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SENATE BILL 5573

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State of Washington

58th Legislature

2003 Regular Session

By Senator Swecker

Read first time 01/30/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to truck traffic at night; and amending RCW  
2 46.61.100 and 46.61.410.

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

4 **Sec. 1.** RCW 46.61.100 and 1997 c 253 s 1 are each amended to read  
5 as follows:

6 (1) Upon all roadways of sufficient width a vehicle shall be driven  
7 upon the right half of the roadway, except as follows:

8 (a) When overtaking and passing another vehicle proceeding in the  
9 same direction under the rules governing such movement;

10 (b) When an obstruction exists making it necessary to drive to the  
11 left of the center of the highway; provided, any person so doing shall  
12 yield the right of way to all vehicles traveling in the proper  
13 direction upon the unobstructed portion of the highway within such  
14 distance as to constitute an immediate hazard;

15 (c) Upon a roadway divided into three marked lanes and providing  
16 for two-way movement traffic under the rules applicable thereon; or

17 (d) Upon a street or highway restricted to one-way traffic.

18 (2) Upon all roadways having two or more lanes for traffic moving  
19 in the same direction, all vehicles shall be driven in the right-hand

1 lane then available for traffic, except (a) when overtaking and passing  
2 another vehicle proceeding in the same direction, (b) when traveling at  
3 a speed greater than the traffic flow, (c) when moving left to allow  
4 traffic to merge, or (d) when preparing for a left turn at an  
5 intersection, exit, or into a private road or driveway when such left  
6 turn is legally permitted. On any such roadway, a vehicle or  
7 combination over ten thousand pounds shall be driven only in the right-  
8 hand lane except under the conditions enumerated in (a) through (d) of  
9 this subsection.

10 (3) No vehicle towing a trailer or no vehicle or combination over  
11 ten thousand pounds may be driven in the left-hand lane of a limited  
12 access roadway having three or more lanes for traffic moving in one  
13 direction except between the hours of 7:00 p.m. and 5:00 a.m. or when  
14 preparing for a left turn at an intersection, exit, or into a private  
15 road or driveway when a left turn is legally permitted. This  
16 subsection does not apply to a vehicle using a high-occupancy vehicle  
17 lane. A high-occupancy vehicle lane is not considered the left-hand  
18 lane of a roadway. The department of transportation, in consultation  
19 with the Washington state patrol, shall adopt rules specifying (a)  
20 those circumstances where it is permissible for other vehicles to use  
21 the left lane in case of emergency or to facilitate the orderly flow of  
22 traffic, and (b) those segments of limited access roadway to be exempt  
23 from this subsection due to the operational characteristics of the  
24 roadway.

25 (4) It is a traffic infraction to drive continuously in the left  
26 lane of a multilane roadway when it impedes the flow of other traffic.

27 (5) Upon any roadway having four or more lanes for moving traffic  
28 and providing for two-way movement of traffic, a vehicle shall not be  
29 driven to the left of the center line of the roadway except when  
30 authorized by official traffic control devices designating certain  
31 lanes to the left side of the center of the roadway for use by traffic  
32 not otherwise permitted to use such lanes, or except as permitted under  
33 subsection (1)(b) of this section. However, this subsection shall not  
34 be construed as prohibiting the crossing of the center line in making  
35 a left turn into or from an alley, private road or driveway.

36 **Sec. 2.** RCW 46.61.410 and 1996 c 52 s 1 are each amended to read  
37 as follows:

1 (1)(a) Subject to subsection (2) of this section the secretary may  
2 increase the maximum speed limit on any highway or portion thereof to  
3 not more than seventy miles per hour in accordance with the design  
4 speed thereof (taking into account all safety elements included  
5 therein), or whenever the secretary determines upon the basis of an  
6 engineering and traffic investigation that such greater speed is  
7 reasonable and safe under the circumstances existing on such part of  
8 the highway.

9 (b) The greater maximum limit established under (a) of this  
10 subsection shall be effective when appropriate signs giving notice  
11 thereof are erected, or if a maximum limit is established for auto  
12 stages which is lower than the limit for automobiles, the auto stage  
13 speed limit shall become effective thirty days after written notice  
14 thereof is mailed in the manner provided in subsection (4) of this  
15 section.

16 (c) Such maximum speed limit may be declared to be effective at all  
17 times or at such times as are indicated upon said signs or in the case  
18 of auto stages, as indicated in said written notice; and differing  
19 limits may be established for different times of day, different types  
20 of vehicles, varying weather conditions, and other factors bearing on  
21 safe speeds, which shall be effective when posted upon appropriate  
22 fixed or variable signs or if a maximum limit is established for auto  
23 stages which is lower than the limit for automobiles, the auto stage  
24 speed limit shall become effective thirty days after written notice  
25 thereof is mailed in the manner provided in subsection (4) of this  
26 section.

27 (2) The maximum speed limit for vehicles over ten thousand pounds  
28 gross weight and vehicles in combination except auto stages shall not  
29 exceed sixty miles per hour and may be established at a lower limit by  
30 the secretary as provided in RCW 46.61.405. However, during the hours  
31 between 7:00 p.m. and 5:00 a.m. the maximum speed limit for trucks, as  
32 defined in subsection (3) of this section, is seventy miles per hour.

33 (3) The word "trucks" used by the department on signs giving notice  
34 of maximum speed limits means vehicles over ten thousand pounds gross  
35 weight and all vehicles in combination except auto stages.

36 (4) Whenever the secretary establishes maximum speed limits for  
37 auto stages lower than the maximum limits for automobiles, the  
38 secretary shall cause to be mailed notice thereof to each auto

1 transportation company holding a certificate of public convenience and  
2 necessity issued by the Washington utilities and transportation  
3 commission. The notice shall be mailed to the chief place of business  
4 within the state of Washington of each auto transportation company or  
5 if none then its chief place of business without the state of  
6 Washington.

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