

SENATE BILL REPORT

SB 5724

As Reported by Senate Committee On:
Transportation, February 7, 2022

Title: An act relating to organ transport vehicles.

Brief Description: Concerning organ transport vehicles.

Sponsors: Senator Mullet.

Brief History:

Committee Activity: Transportation: 2/03/22, 2/07/22 [DP, w/oRec].

Brief Summary of Bill

- Creates an organ transport vehicle classification licensed by the Department of Health that can use lights, sirens, and signal preemption devices for transporting an emergency organ.
- Authorizes the Washington State Department of Transportation and local governments to allow organ transport vehicles into their high-occupancy vehicle lanes.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Lias, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland, Das, Fortunato, Hawkins, Holy, Lovelett, Lovick, Nguyen, Nobles, Padden, Randall, Sheldon and Wilson, C.

Minority Report: That it be referred without recommendation.

Signed by Senator Wilson, J..

Staff: Daniel Masterson (786-7454)

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

Background: Emergency Vehicles. Authorized emergency vehicles include vehicles of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington State Patrol (WSP), ambulance service, and any other vehicle authorized by WSP. Authorized emergency vehicles must be equipped with a siren audible from, and at least one red light visible from, at least 500 feet away. When responding to an emergency, authorized emergency vehicles are allowed to use signal preemption devices to allow the emergency vehicle the right-of-way. They may also break some traffic laws, including proceeding past a stop sign, exceeding speed limits, and disregarding regulations governing direction of movement, among others.

WSP may issue one-year renewable authorized emergency vehicle permits for additional types of vehicles not listed in the statute. WSP requires the applicant to submit vehicle registration and proof of insurance; descriptions of the emergency purpose and statutory authority; description of the emergency equipment to be used; operator personal information; and certification from the chief law enforcement officer of each primary jurisdiction the vehicle is to be used in, subject to that officer's restrictions. The applicant must also get its equipment inspected by WSP, and maintain a log of each time they use the emergency vehicle.

High-Occupancy Vehicle Lane Policy. The Washington State Department of Transportation (DOT) and local authorities are allowed to reserve portions of the highway under their jurisdiction as high occupancy vehicle (HOV) lanes for the following users:

- public transportation vehicles;
- motorcycles;
- private motor vehicles carrying a minimum of a specified number of passengers; and
- certain private transportation provider vehicles with the capacity to carry eight or more passengers if such use does not interfere with the efficiency, reliability, and safety of public transportation operations.

DOT's administrative code currently allows all of the possible exemptions into the lanes, with private transportation provider vehicles' capacity set at 16 passengers instead of eight. They also allow officially marked and on-duty law enforcement and fire department vehicles into the HOV lanes.

Organ Procurement Organizations. Organ procurement organizations are designated by the secretary of the United States Department of Health and Human Services (HHS). According to the HHS, two organ procurement organizations are currently affiliated with Washington State.

Summary of Bill: A classification similar to authorized emergency vehicles is created for organ transport vehicles, which can be either operated or contracted out by an organ procurement organization. Organ transport vehicles must be clearly and identifiably marked as such on all sides, and must be equipped with a siren audible from, and at least one red light visible from, at least 500 feet away. Organ transport vehicles are authorized to

use signal preemption devices. The organ transport vehicles may only use the sirens, lights, and signal preemption devices during an organ transport deemed an emergency, and are required to contact WSP before transport if practicable.

Drivers of other vehicles are obligated to yield right-of-way and stop on the right-hand side of the road if possible. Organ transport vehicle drivers are required to drive with due regard for the safety of all persons using the highway.

DOT and local authorities are authorized to allow organ transport vehicles into their HOV lanes, regardless of the number of passengers.

The Department of Health must develop minimum requirements and issue the organ transport vehicles two-year renewable licenses, which must be prominently displayed on the vehicles.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: When I was on the city council, I worked with a police officer who went to work for an organ transport company after he retired from the police department. One of the first things he realized was how much easier it was for him to move around when he was on the police force than it was working for an organ transport company. Sometimes he was transporting organs where the clock was really ticking, and if they didn't transport it quickly they would lose the organ. There are a lot of organ transports that are not an emergency, in that case you would be following the regular rules of the road. But in the rare situations where the organ needs to be transported to a hospital quickly and airlifted, this helps make sure the organ makes it on time, safely with nobody getting hurt.

The federal government selects one organ donation organization per geographic area to prevent competition or profit when it comes to organ donation. Life Center NW is the designated organization for Washington and surrounding states like Montana and Idaho. Last year 409 of the 962 donated organs had to be transported outside of our donation area, even to Canada. Each organ has a different tolerance outside of the body. Often our transportation providers get stuck in traffic heading to SeaTac and this can impact the viability of the organs that urgently need to get to their intended recipient. This bill will help ensure that organs can get to the airport in a timely manner.

Persons Testifying: PRO: Senator Mark Mullet, Prime Sponsor; Jessica Hostetler,

LifeCenter Northwest.

Persons Signed In To Testify But Not Testifying: No one.