

CERTIFICATION OF ENROLLMENT

**INITIATIVE 2113**

Chapter 6, Laws of 2024

68th Legislature  
2024 Regular Session

VEHICULAR PURSUITS

EFFECTIVE DATE: June 6, 2024

Passed by the House March 4, 2024  
Yeas 77 Nays 20

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 4, 2024  
Yeas 36 Nays 13

DENNY HECK

**President of the Senate**

FILED

March 5, 2024

**Secretary of State  
State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **INITIATIVE 2113** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **INITIATIVE 2113** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

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**INITIATIVE 2113**

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Passed Legislature - 2024 Regular Session

**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** People of the State of Washington

1           AN ACT Relating to restoring the authority of a peace officer to  
2 engage in a vehicular pursuit when there is reasonable suspicion a  
3 person has violated the law and the officer follows appropriate  
4 safety standards; and amending RCW 10.116.060.

5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

6           **Sec. 1.** RCW 10.116.060 and 2023 c 235 s 1 are each amended to  
7 read as follows:

8           (1) A peace officer may not engage in a vehicular pursuit,  
9 unless:

10           (a) There is reasonable suspicion (~~(to believe that)~~) a person  
11 (~~(in the vehicle has committed or is committing:~~

12           ~~(i) A violent offense as defined in RCW 9.94A.030;~~

13           ~~(ii) A sex offense as defined in RCW 9.94A.030;~~

14           ~~(iii) A vehicular assault offense under RCW 46.61.522;~~

15           ~~(iv) An assault in the first, second, third, or fourth degree~~  
16 ~~offense under chapter 9A.36 RCW only if the assault involves domestic~~  
17 ~~violence as defined in RCW 10.99.020;~~

18           ~~(v) An escape under chapter 9A.76 RCW; or~~

19           ~~(vi) A driving under the influence offense under RCW 46.61.502))~~

20 has violated the law;

1 (b) The pursuit is necessary for the purpose of identifying or  
2 apprehending the person;

3 (c) The person poses a (~~serious risk of harm to~~) threat to the  
4 safety of others and the safety risks of failing to apprehend or  
5 identify the person are considered to be greater than the safety  
6 risks of the vehicular pursuit under the circumstances; and

7 (d) (i) Except as provided in (d) (ii) of this subsection, the  
8 pursuing officer notifies a supervising officer immediately upon  
9 initiating the vehicular pursuit; there is supervisory oversight of  
10 the pursuit; and the pursuing officer, in consultation with the  
11 supervising officer, considers alternatives to the vehicular pursuit,  
12 the justification for the vehicular pursuit and other safety  
13 considerations, including but not limited to speed, weather, traffic,  
14 road conditions, and the known presence of minors in the vehicle;

15 (ii) For those jurisdictions with fewer than 15 commissioned  
16 officers, if a supervisor is not on duty at the time, the pursuing  
17 officer requests the on-call supervisor be notified of the pursuit  
18 according to the agency's procedures, and the pursuing officer  
19 considers alternatives to the vehicular pursuit, the justification  
20 for the vehicular pursuit, and other safety considerations, including  
21 but not limited to speed, weather, traffic, road conditions, and the  
22 known presence of minors in the vehicle.

23 (2) In any vehicular pursuit under this section:

24 (a) The pursuing officer and the supervising officer, if  
25 applicable, shall comply with any agency procedures for designating  
26 the primary pursuit vehicle and determining the appropriate number of  
27 vehicles permitted to participate in the vehicular pursuit;

28 (b) The supervising officer, the pursuing officer, or dispatcher  
29 shall notify other law enforcement agencies or surrounding  
30 jurisdictions that may be impacted by the vehicular pursuit or called  
31 upon to assist with the vehicular pursuit, and the pursuing officer  
32 and the supervising officer, if applicable, shall comply with any  
33 agency procedures for coordinating operations with other  
34 jurisdictions, including available tribal police departments when  
35 applicable;

36 (c) The pursuing officer must be able to directly communicate  
37 with other officers engaging in the pursuit, the supervising officer,  
38 if applicable, and the dispatch agency, such as being on a common  
39 radio channel or having other direct means of communication;

1 (d) As soon as practicable after initiating a vehicular pursuit,  
2 the pursuing officer, supervising officer, if applicable, or  
3 responsible agency shall develop a plan to end the pursuit through  
4 the use of available pursuit intervention options, such as the use of  
5 the pursuit intervention technique, deployment of spike strips or  
6 other tire deflation devices, or other department authorized pursuit  
7 intervention tactics; and

8 (e) The pursuing officer must have completed an emergency vehicle  
9 operator's course, must have completed updated emergency vehicle  
10 operator training in the previous two years, where applicable, and  
11 must be certified in at least one pursuit intervention option.  
12 Emergency vehicle operator training must include training on  
13 performing the risk assessment analysis described in subsection  
14 (1)(c) of this section.

15 (3) A vehicle pursuit not meeting the requirements under this  
16 section must be terminated.

17 (4) A peace officer may not fire a weapon upon a moving vehicle  
18 unless necessary to protect against an imminent threat of serious  
19 physical harm resulting from the operator's or a passenger's use of a  
20 deadly weapon. For the purposes of this subsection, a vehicle is not  
21 considered a deadly weapon unless the operator is using the vehicle  
22 as a deadly weapon and no other reasonable means to avoid potential  
23 serious harm are immediately available to the officer.

24 (5) For purposes of this section, "vehicular pursuit" means an  
25 attempt by a uniformed peace officer in a vehicle equipped with  
26 emergency lights and a siren to stop a moving vehicle where the  
27 operator of the moving vehicle appears to be aware that the officer  
28 is signaling the operator to stop the vehicle and the operator of the  
29 moving vehicle appears to be willfully resisting or ignoring the  
30 officer's attempt to stop the vehicle by increasing vehicle speed,  
31 making evasive maneuvers, or operating the vehicle in a reckless  
32 manner that endangers the safety of the community or the officer.

Passed by the House March 4, 2024.

Passed by the Senate March 4, 2024.

Filed in Office of Secretary of State March 5, 2024.

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