

SB 5953 - S AMD 99

By Senator Finkbeiner

ADOPTED 03/12/2003

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
4 to read as follows:

5 (1) A pedestrian may not unlawfully and intentionally impede, or
6 otherwise disrupt, the flow of traffic on a highway that has been
7 designated, in whole or in part, as a highway of statewide
8 significance.

9 (2) A violation of this section is a gross misdemeanor punishable
10 under RCW 9A.20.021.

11 (3) Nothing in this section prohibits the filing, at any time, of
12 a cause of action for damages resulting from the disruption of traffic
13 caused by a pedestrian or pedestrians.

14 (4) In addition to any other costs that may be imposed by the
15 court, the court shall require a defendant to reimburse the actual
16 costs incurred by a law enforcement agency or emergency personnel, as
17 a result of responding to the traffic disruption prohibited under this
18 section.

19 **Sec. 2.** RCW 46.63.020 and 2001 c 325 s 4 are each amended to read
20 as follows:

21 Failure to perform any act required or the performance of any act
22 prohibited by this title or an equivalent administrative regulation or
23 local law, ordinance, regulation, or resolution relating to traffic
24 including parking, standing, stopping, and pedestrian offenses, is
25 designated as a traffic infraction and may not be classified as a
26 criminal offense, except for an offense contained in the following
27 provisions of this title or a violation of an equivalent administrative
28 regulation or local law, ordinance, regulation, or resolution:

- 1 (1) RCW 46.09.120(2) relating to the operation of a nonhighway
2 vehicle while under the influence of intoxicating liquor or a
3 controlled substance;
- 4 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;
- 5 (3) RCW 46.10.090(2) relating to the operation of a snowmobile
6 while under the influence of intoxicating liquor or narcotics or
7 habit-forming drugs or in a manner endangering the person of another;
- 8 (4) RCW 46.10.130 relating to the operation of snowmobiles;
- 9 (5) Chapter 46.12 RCW relating to certificates of ownership and
10 registration and markings indicating that a vehicle has been destroyed
11 or declared a total loss;
- 12 (6) RCW 46.16.010 relating to initial registration of motor
13 vehicles;
- 14 (7) RCW 46.16.011 relating to permitting unauthorized persons to
15 drive;
- 16 (8) RCW 46.16.160 relating to vehicle trip permits;
- 17 (9) RCW 46.16.381(2) relating to knowingly providing false
18 information in conjunction with an application for a special placard or
19 license plate for disabled persons' parking;
- 20 (10) RCW 46.20.005 relating to driving without a valid driver's
21 license;
- 22 (11) RCW 46.20.091 relating to false statements regarding a
23 driver's license or instruction permit;
- 24 (12) RCW 46.20.0921 relating to the unlawful possession and use of
25 a driver's license;
- 26 (13) RCW 46.20.342 relating to driving with a suspended or revoked
27 license or status;
- 28 (14) RCW 46.20.345 relating to the operation of a motor vehicle
29 with a suspended or revoked license;
- 30 (15) RCW 46.20.410 relating to the violation of restrictions of an
31 occupational driver's license;
- 32 (16) RCW 46.20.740 relating to operation of a motor vehicle without
33 an ignition interlock device in violation of a license notation that
34 the device is required;
- 35 (17) RCW 46.20.750 relating to assisting another person to start a
36 vehicle equipped with an ignition interlock device;
- 37 (18) RCW 46.25.170 relating to commercial driver's licenses;
- 38 (19) Chapter 46.29 RCW relating to financial responsibility;

- 1 (20) RCW 46.30.040 relating to providing false evidence of
2 financial responsibility;
- 3 (21) RCW 46.37.435 relating to wrongful installation of
4 sunscreening material;
- 5 (22) RCW 46.44.180 relating to operation of mobile home pilot
6 vehicles;
- 7 (23) RCW 46.48.175 relating to the transportation of dangerous
8 articles;
- 9 (24) RCW 46.52.010 relating to duty on striking an unattended car
10 or other property;
- 11 (25) RCW 46.52.020 relating to duty in case of injury to or death
12 of a person or damage to an attended vehicle;
- 13 (26) RCW 46.52.090 relating to reports by repairmen, storagemen,
14 and appraisers;
- 15 (27) RCW 46.52.130 relating to confidentiality of the driving
16 record to be furnished to an insurance company, an employer, and an
17 alcohol/drug assessment or treatment agency;
- 18 (28) RCW 46.55.020 relating to engaging in the activities of a
19 registered tow truck operator without a registration certificate;
- 20 (29) RCW 46.55.035 relating to prohibited practices by tow truck
21 operators;
- 22 (30) RCW 46.61.015 relating to obedience to police officers,
23 flaggers, or fire fighters;
- 24 (31) RCW 46.61.020 relating to refusal to give information to or
25 cooperate with an officer;
- 26 (32) RCW 46.61.022 relating to failure to stop and give
27 identification to an officer;
- 28 (33) RCW 46.61.024 relating to attempting to elude pursuing police
29 vehicles;
- 30 (34) Section 1 of this act relating to impeding traffic;
- 31 (35) RCW 46.61.500 relating to reckless driving;
- 32 ~~((+35))~~ (36) RCW 46.61.502 and 46.61.504 relating to persons under
33 the influence of intoxicating liquor or drugs;
- 34 ~~((+36))~~ (37) RCW 46.61.503 relating to a person under age twenty-
35 one driving a motor vehicle after consuming alcohol;
- 36 ~~((+37))~~ (38) RCW 46.61.520 relating to vehicular homicide by motor
37 vehicle;
- 38 ~~((+38))~~ (39) RCW 46.61.522 relating to vehicular assault;

1 (~~(39)~~) (40) RCW 46.61.5249 relating to first degree negligent
2 driving;

3 (~~(40)~~) (41) RCW 46.61.527(4) relating to reckless endangerment of
4 roadway workers;

5 (~~(41)~~) (42) RCW 46.61.530 relating to racing of vehicles on
6 highways;

7 (~~(42)~~) (43) RCW 46.61.685 relating to leaving children in an
8 unattended vehicle with the motor running;

9 (~~(43)~~) (44) RCW 46.61.740 relating to theft of motor vehicle
10 fuel;

11 (~~(44)~~) (45) RCW 46.64.010 relating to unlawful cancellation of or
12 attempt to cancel a traffic citation;

13 (~~(45)~~) (46) RCW 46.64.048 relating to attempting, aiding,
14 abetting, coercing, and committing crimes;

15 (~~(46)~~) (47) Chapter 46.65 RCW relating to habitual traffic
16 offenders;

17 (~~(47)~~) (48) RCW 46.68.010 relating to false statements made to
18 obtain a refund;

19 (~~(48)~~) (49) Chapter 46.70 RCW relating to unfair motor vehicle
20 business practices, except where that chapter provides for the
21 assessment of monetary penalties of a civil nature;

22 (~~(49)~~) (50) Chapter 46.72 RCW relating to the transportation of
23 passengers in for hire vehicles;

24 (~~(50)~~) (51) RCW 46.72A.060 relating to limousine carrier
25 insurance;

26 (~~(51)~~) (52) RCW 46.72A.070 relating to operation of a limousine
27 without a vehicle certificate;

28 (~~(52)~~) (53) RCW 46.72A.080 relating to false advertising by a
29 limousine carrier;

30 (~~(53)~~) (54) Chapter 46.80 RCW relating to motor vehicle wreckers;

31 (~~(54)~~) (55) Chapter 46.82 RCW relating to driver's training
32 schools;

33 (~~(55)~~) (56) RCW 46.87.260 relating to alteration or forgery of a
34 cab card, letter of authority, or other temporary authority issued
35 under chapter 46.87 RCW;

36 (~~(56)~~) (57) RCW 46.87.290 relating to operation of an
37 unregistered or unlicensed vehicle under chapter 46.87 RCW.

1 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately."

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5 In line 1 of the title, after "pedestrians;" strike the remainder
6 of the title and insert "amending RCW 46.63.020; adding a new section
7 to chapter 46.61 RCW; prescribing penalties; and declaring an
8 emergency."

EFFECT: Requires that the traffic disruption be unlawful as well
as intentional for criminal penalties to apply.

Requires courts to require defendants to reimburse law enforcement
and EMS personnel to recover costs incurred as a result of responding
to the disrupted traffic.

Adds an emergency clause.

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