

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1113**

Chapter 183, Laws of 2005

59th Legislature  
2005 Regular Session

SIGNAL PREEMPTION DEVICES

EFFECTIVE DATE: 7/24/05

Passed by the House February 11, 2005  
Yeas 98 Nays 0

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 12, 2005  
Yeas 44 Nays 0

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved April 26, 2005.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1113** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

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**Chief Clerk**

FILED

April 26, 2005 - 2:11 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1113**

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Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Wallace, Jarrett, Fromhold, Armstrong, Moeller, Lovick, Morrell, Kilmer, Dickerson, Appleton, Wood, Ormsby, Sells and Chase)

READ FIRST TIME 02/07/05.

1            AN ACT Relating to traffic control signal preemption devices;  
2 amending RCW 46.37.190 and 46.63.020; reenacting and amending RCW  
3 9.94A.515; adding a new section to chapter 46.04 RCW; adding new  
4 sections to chapter 46.61 RCW; and prescribing penalties.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 46.04 RCW  
7 to read as follows:

8            "Signal preemption device" means a device that is capable of  
9 altering the normal operation of a traffic control signal. Any such  
10 device manufactured by a vehicle manufacturer is not a signal  
11 preemption device for purposes of this section if the primary purpose  
12 of the device is any purpose other than the preemption of traffic  
13 signals and the device's ability to alter traffic signals is unintended  
14 and incidental to the device's primary purpose.

15           NEW SECTION.    **Sec. 2.** A new section is added to chapter 46.61 RCW  
16 to read as follows:

17           (1) Signal preemption devices shall not be installed or used on or  
18 with any vehicle other than an emergency vehicle authorized by the

1 state patrol, a publicly owned law enforcement or emergency vehicle, a  
2 department of transportation, city, or county maintenance vehicle, or  
3 a public transit vehicle.

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

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

7 (b) A fire station or a fire fighter in the course of providing  
8 fire prevention or fire extinguishing services;

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

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

13 (e) Department of transportation, city, or county maintenance  
14 personnel while performing maintenance;

15 (f) Public transit personnel in the performance of their duties.  
16 However, public transit personnel operating a signal preemption device  
17 shall have second degree priority to law enforcement personnel, fire  
18 fighters, emergency medical personnel, and other authorized emergency  
19 vehicle personnel, when simultaneously approaching the same traffic  
20 control signal;

21 (g) A mail or package delivery service or employee or agent of a  
22 mail or package delivery service in the course of shipping or  
23 delivering a signal preemption device;

24 (h) An employee or agent of a signal preemption device manufacturer  
25 or retailer in the course of his or her employment in providing,  
26 selling, manufacturing, or transporting a signal preemption device to  
27 an individual or agency described in this subsection.

28 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.61 RCW  
29 to read as follows:

30 (1) It is unlawful to possess a signal preemption device except as  
31 authorized in section 2 of this act.

32 (2) A person who violates this section is guilty of a misdemeanor.

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.61 RCW  
34 to read as follows:

35 (1) It is unlawful to:

1 (a) Use a signal preemption device except as authorized in section  
2 2 of this act;

3 (b) Sell a signal preemption device to a person other than a person  
4 described in section 2 of this act; or

5 (c) Purchase a signal preemption device for use other than a duty  
6 as described in section 2 of this act.

7 (2) A person who violates this section is guilty of a gross  
8 misdemeanor.

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

11 (1) When an accident that results only in injury to property or  
12 injury to a person that does not arise to substantial bodily harm as  
13 defined in RCW 9A.04.110 occurs as a proximate result of the operation  
14 of a signal preemption device which was not authorized in section 2 of  
15 this act, the driver is guilty of negligently causing an accident by  
16 use of a signal preemption device.

17 (2) Negligently causing an accident by use of a signal preemption  
18 device is a class C felony punishable under chapter 9A.20 RCW.

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

21 (1) When an accident that results in injury to a person that arises  
22 to substantial bodily harm as defined in RCW 9A.04.110 occurs as a  
23 proximate result of the operation of a signal preemption device which  
24 was not authorized in section 2 of this act, the driver is guilty of  
25 negligently causing substantial bodily harm by use of a signal  
26 preemption device.

27 (2) Negligently causing substantial bodily harm by use of a signal  
28 preemption device is a class B felony punishable under chapter 9A.20  
29 RCW.

30 NEW SECTION. **Sec. 7.** A new section is added to chapter 46.61 RCW  
31 to read as follows:

32 (1) When an accident that results in death to a person occurs as a  
33 proximate result of the operation of a signal preemption device which  
34 was not authorized in section 2 of this act, the driver is guilty of  
35 negligently causing death by use of a signal preemption device.

1 (2) Negligently causing death by use of a signal preemption device  
2 is a class B felony punishable under chapter 9A.20 RCW.

3 **Sec. 8.** RCW 46.37.190 and 1993 c 401 s 2 are each amended to read  
4 as follows:

5 (1) Every authorized emergency vehicle shall, in addition to any  
6 other equipment and distinctive marking required by this chapter, be  
7 equipped with at least one lamp capable of displaying a red light  
8 visible from at least five hundred feet in normal sunlight and a siren  
9 capable of giving an audible signal.

10 (2) Every school bus and private carrier bus shall, in addition to  
11 any other equipment and distinctive markings required by this chapter,  
12 be equipped with a "stop" signal upon a background not less than  
13 fourteen by eighteen inches displaying the word "stop" in letters of  
14 distinctly contrasting colors not less than eight inches high, and  
15 shall further be equipped with signal lamps mounted as high and as  
16 widely spaced laterally as practicable, which shall be capable of  
17 displaying to the front two alternately flashing red lights located at  
18 the same level and to the rear two alternately flashing red lights  
19 located at the same level and these lights shall have sufficient  
20 intensity to be visible at five hundred feet in normal sunlight.

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

27 (4) The lights described in this section shall not be mounted nor  
28 used on any vehicle other than a school bus, a private carrier bus, or  
29 an authorized emergency or law enforcement vehicle. ~~((Optical strobe~~  
30 ~~light devices shall not be installed or used on any vehicle other than~~  
31 ~~an emergency vehicle authorized by the state patrol, a publicly owned~~  
32 ~~law enforcement or emergency vehicle, a department of transportation,~~  
33 ~~city, or county maintenance vehicle, or a public transit vehicle.~~

34 ~~(a) An "optical strobe light device" used by emergency vehicles~~  
35 ~~means a strobe light device which emits an optical signal at a specific~~  
36 ~~frequency to a traffic control light enabling the emergency vehicle in~~

1 ~~which the strobe light device is used to obtain the right of way at~~  
2 ~~intersections.~~

3 ~~(b) An "optical strobe light device" used by department of~~  
4 ~~transportation, city, or county maintenance vehicles means a strobe~~  
5 ~~light device that emits an optical signal at a specific frequency to a~~  
6 ~~traffic control light enabling the department of transportation~~  
7 ~~maintenance vehicle in which the strobe light device is used to perform~~  
8 ~~maintenance tests.~~

9 ~~(c) An "optical strobe light device" used by public transit~~  
10 ~~vehicles means a strobe light device that emits an optical signal at a~~  
11 ~~specific frequency to a traffic control light enabling the public~~  
12 ~~transit vehicle in which the strobe light device is used to accelerate~~  
13 ~~the cycle of the traffic control light. For the purposes of this~~  
14 ~~section, "public transit vehicle" means vehicles, owned by a~~  
15 ~~governmental entity, with a seating capacity for twenty five or more~~  
16 ~~persons and used to provide mass transportation. Public transit~~  
17 ~~vehicles operating an optical strobe light will have second degree~~  
18 ~~priority to emergency vehicles when simultaneously approaching the same~~  
19 ~~traffic control light.)~~

20 (5) The use of the signal equipment described ((herein)) in this  
21 section and section 2 of this act, except the ((optical strobe light))  
22 signal preemption devices used by public transit vehicles and  
23 department of transportation, city, or county maintenance vehicles that  
24 are not used in conjunction with emergency equipment, shall impose upon  
25 drivers of other vehicles the obligation to yield right of way and stop  
26 as prescribed in RCW 46.61.210, 46.61.370, and 46.61.350.

27 **Sec. 9.** RCW 9.94A.515 and 2004 c 176 s 2 and 2004 c 94 s 3 are  
28 each reenacted and amended to read as follows:

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TABLE 2	
CRIMES INCLUDED WITHIN	
EACH SERIOUSNESS LEVEL	
XVI	Aggravated Murder 1 (RCW
	10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)

1 Malicious explosion 1 (RCW  
2 70.74.280(1))  
3 Murder 1 (RCW 9A.32.030)  
4 XIV Murder 2 (RCW 9A.32.050)  
5 Trafficking 1 (RCW 9A.40.100(1))  
6 XIII Malicious explosion 2 (RCW  
7 70.74.280(2))  
8 Malicious placement of an explosive 1  
9 (RCW 70.74.270(1))  
10 XII Assault 1 (RCW 9A.36.011)  
11 Assault of a Child 1 (RCW 9A.36.120)  
12 Malicious placement of an imitation  
13 device 1 (RCW 70.74.272(1)(a))  
14 Rape 1 (RCW 9A.44.040)  
15 Rape of a Child 1 (RCW 9A.44.073)  
16 Trafficking 2 (RCW 9A.40.100(2))  
17 XI Manslaughter 1 (RCW 9A.32.060)  
18 Rape 2 (RCW 9A.44.050)  
19 Rape of a Child 2 (RCW 9A.44.076)  
20 X Child Molestation 1 (RCW 9A.44.083)  
21 Indecent Liberties (with forcible  
22 compulsion) (RCW  
23 9A.44.100(1)(a))  
24 Kidnapping 1 (RCW 9A.40.020)  
25 Leading Organized Crime (RCW  
26 9A.82.060(1)(a))  
27 Malicious explosion 3 (RCW  
28 70.74.280(3))  
29 Sexually Violent Predator Escape  
30 (RCW 9A.76.115)  
31 IX Assault of a Child 2 (RCW 9A.36.130)  
32 Explosive devices prohibited (RCW  
33 70.74.180)  
34 Hit and Run--Death (RCW  
35 46.52.020(4)(a))

1 Homicide by Watercraft, by being  
2 under the influence of intoxicating  
3 liquor or any drug (RCW  
4 79A.60.050)  
5 Inciting Criminal Profiteering (RCW  
6 9A.82.060(1)(b))  
7 Malicious placement of an explosive 2  
8 (RCW 70.74.270(2))  
9 Robbery 1 (RCW 9A.56.200)  
10 Sexual Exploitation (RCW 9.68A.040)  
11 Vehicular Homicide, by being under  
12 the influence of intoxicating  
13 liquor or any drug (RCW  
14 46.61.520)  
15 VIII Arson 1 (RCW 9A.48.020)  
16 Homicide by Watercraft, by the  
17 operation of any vessel in a  
18 reckless manner (RCW  
19 79A.60.050)  
20 Manslaughter 2 (RCW 9A.32.070)  
21 Promoting Prostitution 1 (RCW  
22 9A.88.070)  
23 Theft of Ammonia (RCW 69.55.010)  
24 Vehicular Homicide, by the operation  
25 of any vehicle in a reckless  
26 manner (RCW 46.61.520)  
27 VII Burglary 1 (RCW 9A.52.020)  
28 Child Molestation 2 (RCW 9A.44.086)  
29 Civil Disorder Training (RCW  
30 9A.48.120)  
31 Dealing in depictions of minor  
32 engaged in sexually explicit  
33 conduct (RCW 9.68A.050)  
34 Drive-by Shooting (RCW 9A.36.045)  
35 Homicide by Watercraft, by disregard  
36 for the safety of others (RCW  
37 79A.60.050)



1 Indecent Liberties (without forcible  
2 compulsion) (RCW 9A.44.100(1)  
3 (b) and (c))  
4 Introducing Contraband 1 (RCW  
5 9A.76.140)  
6 Malicious placement of an explosive 3  
7 (RCW 70.74.270(3))  
8 Negligently Causing Death By Use of  
9 a Signal Preemption Device  
10 (section 7 of this act)  
11 Sending, bringing into state depictions  
12 of minor engaged in sexually  
13 explicit conduct (RCW  
14 9.68A.060)  
15 Unlawful Possession of a Firearm in  
16 the first degree (RCW  
17 9.41.040(1))  
18 Use of a Machine Gun in Commission  
19 of a Felony (RCW 9.41.225)  
20 Vehicular Homicide, by disregard for  
21 the safety of others (RCW  
22 46.61.520)  
23 VI Bail Jumping with Murder 1 (RCW  
24 9A.76.170(3)(a))  
25 Bribery (RCW 9A.68.010)  
26 Incest 1 (RCW 9A.64.020(1))  
27 Intimidating a Judge (RCW  
28 9A.72.160)  
29 Intimidating a Juror/Witness (RCW  
30 9A.72.110, 9A.72.130)  
31 Malicious placement of an imitation  
32 device 2 (RCW 70.74.272(1)(b))  
33 Rape of a Child 3 (RCW 9A.44.079)  
34 Theft of a Firearm (RCW 9A.56.300)  
35 Unlawful Storage of Ammonia (RCW  
36 69.55.020)

1 V Abandonment of dependent person 1  
2 (RCW 9A.42.060)  
3 Advancing money or property for  
4 extortionate extension of credit  
5 (RCW 9A.82.030)  
6 Bail Jumping with class A Felony  
7 (RCW 9A.76.170(3)(b))  
8 Child Molestation 3 (RCW 9A.44.089)  
9 Criminal Mistreatment 1 (RCW  
10 9A.42.020)  
11 Custodial Sexual Misconduct 1 (RCW  
12 9A.44.160)  
13 Domestic Violence Court Order  
14 Violation (RCW 10.99.040,  
15 10.99.050, 26.09.300, 26.10.220,  
16 26.26.138, 26.50.110, 26.52.070,  
17 or 74.34.145)  
18 Extortion 1 (RCW 9A.56.120)  
19 Extortionate Extension of Credit  
20 (RCW 9A.82.020)  
21 Extortionate Means to Collect  
22 Extensions of Credit (RCW  
23 9A.82.040)  
24 Incest 2 (RCW 9A.64.020(2))  
25 Kidnapping 2 (RCW 9A.40.030)  
26 Perjury 1 (RCW 9A.72.020)  
27 Persistent prison misbehavior (RCW  
28 9.94.070)  
29 Possession of a Stolen Firearm (RCW  
30 9A.56.310)  
31 Rape 3 (RCW 9A.44.060)  
32 Rendering Criminal Assistance 1  
33 (RCW 9A.76.070)  
34 Sexual Misconduct with a Minor 1  
35 (RCW 9A.44.093)  
36 Sexually Violating Human Remains  
37 (RCW 9A.44.105)

1 Stalking (RCW 9A.46.110)  
2 Taking Motor Vehicle Without  
3 Permission 1 (RCW 9A.56.070)  
4 IV Arson 2 (RCW 9A.48.030)  
5 Assault 2 (RCW 9A.36.021)  
6 Assault by Watercraft (RCW  
7 79A.60.060)  
8 Bribing a Witness/Bribe Received by  
9 Witness (RCW 9A.72.090,  
10 9A.72.100)  
11 Cheating 1 (RCW 9.46.1961)  
12 Commercial Bribery (RCW  
13 9A.68.060)  
14 Counterfeiting (RCW 9.16.035(4))  
15 Endangerment with a Controlled  
16 Substance (RCW 9A.42.100)  
17 Escape 1 (RCW 9A.76.110)  
18 Hit and Run--Injury (RCW  
19 46.52.020(4)(b))  
20 Hit and Run with Vessel--Injury  
21 Accident (RCW 79A.60.200(3))  
22 Identity Theft 1 (RCW 9.35.020(2))  
23 Indecent Exposure to Person Under  
24 Age Fourteen (subsequent sex  
25 offense) (RCW 9A.88.010)  
26 Influencing Outcome of Sporting  
27 Event (RCW 9A.82.070)  
28 Malicious Harassment (RCW  
29 9A.36.080)  
30 Residential Burglary (RCW  
31 9A.52.025)  
32 Robbery 2 (RCW 9A.56.210)  
33 Theft of Livestock 1 (RCW 9A.56.080)  
34 Threats to Bomb (RCW 9.61.160)  
35 Trafficking in Stolen Property 1 (RCW  
36 9A.82.050)

1 Unlawful factoring of a credit card or  
2 payment card transaction (RCW  
3 9A.56.290(4)(b))  
4 Unlawful transaction of health  
5 coverage as a health care service  
6 contractor (RCW 48.44.016(3))  
7 Unlawful transaction of health  
8 coverage as a health maintenance  
9 organization (RCW 48.46.033(3))  
10 Unlawful transaction of insurance  
11 business (RCW 48.15.023(3))  
12 Unlicensed practice as an insurance  
13 professional (RCW 48.17.063(3))  
14 Use of Proceeds of Criminal  
15 Profiteering (RCW 9A.82.080 (1)  
16 and (2))  
17 Vehicular Assault, by being under the  
18 influence of intoxicating liquor or  
19 any drug, or by the operation or  
20 driving of a vehicle in a reckless  
21 manner (RCW 46.61.522)  
22 Willful Failure to Return from  
23 Furlough (RCW 72.66.060)  
24 III Abandonment of dependent person 2  
25 (RCW 9A.42.070)  
26 Assault 3 (RCW 9A.36.031)  
27 Assault of a Child 3 (RCW 9A.36.140)  
28 Bail Jumping with class B or C Felony  
29 (RCW 9A.76.170(3)(c))  
30 Burglary 2 (RCW 9A.52.030)  
31 Communication with a Minor for  
32 Immoral Purposes (RCW  
33 9.68A.090)  
34 Criminal Gang Intimidation (RCW  
35 9A.46.120)  
36 Criminal Mistreatment 2 (RCW  
37 9A.42.030)

1 Custodial Assault (RCW 9A.36.100)  
2 Cyberstalking (subsequent conviction  
3 or threat of death) (RCW  
4 9.61.260(3))  
5 Escape 2 (RCW 9A.76.120)  
6 Extortion 2 (RCW 9A.56.130)  
7 Harassment (RCW 9A.46.020)  
8 Intimidating a Public Servant (RCW  
9 9A.76.180)  
10 Introducing Contraband 2 (RCW  
11 9A.76.150)  
12 Malicious Injury to Railroad Property  
13 (RCW 81.60.070)  
14 Negligently Causing Substantial  
15 Bodily Harm By Use of a Signal  
16 Preemption Device (section 6 of  
17 this act)  
18 Patronizing a Juvenile Prostitute  
19 (RCW 9.68A.100)  
20 Perjury 2 (RCW 9A.72.030)  
21 Possession of Incendiary Device (RCW  
22 9.40.120)  
23 Possession of Machine Gun or Short-  
24 Barreled Shotgun or Rifle (RCW  
25 9.41.190)  
26 Promoting Prostitution 2 (RCW  
27 9A.88.080)  
28 Securities Act violation (RCW  
29 21.20.400)  
30 Tampering with a Witness (RCW  
31 9A.72.120)  
32 Telephone Harassment (subsequent  
33 conviction or threat of death)  
34 (RCW 9.61.230(2))  
35 Theft of Livestock 2 (RCW 9A.56.083)  
36 Trafficking in Stolen Property 2 (RCW  
37 9A.82.055)

1 Unlawful Imprisonment (RCW  
2 9A.40.040)  
3 Unlawful possession of firearm in the  
4 second degree (RCW 9.41.040(2))  
5 Vehicular Assault, by the operation or  
6 driving of a vehicle with disregard  
7 for the safety of others (RCW  
8 46.61.522)  
9 Willful Failure to Return from Work  
10 Release (RCW 72.65.070)  
11 II Computer Trespass 1 (RCW  
12 9A.52.110)  
13 Counterfeiting (RCW 9.16.035(3))  
14 Escape from Community Custody  
15 (RCW 72.09.310)  
16 Health Care False Claims (RCW  
17 48.80.030)  
18 Identity Theft 2 (RCW 9.35.020(3))  
19 Improperly Obtaining Financial  
20 Information (RCW 9.35.010)  
21 Malicious Mischief 1 (RCW  
22 9A.48.070)  
23 Possession of Stolen Property 1 (RCW  
24 9A.56.150)  
25 Theft 1 (RCW 9A.56.030)  
26 Theft of Rental, Leased, or Lease-  
27 purchased Property (valued at one  
28 thousand five hundred dollars or  
29 more) (RCW 9A.56.096(5)(a))  
30 Trafficking in Insurance Claims (RCW  
31 48.30A.015)  
32 Unlawful factoring of a credit card or  
33 payment card transaction (RCW  
34 9A.56.290(4)(a))  
35 Unlawful Practice of Law (RCW  
36 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 Forgery (RCW 9A.60.020)  
8 Fraudulent Creation or Revocation of a  
9 Mental Health Advance Directive  
10 (RCW 9A.60.060)  
11 Malicious Mischief 2 (RCW  
12 9A.48.080)  
13 Mineral Trespass (RCW 78.44.330)  
14 Possession of Stolen Property 2 (RCW  
15 9A.56.160)  
16 Reckless Burning 1 (RCW 9A.48.040)  
17 Taking Motor Vehicle Without  
18 Permission 2 (RCW 9A.56.075)  
19 Theft 2 (RCW 9A.56.040)  
20 Theft of Rental, Leased, or Lease-  
21 purchased Property (valued at two  
22 hundred fifty dollars or more but  
23 less than one thousand five  
24 hundred dollars) (RCW  
25 9A.56.096(5)(b))  
26 Transaction of insurance business  
27 beyond the scope of licensure  
28 (RCW 48.17.063(4))  
29 Unlawful Issuance of Checks or Drafts  
30 (RCW 9A.56.060)  
31 Unlawful Possession of Fictitious  
32 Identification (RCW 9A.56.320)  
33 Unlawful Possession of Instruments of  
34 Financial Fraud (RCW  
35 9A.56.320)  
36 Unlawful Possession of Payment  
37 Instruments (RCW 9A.56.320)

1 Unlawful Possession of a Personal  
2 Identification Device (RCW  
3 9A.56.320)  
4 Unlawful Production of Payment  
5 Instruments (RCW 9A.56.320)  
6 Unlawful Trafficking in Food Stamps  
7 (RCW 9.91.142)  
8 Unlawful Use of Food Stamps (RCW  
9 9.91.144)  
10 Vehicle Prowl 1 (RCW 9A.52.095)

11 **Sec. 10.** RCW 46.63.020 and 2004 c 95 s 14 are each amended to read  
12 as follows:

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

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

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

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

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

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

32 (6) RCW 46.16.010 relating to initial registration of motor  
33 vehicles;

34 (7) RCW 46.16.011 relating to permitting unauthorized persons to  
35 drive;

36 (8) RCW 46.16.160 relating to vehicle trip permits;



- 1 (9) RCW 46.16.381(2) relating to knowingly providing false  
2 information in conjunction with an application for a special placard or  
3 license plate for disabled persons' parking;
- 4 (10) RCW 46.20.005 relating to driving without a valid driver's  
5 license;
- 6 (11) RCW 46.20.091 relating to false statements regarding a  
7 driver's license or instruction permit;
- 8 (12) RCW 46.20.0921 relating to the unlawful possession and use of  
9 a driver's license;
- 10 (13) RCW 46.20.342 relating to driving with a suspended or revoked  
11 license or status;
- 12 (14) RCW 46.20.345 relating to the operation of a motor vehicle  
13 with a suspended or revoked license;
- 14 (15) RCW 46.20.410 relating to the violation of restrictions of an  
15 occupational or temporary restricted driver's license;
- 16 (16) RCW 46.20.740 relating to operation of a motor vehicle without  
17 an ignition interlock device in violation of a license notation that  
18 the device is required;
- 19 (17) RCW 46.20.750 relating to assisting another person to start a  
20 vehicle equipped with an ignition interlock device;
- 21 (18) RCW 46.25.170 relating to commercial driver's licenses;
- 22 (19) Chapter 46.29 RCW relating to financial responsibility;
- 23 (20) RCW 46.30.040 relating to providing false evidence of  
24 financial responsibility;
- 25 (21) RCW 46.37.435 relating to wrongful installation of  
26 sunscreening material;
- 27 (22) RCW 46.37.650 relating to the sale, resale, distribution, or  
28 installation of a previously deployed air bag;
- 29 (23) RCW 46.44.180 relating to operation of mobile home pilot  
30 vehicles;
- 31 (24) RCW 46.48.175 relating to the transportation of dangerous  
32 articles;
- 33 (25) RCW 46.52.010 relating to duty on striking an unattended car  
34 or other property;
- 35 (26) RCW 46.52.020 relating to duty in case of injury to or death  
36 of a person or damage to an attended vehicle;
- 37 (27) RCW 46.52.090 relating to reports by repairmen, storagemen,  
38 and appraisers;

1 (28) RCW 46.52.130 relating to confidentiality of the driving  
2 record to be furnished to an insurance company, an employer, and an  
3 alcohol/drug assessment or treatment agency;

4 (29) RCW 46.55.020 relating to engaging in the activities of a  
5 registered tow truck operator without a registration certificate;

6 (30) RCW 46.55.035 relating to prohibited practices by tow truck  
7 operators;

8 (31) RCW 46.61.015 relating to obedience to police officers,  
9 flaggers, or fire fighters;

10 (32) RCW 46.61.020 relating to refusal to give information to or  
11 cooperate with an officer;

12 (33) RCW 46.61.022 relating to failure to stop and give  
13 identification to an officer;

14 (34) RCW 46.61.024 relating to attempting to elude pursuing police  
15 vehicles;

16 (35) RCW 46.61.500 relating to reckless driving;

17 (36) RCW 46.61.502 and 46.61.504 relating to persons under the  
18 influence of intoxicating liquor or drugs;

19 (37) RCW 46.61.503 relating to a person under age twenty-one  
20 driving a motor vehicle after consuming alcohol;

21 (38) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

22 (39) RCW 46.61.522 relating to vehicular assault;

23 (40) RCW 46.61.5249 relating to first degree negligent driving;

24 (41) RCW 46.61.527(4) relating to reckless endangerment of roadway  
25 workers;

26 (42) RCW 46.61.530 relating to racing of vehicles on highways;

27 (43) RCW 46.61.685 relating to leaving children in an unattended  
28 vehicle with the motor running;

29 (44) RCW 46.61.740 relating to theft of motor vehicle fuel;

30 (45) Sections 3 through 7 of this act relating to signal preemption  
31 devices;

32 (46) RCW 46.64.010 relating to unlawful cancellation of or attempt  
33 to cancel a traffic citation;

34 ~~((46))~~ (47) RCW 46.64.048 relating to attempting, aiding,  
35 abetting, coercing, and committing crimes;

36 ~~((47))~~ (48) Chapter 46.65 RCW relating to habitual traffic  
37 offenders;

1       (~~(48)~~) (49) RCW 46.68.010 relating to false statements made to  
2 obtain a refund;  
3       (~~(49)~~) (50) Chapter 46.70 RCW relating to unfair motor vehicle  
4 business practices, except where that chapter provides for the  
5 assessment of monetary penalties of a civil nature;  
6       (~~(50)~~) (51) Chapter 46.72 RCW relating to the transportation of  
7 passengers in for hire vehicles;  
8       (~~(51)~~) (52) RCW 46.72A.060 relating to limousine carrier  
9 insurance;  
10       (~~(52)~~) (53) RCW 46.72A.070 relating to operation of a limousine  
11 without a vehicle certificate;  
12       (~~(53)~~) (54) RCW 46.72A.080 relating to false advertising by a  
13 limousine carrier;  
14       (~~(54)~~) (55) Chapter 46.80 RCW relating to motor vehicle wreckers;  
15       (~~(55)~~) (56) Chapter 46.82 RCW relating to driver's training  
16 schools;  
17       (~~(56)~~) (57) RCW 46.87.260 relating to alteration or forgery of a  
18 cab card, letter of authority, or other temporary authority issued  
19 under chapter 46.87 RCW;  
20       (~~(57)~~) (58) RCW 46.87.290 relating to operation of an  
21 unregistered or unlicensed vehicle under chapter 46.87 RCW.

Passed by the House February 11, 2005.

Passed by the Senate April 12, 2005.

Approved by the Governor April 26, 2005.

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