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HOUSE BILL 1655

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State of Washington                      55th Legislature                      1997 Regular Session

By Representatives Hankins, Cooper, Fisher, Romero, Blalock,  
Constantine, Gardner, O'Brien, Scott, Zellinsky, Hatfield and Keiser

Read first time 02/04/97. Referred to Committee on Law & Justice.

1            AN ACT Relating to assault on bus drivers; amending RCW 9A.36.031;  
2 and prescribing penalties.

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

4            **Sec. 1.** RCW 9A.36.031 and 1996 c 266 s 1 are each amended to read  
5 as follows:

6            (1) A person is guilty of assault in the third degree if he or she,  
7 under circumstances not amounting to assault in the first or second  
8 degree:

9            (a) With intent to prevent or resist the execution of any lawful  
10 process or mandate of any court officer or the lawful apprehension or  
11 detention of himself or another person, assaults another; or

12            (b) Assaults a person employed as a transit operator or driver by  
13 a public or private transit company (~~((while that person is operating or  
14 is in control of a vehicle that is owned or operated by the transit  
15 company and that is occupied by one or more passengers))~~ from the time  
16 the driver has been dispatched until the driver resumes off-duty  
17 status; or

18            (c) Assaults a school bus driver employed by a school district or  
19 a private company under contract for transportation services with a

1 school district (~~while the driver is operating or is in control of a~~  
2 ~~school bus that is occupied by one or more passengers~~) from the time  
3 the driver has been dispatched until the driver resumes off-duty  
4 status; or

5 (d) With criminal negligence, causes bodily harm to another person  
6 by means of a weapon or other instrument or thing likely to produce  
7 bodily harm; or

8 (e) Assaults a fire fighter or other employee of a fire department,  
9 county fire marshal's office, county fire prevention bureau, or fire  
10 protection district who was performing his or her official duties at  
11 the time of the assault; or

12 (f) With criminal negligence, causes bodily harm accompanied by  
13 substantial pain that extends for a period sufficient to cause  
14 considerable suffering; or

15 (g) Assaults a law enforcement officer or other employee of a law  
16 enforcement agency who was performing his or her official duties at the  
17 time of the assault.

18 (2) Assault in the third degree is a class C felony.

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