
HOUSE BILL 1258

State of Washington

65th Legislature

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By Representatives McCabe, Orwall, Johnson, Cody, Dent, Kirby, Griffey, Van Werven, Caldier, Dye, Gregerson, Wylie, Jinkins, Haler, McBride, and Muri

Read first time 01/16/17. Referred to Committee on Judiciary.

1 AN ACT Relating to persons with a disability present at the scene
2 of an accident; adding a new section to chapter 43.70 RCW; adding a
3 new section to chapter 38.52 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** This act may be known and cited as the
6 Travis alert act.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.70
8 RCW to read as follows:

9 (1) Subject to the availability of amounts appropriated for this
10 specific purpose, the department of health, in collaboration with the
11 department of social and health services, the Washington state
12 patrol, the Washington association of sheriffs and police chiefs, the
13 Washington council of police and sheriffs, the state fire marshal's
14 office, and the superintendent of public instruction, must review
15 existing local training programs and training programs being used in
16 other states and design a statewide training program that will
17 familiarize first responders and 911 personnel with the techniques,
18 procedures, and protocols for best handling situations in which
19 persons with disabilities are present at the scene of an emergency in
20 order to maximize the safety of persons with disabilities, minimize

1 the likelihood of injury to persons with disabilities, and promote
2 the safety of all persons present. The program must include a
3 checklist of disabilities, symptoms of such disabilities, and things
4 to do and not do relevant to a particular disability so first
5 responders and emergency personnel can easily and quickly determine
6 the specific scenario into which they are entering. The department
7 must make the training program available on the department's web site
8 for use by all first responder agencies in the state. The department
9 must include on its web site a list of public and private nonprofit
10 disability-related agencies and organizations and the contact
11 information of each agency and organization. First responder and 911
12 agencies must ensure their officers, employees, and agents are
13 adequately trained in and familiarized with techniques, procedures,
14 and protocols for best handling situations in which persons with
15 particular disabilities are present at the scene of an emergency.

16 (2) For purposes of this section, "persons with disabilities"
17 means individuals who have been diagnosed medically to have a
18 physical, mental, emotional, intellectual, behavioral, developmental,
19 or sensory disability.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 38.52
21 RCW to read as follows:

22 (1) Subject to the availability of amounts appropriated for this
23 specific purpose, the director, through the state enhanced 911
24 coordinator, and in collaboration with the department of health, the
25 department of social and health services, the Washington state
26 patrol, the Washington association of sheriffs and police chiefs, the
27 Washington council of police and sheriffs, the state fire marshal's
28 office, a representative of a first responder organization with
29 experience in addressing the needs of a person with a disability, and
30 other individuals and entities at the discretion of the director,
31 must assess:

32 (a) The resources, capabilities, techniques, protocols, and
33 procedures available or required in order to include as part of the
34 enhanced 911 emergency service the ability to allow an immediate
35 display on the screen indicating that a person with a disability may
36 be present at the scene of an emergency, the caller's identification,
37 location, phone number, address, and if made available the following
38 information: The vehicle license plate number that is linked to the
39 caller, emergency contact information for other persons who will know

1 about the person with a disability such as guardians, caretakers,
2 parents, siblings, grandparents, or other relatives, friends, or
3 neighbors, information regarding alternative residences and vehicles
4 a person with a disability frequently or regularly lives or commutes
5 in, detailed information regarding the disability of the person,
6 including a picture and physical description of a person, and the
7 name, address, and phone number of the diagnosing physician;

8 (b) How best to acquire, implement, and safeguard a secure web
9 site and the information in the system provided by a person with a
10 disability, or a parent, guardian, or caretaker of a person with a
11 disability, such as requiring a person who chooses to use the system
12 to submit proof of the diagnosis of the disability by a licensed
13 health care physician along with the information listed in (a) of
14 this subsection, allowing or requiring the person to update the
15 information in the system on a periodic basis in order to keep the
16 information current, and making such information directly available
17 to first responders at the scene of an emergency or on the way to the
18 scene of an emergency;

19 (c) How to best ensure that people know and understand there is
20 no requirement or obligation for them to provide such information and
21 that such information is being provided voluntarily by those who
22 choose to participate in the system;

23 (d) What information provided by a person must remain
24 confidential under state or federal law, or otherwise should remain
25 confidential, and how to best ensure such information remains
26 confidential, unless the person providing the information gives
27 written permission to release it for purposes of this act or the
28 information is otherwise releasable or available under other
29 provisions of law; and

30 (e) The need to provide various agencies and employees that are
31 first responders and emergency personnel immunity from civil
32 liability for acts or omissions in the performance of their duties,
33 and what standard should apply, such as if the act or omission is the
34 result of simple negligence, gross negligence, or willful misconduct.

35 (2) For purposes of this section, "person with a disability"
36 means an individual who has been diagnosed medically to have a
37 physical, mental, emotional, intellectual, behavioral, developmental,
38 or sensory disability.

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