

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1280**

Chapter 17, Laws of 2001

57th Legislature  
2001 Regular Legislative Session

HIT AND RUN

EFFECTIVE DATE: 7/22/01

Passed by the House March 9, 2001  
Yeas 98 Nays 0

CLYDE BALLARD  
**Speaker of the House of  
Representatives**

FRANK CHOPP  
**Speaker of the House of  
Representatives**

Passed by the Senate April 4, 2001  
Yeas 41 Nays 7

ROSA FRANKLIN  
**President of the Senate**

Approved April 13, 2001

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1280** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER  
**Chief Clerk**

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

April 13, 2001 - 10:20 a.m.

**Secretary of State  
State of Washington**

HOUSE BILL 1280

Passed Legislature - 2001 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Representatives Simpson, Ballasiotes, O'Brien, Cairnes, Lovick, Santos, Armstrong, Campbell and Keiser

Read first time 01/22/2001. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to ranking the crime of hit and run; reenacting and
2 amending RCW 9.94A.320; and prescribing penalties.

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

4 Sec. 1. RCW 9.94A.320 and 2000 c 225 s 5, 2000 c 119 s 17, and
5 2000 c 66 s 2 are each reenacted and amended to read as follows:

6 TABLE 2

7 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

8	XVI	Aggravated Murder 1 (RCW 10.95.020)
9	XV	Homicide by abuse (RCW 9A.32.055)
10		Malicious explosion 1 (RCW 70.74.280(1))
11		Murder 1 (RCW 9A.32.030)
12	XIV	Murder 2 (RCW 9A.32.050)
13	XIII	Malicious explosion 2 (RCW 70.74.280(2))
14		Malicious placement of an explosive 1 (RCW
15		70.74.270(1))
16	XII	Assault 1 (RCW 9A.36.011)

1 Assault of a Child 1 (RCW 9A.36.120)  
2 Malicious placement of an imitation device  
3 1 (RCW 70.74.272(1)(a))  
4 Rape 1 (RCW 9A.44.040)  
5 Rape of a Child 1 (RCW 9A.44.073)  
6 XI Manslaughter 1 (RCW 9A.32.060)  
7 Rape 2 (RCW 9A.44.050)  
8 Rape of a Child 2 (RCW 9A.44.076)  
9 X Child Molestation 1 (RCW 9A.44.083)  
10 Indecent Liberties (with forcible  
11 compulsion) (RCW 9A.44.100(1)(a))  
12 Kidnapping 1 (RCW 9A.40.020)  
13 Leading Organized Crime (RCW  
14 9A.82.060(1)(a))  
15 Malicious explosion 3 (RCW 70.74.280(3))  
16 Manufacture of methamphetamine (RCW  
17 69.50.401(a)(1)(ii))  
18 Over 18 and deliver heroin,  
19 methamphetamine, a narcotic from  
20 Schedule I or II, or flunitrazepam  
21 from Schedule IV to someone under 18  
22 (RCW 69.50.406)  
23 IX Assault of a Child 2 (RCW 9A.36.130)  
24 Controlled Substance Homicide (RCW  
25 69.50.415)  
26 Explosive devices prohibited (RCW  
27 70.74.180)  
28 Hit and Run--Death (RCW 46.52.020(4)(a))  
29 Homicide by Watercraft, by being under the  
30 influence of intoxicating liquor or  
31 any drug (RCW 79A.60.050)  
32 Inciting Criminal Profiteering (RCW  
33 9A.82.060(1)(b))  
34 Malicious placement of an explosive 2 (RCW  
35 70.74.270(2))  
36 Over 18 and deliver narcotic from Schedule  
37 III, IV, or V or a nonnarcotic, except  
38 flunitrazepam or methamphetamine, from

1 Schedule I-V to someone under 18 and 3  
2 years junior (RCW 69.50.406)  
3 Robbery 1 (RCW 9A.56.200)  
4 Sexual Exploitation (RCW 9.68A.040)  
5 Vehicular Homicide, by being under the  
6 influence of intoxicating liquor or  
7 any drug (RCW 46.61.520)

8 VIII Arson 1 (RCW 9A.48.020)  
9 Deliver or possess with intent to deliver  
10 methamphetamine (RCW  
11 69.50.401(a)(1)(ii))  
12 (~~Hit and Run Death~~ (RCW  
13 ~~46.52.020(4)(a))~~)  
14 Homicide by Watercraft, by the operation of  
15 any vessel in a reckless manner (RCW  
16 79A.60.050)  
17 Manslaughter 2 (RCW 9A.32.070)  
18 Manufacture, deliver, or possess with  
19 intent to deliver amphetamine (RCW  
20 69.50.401(a)(1)(ii))  
21 Manufacture, deliver, or possess with  
22 intent to deliver heroin or cocaine  
23 (RCW 69.50.401(a)(1)(i))  
24 Possession of Ephedrine, Pseudoephedrine,  
25 or Anhydrous Ammonia with intent to  
26 manufacture methamphetamine (RCW  
27 69.50.440)  
28 Promoting Prostitution 1 (RCW 9A.88.070)  
29 Selling for profit (controlled or  
30 counterfeit) any controlled substance  
31 (RCW 69.50.410)  
32 Theft of Anhydrous Ammonia (RCW 69.55.010)  
33 Vehicular Homicide, by the operation of any  
34 vehicle in a reckless manner (RCW  
35 46.61.520)

36 VII Burglary 1 (RCW 9A.52.020)  
37 Child Molestation 2 (RCW 9A.44.086)

1 Dealing in depictions of minor engaged in  
2 sexually explicit conduct (RCW  
3 9.68A.050)  
4 Drive-by Shooting (RCW 9A.36.045)  
5 Homicide by Watercraft, by disregard for  
6 the safety of others (RCW 79A.60.050)  
7 Indecent Liberties (without forcible  
8 compulsion) (RCW 9A.44.100(1) (b) and  
9 (c))  
10 Introducing Contraband 1 (RCW 9A.76.140)  
11 Involving a minor in drug dealing (RCW  
12 69.50.401(f))  
13 Malicious placement of an explosive 3 (RCW  
14 70.74.270(3))  
15 Sending, bringing into state depictions of  
16 minor engaged in sexually explicit  
17 conduct (RCW 9.68A.060)  
18 Unlawful Possession of a Firearm in the  
19 first degree (RCW 9.41.040(1)(a))  
20 Use of a Machine Gun in Commission of a  
21 Felony (RCW 9.41.225)  
22 Vehicular Homicide, by disregard for the  
23 safety of others (RCW 46.61.520)  
24 VI Bail Jumping with Murder 1 (RCW  
25 9A.76.170(2)(a))  
26 Bribery (RCW 9A.68.010)  
27 Incest 1 (RCW 9A.64.020(1))  
28 Intimidating a Judge (RCW 9A.72.160)  
29 Intimidating a Juror/Witness (RCW  
30 9A.72.110, 9A.72.130)  
31 Malicious placement of an imitation device  
32 2 (RCW 70.74.272(1)(b))  
33 Manufacture, deliver, or possess with  
34 intent to deliver narcotics from  
35 Schedule I or II (except heroin or  
36 cocaine) or flunitrazepam from  
37 Schedule IV (RCW 69.50.401(a)(1)(i))  
38 Rape of a Child 3 (RCW 9A.44.079)  
39 Theft of a Firearm (RCW 9A.56.300)

1 Unlawful Storage of Anhydrous Ammonia (RCW  
2 69.55.020)

3 V Abandonment of dependent person 1 (RCW  
4 9A.42.060)

5 Advancing money or property for  
6 extortionate extension of credit (RCW  
7 9A.82.030)

8 Bail Jumping with class A Felony (RCW  
9 9A.76.170(2)(b))

10 Child Molestation 3 (RCW 9A.44.089)

11 Criminal Mistreatment 1 (RCW 9A.42.020)

12 Custodial Sexual Misconduct 1 (RCW  
13 9A.44.160)

14 Delivery of imitation controlled substance  
15 by person eighteen or over to person  
16 under eighteen (RCW 69.52.030(2))

17 Domestic Violence Court Order Violation  
18 (RCW 10.99.040, 10.99.050, 26.09.300,  
19 26.10.220, 26.26.138, 26.50.110,  
20 26.52.070, or 74.34.145)

21 Extortion 1 (RCW 9A.56.120)

22 Extortionate Extension of Credit (RCW  
23 9A.82.020)

24 Extortionate Means to Collect Extensions of  
25 Credit (RCW 9A.82.040)

26 Incest 2 (RCW 9A.64.020(2))

27 Kidnapping 2 (RCW 9A.40.030)

28 Perjury 1 (RCW 9A.72.020)

29 Persistent prison misbehavior (RCW  
30 9.94.070)

31 Possession of a Stolen Firearm (RCW  
32 9A.56.310)

33 Rape 3 (RCW 9A.44.060)

34 Rendering Criminal Assistance 1 (RCW  
35 9A.76.070)

36 Sexual Misconduct with a Minor 1 (RCW  
37 9A.44.093)

38 Sexually Violating Human Remains (RCW  
39 9A.44.105)

1 Stalking (RCW 9A.46.110)

2 IV Arson 2 (RCW 9A.48.030)

3 Assault 2 (RCW 9A.36.021)

4 Assault by Watercraft (RCW 79A.60.060)

5 Bribing a Witness/Bribe Received by Witness

6 (RCW 9A.72.090, 9A.72.100)

7 Commercial Bribery (RCW 9A.68.060)

8 Counterfeiting (RCW 9.16.035(4))

9 Escape 1 (RCW 9A.76.110)

10 Hit and Run--Injury (RCW 46.52.020(4)(b))

11 Hit and Run with Vessel--Injury Accident

12 (RCW 79A.60.200(3))

13 Indecent Exposure to Person Under Age

14 Fourteen (subsequent sex offense) (RCW

15 9A.88.010)

16 Influencing Outcome of Sporting Event (RCW

17 9A.82.070)

18 Knowingly Trafficking in Stolen Property

19 (RCW 9A.82.050(2))

20 Malicious Harassment (RCW 9A.36.080)

21 Manufacture, deliver, or possess with

22 intent to deliver narcotics from

23 Schedule III, IV, or V or nonnarcotics

24 from Schedule I-V (except marijuana,

25 amphetamine, methamphetamines, or

26 flunitrazepam) (RCW 69.50.401(a)(1)

27 (iii) through (v))

28 Residential Burglary (RCW 9A.52.025)

29 Robbery 2 (RCW 9A.56.210)

30 Theft of Livestock 1 (RCW 9A.56.080)

31 Threats to Bomb (RCW 9.61.160)

32 Use of Proceeds of Criminal Profiteering

33 (RCW 9A.82.080 (1) and (2))

34 Vehicular Assault (RCW 46.61.522)

35 Willful Failure to Return from Furlough

36 (RCW 72.66.060)

37 III Abandonment of dependent person 2 (RCW

38 9A.42.070)

1 Assault 3 (RCW 9A.36.031)  
2 Assault of a Child 3 (RCW 9A.36.140)  
3 Bail Jumping with class B or C Felony (RCW  
4 9A.76.170(2)(c))  
5 Burglary 2 (RCW 9A.52.030)  
6 Communication with a Minor for Immoral  
7 Purposes (RCW 9.68A.090)  
8 Criminal Gang Intimidation (RCW 9A.46.120)  
9 Criminal Mistreatment 2 (RCW 9A.42.030)  
10 Custodial Assault (RCW 9A.36.100)  
11 Delivery of a material in lieu of a  
12 controlled substance (RCW  
13 69.50.401(c))  
14 Escape 2 (RCW 9A.76.120)  
15 Extortion 2 (RCW 9A.56.130)  
16 Harassment (RCW 9A.46.020)  
17 Intimidating a Public Servant (RCW  
18 9A.76.180)  
19 Introducing Contraband 2 (RCW 9A.76.150)  
20 Maintaining a Dwelling or Place for  
21 Controlled Substances (RCW  
22 69.50.402(a)(6))  
23 Malicious Injury to Railroad Property (RCW  
24 81.60.070)  
25 Manufacture, deliver, or possess with  
26 intent to deliver marijuana (RCW  
27 69.50.401(a)(1)(iii))  
28 Manufacture, distribute, or possess with  
29 intent to distribute an imitation  
30 controlled substance (RCW  
31 69.52.030(1))  
32 Patronizing a Juvenile Prostitute (RCW  
33 9.68A.100)  
34 Perjury 2 (RCW 9A.72.030)  
35 Possession of Incendiary Device (RCW  
36 9.40.120)  
37 Possession of Machine Gun or Short-Barreled  
38 Shotgun or Rifle (RCW 9.41.190)  
39 Promoting Prostitution 2 (RCW 9A.88.080)



1 Recklessly Trafficking in Stolen Property  
2 (RCW 9A.82.050(1))  
3 Securities Act violation (RCW 21.20.400)  
4 Tampering with a Witness (RCW 9A.72.120)  
5 Telephone Harassment (subsequent conviction  
6 or threat of death) (RCW 9.61.230)  
7 Theft of Livestock 2 (RCW 9A.56.080)  
8 Unlawful Imprisonment (RCW 9A.40.040)  
9 Unlawful possession of firearm in the  
10 second degree (RCW 9.41.040(1)(b))  
11 Unlawful Use of Building for Drug Purposes  
12 (RCW 69.53.010)  
13 Willful Failure to Return from Work Release  
14 (RCW 72.65.070)

15 II Computer Trespass 1 (RCW 9A.52.110)  
16 Counterfeiting (RCW 9.16.035(3))  
17 Create, deliver, or possess a counterfeit  
18 controlled substance (RCW  
19 69.50.401(b))  
20 Escape from Community Custody (RCW  
21 72.09.310)  
22 Health Care False Claims (RCW 48.80.030)  
23 Malicious Mischief 1 (RCW 9A.48.070)  
24 Possession of controlled substance that is  
25 either heroin or narcotics from  
26 Schedule I or II or flunitrazepam from  
27 Schedule IV (RCW 69.50.401(d))  
28 Possession of phencyclidine (PCP) (RCW  
29 69.50.401(d))  
30 Possession of Stolen Property 1 (RCW  
31 9A.56.150)  
32 Theft 1 (RCW 9A.56.030)  
33 Theft of Rental, Leased, or Lease-purchased  
34 Property (valued at one thousand five  
35 hundred dollars or more) (RCW  
36 9A.56.096(4))  
37 Trafficking in Insurance Claims (RCW  
38 48.30A.015)  
39 Unlawful Practice of Law (RCW 2.48.180)

1           Unlicensed Practice of a Profession or  
2           Business (RCW 18.130.190(7))  
3       I       Attempting to Elude a Pursuing Police  
4           Vehicle (RCW 46.61.024)  
5           False Verification for Welfare (RCW  
6           74.08.055)  
7           Forged Prescription (RCW 69.41.020)  
8           Forged Prescription for a Controlled  
9           Substance (RCW 69.50.403)  
10          Forgery (RCW 9A.60.020)  
11          Malicious Mischief 2 (RCW 9A.48.080)  
12          Possess Controlled Substance that is a  
13           Narcotic from Schedule III, IV, or V  
14           or Non-narcotic from Schedule I-V  
15           (except phencyclidine or  
16           flunitrazepam) (RCW 69.50.401(d))  
17          Possession of Stolen Property 2 (RCW  
18           9A.56.160)  
19          Reckless Burning 1 (RCW 9A.48.040)  
20          Taking Motor Vehicle Without Permission  
21           (RCW 9A.56.070)  
22          Theft 2 (RCW 9A.56.040)  
23          Theft of Rental, Leased, or Lease-purchased  
24           Property (valued at two hundred fifty  
25           dollars or more but less than one  
26           thousand five hundred dollars) (RCW  
27           9A.56.096(4))  
28          Unlawful Issuance of Checks or Drafts (RCW  
29           9A.56.060)  
30          Unlawful Use of Food Stamps (RCW 9.91.140  
31           (2) and (3))  
32          Vehicle Prowl 1 (RCW 9A.52.095)

Passed the House March 9, 2001.

Passed the Senate April 4, 2001.

Approved by the Governor April 13, 2001.

Filed in Office of Secretary of State April 13, 2001.