H-3134.1

# SUBSTITUTE HOUSE BILL 2203

**State of Washington 69th Legislature 2026 Regular Session**

**By** House Community Safety (originally sponsored by Representatives Penner, Graham, and Couture)

READ FIRST TIME 01/27/26.

AN ACT Relating to creating the offense of reckless interference with emergency operations; adding a new section to chapter 46.61 RCW; and prescribing penalties.

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

NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW to read as follows:

(1) A person is guilty of reckless interference with emergency operations if the person operates a vehicle on a public roadway with knowledge that the public roadway has been closed due to hazardous conditions by an official barricade, signage, or emergency vehicle.

(2)(a) Except as provided in (b) of this subsection, a person who recklessly interferes with emergency operations is guilty of a misdemeanor.

(b) A person who recklessly interferes with emergency operations is guilty of a gross misdemeanor if any of the following apply:

(i) If, as a result of the violation, the person requires emergency assistance, rescue, or evacuation by a public agency and the resulting operation causes bodily injury to a first responder; or

(ii) If the violation occurs while a minor under the age of 16 or a vulnerable adult is present in the vehicle.

(3) The department of licensing shall suspend the driver's license, permit to drive, or nonresident driving privilege of a person convicted of reckless interference with emergency operations for the following duration:

(a) Thirty days when the person is sentenced pursuant to subsection (2)(a) of this section; or

(b) Sixty days when the person is sentenced pursuant to subsection (2)(b) of this section.

(4)(a) A person who has been found guilty of or has had the person's prosecution deferred for reckless interference with emergency operations is liable for the expense of an emergency response by a public agency to the incident if an emergency response is required.

(b) The expense of an emergency response is a charge against the person liable for expenses under this section. The charge constitutes a debt of that person and is collectible by the public agency incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied. Following a conviction of an offense listed in this section, and prior to sentencing, the prosecution may present to the court information setting forth the expenses incurred by the public agency for its emergency response to the incident. Upon a finding by the court that the expenses are reasonable, the court shall order the defendant to reimburse the public agency. The cost reimbursement shall be included in the sentencing order as an additional monetary obligation of the defendant and may not be substituted for any other fine or cost required or allowed by statute. The court may establish a payment schedule for the payment of the cost reimbursement, separate from any payment schedule imposed for other fines and costs. All payments for the cost reimbursement must be remitted directly to the public agency or agencies that incurred the cost associated with the emergency response.

(c) In no event shall a person's liability under this section for the expense of an emergency response exceed $25,000 for a particular incident.

(d) If more than one public agency makes a claim for payment from an individual for an emergency response to a single incident under the provisions of this section, and the sum of the claims exceeds the amount recovered, the division of the amount recovered shall be

determined by an interlocal agreement consistent with the requirements of chapter 39.34 RCW.

(5) For the purposes of this section:

(a) "First responder" means (i) "first responder" as defined in RCW 5.60.060, however "first responder" does not include an emergency services dispatcher or recordkeeper or coroner or medical examiner, or a coroner's or medical examiner's agent or employee; (ii) "reserve officer" as defined in RCW 10.93.020; (iii) "specially commissioned Washington peace officer" as defined in RCW 10.93.020; (iv) "volunteer firefighter" as defined in RCW 49.12.460; and (v) "covered volunteer emergency worker" as defined in RCW 38.52.180;

(b) "Vehicle" has the same meaning as in RCW 46.04.670; and

(c) "Vulnerable adult" has the same meaning as in RCW 74.34.020.

(6) Any act prohibited by this section that also constitutes a crime under any other law of this state may be the basis of prosecution under such other law notwithstanding that it may also be the basis for prosecution under this section.

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