
SENATE BILL 5166

State of Washington 58th Legislature 2003 Regular Session

By Senators Esser, Reardon, Roach, Hale, Schmidt and Shin

Read first time 01/16/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to law enforcement vehicles in high occupancy
2 vehicle lanes; and amending RCW 81.100.020, 46.61.165, and 47.52.025.

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

4 **Sec. 1.** RCW 81.100.020 and 1990 c 43 s 13 are each amended to read
5 as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Transit agency" means a city that operates a transit system,
9 a public transportation benefit area, a county transportation
10 authority, or a metropolitan municipal corporation.

11 (2) The "high occupancy vehicle system" includes high occupancy
12 vehicle lanes, related high occupancy vehicle facilities, and high
13 occupancy vehicle programs.

14 (3) "High occupancy vehicle lanes" mean lanes reserved for public
15 transportation vehicles only or public transportation vehicles and
16 private vehicles carrying no fewer than a specified number of
17 passengers under RCW 46.61.165 and for law enforcement vehicles. For
18 the purposes of this subsection, "law enforcement vehicle" means an

1 official marked vehicle, equipped with emergency lights and siren,
2 issued by a state, local, or county law enforcement agency and operated
3 by on-duty state patrol, local, or county law enforcement personnel.

4 (4) "Related facilities" means park and ride lots, park and pool
5 lots, ramps, bypasses, turnouts, signal preemption, and other
6 improvements designed to maximize use of the high occupancy vehicle
7 system.

8 (5) "High occupancy vehicle program" means advertising the high
9 occupancy vehicle system, promoting carpool, vanpool, and transit use,
10 providing vanpool vehicles, and enforcement of driving restrictions
11 governing high occupancy vehicle lanes.

12 **Sec. 2.** RCW 46.61.165 and 1999 c 206 s 1 are each amended to read
13 as follows:

14 (1) The state department of transportation and the local
15 authorities are authorized to reserve all or any portion of any highway
16 under their respective jurisdictions, including any designated lane or
17 ramp, for the exclusive or preferential use of public transportation
18 vehicles or private motor vehicles carrying no fewer than a specified
19 number of passengers when such limitation will increase the efficient
20 utilization of the highway or will aid in the conservation of energy
21 resources. Regulations authorizing such exclusive or preferential use
22 of a highway facility may be declared to be effective at all times or
23 at specified times of day or on specified days. At no time may the
24 regulations apply to law enforcement vehicles. Violation of a
25 restriction of highway usage prescribed by the appropriate authority
26 under this section is a traffic infraction.

27 (2) For the purposes of this section, "law enforcement vehicle"
28 means an official marked vehicle, equipped with emergency lights and
29 siren, issued by a state, local, or county law enforcement agency and
30 operated by on-duty state patrol, local, or county law enforcement
31 personnel.

32 **Sec. 3.** RCW 47.52.025 and 1974 ex.s. c 133 s 1 are each amended to
33 read as follows:

34 (1) Highway authorities of the state, counties, and incorporated
35 cities and towns, in addition to the specific powers granted in this
36 chapter, shall also have, and may exercise, relative to limited access

1 facilities, any and all additional authority, now or hereafter vested
2 in them relative to highways or streets within their respective
3 jurisdictions, and may regulate, restrict, or prohibit the use of such
4 limited access facilities by various classes of vehicles or traffic.
5 Such highway authorities may reserve any limited access facility or
6 portions thereof, including designated lanes or ramps for the exclusive
7 or preferential use of public transportation vehicles, privately owned
8 buses, or private motor vehicles carrying not less than a specified
9 number of passengers when such limitation will increase the efficient
10 utilization of the highway facility or will aid in the conservation of
11 energy resources. Regulations authorizing such exclusive or
12 preferential use of a highway facility may be declared to be effective
13 at all time or at specified times of day or on specified days. At no
14 time may the regulations apply to law enforcement vehicles.

15 (2) For the purposes of this section, "law enforcement vehicle"
16 means an official marked vehicle, equipped with emergency lights and
17 siren, issued by a state, local, or county law enforcement agency and
18 operated by on-duty state patrol, local, or county law enforcement
19 personnel.

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