

SENATE BILL REPORT

SB 5961

As Reported By Senate Committee On:
Transportation, March 4, 1999

Title: An act relating to the duty of a driver in an accident.

Brief Description: Allowing a vehicle in an accident to be moved to safety.

Sponsors: Senators Haugen, Goings, Gardner, Benton, Patterson, Eide, Morton, Sellar, T. Sheldon, Jacobsen, Winsley and Rasmussen.

Brief History:

Committee Activity: Transportation: 3/3/99, 3/4/99 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5961 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Benton, Costa, Eide, Finkbeiner, Heavey, Horn, Johnson, Oke, Sellar, Sheahan, T. Sheldon, Shin and Swecker.

Staff: Jennifer Ziegler (786-7316)

Background: If a driver of a vehicle is involved in an accident, the driver must immediately stop at the scene of the accident. The driver must remain at the scene of the accident and provide his name, address, insurance company, and vehicle information to the driver or occupant of any vehicle with which he collided.

Any driver involved in an injury accident, who fails to stop or provide the necessary information is guilty of a class C felony, unless the person was physically incapable of compliance. Any driver involved in a noninjury accident, who fails to stop or provide the necessary information is guilty of a gross misdemeanor.

Summary of Substitute Bill: The driver of a vehicle involved in a noninjury accident must move the vehicle as soon as possible off the roadway and freeway main lanes and adjacent areas. The driver must move the vehicle to an exit ramp shoulder, frontage road, or other suitable location. Moving the vehicle does not affect fault for the accident.

An officer or Department of Transportation representative is not liable for any damage to a vehicle resulting from the reasonable removal of the vehicle from the scene of the accident.

Substitute Bill Compared to Original Bill: To be exempt from liability, the removal of the vehicle must be reasonable.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This is an ideal way to reduce congestion on the freeways.

Testimony Against: Exempting public employees could result in unreasonable damage to vehicles.

Testified: PRO: Senator Goings; Toby Rickman, Dept. of Transportation; Stu Halsan, WA Tow Truck Assn.; CON: Merton Cooper.