
SUBSTITUTE SENATE BILL 5907

State of Washington

67th Legislature

2022 Regular Session

By Senate Transportation (originally sponsored by Senators J. Wilson, Lovick, Fortunato, Lovelett, Randall, Saldaña, Stanford, and L. Wilson)

1 AN ACT Relating to roadside safety measures; amending RCW
2 46.37.184, 46.37.196, and 46.61.212; adding a new section to chapter
3 46.08 RCW; adding a new section to chapter 46.20 RCW; adding a new
4 section to chapter 47.04 RCW; creating new sections; and providing
5 effective dates.

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

7 NEW SECTION. **Sec. 1.** This act may be known and cited as the
8 Arthur Anderson and Raymond Mitchell tow operators safety act.

9 **Sec. 2.** RCW 46.37.184 and 1961 c 12 s 46.37.184 are each amended
10 to read as follows:

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

1 **Sec. 3.** RCW 46.37.196 and 1977 ex.s. c 355 s 16 are each amended
2 to read as follows:

3 All emergency tow trucks shall be identified by an intermittent
4 or revolving red light capable of 360((°)) degree visibility at a
5 distance of five hundred feet under normal atmospheric conditions.
6 (~~This intermittent or revolving red light shall be used only at the~~
7 ~~scene of an emergency or accident, and it will be unlawful to use~~
8 ~~such light while traveling to or from an emergency or accident, or~~
9 ~~for any other purposes.)) The emergency tow trucks may also operate
10 rear facing blue lights for use only at the scene of an emergency or
11 accident. The red lights may be used when the tow truck is reentering
12 the roadway from the scene of an emergency or accident for a
13 reasonable distance to reach operating speed from the scene, and the
14 combination of red and blue lights may be used only at the scene of
15 an emergency or accident. It is unlawful to use the combination of
16 lights when traveling to or from the scene of an accident or for any
17 other purpose.~~

18 **Sec. 4.** RCW 46.61.212 and 2019 c 106 s 1 are each amended to
19 read as follows:

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

22 (a) A stationary authorized emergency vehicle that is making use
23 of audible and/or visual signals meeting the requirements of RCW
24 46.37.190;

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

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

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

32 (e) A stationary or slow moving highway construction vehicle,
33 highway maintenance vehicle, solid waste vehicle, or utility service
34 vehicle making use of flashing lights that meet the requirements of
35 RCW 46.37.300 or warning lights with (~~three hundred sixty~~) 360
36 degree visibility.

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

1 (a) On a highway having four or more lanes, at least two of which
2 are intended for traffic proceeding in the same direction as the
3 approaching vehicle, proceed with caution, reduce the speed of the
4 vehicle, and, if the opportunity exists, with due regard for safety
5 and traffic conditions, yield the right-of-way by making a lane
6 change or moving away from the lane or shoulder occupied by an
7 emergency or work zone vehicle identified in subsection (1) of this
8 section;

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

15 (c) If changing lanes or moving away would be unsafe, proceed
16 with due caution and continue to reduce the speed of the vehicle to
17 at least ~~((ten))~~ 10 miles per hour below the posted speed limit,
18 except for when the posted speed limit exceeds 60 miles per hour or
19 more, then reduce the speed of the vehicle to 50 miles per hour or
20 lower.

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

24 (4) A person found to be in violation of this section, or any
25 infraction relating to speed restrictions in an emergency or work
26 zone, must be assessed a monetary penalty equal to twice the penalty
27 assessed under RCW 46.63.110. This penalty may not be waived,
28 reduced, or suspended.

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

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

38 NEW SECTION. Sec. 5. A new section is added to chapter 46.08
39 RCW to read as follows:

1 The department shall develop an appropriate training module
2 relating to the requirements of RCW 46.61.212, for inclusion in all
3 new driver training curricula.

4 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.20
5 RCW to read as follows:

6 (1) The department shall provide each driver's license,
7 identicard, instruction permit, intermediate license, and commercial
8 driver's license applicant with written materials regarding the
9 contents and requirements of RCW 46.61.212, the slow down and move
10 over law, at the completion of the applicant's licensing transaction.

11 (2) The department shall place signage in each of the licensing
12 service offices that provide background on the written materials that
13 the applicant will receive regarding the slow down and move over law.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 47.04
15 RCW to read as follows:

16 The department shall substantially increase the use of roadway
17 signage and electronic display sign boards along roadways in the
18 state to reflect the requirements and penalties associated with a
19 violation of RCW 46.61.212.

20 NEW SECTION. **Sec. 8.** By January 31, 2023, the department of
21 licensing and the Washington traffic safety commission, working
22 independently or in collaboration or both, shall develop a statewide
23 public awareness campaign to inform and educate Washington citizens
24 about the slow down and move over law, RCW 46.61.212. The educational
25 campaign must include the use of public service announcements and
26 written and digital informative and educational materials distributed
27 by all reasonable means possible. The department of licensing and the
28 Washington traffic safety commission, working independently or in
29 collaboration or both, shall develop the public awareness campaign
30 using all available resources, as well as federal and other grant
31 funds that may, from time to time, become available.

32 NEW SECTION. **Sec. 9.** Section 5 of this act takes effect October
33 1, 2023.

1 NEW SECTION. **Sec. 10.** Section 6 of this act takes effect
2 October 30, 2022.

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