
SUBSTITUTE HOUSE BILL 1469

State of Washington

66th Legislature

2019 Regular Session

By House Transportation (originally sponsored by Representatives Jenkin, Chapman, Lovick, Young, Ryu, Orcutt, McCaslin, and Barkis)

READ FIRST TIME 02/28/19.

1 AN ACT Relating to approaching emergency or work zones and tow
2 truck operators; amending RCW 46.61.212; and prescribing penalties.

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

4 **Sec. 1.** RCW 46.61.212 and 2018 c 18 s 2 are each amended to read
5 as follows:

6 (1) (~~The driver of any motor vehicle, upon approaching~~) An
7 emergency or work zone (~~which~~) is defined as the adjacent lanes of
8 the roadway two hundred feet before and after:

9 (a) A stationary authorized emergency vehicle that is making use
10 of audible and/or visual signals meeting the requirements of RCW
11 46.37.190 (~~(r)~~);

12 (b) A tow truck that is making use of visual red lights meeting
13 the requirements of RCW 46.37.196 (~~(r)~~);

14 (c) Other vehicles providing roadside assistance that are making
15 use of warning lights with three hundred sixty degree
16 visibility (~~(r)~~);

17 (d) A police vehicle properly and lawfully displaying a flashing,
18 blinking, or alternating emergency light or lights (~~(r)~~); or

19 (e) A stationary or slow moving highway construction vehicle,
20 highway maintenance vehicle, solid waste vehicle, or utility service
21 vehicle making use of flashing lights that meet the requirements of

1 RCW 46.37.300 or warning lights with three hundred sixty degree
2 visibility.

3 (2) The driver of any motor vehicle, upon approaching an
4 emergency or work zone, shall:

5 ~~((+i))~~ (a) On a highway having four or more lanes, at least two
6 of which are intended for traffic proceeding in the same direction as
7 the approaching vehicle, proceed with caution and, if ~~((reasonable))~~
8 the opportunity exists, with due regard for safety and traffic
9 conditions, yield the right-of-way by making a lane change or moving
10 away from the lane or shoulder occupied by an emergency or work zone
11 vehicle identified in subsection (1) of this section;

12 ~~((+ii))~~ (b) On a highway having less than four lanes, proceed
13 with caution, reduce the speed of the vehicle, and, if ~~((reasonable))~~
14 the opportunity exists, with due regard for safety and traffic
15 conditions, and under the rules of this chapter, yield the right-of-
16 way by passing to the left at a safe distance and simultaneously
17 yield the right-of-way to all vehicles traveling in the proper
18 direction upon the highway; or

19 ~~((+iii))~~ (c) If changing lanes or moving away would be
20 ~~((unreasonable or))~~ unsafe, proceed with due caution and reduce the
21 speed of the vehicle to at least ten miles per hour below the posted
22 speed limit.

23 ~~((+2))~~ (3) A person may not drive a vehicle in an emergency or
24 work zone at a speed greater than the posted speed limit or greater
25 than what is permitted under subsection (2)(c) of this section.

26 ~~((+3))~~ (4) A person found to be in violation of this section, or
27 any infraction relating to speed restrictions in an emergency or work
28 zone, must be assessed a monetary penalty equal to twice the penalty
29 assessed under RCW 46.63.110. This penalty may not be waived,
30 reduced, or suspended.

31 ~~((+4))~~ (5) A person who drives a vehicle in an emergency or work
32 zone in such a manner as to endanger or be likely to endanger any
33 emergency or work zone worker or property is guilty of reckless
34 endangerment of emergency or work zone workers. A violation of this
35 subsection is a gross misdemeanor punishable under chapter 9A.20 RCW.

36 ~~((+5))~~ (6) The department shall suspend for sixty days the
37 driver's license, permit to drive, or nonresident driving privilege

1 of a person convicted of reckless endangerment of emergency or work
2 zone workers.

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