

# SENATE BILL REPORT

## SB 6322

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As Reported By Senate Committee On:  
Highways & Transportation, February 9, 2004

**Title:** An act relating to clarifying damages recoverable in highway accidents.

**Brief Description:** Clarifying damages recoverable in highway accidents.

**Sponsors:** Senators Oke and Haugen; by request of Department of Transportation.

**Brief History:**

**Committee Activity:** Highways & Transportation: 2/5/04, 2/9/04 [DPS].

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### SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 6322 be substituted therefor, and the substitute bill do pass.

Signed by Senators Horn, Chair; Benton, Vice Chair; Swecker, Vice Chair; Esser, Haugen, Jacobsen, Kastama, Mulliken, Murray, Oke, Poulsen and Spanel.

**Staff:** Janice Baumgardt (786-7319)

**Background:** Any person operating a vehicle or moving an object on a public highway, and who causes damage to the highway because of illegal actions, negligence, or by exceeding the legal weight limits, is liable for the damages.

**Summary of Substitute Bill:** Recoverable damages is defined to include reasonable expenses incidental to repairing the damage or cleaning of the accident site, including engineering costs, contract costs, traffic control activities, and equipment rental.

**Substitute Bill Compared to Original Bill:** The word "reasonable" is added to describe the incidental expenses.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill only clarifies the law; excessive time is spent explaining "damages". This will reduce expenses for the general public.

**Testimony Against:** "Reasonable" should be added to the language.

**Testified:** PRO: Bill Henselman, Washington State Department of Transportation.  
CONCERNS: Kenton Brine, Progressive Insurance  
CON: Basil Bradley, American Insurance Association.