

2 **SHB 1490 - H AMD 819 ADOPTED 2-9-98**

3 By Representative Thompson

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5 Strike everything after the enacting clause and insert the  
6 following:

7 "Sec. 1. RCW 46.61.035 and 1969 c 23 s 1 are each amended to read  
8 as follows:

9 (1) The driver of an authorized emergency vehicle, when responding  
10 to an emergency call or when in the pursuit of an actual or suspected  
11 violator of the law or when responding to but not upon returning from  
12 a fire alarm, may exercise the privileges set forth in this section,  
13 but subject to the conditions herein stated.

14 (2) The driver of an authorized emergency vehicle may:

15 (a) Park or stand, irrespective of the provisions of this chapter;

16 (b) Proceed past a red or stop signal or stop sign, but only after  
17 slowing down as may be necessary for safe operation;

18 (c) Exceed the maximum speed limits (~~so long as he does not~~  
19 ~~endanger life or property~~);

20 (d) Disregard regulations governing direction of movement or  
21 turning in specified directions.

22 (3) The exemptions herein granted to an authorized emergency  
23 vehicle shall apply only when such vehicle is making use of visual  
24 signals meeting the requirements of RCW 46.37.190, except that: (a) An  
25 authorized emergency vehicle operated as a police vehicle need not be  
26 equipped with or display a red light visible from in front of the  
27 vehicle; (b) authorized emergency vehicles shall use audible signals  
28 when necessary to warn others of the emergency nature of the situation  
29 but in no case shall they be required to use audible signals while  
30 parked or standing.

31 (4) Except as otherwise provided in subsection (5) of this section,  
32 the foregoing provisions shall not relieve the driver of an authorized  
33 emergency vehicle from the duty to drive with due regard for the safety  
34 of all persons(~~, nor shall such provisions protect the driver from the~~  
35 ~~consequences of his reckless disregard for the safety of others~~)).

1       (5) The driver or public entity employing the driver of a law  
2 enforcement vehicle is not liable for damages arising from the  
3 operation of a motor vehicle and resulting from the termination of  
4 pursuit or lack of pursuit of a suspected violator of the law unless  
5 such action constitutes gross negligence. For purposes of this  
6 subsection, "law enforcement vehicle" means an authorized emergency  
7 vehicle of a city police or county sheriff department or the Washington  
8 state patrol."

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