random drug  
30 screenings thereafter;

31       (f) Have passed state and national criminal background checks;  
32 and

33       (g) Have completed an emergency vehicle operators course and a  
34 defensive drivers course.

35       (3) An organ transport service shall maintain:

36       (a) Commercial general liability insurance in the amount of  
37 \$5,000,000/\$10,000,000 aggregate;

38       (b) Automobile liability insurance in the amount of \$5,000,000;  
39 and



1 (c) An umbrella policy in the amount of \$2,000,000.

2 (4) The license shall be valid for a period of two years and  
3 shall be renewed on request provided the holder has consistently  
4 complied with the regulations of the department and the department of  
5 licensing and provided also that the needs of the area served have  
6 been met satisfactorily. The license shall not be transferable and  
7 may be revoked if the service is found in violation of rules adopted  
8 by the department.

9 (5) The department, in consultation with the department of  
10 licensing, shall adopt rules under chapter 34.05 RCW to implement  
11 this section.

12 (6) Employment as a driver for organ transport vehicles does not  
13 add to the scope of practice for a current EMS provider and is not  
14 considered employment as an EMS provider.

15 (7) The secretary shall not establish fees for the license and  
16 renewals for an organ transport service or vehicle."

**SHB 1271** - S COMM AMD  
By Committee on Transportation

**ADOPTED 04/05/2023**

17 On page 1, line 1 of the title, after "vehicles;" strike the  
18 remainder of the title and insert "amending RCW 68.64.010, 46.37.190,  
19 46.37.380, 46.37.670, 46.61.210, 46.61.165, 47.52.025, 18.73.140,  
20 18.73.081, and 18.73.030; adding a new section to chapter 46.04 RCW;  
21 and adding a new section to chapter 18.73 RCW."

EFFECT: Removes the requirement that the Department of Health establish fees for organ transport service licenses and renewals and prohibits fees for licenses and renewals for organ transport services and vehicles.

--- END ---