

HOUSE BILL REPORT

HB 1442

As Reported By House Committee On:
Law & Justice

Title: An act relating to authorized emergency vehicles.

Brief Description: Amending liability for emergency vehicles.

Sponsors: Representatives Mielke, Sheahan, Sterk, Mulliken, K. Schmidt, McMorris, Sump, Cairnes, McDonald, Robertson, Hankins, Bush, Doumit, Hatfield, O'Brien and Sullivan.

Brief History:

Committee Activity:

Law & Justice: 3/5/97 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 12 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

Minority Report: Do not pass. Signed by 1 member: Representative Constantine, Assistant Ranking Minority Member.

Staff: David Bowman (786-7291).

Background: An authorized emergency vehicle is any vehicle of a fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington State Patrol, ambulance service (public or private), or any other vehicle authorized in writing by the Washington State Patrol.

When responding to an emergency call, pursuing an actual or suspected violator of the law, or responding to a fire alarm, the driver of an authorized emergency vehicle is permitted to exercise privileges otherwise prohibited by motor vehicle laws. A driver may exercise the privileges only when making use of visual signals required by law. The privileges do not relieve the driver from the duty to drive with due regard for the safety of all persons, or protect the driver from the consequences of acting in reckless disregard for the safety of others.

One privilege is that the driver of an authorized emergency vehicle may exceed the maximum speed limits so long as he does not endanger life or property.

Summary of Bill: The privilege of a driver of an authorized emergency vehicle to exceed the maximum speed limits is changed. When responding to an emergency call, pursuing an actual or suspected violator of the law, or responding to a fire alarm, the driver of an authorized emergency vehicle may exceed the maximum speed limits in situations that may or may not endanger life or property.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Law enforcement officers deserve protection from liability so that they may do their jobs fearlessly. The bill removes language that courts have called prima facie evidence of negligence in lawsuits against law enforcement officers for damages connected with exceeding the maximum speed limits.

Testimony Against: None.

Testified: (Pro) Marsh Pugh, Washington State Patrol.