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## Transportation Committee

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### E2SSB 6066

**Brief Description:** Establishing crash prevention zones.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Torres, Dozier and Wilson, J.).

#### **Brief Summary of Engrossed Second Substitute Bill**

- Authorizes the the legislative body of a county, city, or town or the Secretary of the Washington State Department of Transportation (WSDOT) to establish a crash prevention zone on the portion of U.S. Highway 395 between the cities of Pasco, Washington (WA) and Mesa, WA until January 1, 2029.
- Authorizes the legislative bodies of counties, cities, and towns, and the WSDOT to establish crash prevention zones beginning January 1, 2029.
- Requires the jurisdiction that establishes a crash prevention zone to conduct an engineering and traffic investigation to identify safety improvements, including possible adjustments to speed limits, or to contract with the WSDOT to do so.
- Requires the Washington State Patrol and local law enforcement agencies to coordinate, within existing resources and to the extent practicable, to increase enforcement of traffic laws within the crash prevention zone.
- Authorizes the use of automated traffic safety cameras (traffic safety cameras) to detect speed violations in crash prevention zones, and directs net revenue from use of these traffic safety cameras to local accounts for engineering and traffic investigations, the creation and installation of road signs, and safety improvements in crash prevention zones.
- Doubles the base penalty and assessments for using a personal electronic

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*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.*

device while driving in a crash prevention zone, increasing the total penalty amount from \$150 to \$248, and directs the additional revenue to local accounts established by local jurisdictions for engineering and traffic investigations, the creation and installation of road signs, and safety improvements in crash prevention zones.

**Hearing Date:** 2/26/26

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

**Background:**

State Highway City Streets.

Certain city streets are designated as part of the state highway system. For cities or towns with populations of 32,500 or less, the Washington State Department of Transportation (WSDOT) is responsible for installing and maintaining slope stability, traffic control signals, signs, striping, lane marking, and channelization on these city streets. Three years after a city's or town's population exceeds the 32,500 population threshold, the transfer of installation and maintenance responsibilities from the WSDOT to the city or town takes effect. The city or town is then responsible for installation and maintenance responsibilities at its own expense, subject to WSDOT approval of the installation and type of traffic control devices used. For these requirements, "traffic control device" includes striping, lane marking, and channelization.

I2 Safety Program.

The WSDOT's I2 Safety Program (I2 Program) administers projects with the goal of reducing fatal and serious crashes on the state highway system. The Highway Safety Improvement Program (HSIP) is a federal-aid program administered through the Federal Highway Administration (FHWA), the goal of which is to reduce fatal and serious crashes on all public roads. Highway Safety Improvement Program funds are divided between the WSDOT and local agencies. The WSDOT uses HSIP funds to address I2 Program safety needs.

Federal legislation requires each state to have a Strategic Highway Safety Plan—in Washington, this plan is titled Target Zero. The I2 Program is developed based on Target Zero emphasis areas, and its priorities and approach are included in the WSDOT's Target Zero Implementation Plan. The I2 Safety Program uses a network screening process to identify potential locations for further analysis, after which the WSDOT determines crash contributing factors and crash types for the ranked locations provided.

Within the I2 Program, the state highway system is screened approximately every two years to identify segments and intersections where the expected number of fatal and serious injury

crashes are greater than what would be anticipated at a similar site. The priorities for the safety program are identified in Target Zero and detailed in the HSIP Implementation Plan.

### Highway Safety Manual.

The American Association of State Highway and Transportation Officials (AASHTO) publishes a Highway Safety Manual (HSM) that provides tools to conduct quantitative safety analyses, including:

- methods for developing a roadway safety management program and for evaluating its effects;
- a predictive method to estimate crash frequency and severity; and
- a catalog of crash modification factors by geometric and operational treatment type.

The manual includes suggested steps to monitor and reduce crash frequency and severity on existing roadway networks, and provides a method for estimating expected average crash frequency of a network, facility, or individual site.

### Modification of Speed Limits.

Maximum speed limits by roadway type are set in state law. When local authorities determine, on the basis of an engineering and traffic investigation, that a maximum speed limit is greater or less than is reasonable and safe, the local authority may determine a reasonable and safe maximum speed limit that:

- decreases the limit at intersections;
- increases the limit, but to no greater than 60 miles per hour (mph); or
- decreases the limit, but to no less than 20 mph.

Local authorities are required to determine by an engineering and traffic investigation the maximum speed for all arterial streets that is no greater than 60 miles per hour, and may establish a maximum speed limit of 20 mph on a non-arterial highway or of 10 mph on a shared street. ("Shared street" means a city street designated by placement of official traffic control devices where pedestrians, bicyclists, and vehicular traffic share a portion or all of the same street.)

Alternations of maximum speed limits on state highways within incorporated cities or towns by local authorities may not take effect until approved by the WSDOT.

### Using a Personal Electronic Device While Driving.

A person who uses a personal electronic device while driving a motor vehicle on a public highway is guilty of a traffic infraction. The base penalty for use of a personal electronic device for a first infraction is \$48, which, inclusive of fees and assessments, brings the total penalty amount to \$150. The base penalty for use of a personal electronic device for second and subsequent infractions is doubled, resulting in a total penalty amount of \$248.

### Automated Traffic Safety Cameras.

The use of automated traffic safety cameras (traffic safety cameras) to detect speed violations is permitted:

- at red light intersections that meet minimum yellow change interval requirements;
- at railroad crossings;
- in school speed zones;
- in school walk areas;
- in public park speed zones;
- in hospital speed zones;
- at select locations in cities that are identified as priority locations (1 per 10,000 residents);
- on state routes within city limits that are classified as city streets;
- in work zones on county roads and city streets;
- on bus rapid transit corridors or routes;
- at certain locations for stopping at intersections and crosswalks, stopping when traffic is obstructed, public transportation-only lane use, and stopping or traveling in a restriction lane violations, as well as to detect ferry queue violations; and
- on public transportation vehicle-mounted systems operated by a transit authority within a county with a population of greater than 1.5 million residents.

The local legislative authority with jurisdiction where the traffic safety cameras are to be located must prepare an analysis of the locations within the jurisdiction where traffic safety cameras are proposed to be placed before enacting an ordinance authorizing their use, and before adding additional traffic safety cameras or relocating any existing traffic safety camera. The location where a traffic safety camera has been installed must be clearly marked at least 30 days prior to activation of the traffic safety camera through the placement of signs at that location that follows federal guidelines as adopted by the WSDOT.

### Highway Safety Fund.

Revenues deposited in the Highway Safety Fund are required to be used for carrying out laws related to driver licensing, driver improvement, automobile insurance requirements, the cost of furnishing abstracts of driving records and maintaining driving records, the Washington Traffic Safety Commission, for-hire vehicle regulation, limousine regulation, and the reduction of rural roadway departures.

### **Summary of Bill:**

#### Establishment of Crash Prevention Zones.

Until January 1, 2029, the legislative body of a county, city, or town, or the Secretary of the WSDOT may establish a crash prevention zone within its jurisdiction on the portion of U.S. Highway 395 between the cities of Pasco, WA and Mesa, WA.

Beginning January 1, 2029:

- the legislative body of a county, city, or town may establish a crash prevention zone within its jurisdiction by identifying public roads where the incidence of collisions resulting in serious injuries or fatalities is greater than expected for similar roads; and
- the Secretary of the WSDOT may establish a crash prevention zone within its jurisdiction by identifying public roads where the incidence of collisions resulting in serious injuries or fatalities is greater than expected for similar highways over the previous five-year period using processes adopted in the HSM published by the AASHTO.

A county, city, town, or the WSDOT may consider and implement safety improvement approaches in designated crash prevention zones. A county may designate a crash prevention zone that includes public roads within the county that are also in the boundaries of a city or town, as long as the city or town has provided its approval. A county, city, or town may designate a crash prevention zone that includes roadways managed by the WSDOT with the approval of the WSDOT. The WSDOT may designate a crash prevention zone on a state highway within the boundaries of a county, city, or town, without obtaining approval from the county, city, or town.

Prior to establishing a crash prevention zone, the WSDOT, county, city, or town must hold a public hearing for members of the public to view and comment on a map of the designated crash prevention zone. Once a crash prevention zone has been established, the jurisdiction that established it must conduct an engineering and traffic investigation to identify safety improvements, including possible adjustments to speed limits. The jurisdiction may contract with the WSDOT to have it conduct the engineering and traffic investigation.

The Washington State Patrol and local law enforcement agencies must coordinate within existing resources, and to the extent practicable, increase enforcement of traffic laws within the crash prevention zone in a manner intended to reduce collisions. The WSDOT may use speed reduction methods, approaches, and technologies to reduce speeding within the crash prevention zones it establishes.

For each crash prevention zone established by a city, town, or county, a corresponding local account must be created, administered, and maintained by the jurisdiction. Expenditures from the account may only be used for engineering and traffic investigations, the creation and installation of road signs, and safety improvements in the crash prevention zone.

A crash prevention zone must be dissolved once safety improvements have been implemented, and may also be dissolved at the discretion of the county, city, or town that established it. The WSDOT may also dissolve a crash prevention zone it has established at its discretion. Beginning January 1, 2029, the Legislature may also direct that a crash prevention zone be dissolved.

The establishment of crash prevention zones, or information or activities related to them, are not admissible as evidence in a civil action.

Using a Personal Electronic Device While Driving.

The base penalty and assessments for using a personal electronic device while driving in a crash prevention zone is doubled, increasing the total penalty amount from \$150 to \$248.

The total doubled penalty amount for this infraction, consisting of a doubling of the base penalty amount and assessments, may not be waived, reduced, or suspended. The double penalty amount collected must be deposited in the Highway Safety Fund, and may only be used for engineering and traffic investigations, the creation and installation of road signs, and safety improvements in crash prevention zones.

Automated Traffic Safety Cameras.

The use of traffic safety cameras is expanded to be permitted to detect speed violations in crash prevention zones. After being applied to the costs to administer, install, operate, and maintain traffic safety cameras, revenue generated from traffic safety cameras in a crash prevention zone must be deposited in the local account created for that crash prevention zone by the jurisdiction.

**Appropriation:** None.

**Fiscal Note:** Preliminary fiscal note available.

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