

HOUSE BILL REPORT

SSB 5161

As Passed House:

April 7, 2005

Title: An act relating to accident reports.

Brief Description: Including reports of driving distractions in accident reports.

Sponsors: By Senate Committee on Transportation (originally sponsored by Senators Eide and Swecker).

Brief History:

Committee Activity:

Transportation: 3/24/05, 3/31/05 [DP].

Floor Activity:

Passed House: 4/7/05, 67-29.

Brief Summary of Substitute Bill

- Requires inclusion of data regarding driver distractions in accident reports.
- Requires inclusion of statistical data regarding driver distraction at the time of an accident in yearly and monthly reports by the Washington State Patrol.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 18 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Appleton, Campbell, Dickerson, Ericksen, Hankins, Hudgins, Jarrett, Kilmer, Lovick, Rodne, Sells, Simpson, B. Sullivan, Takko and Wood.

Minority Report: Do not pass. Signed by 8 members: Representatives Buck, Curtis, Flannigan, Morris, Nixon, Schindler, Shabro and Upthegrove.

Staff: David Munnecke (786-7315).

Background:

The Washington State Patrol (WSP) is required to create a sample form for accident reports that is available to other agencies or individuals. The report is designed to capture all material facts related to the accident. The WSP is also required to file, tabulate and analyze all accident reports, and to publish monthly and annual statistical reports regarding accidents in Washington.

Currently, there is no requirement for law enforcement officers to indicate in their reports whether a wireless communication device was in use at the time of a motor vehicle accident or whether the driver was distracted at the time of the accident.

Summary of Bill:

The WSP will expand the traffic accident form that is completed by investigating officers to include information disclosing whether any driver involved in an accident was distracted at the time of the accident. Additionally, the WSP must include statistical information regarding driver distractions at the time of an accident in its yearly and monthly reports.

Distraction categories to be collected and reported are to include at least the following:

- not distracted;
 - operating a hand-held electronic telecommunication device;
 - operating a hands-free wireless telecommunication device;
 - other electronic devices (to include, but not limited to, Personal Digital Assistants, laptop computers, navigational devices, etc.);
 - adjusting an audio or entertainment system;
 - smoking;
 - eating and/or drinking;
 - reading and/or writing;
 - grooming;
 - interacting with children, passengers, animals, or objects in the vehicle;
 - other inside distractions;
 - outside distractions; and
 - distraction unknown.
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Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2006.

Testimony For: There is considerable danger involved in driving while using a cell-phone. Cell-phones not only distract, they also reduce visibility. This can lead to serious harm to those around the driver. Driving while distracted is a difficult issue for the courts since there is an issue of intent. This bill is needed in order to both send a message and gather data about the problem of driving while distracted. This is a good time to make additions to the WSP's reporting form since they are already updating it.

Testimony Against: None.

Persons Testifying: Senator Eide, prime sponsor; and Chris Stanley, private citizen.

Persons Signed In To Testify But Not Testifying: None.