
HOUSE BILL 1289

State of Washington

54th Legislature

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By Representatives Ballasiotes, Costa, Sheahan, Van Luven, Lambert, Mason, Mielke, Reams, Delvin, Foreman and Scott

Read first time 01/19/95. Referred to Committee on Law and Justice.

1 AN ACT Relating to vessels; amending RCW 88.12.155; reenacting and
2 amending RCW 9.94A.320; and prescribing penalties.

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

4 **Sec. 1.** RCW 88.12.155 and 1993 c 244 s 18 are each amended to read
5 as follows:

6 (1)(a) The operator of a vessel involved in a collision, accident,
7 or other casualty(~~(, to the extent the operator can do so without~~
8 ~~serious danger to the operator's own vessel or persons aboard,)) shall
9 immediately stop at the accident scene or stop as close to the scene as
10 possible and then return and remain there until fulfilling the
11 applicable requirements of this subsection.~~

12 (b) If the operator collides with an unattended vessel or property
13 the operator shall either locate the owner of the vessel or property
14 and notify the owner of the accident, or shall leave in a conspicuous
15 place on the vessel or property a written notice, giving the operator's
16 name, address, and telephone number. A violation of this subsection
17 (1)(b) is a misdemeanor.

18 (c) If the operator collides with a vessel or other property
19 attended by a person and the collision results only in damage to the

1 vessel or property, the operator shall give his or her name, address,
2 and telephone number to any person attending the other vessel or
3 property. Violation of this subsection (1)(c) is a gross misdemeanor.

4 (d) If the operator collides with another vessel, property, or a
5 person, and the collision results in injury to or death of a person,
6 the operator shall give his or her name, address, and telephone number
7 to any person struck or injured at the scene and shall render all
8 practical and necessary assistance to persons affected by the
9 collision, accident, or casualty to save them from danger caused by the
10 incident, including transporting or arranging the transportation of
11 injured persons to a physician or hospital for medical treatment.
12 Violation of this subsection (1)(d) is a class C felony and punishable
13 pursuant to RCW 9A.20.020. (~~Under no circumstances may the rendering~~
14 of assistance or other compliance with this section be evidence of the
15 liability of such operator for the collision, accident, or casualty.))

16 (e) The operator shall also report the accident and give all
17 pertinent accident information, as specified by rule by the commission,
18 to the law enforcement agency having jurisdiction(~~(: PROVIDED, That)~~).
19 This requirement shall not apply to operators of vessels when they are
20 participating in an organized competitive event authorized or otherwise
21 permitted by the appropriate agency having jurisdiction and authority
22 to authorize such events. (~~These duties are in addition to any duties~~
23 otherwise imposed by law.)) Except as provided for in RCW 88.12.015
24 and subsections (4) and (5) of this section, a violation of this
25 subsection (1)(e) is a civil infraction punishable under RCW 7.84.100.

26 (2) Under no circumstances may the rendering of assistance or other
27 compliance with this section be evidence of the operator's liability
28 for the collision, accident, or casualty.

29 (3) Subsection (1) of this section shall not apply to any person
30 injured or incapacitated by the accident if the person is physically
31 incapable of complying with those requirements.

32 (4) Subsection (1) of this section shall not apply if the operator
33 cannot comply without the risk of serious danger to the operator's own
34 vessel or persons aboard. An operator who fails to comply with those
35 requirements because of the risk to his or her own vessel or passengers
36 shall report the accident to the nearest office of the local law
37 enforcement agency immediately upon securing the safety of the
38 operator's passengers and vessel. Violation of this subsection is a
39 misdemeanor.

1 Damaging building, etc., by explosion with
2 threat to human being (RCW
3 70.74.280(1))
4 Over 18 and deliver heroin or narcotic
5 from Schedule I or II to someone
6 under 18 (RCW 69.50.406)
7 Leading Organized Crime (RCW
8 9A.82.060(1)(a))
9 IX Assault of a Child 2 (RCW 9A.36.130)
10 Robbery 1 (RCW 9A.56.200)
11 Manslaughter 1 (RCW 9A.32.060)
12 Explosive devices prohibited (RCW
13 70.74.180)
14 Indecent Liberties (with forcible
15 compulsion) (RCW 9A.44.100(1)(a))
16 Endangering life and property by
17 explosives with threat to human being
18 (RCW 70.74.270)
19 Over 18 and deliver narcotic from Schedule
20 III, IV, or V or a nonnarcotic from
21 Schedule I-V to someone under 18 and
22 3 years junior (RCW 69.50.406)
23 Controlled Substance Homicide (RCW
24 69.50.415)
25 Sexual Exploitation (RCW 9.68A.040)
26 Inciting Criminal Profiteering (RCW
27 9A.82.060(1)(b))
28 Vehicular Homicide, by being under the
29 influence of intoxicating liquor or
30 any drug (RCW 46.61.520)
31 VIII Arson 1 (RCW 9A.48.020)
32 Promoting Prostitution 1 (RCW 9A.88.070)
33 Selling for profit (controlled or
34 counterfeit) any controlled substance
35 (RCW 69.50.410)
36 Manufacture, deliver, or possess with
37 intent to deliver heroin or cocaine
38 (RCW 69.50.401(a)(1)(i))

1 Manufacture, deliver, or possess with
2 intent to deliver methamphetamine
3 (RCW 69.50.401(a)(1)(ii))
4 Vehicular Homicide, by the operation of
5 any vehicle in a reckless manner (RCW
6 46.61.520)

7 VII Burglary 1 (RCW 9A.52.020)
8 Vehicular Homicide, by disregard for the
9 safety of others (RCW 46.61.520)
10 Introducing Contraband 1 (RCW 9A.76.140)
11 Indecent Liberties (without forcible
12 compulsion) (RCW 9A.44.100(1) (b) and
13 (c))
14 Child Molestation 2 (RCW 9A.44.086)
15 Dealing in depictions of minor engaged in
16 sexually explicit conduct (RCW
17 9.68A.050)
18 Sending, bringing into state depictions of
19 minor engaged in sexually explicit
20 conduct (RCW 9.68A.060)
21 Involving a minor in drug dealing (RCW
22 69.50.401(f))

23 VI Bribery (RCW 9A.68.010)
24 Manslaughter 2 (RCW 9A.32.070)
25 Rape of a Child 3 (RCW 9A.44.079)
26 Intimidating a Juror/Witness (RCW
27 9A.72.110, 9A.72.130)
28 Damaging building, etc., by explosion with
29 no threat to human being (RCW
30 70.74.280(2))
31 Endangering life and property by
32 explosives with no threat to human
33 being (RCW 70.74.270)
34 Incest 1 (RCW 9A.64.020(1))
35 Manufacture, deliver, or possess with
36 intent to deliver narcotics from
37 Schedule I or II (except heroin or
38 cocaine) (RCW 69.50.401(a)(1)(i))

1 Intimidating a Judge (RCW 9A.72.160)
2 Bail Jumping with Murder 1 (RCW
3 9A.76.170(2)(a))
4 V Criminal Mistreatment 1 (RCW 9A.42.020)
5 Theft of a Firearm (RCW 9A.56.300)
6 Reckless Endangerment 1 (RCW 9A.36.045)
7 Rape 3 (RCW 9A.44.060)
8 Sexual Misconduct with a Minor 1 (RCW
9 9A.44.093)
10 Child Molestation 3 (RCW 9A.44.089)
11 Kidnapping 2 (RCW 9A.40.030)
12 Extortion 1 (RCW 9A.56.120)
13 Incest 2 (RCW 9A.64.020(2))
14 Perjury 1 (RCW 9A.72.020)
15 Extortionate Extension of Credit (RCW
16 9A.82.020)
17 Advancing money or property for
18 extortionate extension of credit (RCW
19 9A.82.030)
20 Extortionate Means to Collect Extensions
21 of Credit (RCW 9A.82.040)
22 Rendering Criminal Assistance 1 (RCW
23 9A.76.070)
24 Bail Jumping with class A Felony (RCW
25 9A.76.170(2)(b))
26 Sexually Violating Human Remains (RCW
27 9A.44.105)
28 Delivery of imitation controlled substance
29 by person eighteen or over to person
30 under eighteen (RCW 69.52.030(2))
31 Hit and Run with Vessel - Injury Accident
32 (RCW 88.12.155 (1)(d))
33 IV Residential Burglary (RCW 9A.52.025)
34 Theft of Livestock 1 (RCW 9A.56.080)
35 Robbery 2 (RCW 9A.56.210)
36 Assault 2 (RCW 9A.36.021)
37 Escape 1 (RCW 9A.76.110)
38 Arson 2 (RCW 9A.48.030)

1 Bribing a Witness/Bribe Received by
2 Witness (RCW 9A.72.090, 9A.72.100)
3 Malicious Harassment (RCW 9A.36.080)
4 Threats to Bomb (RCW 9.61.160)
5 Willful Failure to Return from Furlough
6 (RCW 72.66.060)
7 Hit and Run « Injury Accident (RCW
8 46.52.020(4))
9 Vehicular Assault (RCW 46.61.522)
10 Manufacture, deliver, or possess with
11 intent to deliver narcotics from
12 Schedule III, IV, or V or
13 nonnarcotics from Schedule I-V
14 (except marijuana or
15 methamphetamines) (RCW
16 69.50.401(a)(1)(ii) through (iv))
17 Influencing Outcome of Sporting Event (RCW
18 9A.82.070)
19 Use of Proceeds of Criminal Profiteering
20 (RCW 9A.82.080 (1) and (2))
21 Knowingly Trafficking in Stolen Property
22 (RCW 9A.82.050(2))

23 III Criminal Mistreatment 2 (RCW 9A.42.030)
24 Extortion 2 (RCW 9A.56.130)
25 Unlawful Imprisonment (RCW 9A.40.040)
26 Assault 3 (RCW 9A.36.031)
27 Assault of a Child 3 (RCW 9A.36.140)
28 Custodial Assault (RCW 9A.36.100)
29 Unlawful possession of firearm or pistol by felon (RCW
30 9.41.040)
31 Harassment (RCW 9A.46.020)
32 Promoting Prostitution 2 (RCW 9A.88.080)
33 Willful Failure to Return from Work
34 Release (RCW 72.65.070)
35 Burglary 2 (RCW 9A.52.030)
36 Introducing Contraband 2 (RCW 9A.76.150)
37 Communication with a Minor for Immoral
38 Purposes (RCW 9.68A.090)

1 Patronizing a Juvenile Prostitute (RCW
2 9.68A.100)
3 Escape 2 (RCW 9A.76.120)
4 Perjury 2 (RCW 9A.72.030)
5 Bail Jumping with class B or C Felony (RCW
6 9A.76.170(2)(c))
7 Intimidating a Public Servant (RCW
8 9A.76.180)
9 Tampering with a Witness (RCW 9A.72.120)
10 Manufacture, deliver, or possess with
11 intent to deliver marijuana (RCW
12 69.50.401(a)(1)(ii))
13 Delivery of a material in lieu of a
14 controlled substance (RCW
15 69.50.401(c))
16 Manufacture, distribute, or possess with
17 intent to distribute an imitation
18 controlled substance (RCW
19 69.52.030(1))
20 Recklessly Trafficking in Stolen Property
21 (RCW 9A.82.050(1))
22 Theft of livestock 2 (RCW 9A.56.080)
23 Securities Act violation (RCW 21.20.400)
24 II Malicious Mischief 1 (RCW 9A.48.070)
25 Possession of Stolen Property 1 (RCW
26 9A.56.150)
27 Theft 1 (RCW 9A.56.030)
28 Possession of controlled substance that is
29 either heroin or narcotics from
30 Schedule I or II (RCW 69.50.401(d))
31 Possession of phencyclidine (PCP) (RCW
32 69.50.401(d))
33 Create, deliver, or possess a counterfeit
34 controlled substance (RCW
35 69.50.401(b))
36 Computer Trespass 1 (RCW 9A.52.110)
37 Escape from Community Custody (RCW
38 72.09.310)

1 I Theft 2 (RCW 9A.56.040)
2 Possession of Stolen Property 2 (RCW
3 9A.56.160)
4 Forgery (RCW 9A.60.020)
5 Taking Motor Vehicle Without Permission
6 (RCW 9A.56.070)
7 Vehicle Prowl 1 (RCW 9A.52.095)
8 Attempting to Elude a Pursuing Police
9 Vehicle (RCW 46.61.024)
10 Malicious Mischief 2 (RCW 9A.48.080)
11 Reckless Burning 1 (RCW 9A.48.040)
12 Unlawful Issuance of Checks or Drafts (RCW
13 9A.56.060)
14 Unlawful Use of Food Stamps (RCW 9.91.140
15 (2) and (3))
16 False Verification for Welfare (RCW
17 74.08.055)
18 Forged Prescription (RCW 69.41.020)
19 Forged Prescription for a Controlled
20 Substance (RCW 69.50.403)
21 Possess Controlled Substance that is a
22 Narcotic from Schedule III, IV, or V
23 or Non-narcotic from Schedule I-V
24 (except phencyclidine) (RCW
25 69.50.401(d))

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