

# HOUSE BILL REPORT

## E2SSB 6066

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to establishing crash prevention zones.

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

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

**Brief History:**

**Committee Activity:**

Transportation: 2/26/26, 3/2/26 [DPA].

**Brief Summary of Engrossed Second Substitute Bill**  
**(As Amended by Committee)**

- Authorizes the legislative body of a county, city, or town to establish crash prevention zones on the portion of United States Highway 395 between the cities of Pasco, Washington (WA) and Mesa, WA, as well as on two portions of Highway 12, until January 1, 2029.
- Authorizes the legislative bodies of counties, cities, and towns, and the Washington State Department of Transportation (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.

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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.*

- 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 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.

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 26 members: Representatives Fey, Chair; Bernbaum, Vice Chair; Donaghy, Vice Chair; Reed, Vice Chair; Barkis, Ranking Minority Member; Low, Assistant Ranking Minority Member; Mendoza, Assistant Ranking Minority Member; Schmidt, Assistant Ranking Minority Member; Bronoske, Duerr, Engell, Entenman, Griffey, Hall, Klicker, Ley, Nance, Orcutt, Paul, Ramel, Richards, Stuebe, Taylor, Timmons, Wylie and Zahn.

**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 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 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 restricted 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.

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**Summary of Amended Bill:**

Establishment of Crash Prevention Zones.

Until January 1, 2029, the legislative body of a county, city, or town may establish crash prevention zones 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 over the previous five-year period using processes adopted in the HSM published by the AASHTO on the following roadways:

1. on the portion of United States Highway 395 between the cities of Pasco, Washington (WA) and Mesa, WA;
2. on Highway 12 from Tank Farm Road to A Street; and
3. on Highway 12 from Attalia East Road to Nine Mile Canyon Road.

Beginning January 1, 2029, the legislative body of a county, city, town, or 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 roads or 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. This requirement also applies to crash prevention zones established prior to January 1, 2029. 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, a 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. When local jurisdictions hold a public hearing prior to establishing a crash

prevention zone, the WSDOT's regional administrator must be invited to attend. Once a crash prevention zone has been established, the jurisdiction that established it must conduct an engineering and traffic investigation to identify options for 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.

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. Otherwise, there is no deadline by when a jurisdiction must dissolve a crash prevention zone it has established.

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.

**Amended Bill Compared to Engrossed Second Substitute Bill:**

As compared to the engrossed second substitute bill, the amended bill requires local jurisdictions to use the same five-year time period to examine incidence of collision data for establishing a crash prevention zone as applies to the WSDOT. It requires local jurisdictions to use the same processes in the HSM published by the AASHTO, that the WSDOT is required to use to establish a crash prevention zone, and clarifies that the provision requiring WSDOT approval for a local jurisdiction to designate a crash prevention zone that includes roads managed by the WSDOT also applies to locations eligible for designation as a crash prevention zone prior to January 1, 2029.

The amended bill removes the WSDOT's authority to create a crash prevention zone in the area specified prior to January 1, 2029, and authorizes local jurisdictions to create a crash prevention zone between designated portions of Highway 12 prior to January 1, 2029. It also clarifies that crash prevention zones established prior to January 1, 2029 do not have any specific date by when they must be dissolved.

The amended bill exempts the WSDOT from being required to conduct a public hearing prior to establishment of a crash prevention zone. It mandates that, when local jurisdictions hold a public hearing prior to establishing a crash prevention zone, the WSDOT's regional administrator be invited to attend.

Finally, the amended bill modifies the scope of an engineering and traffic investigation of public roads that must be conducted prior to establishing a crash prevention zone from the identification of safety improvements to the identification of options for safety improvements, and expands the WSDOT's authorization to use speed reduction methods, approaches, and technologies to reduce speeding within crash prevention zones to apply to all crash prevention zones, rather than solely to those zones it establishes.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:**

(In support) This bill represents a short-term band-aid for a long-term solution that is needed for addressing areas with identified safety concerns. The bill would have originally covered local governments to establish crash prevention zones, but that portion of the bill

was delayed until 2029.

A council member was killed on U.S. Highway 395, and the factors leading to this type of incident need to be addressed quickly before permanent fixes are put in place. There were funds appropriated to address the safety concerns on a portion of U.S. Highway 395 that were then vetoed by the Governor at the time. It is necessary to make adjustments and warn people that this is a dangerous area.

There are also two locations on Highway 12 where there are safety concerns that should be added to the bill.

(Opposed) None.

**Persons Testifying:** Brad Tower, Washington Counties Risk Pool; and Briahna Murray, City of Pasco.

**Persons Signed In To Testify But Not Testifying:** None.