

# HOUSE BILL REPORT

## SSB 5078

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### As Passed House:

April 5, 2007

**Title:** An act relating to approaching stationary emergency, roadside assistance, or police vehicles.

**Brief Description:** Implementing rules for drivers when approaching stationary emergency, roadside assistance, and police vehicles on highways having less than four lanes.

**Sponsors:** By Senate Committee on Transportation (originally sponsored by Senators Honeyford and Kline).

### Brief History:

#### Committee Activity:

Transportation: 3/29/07, 3/30/07 [DP].

#### Floor Activity:

Passed House: 4/5/07, 97-0.

### Brief Summary of Substitute Bill

- Expands the list of authorized emergency vehicles for which a driver must proceed with caution and potentially yield the right-of-way to include tow trucks and other vehicles providing roadside assistance while using warning lights.
- Expands the circumstances when a vehicle may pass on the left side of the roadway to include when passing authorized emergency vehicles, tow trucks, and other vehicles providing roadside assistance while using warning lights.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 21 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Jarrett, Ranking Minority Member; Appleton, Armstrong, Curtis, Dickerson, Hailey, Hankins, Hudgins, Lovick, Rodne, Rolfes, Sells, Simpson, Springer, B. Sullivan, Takko, Upthegrove, Wallace and Wood.

**Staff:** David Munnecke (786-7315).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:**

On highways with at least four lanes, two lanes of which are for traffic traveling in a single direction, drivers approaching a stationary emergency vehicle with a siren or flashing lights are required to proceed with caution, and if reasonable, yield the right-of-way by making a lane change or moving away from the emergency vehicle. If changing lanes would be unreasonable or unsafe, the driver must proceed with caution and reduce speed.

Vehicles are required to be driven onto the right side of the roadway, except under specified circumstances such as when passing or on a one-way roadway. No vehicle may pass on the left side of the roadway unless authorized by statute, provided however, that the left side of the roadway is free of oncoming traffic for a sufficient distance for the overtaking vehicle to pass without interfering with other vehicles or coming within 200 feet of approaching traffic.

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**Summary of Bill:**

On highways of less than four lanes, drivers approaching a stationary emergency vehicle with a siren or flashing lights, a tow truck using red lights, or emergency assistance vehicles using warning lights, must proceed with caution, reduce speed, and if reasonable and safe, yield the right-of-way by passing to the left. On highways of four or more lanes, the vehicles for which a driver must proceed with caution and potentially yield the right-of-way is expanded to include tow trucks and other vehicles providing roadside assistance while using warning lights.

The circumstances under which a vehicle may be driven on the left side of a roadway is expanded to include when approaching a stationary emergency vehicle upon a highway of three or fewer lanes. The circumstances under which a vehicle may pass another vehicle on the left side of the roadway is expanded to include when approaching a stationary emergency vehicle with a siren or flashing lights, provided however, that the left side of the roadway is free of oncoming traffic for a sufficient distance for the overtaking vehicle to pass without interfering with other vehicles or coming within 200 feet of approaching traffic.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) When legislation was passed two years ago addressing the issue of passing emergency vehicles on the side of the road, two lane highways were neglected. This bill remedies that oversight.

The bill has been amended to include tow trucks and roadside assistance vehicles. A number of states include these vehicles in their statutes in order to protect them from the same hazards facing police and fire vehicles operating on the side of the roadway.

(Opposed) None.

**Persons Testifying:** Senator Honeyford, prime sponsor; and Dave Overstreet, Automobile Association of America.

**Persons Signed In To Testify But Not Testifying:** None.