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## Transportation Committee

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### HB 1469

**Brief Description:** Modifying provisions relating to approaching emergency or work zones and tow truck operators.

**Sponsors:** Representatives Jenkin, Chapman, Lovick, Young, Ryu, Orcutt, McCaslin and Barkis.

#### Brief Summary of Bill

- Requires a driver to reduce a motor vehicle's speed to 50 miles per hour or to 10 miles per hour, depending on the size of a roadway, only when able to change lanes or move away from an emergency or work zone vehicle.
- Eliminates the traffic infraction for exceeding the posted speed limit in an emergency or work zone, and replaces it with an infraction for exceeding the speeds specified above when changing lanes or moving away from an emergency or work zone vehicle.

**Hearing Date:** 2/18/19

**Staff:** Jennifer Harris (786-7143).

#### **Background:**

##### Definition of Emergency or Work Zone.

An emergency or work zone is defined as the adjacent lanes of the roadway 200 feet before and after an emergency or work zone vehicle. The following vehicles qualify as emergency or work zone vehicles:

- a stationary authorized emergency vehicle that is making use of audible and/or visual signals that meet state requirements for authorized emergency vehicles;
- a tow truck that is making use of visual red lights that meet state requirements for emergency tow trucks;
- other vehicles providing roadside assistance that are making use of warning lights with 360-degree visibility;

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- a police vehicle properly and lawfully displaying a flashing, blinking, or alternating emergency light or lights; or
- a stationary or slow-moving highway construction vehicle, highway maintenance vehicle, solid waste vehicle, or utility service vehicle that is making use of flashing lights that meet state requirements for snow-removal and other highway maintenance and service equipment or warning lights with 360-degree visibility.

Passing an Emergency or Work Zone Vehicle.

If the highway has four or more lanes, at least two of which are intended for traffic proceeding in the same direction as the motor vehicle approaching the emergency or work zone, the approaching motor vehicle must proceed with caution and, if reasonable, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change or moving away from the lane or shoulder occupied by an emergency or work-zone vehicle.

On a highway having fewer than four lanes, the driver of a motor vehicle must proceed with caution, reduce the speed of the vehicle, and, if reasonable, with due regard for safety and traffic conditions, and following all applicable rules of the road, yield the right-of-way by passing to the left at a safe distance and simultaneously yield the right-of-way to all vehicles traveling in the proper direction on the highway.

If changing lanes or moving away would be unreasonable or unsafe, the driver of a motor vehicle must proceed with due caution and reduce the speed of the vehicle.

Emergency or Work Zone Traffic Violations.

The driver of a motor vehicle may not drive in an emergency or work zone at a speed greater than the posted speed limit. A person found to be in violation of any speed restriction in an emergency or work zone must be assessed a monetary penalty equal to twice the standard penalty, which may not be waived, reduced, or suspended.

A person who drives a vehicle in an emergency or work zone in a manner that endangers or is likely to endanger an emergency or work zone worker or property is guilty of reckless endangerment of emergency work zone workers. This offense is a gross misdemeanor, which is punishable by up to 364 days in a county jail, a fine of not more than \$5,000, or both. The Department of Licensing is required to suspend the driver's license, driver's permit, or non-resident driving privilege of a person convicted of reckless endangerment of emergency work zone workers for 60 days.

**Summary of Bill:**

Passing an Emergency or Work Zone Vehicle.

The driver of a motor vehicle passing an emergency or work zone vehicle, only when able to change lanes or move away from the vehicle, must:

- reduce the vehicle's speed to 50 miles per hour (mph) or less if traveling on a highway with four or more lanes, at least two of which are intended for traffic proceeding in the same direction; or

- reduce the vehicle's speed to at least 10 mph below the posted speed limit if traveling on a highway with fewer than four lanes.

The law remains unchanged with regard to the passing vehicle's speed limit when the driver is unable to change lanes or move away from the emergency or work zone vehicle.

Emergency or Work Zone Traffic Violations.

It is no longer a traffic infraction for a driver to travel at a speed greater than the posted speed limit in an emergency or work zone if the driver reduces the vehicle's speed as specified above.

**Appropriation:** None.

**Fiscal Note:** Available.

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