

# SENATE BILL REPORT

## SSB 5238

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As Passed Senate, February 12, 2025

**Title:** An act relating to reckless driving in cases involving excessive speed.

**Brief Description:** Addressing reckless driving in cases involving excessive speed.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Muzzall, Lovick, Saldaña, Shewmake, Trudeau, Wagoner and Wilson, C.).

**Brief History:**

**Committee Activity:** Law & Justice: 1/27/25, 1/30/25 [DPS].

**Floor Activity:** Passed Senate: 2/12/25, 47-2.

**Brief Summary of First Substitute Bill**

- Expands the crime of reckless driving to include intentionally speeding more than 30 miles per hour above the speed limit.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That Substitute Senate Bill No. 5238 be substituted therefor, and the substitute bill do pass.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Holy, Ranking Member; Fortunato, Lovick, Salomon, Torres and Wagoner.

**Staff:** Patrick Moore (786-7535)

**Background:** Reckless driving is defined as driving any vehicle in willful or wanton disregard for the safety of persons or property. Police officers may arrest anyone they have probable cause to believe has committed reckless driving.

Reckless driving is a gross misdemeanor, punishable by imprisonment for up to 364 days

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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.*

and by a fine of up to \$5,000. A conviction for reckless driving results in a driver's license suspension of at least 30 days.

**Summary of First Substitute Bill:** Intentionally driving more than 30 miles per hour over the posted speed limit is punishable as reckless driving.

**Appropriation:** None.

**Fiscal Note:** Requested on January 24, 2025.

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

**Effective Date:** The bill takes effect on September 1, 2025.

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: There are drivers chronically speeding on our highways. It is reckless to be driving 30 miles per hour over the speed limit. Washington State Patrol is catching people driving 30, 40, and 50 miles over the speed limit. They are given citations for reckless driving but in court the charges are reduced to excessive speeding. This bill tries to dissuade people who repeatedly speed in this manner by making the punishment more severe. Their conduct is often associated with racing. The collisions that are caused by this conduct sometimes injures and kills innocent people. The State Patrol at all levels support this bill because they are frustrated in their attempts to stop this conduct.

OTHER: Excessive speeding causes terrible collisions, injuries, and deaths. Speed affects kinetic energy more than weight does, resulting in deaths on the highways. There should not be an intent element to excessive speeding as reckless driving because it is difficult for prosecutors to prove. Other suggested changes are that the threshold speed for reckless driving be lowered to 20 miles per hour and require speed limiter devices for violators on restricted licenses. Government spends over \$20 billion in this state on traffic collisions. This bill will save lives.

**Persons Testifying:** PRO: Senator Ron Muzzall, Prime Sponsor.

OTHER: Amy Freedheim, Senior Deputy Prosecutor King County - Felony Traffic.

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