

---

SENATE BILL 6326

---

State of Washington                      58th Legislature                      2004 Regular Session

By Senators Esser, McCaslin, Oke, Roach, Eide, Kline and Rasmussen

Read first time 01/16/2004. Referred to Committee on Judiciary.

1            AN ACT Relating to unlawful bus conduct; and amending RCW 9.91.025  
2 and 46.04.355.

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

4            **Sec. 1.** RCW 9.91.025 and 1994 c 45 s 4 are each amended to read as  
5 follows:

6            (1) A person is guilty of unlawful bus conduct if while on or in a  
7 municipal transit vehicle as defined by RCW 46.04.355 or in or at a  
8 municipal transit station and with knowledge that (~~such~~) the conduct  
9 is prohibited, he or she:

10            (a) Except while in or at a municipal transit station, smokes or  
11 carries a lighted or smoldering pipe, cigar, or cigarette;

12            (b) Discards litter other than in designated receptacles;

13            (c) Plays any radio, recorder, or other sound-producing equipment  
14 except that nothing herein (~~shall~~) prohibits the use of (~~such~~) the  
15 equipment when connected to earphones that limit the sound to  
16 individual listeners or the use of a communication device by an  
17 employee of the owner or operator of the municipal transit vehicle or  
18 municipal transit station;

19            (d) Spits or expectorates;

1 (e) Carries any flammable liquid, explosive, acid, or other article  
2 or material likely to cause harm to others except that nothing herein  
3 (~~shall~~) prevents a person from carrying a cigarette, cigar, or pipe  
4 lighter or carrying a firearm or ammunition in a way that is not  
5 otherwise prohibited by law;

6 (f) Intentionally obstructs or impedes the flow of municipal  
7 transit vehicles or passenger traffic, hinders or prevents access to  
8 municipal transit vehicles or stations, or otherwise unlawfully  
9 interferes with the provision or use of public transportation services;

10 (g) Intentionally disturbs others by engaging in loud, raucous,  
11 unruly, harmful, or harassing behavior; or

12 (h) Destroys, defaces, or otherwise damages property of a  
13 municipality as defined in RCW 35.58.272 or a regional transit  
14 authority authorized by chapter 81.112 RCW employed in the provision or  
15 use of public transportation services.

16 (2) For the purposes of this section, "municipal transit station"  
17 means all facilities, structures, lands, interest in lands, air rights  
18 over lands, and rights of way of all kinds that are owned, leased,  
19 held, or used by a municipality as defined in RCW 35.58.272, or a  
20 regional transit authority authorized by chapter 81.112 RCW for the  
21 purpose of providing public transportation services, including, but not  
22 limited to, park and ride lots, transit centers and tunnels, and bus  
23 shelters.

24 (3) Unlawful bus conduct is a misdemeanor.

25 **Sec. 2.** RCW 46.04.355 and 1984 c 167 s 2 are each amended to read  
26 as follows:

27 Municipal transit vehicle includes every motor vehicle, street car,  
28 train, trolley vehicle, and any other device, which (1) is capable of  
29 being moved within, upon, above, or below a public highway, (2) is  
30 owned or operated by a city, county, county transportation authority,  
31 public transportation benefit area, regional transit authority, or  
32 metropolitan municipal corporation within the state, and (3) is used  
33 for the purpose of carrying passengers together with incidental baggage  
34 and freight on a regular schedule.

--- END ---