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**SENATE BILL 6151**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Salomon, Mullet, Pedersen, Carlyle, Keiser, Hunt, Das, and Kuderer

Prefiled 01/08/20. Read first time 01/13/20. Referred to Committee on Law & Justice.

1 AN ACT Relating to liability for entry into a motor vehicle to  
2 remove an animal; and amending RCW 16.52.340.

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

4 **Sec. 1.** RCW 16.52.340 and 2015 c 235 s 1 are each amended to  
5 read as follows:

6 (1) It is a class 2 civil infraction under RCW 7.80.120 to leave  
7 or confine any animal unattended in a motor vehicle or enclosed space  
8 if the animal could be harmed or killed by exposure to excessive  
9 heat, cold, lack of ventilation, ~~(( $\oplus$ ))~~ lack of necessary water, or  
10 other circumstances reasonably expected to cause suffering,  
11 disability, or the death of the animal.

12 (2) To protect the health and safety of an animal, an animal  
13 control officer ~~(( $\oplus$ ))~~, firefighter, law enforcement officer, or  
14 other emergency responder who reasonably believes that an animal is  
15 suffering or is likely to suffer harm from exposure to excessive  
16 heat, cold, lack of ventilation, or lack of necessary water is  
17 authorized to enter a vehicle or enclosed space to remove an animal  
18 by any means reasonable under the circumstances if no other person is  
19 present in the immediate area who has access to the vehicle or  
20 enclosed space and who will immediately remove the animal. An animal  
21 control officer, law enforcement officer, firefighter, other

1 emergency responder, or the department or agency employing such an  
2 officer or emergency responder is not liable for any damage to  
3 property resulting from actions taken under this section.

4 (3)(a) This section does not prevent a person who is not an  
5 animal control officer, firefighter, law enforcement officer, or  
6 other emergency responder from taking reasonable steps to remove an  
7 animal from a motor vehicle if the person reasonably believes the  
8 animal's safety is in imminent danger of serious harm from heat,  
9 cold, lack of ventilation, lack of necessary water, or other  
10 circumstances that could reasonably be expected to cause disability  
11 or the death of the animal.

12 (b) A person who removes an animal from a vehicle and complies  
13 with all the requirements of this subsection is not criminally liable  
14 for actions taken reasonably and in good faith and is not liable for  
15 property damage to the motor vehicle caused while the person removed  
16 an animal from the vehicle. This immunity from liability for property  
17 damage to the motor vehicle does not affect a person's liability for  
18 rendering aid to the animal removed from the vehicle. The person  
19 must:

20 (i) Determine the vehicle is locked or there is no reasonable  
21 manner to otherwise remove the animal from the vehicle;

22 (ii) Believe in good faith that forcible entry into the vehicle  
23 is necessary because the animal is in imminent danger of suffering  
24 serious harm, disability, or death if the animal is not immediately  
25 removed from the vehicle and, based upon the circumstances known to  
26 the person at the time, the belief is reasonable;

27 (iii) Make a good faith effort to contact a local law enforcement  
28 agency, the fire department, animal control, or the 911 emergency  
29 service system prior to forcibly entering the vehicle;

30 (iv) Place a note on the vehicle's windshield with the person's  
31 contact information, the reason entry was made, and the location of  
32 the animal;

33 (v) Use no more force to enter and remove the animal from the  
34 vehicle than is necessary under the circumstances;

35 (vi) Remain with the animal in a safe location reasonably close  
36 to the vehicle until law enforcement, animal control, firefighters,  
37 or other emergency responders arrive; and

38 (vii) Turn the animal over to law enforcement, animal control,  
39 firefighters, or other emergency responders upon their arrival at the  
40 scene.

1        (4) Nothing in this section prevents the person who has confined  
2 the animal in the vehicle or enclosed space from being convicted of  
3 separate offenses for animal cruelty under RCW 16.52.205 or  
4 16.52.207.

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