
SUBSTITUTE HOUSE BILL 1490

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Thompson, Mielke, L. Thomas, McMorris, Chandler, Sterk and Delvin)

Read first time 03/05/97.

1 AN ACT Relating to liability of drivers of authorized emergency
2 vehicles; and amending RCW 46.61.035.

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

4 **Sec. 1.** RCW 46.61.035 and 1969 c 23 s 1 are each amended to read
5 as follows:

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

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

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

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

15 (c) Exceed the maximum speed limits so long as he does not endanger
16 life or property;

17 (d) Disregard regulations governing direction of movement or
18 turning in specified directions.

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

10 (4) The driver or public entity employing the driver of an
11 authorized emergency vehicle is not liable for damages resulting from
12 the pursuit, termination of pursuit, or lack of pursuit of an actual or
13 suspected violator of the law, or from a violation of this section,
14 unless the pursuit, termination of pursuit, lack of pursuit, or
15 violation constitutes gross negligence.

16 (5) The foregoing provisions shall not relieve the driver of an
17 authorized emergency vehicle from the duty to drive (~~with due regard~~
18 ~~for the safety of all persons~~) without gross negligence, nor shall
19 such provisions protect the driver from the consequences of his
20 reckless disregard for the safety of others.

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