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HOUSE BILL 2033

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State of Washington

67th Legislature

2022 Regular Session

By Representatives Donaghy and Bronoske

1 AN ACT Relating to safety measures for fire department vehicles  
2 and other vehicles using lights or other signals in emergency or work  
3 zones; amending RCW 46.37.184 and 46.61.212; and prescribing  
4 penalties.

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

6 **Sec. 1.** RCW 46.37.184 and 1961 c 12 s 46.37.184 are each amended  
7 to read as follows:

8 All fire department vehicles in service shall be identified by  
9 red lights of an intermittent flashing type, visible from both front  
10 and rear for a distance of (~~five hundred~~) 500 feet under normal  
11 atmospheric conditions. Such red flashing lights shall be well  
12 separated from the headlights so that they will not black out when  
13 headlights are on. Such red flashing lights shall be in operation at  
14 all times when such vehicle is on emergency status. Fire department  
15 vehicles may also operate rear-facing blue lights. The combination of  
16 red and blue lights shall only be used at the scene of the emergency.

17 **Sec. 2.** RCW 46.61.212 and 2019 c 106 s 1 are each amended to  
18 read as follows:

19 (1) An emergency or work zone is defined as the adjacent lanes of  
20 the roadway (~~two hundred~~) 200 feet before and after:

1 (a) A stationary authorized emergency vehicle that is making use  
2 of audible and/or visual signals meeting the requirements of RCW  
3 46.37.190;

4 (b) A tow truck that is making use of visual red lights meeting  
5 the requirements of RCW 46.37.196;

6 (c) Other vehicles providing roadside assistance that are making  
7 use of warning lights with (~~three hundred sixty~~) 360 degree  
8 visibility;

9 (d) A police vehicle properly and lawfully displaying a flashing,  
10 blinking, or alternating emergency light or lights; or

11 (e) A stationary or slow moving highway construction vehicle,  
12 highway maintenance vehicle, solid waste vehicle, or utility service  
13 vehicle making use of flashing lights that meet the requirements of  
14 RCW 46.37.300 or warning lights with (~~three hundred sixty~~) 360  
15 degree visibility.

16 (2) The driver of any motor vehicle, upon approaching an  
17 emergency or work zone, shall:

18 (a) On a highway having four or more lanes, at least two of which  
19 are intended for traffic proceeding in the same direction as the  
20 approaching vehicle, proceed with caution and, if the opportunity  
21 exists, with due regard for safety and traffic conditions, yield the  
22 right-of-way by making a lane change or moving away from the lane or  
23 shoulder occupied by an emergency or work zone vehicle identified in  
24 subsection (1) of this section;

25 (b) On a highway having less than four lanes, proceed with  
26 caution, reduce the speed of the vehicle, and, if the opportunity  
27 exists, with due regard for safety and traffic conditions, and under  
28 the rules of this chapter, yield the right-of-way by passing to the  
29 left at a safe distance and simultaneously yield the right-of-way to  
30 all vehicles traveling in the proper direction upon the highway; or

31 (c) If changing lanes or moving away would be unsafe, proceed  
32 with due caution and reduce the speed of the vehicle to at least  
33 (~~ten~~) 10 miles per hour below the posted speed limit, except for  
34 when the posted speed limit is 60 miles per hour or more, then reduce  
35 the speed of the vehicle to no more than 50 miles per hour.

36 (3) A person may not drive a vehicle in an emergency or work zone  
37 at a speed greater than the posted speed limit or greater than what  
38 is permitted under subsection (2)(c) of this section.

39 (4) A person found to be in violation of this section, or any  
40 infraction relating to speed restrictions in an emergency or work

1 zone, must be assessed a monetary penalty equal to twice the penalty  
2 assessed under RCW 46.63.110. This penalty may not be waived,  
3 reduced, or suspended.

4 (5) A person who drives a vehicle in an emergency or work zone in  
5 such a manner as to endanger or be likely to endanger any emergency  
6 or work zone worker or property is guilty of reckless endangerment of  
7 emergency or work zone workers. A violation of this subsection is a  
8 gross misdemeanor punishable under chapter 9A.20 RCW.

9 (6) The department shall suspend for (~~sixty~~) 60 days the  
10 driver's license, permit to drive, or nonresident driving privilege  
11 of a person convicted of reckless endangerment of emergency or work  
12 zone workers.

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