

**RCW 46.61.5259 Negligent driving with a vulnerable user victim—
First degree—Penalties—Definitions. (Effective January 1, 2025.)** (1)

A person commits negligent driving with a vulnerable user victim in the first degree if he or she operates a vehicle, as defined in RCW 46.04.670, in a manner that is both negligent and endangers or is likely to endanger any person or property, and he or she proximately causes the death of a vulnerable user of a public way.

(2) Violation of this section is a gross misdemeanor, which shall be punished by:

(a) Up to 364 days of imprisonment;

(b) A fine of \$5,000, which may not be reduced to an amount less than \$1,000; and

(c) Suspension of driving privileges for 90 days.

(3) If a person is convicted of an offense under this section, then the court shall notify the department, and the department shall suspend the person's driving privileges.

(4) For the purposes of this section:

(a) "Negligent" has the same meaning as provided in RCW 46.61.525(2).

(b) "Vulnerable user of a public way" means:

(i) A pedestrian;

(ii) A person riding an animal; or

(iii) A person operating or riding any of the following on a public way:

(A) A farm tractor or implement of husbandry, without an enclosed shell;

(B) A bicycle;

(C) An electric-assisted bicycle;

(D) An electric personal assistive mobility device;

(E) A moped;

(F) A motor-driven cycle;

(G) A motorized foot scooter; or

(H) A motorcycle. [2023 c 471 § 1.]

Effective date—2023 c 471: "This act takes effect January 1, 2025." [2023 c 471 § 12.]