
HOUSE BILL 1518

State of Washington

69th Legislature

2025 Regular Session

By Representatives Reed and Doglio

Read first time 01/22/25. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to enhancing public safety by establishing
2 liability standards for certain vehicle collisions; adding a new
3 section to chapter 4.24 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW
6 to read as follows:

7 (1)(a) Any major motor vehicle operator involved in a collision
8 with a pedestrian, bicycle, or minor motor vehicle shall be presumed
9 to have negligently caused the collision in any tort action alleging
10 liability for the collision.

11 (b) Any minor motor vehicle or bicycle operator involved in a
12 collision with a pedestrian shall be presumed to have negligently
13 caused the collision in any tort action alleging liability for the
14 collision.

15 (2) In any cause of action subject to this section:

16 (a) The defendant is presumed to have breached his or her duty of
17 care by negligently causing the collision, but the defendant may
18 rebut this presumption by proving, by a preponderance of the
19 evidence, that the defendant was not negligent or that the
20 defendant's negligence did not cause the collision.

1 (b) The plaintiff has the burden to prove by a preponderance of
2 the evidence the plaintiff's damages and that the defendant's
3 negligence was the actual and proximate cause of the plaintiff's
4 damages.

5 (3) (a) In any cause of action subject to this section, a
6 prevailing plaintiff is entitled to recover: (i) Actual damages,
7 including economic and noneconomic damages; and (ii) statutory
8 damages of \$1,500.

9 (b) If a defendant disputes a presumption under subsection (2) (a)
10 of this section, but the trier of fact finds the defendant breached
11 his or her duty of care by negligently causing the collision, a
12 prevailing plaintiff is entitled to recover reasonable attorney fees
13 and actual costs, including expert fees, related to the disputed
14 presumption.

15 (c) If a defendant has previously been found civilly or
16 criminally liable for collisions involving a total of three or more
17 pedestrians, persons riding bicycles, or minor motor vehicle
18 operators, a prevailing plaintiff may recover punitive damages.

19 (4) If a vehicle or bicycle operator is unknown, the legal owner
20 of the vehicle or bicycle shall be presumed to have been the vehicle
21 or bicycle operator at the time of the collision, but the owner may
22 rebut this presumption by proving, by a preponderance of the
23 evidence, that the owner was not driving the vehicle or controlling
24 the bicycle at the time of the collision, and was not responsible for
25 the safe operation of the vehicle or bicycle at the time of the
26 collision.

27 (5) In any cause of action subject to this section, if the trier
28 of fact determines that the plaintiff was contributorily negligent
29 and such negligence was a proximate cause of the collision, the
30 contributory fault standards in chapter 4.22 RCW apply.

31 (6) This section is cumulative and nonexclusive and does not
32 affect any other civil remedy or criminal law.

33 (7) The definitions in this subsection apply throughout this
34 section unless the context clearly requires otherwise.

35 (a) "Bicycle" means every device propelled solely by human power,
36 upon which a person or persons may ride, having two tandem wheels or
37 three wheels.

38 (b) "Major motor vehicle" means a self-propelled device that is
39 capable of being moved upon any street, road, or highway, and in,
40 upon, or by which any persons or property are or may be transported

1 or drawn, and which: (i) Weighs 200 pounds or more; or (ii) is
2 capable of motorized speeds in excess of 28 miles per hour.

3 (c) "Minor motor vehicle" means a self-propelled device that is
4 capable of being moved upon any street, road, or highway, and in,
5 upon, or by which any persons or property are or may be transported
6 or drawn, and which is not a major motor vehicle.

7 (d) "Owner" has the same meaning as provided in RCW 46.04.380.

8 (e) "Pedestrian" has the same meaning as provided in RCW
9 46.04.400.

10 (f) "Vehicle or bicycle operator" includes: (i) A person in
11 control of the vehicle or bicycle; (ii) a person who has a
12 responsibility to control the vehicle or bicycle and fails to do so;
13 (iii) a person in remote control of the vehicle; (iv) a person who
14 has a responsibility to remotely control the vehicle and fails to do
15 so; and (v) the employer or principal of any person listed in this
16 subsection while such person is acting on behalf of the employer or
17 principal.

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