
SUBSTITUTE HOUSE BILL 2319

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Wallace, Armstrong, Murray, Campbell, Wood, Jarrett, Morrell, Lovick, Cooper, Sullivan, Kenney, Condotta, Chase and Edwards)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to traffic control signal preemption devices;
2 amending RCW 46.63.020; adding a new section to chapter 46.61 RCW;
3 adding a new section to chapter 46.04 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW
6 to read as follows:

7 (1) It is unlawful for any person to own or use a traffic control
8 signal preemption device except under the following circumstances:

9 (a) The owner or operator of a law enforcement, fire fighting,
10 emergency medical service, or ambulance vehicle for use in providing
11 emergency service;

12 (b) The owner or operator of a department of transportation, city,
13 or county maintenance vehicle for use in performing traffic control
14 signal tests or maintenance;

15 (c) The owner or operator of a public transit vehicle for use in
16 providing transit service; or

17 (d) An employee or agent of a traffic control signal preemption
18 device manufacturer or retailer in the course of his or her employment

1 in providing, selling, manufacturing, or transporting a traffic control
2 signal preemption device to an individual or agency described in this
3 section.

4 (2) It is illegal to sell a traffic control signal preemption
5 device except to those who are approved under subsection (1) of this
6 section.

7 (3) Violation of subsection (1) or (2) of this section is a gross
8 misdemeanor.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.04 RCW
10 to read as follows:

11 "Traffic control signal preemption device" means a device that
12 interferes with or alters the operation of a traffic control signal.

13 **Sec. 3.** RCW 46.63.020 and 2003 c 33 s 4 are each amended to read
14 as follows:

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

23 (1) RCW 46.09.120(2) relating to the operation of a nonhighway
24 vehicle while under the influence of intoxicating liquor or a
25 controlled substance;

26 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;

27 (3) RCW 46.10.090(2) relating to the operation of a snowmobile
28 while under the influence of intoxicating liquor or narcotics or habit-
29 forming drugs or in a manner endangering the person of another;

30 (4) RCW 46.10.130 relating to the operation of snowmobiles;

31 (5) Chapter 46.12 RCW relating to certificates of ownership and
32 registration and markings indicating that a vehicle has been destroyed
33 or declared a total loss;

34 (6) RCW 46.16.010 relating to initial registration of motor
35 vehicles;

- 1 (7) RCW 46.16.011 relating to permitting unauthorized persons to
2 drive;
- 3 (8) RCW 46.16.160 relating to vehicle trip permits;
- 4 (9) RCW 46.16.381(2) relating to knowingly providing false
5 information in conjunction with an application for a special placard or
6 license plate for disabled persons' parking;
- 7 (10) RCW 46.20.005 relating to driving without a valid driver's
8 license;
- 9 (11) RCW 46.20.091 relating to false statements regarding a
10 driver's license or instruction permit;
- 11 (12) RCW 46.20.0921 relating to the unlawful possession and use of
12 a driver's license;
- 13 (13) RCW 46.20.342 relating to driving with a suspended or revoked
14 license or status;
- 15 (14) RCW 46.20.345 relating to the operation of a motor vehicle
16 with a suspended or revoked license;
- 17 (15) RCW 46.20.410 relating to the violation of restrictions of an
18 occupational driver's license;
- 19 (16) RCW 46.20.740 relating to operation of a motor vehicle without
20 an ignition interlock device in violation of a license notation that
21 the device is required;
- 22 (17) RCW 46.20.750 relating to assisting another person to start a
23 vehicle equipped with an ignition interlock device;
- 24 (18) RCW 46.25.170 relating to commercial driver's licenses;
- 25 (19) Chapter 46.29 RCW relating to financial responsibility;
- 26 (20) RCW 46.30.040 relating to providing false evidence of
27 financial responsibility;
- 28 (21) RCW 46.37.435 relating to wrongful installation of
29 sunscreening material;
- 30 (22) RCW 46.37.650 relating to the sale, resale, distribution, or
31 installation of a previously deployed air bag;
- 32 (23) RCW 46.44.180 relating to operation of mobile home pilot
33 vehicles;
- 34 (24) RCW 46.48.175 relating to the transportation of dangerous
35 articles;
- 36 (25) RCW 46.52.010 relating to duty on striking an unattended car
37 or other property;

1 (26) RCW 46.52.020 relating to duty in case of injury to or death
2 of a person or damage to an attended vehicle;
3 (27) RCW 46.52.090 relating to reports by repairmen, storagemen,
4 and appraisers;
5 (28) RCW 46.52.130 relating to confidentiality of the driving
6 record to be furnished to an insurance company, an employer, and an
7 alcohol/drug assessment or treatment agency;
8 (29) RCW 46.55.020 relating to engaging in the activities of a
9 registered tow truck operator without a registration certificate;
10 (30) RCW 46.55.035 relating to prohibited practices by tow truck
11 operators;
12 (31) RCW 46.61.015 relating to obedience to police officers,
13 flaggers, or fire fighters;
14 (32) RCW 46.61.020 relating to refusal to give information to or
15 cooperate with an officer;
16 (33) RCW 46.61.022 relating to failure to stop and give
17 identification to an officer;
18 (34) RCW 46.61.024 relating to attempting to elude pursuing police
19 vehicles;
20 (35) Section 1 of this act relating to the sale, ownership, or use
21 of a traffic control signal preemption device by an unauthorized
22 person;
23 (36) RCW 46.61.500 relating to reckless driving;
24 ~~((+36+))~~ (37) RCW 46.61.502 and 46.61.504 relating to persons under
25 the influence of intoxicating liquor or drugs;
26 ~~((+37+))~~ (38) RCW 46.61.503 relating to a person under age twenty-
27 one driving a motor vehicle after consuming alcohol;
28 ~~((+38+))~~ (39) RCW 46.61.520 relating to vehicular homicide by motor
29 vehicle;
30 ~~((+39+))~~ (40) RCW 46.61.522 relating to vehicular assault;
31 ~~((+40+))~~ (41) RCW 46.61.5249 relating to first degree negligent
32 driving;
33 ~~((+41+))~~ (42) RCW 46.61.527(4) relating to reckless endangerment of
34 roadway workers;
35 ~~((+42+))~~ (43) RCW 46.61.530 relating to racing of vehicles on
36 highways;
37 ~~((+43+))~~ (44) RCW 46.61.685 relating to leaving children in an
38 unattended vehicle with the motor running;

1 (~~(44)~~) (45) RCW 46.61.740 relating to theft of motor vehicle
2 fuel;

3 (~~(45)~~) (46) RCW 46.64.010 relating to unlawful cancellation of or
4 attempt to cancel a traffic citation;

5 (~~(46)~~) (47) RCW 46.64.048 relating to attempting, aiding,
6 abetting, coercing, and committing crimes;

7 (~~(47)~~) (48) Chapter 46.65 RCW relating to habitual traffic
8 offenders;

9 (~~(48)~~) (49) RCW 46.68.010 relating to false statements made to
10 obtain a refund;

11 (~~(49)~~) (50) Chapter 46.70 RCW relating to unfair motor vehicle
12 business practices, except where that chapter provides for the
13 assessment of monetary penalties of a civil nature;

14 (~~(50)~~) (51) Chapter 46.72 RCW relating to the transportation of
15 passengers in for hire vehicles;

16 (~~(51)~~) (52) RCW 46.72A.060 relating to limousine carrier
17 insurance;

18 (~~(52)~~) (53) RCW 46.72A.070 relating to operation of a limousine
19 without a vehicle certificate;

20 (~~(53)~~) (54) RCW 46.72A.080 relating to false advertising by a
21 limousine carrier;

22 (~~(54)~~) (55) Chapter 46.80 RCW relating to motor vehicle wreckers;

23 (~~(55)~~) (56) Chapter 46.82 RCW relating to driver's training
24 schools;

25 (~~(56)~~) (57) RCW 46.87.260 relating to alteration or forgery of a
26 cab card, letter of authority, or other temporary authority issued
27 under chapter 46.87 RCW;

28 (~~(57)~~) (58) RCW 46.87.290 relating to operation of an
29 unregistered or unlicensed vehicle under chapter 46.87 RCW.

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