



WASHINGTON
Traffic Safety
COMMISSION

TRAFFIC SAFETY LAWS AS PASSED BY THE 2010 LEGISLATURE

Unless specifically noted, these laws take effect on June 10, 2010.

HB 1966: Drivers and wheelchair users Drivers are required to remain stopped the entire time that wheelchair users are in a crosswalk. This law also applies to the blind and to persons using service animals.

Law is effective August 1, 2010.

ESHB 2464: Vehicles in emergency zones An emergency zone is defined as 200 feet before and after the area in which an emergency vehicle (such as a tow truck, police car, etc.) has stopped with lights flashing. Fines are doubled for drivers who exceed the posted speed in emergency zones; that fine cannot be waived, reduced or suspended. Drivers who endanger, or who would likely endanger, an emergency worker or property are guilty of the gross misdemeanor of reckless endangerment of an emergency worker and are also subject to suspension of their driver's license for 60 days upon conviction. The Washington State Patrol is required to conduct education and outreach about emergency zones until June 30, 2011.

Law is effective January 1, 2011.

SHB 2466: Ignition interlock devices The State Patrol is required to provide standards for installation, maintenance and removal of ignition interlock devices and can remove a vendor for non-compliance with standards. Vendor has the right to appeal the State Patrol's decision. All devices must, within five years, use fuel cell technology.

SHB 2487: Deferred prosecution costs The cost for administering a deferred prosecution is increased to \$250.

2SHB 2742: DUI accountability Some changes are made as to who may apply for an ignition interlock (IIL). For example, persons convicted of vehicular homicide or vehicular assault due to driving under the influence may apply as can persons whose licenses have been suspended due to driving under the influence of drugs. Persons who enter into deferred prosecutions for DUI are no longer required to apply for an IIL. The employer vehicle exception is expanded. The list of circumstances under which the court may waive the requirement that a person apply for an IIL is also expanded. The definitions of "prior offenses" and "within seven years" are amended. For a complete list of all the changes, please read the bill.

SHB 3124: DUI with child in car/report If a parent, guardian, or legal custodian of a child under 13 years old is arrested for DUI with the child in the vehicle, law enforcement is required to notify Child Protective Services. Law enforcement is not required to take the child into custody unless no other responsible person can be found or unless there is reason to believe that the child should be taken into custody.

SSB 6207: Golf cart zones/local governments Cities or counties may create golf cart zones by ordinance or resolution. Golf cart drivers within golf cart zones are subject to the same rules of the road as vehicle drivers and are not exempt from seatbelt requirements. Golf carts operating on public roads within a golf cart zone must be equipped with reflectors, seatbelts, and rearview mirrors. Drivers of golf carts on public roads must be at least 16 years old.

SSB 6208: Temporary agricultural directional signs Signs providing directions to businesses selling seasonal agricultural products may be placed on WSDOT rights-of-way providing the signs meet safety concerns and there is a WSDOT permit for placing the sign on the right-of-way.

SSB 6213: Railroad grade crossings Those vehicles required to stop at railroad crossings are changed to reference federal guidelines and vehicle classifications, which describe vehicles carrying explosive, flammable, and hazardous substances. Commercial motor vehicles transporting passengers must also stop before crossing railroad tracks. The State Patrol may identify, by rule, crossings where stopping is not required. The Superintendent of Public Instruction may identify, by rule, circumstances under which stopping is not required for drivers of school buses or private carriers carrying children or other passengers.

SSB 6345: Wireless communications The holder of an instruction permit or an intermediate license may not use a cell phone or other wireless communication device while driving a motor vehicle except when reporting illegal activity, summoning medical or other emergency help, or preventing injury to a person or property.

All other drivers may use a hands-free device for calls while driving.

Violation of the laws relating to the use of a hand-held cell phone or other wireless communication device while operating a moving motor vehicle may now be enforced as a primary action.

SSB 6346: Electric vehicles Neighborhood electric vehicles (NEVs) are defined as having a speed of more than 20 mph but not more than 25 mph. Medium-speed electric vehicles (MEVs) are defined as having a speed of more than 25 mph but not more than 35 mph. Under Washington law, both NEVs and MEVs may be driven on city streets and county roads that are not state routes if the road has a speed limit of 35 mph or less. Both vehicle

types must have a vehicle license, and operators must have a driver's license and liability insurance.

In counties consisting of islands whose only connection to the mainland are ferry routes, a person may operate an NEV and MEV on city streets and county roads that are not state routes if the road has a speed limit of 45 mph or less. Currently, the increased speed limit in this provision will apply to only San Juan County.

The Department of Licensing is required to track all Washington-registered NEVs and MEVs in a separate category. In addition, crashes that involve NEVs or MEVs must be tracked separately.

SSB 6363: School crosswalk violations The fine is doubled for drivers who fail to stop for a pedestrian or bicyclist within a crosswalk that is marked with school or playground speed zone signs. The fine is also doubled for drivers who fail to exercise due care to avoid colliding with a pedestrian or who fail to yield the right of way to a pedestrian or bicyclist on the sidewalk. The penalties for these infractions may not be waived, reduced, or suspended. Fifty percent of the money collected from these infractions is deposited into the School Zone Safety Account.

Crossing guards, age 18 or older, who observe pedestrian or bicycle-related violations, may prepare a written report to law enforcement. If law enforcement is able to identify the driver and has reasonable cause to believe a violation occurred, an infraction may be issued.

These descriptions of new traffic safety laws were prepared by WTSC staff to provide information about some of the changes in traffic law following the 2010 Legislative Session. This list is neither a complete list of all the bills that may have implications for traffic safety nor a reliable legal analysis. Please refer to the complete bill as signed by the Governor for a more accurate picture of the contents and effect of the new laws.