
ENGROSSED SENATE BILL 5890

State of Washington

69th Legislature

2026 Regular Session

By Senators Muzzall, Lovick, Gildon, and Shewmake

Prefiled 12/15/25. Read first time 01/12/26. Referred to Committee on Law & Justice.

1 AN ACT Relating to reckless driving in cases involving excessive
2 speed; amending RCW 46.61.500 and 46.61.500; prescribing penalties;
3 providing effective dates; and providing an expiration date.

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

5 **Sec. 1.** RCW 46.61.500 and 2020 c 330 s 14 are each amended to
6 read as follows:

7 (1) ~~((Any person who drives any vehicle in))~~ A person is guilty
8 of reckless driving if the person drives a vehicle:

9 (a) In a willful or wanton disregard for the safety of persons or
10 property ((is guilty of reckless driving)); or

11 (b) More than 30 miles per hour over the posted speed limit.

12 (2) Violation of the provisions of this section is a gross
13 misdemeanor punishable by imprisonment for up to ~~((three hundred~~
14 ~~sixty-four)) 364~~ days and by a fine of not more than ~~((five thousand~~
15 dollars)) \$5,000.

16 ~~((+2))~~ (3)(a) Subject to (b) of this subsection, the license or
17 permit to drive or any nonresident privilege of any person convicted
18 of reckless driving shall be suspended by the department for not less
19 than ~~((thirty)) 30~~ days.

20 (b) When a reckless driving conviction is a result of a charge
21 that was originally filed as a violation of RCW 46.61.502 or

1 46.61.504, or an equivalent local ordinance, the department shall
2 grant credit on a day-for-day basis for any portion of a suspension,
3 revocation, or denial already served under an administrative action
4 arising out of the same incident. In the case of a person whose day-
5 for-day credit is for a period equal to or greater than the period of
6 suspension required under this section, the department shall provide
7 notice of full credit, shall provide for no further suspension under
8 this section, and shall impose no additional reissue fees for this
9 credit. During any period of suspension, revocation, or denial due to
10 a conviction for reckless driving as the result of a charge
11 originally filed as a violation of RCW 46.61.502 or 46.61.504, any
12 person who has obtained an ignition interlock driver's license under
13 RCW 46.20.385 may continue to drive a motor vehicle pursuant to the
14 provision of the ignition interlock driver's license without
15 obtaining a separate temporary restricted driver's license under RCW
16 46.20.391.

17 ~~((3))~~ (4)(a) Except as provided under (b) of this subsection, a
18 person convicted of reckless driving who has one or more prior
19 offenses as defined in RCW 46.61.5055(14) within seven years shall be
20 required, under RCW 46.20.720, to install an ignition interlock
21 device on all vehicles operated by the person if the conviction is
22 the result of a charge that was originally filed as a violation of
23 RCW 46.61.502, 46.61.504, or an equivalent local ordinance.

24 (b) A person convicted of reckless driving shall be required,
25 under RCW 46.20.720, to install an ignition interlock device on all
26 vehicles operated by the person if the conviction is the result of a
27 charge that was originally filed as a violation of RCW 46.61.520
28 committed while under the influence of intoxicating liquor or any
29 drug or RCW 46.61.522 committed while under the influence of
30 intoxicating liquor or any drug.

31 **Sec. 2.** RCW 46.61.500 and 2025 c 228 s 14 are each amended to
32 read as follows:

33 ~~((Any person who drives any vehicle in))~~ A person is guilty
34 of reckless driving if the person drives a vehicle:

35 (a) In a willful or wanton disregard for the safety of persons or
36 property ((is guilty of reckless driving)); or

37 (b) More than 30 miles per hour over the posted speed limit.

38 (2) Except as provided in subsection ~~((4))~~ (5) of this section,
39 violation of the provisions of this section is a gross misdemeanor

1 punishable by imprisonment for up to 364 days and by a fine of not
2 more than \$5,000.

3 ~~((2))~~ (3)(a) Subject to (b) of this subsection, the license or
4 permit to drive or any nonresident privilege of any person convicted
5 of reckless driving shall be suspended by the department for not less
6 than 30 days.

7 (b) When a reckless driving conviction is a result of a charge
8 that was originally filed as a violation of RCW 46.61.502 or
9 46.61.504, or an equivalent local ordinance, the department shall
10 grant credit on a day-for-day basis for any portion of a suspension,
11 revocation, or denial already served under an administrative action
12 arising out of the same incident. In the case of a person whose day-
13 for-day credit is for a period equal to or greater than the period of
14 suspension required under this section, the department shall provide
15 notice of full credit, shall provide for no further suspension under
16 this section, and shall impose no additional reissue fees for this
17 credit. During any period of suspension, revocation, or denial due to
18 a conviction for reckless driving as the result of a charge
19 originally filed as a violation of RCW 46.61.502 or 46.61.504, any
20 person who has obtained an ignition interlock driver's license under
21 RCW 46.20.385 may continue to drive a motor vehicle pursuant to the
22 provision of the ignition interlock driver's license without
23 obtaining a separate temporary restricted driver's license under RCW
24 46.20.391.

25 ~~((3))~~ (4)(a) Except as provided under (b) of this subsection, a
26 person convicted of reckless driving who has one or more prior
27 offenses as defined in RCW 46.61.5055(14) within seven years shall be
28 required, under RCW 46.20.720, to install an ignition interlock
29 device on all vehicles operated by the person if the conviction is
30 the result of a charge that was originally filed as a violation of
31 RCW 46.61.502, 46.61.504, or an equivalent local ordinance.

32 (b) A person convicted of reckless driving shall be required,
33 under RCW 46.20.720, to install an ignition interlock device on all
34 vehicles operated by the person if the conviction is the result of a
35 charge that was originally filed as a violation of RCW 46.61.520
36 committed while under the influence of intoxicating liquor or any
37 drug or RCW 46.61.522 committed while under the influence of
38 intoxicating liquor or any drug.

39 ~~((4))~~ (5)(a) Following the period of suspension under
40 subsection ~~((2))~~ (3) of this section, the department must establish

1 a period of probation for 150 days. During the period of probation,
2 the person may not operate a vehicle upon which a properly
3 functioning intelligent speed assistance device has not been
4 installed.

5 (b) The operation of a vehicle without such a properly
6 functioning intelligent speed assistance device following the
7 suspension as provided in (a) of this subsection is a traffic
8 infraction.

9 (c) Any traffic infraction for a moving violation committed
10 during the period of probation shall result in an additional 30-day
11 suspension or revocation to run consecutively with any suspension
12 already being served.

13 (d) A person who is required to operate a motor vehicle with an
14 intelligent speed assistance device under this subsection (~~((4))~~) (5)
15 remains exclusively responsible for operation of the motor vehicle in
16 a safe and lawful manner at all times. The obligation to use an
17 intelligent speed assistance device is not a defense or mitigating
18 circumstance to a violation of rules of the road, as set forth in
19 law.

20 NEW SECTION. **Sec. 3.** Section 1 of this act takes effect
21 September 1, 2026.

22 NEW SECTION. **Sec. 4.** Section 1 of this act expires January 1,
23 2029.

24 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect January
25 1, 2029.

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