
HOUSE BILL 2415

State of Washington

65th Legislature

2018 Regular Session

By Representatives Chapman, Goodman, Tharinger, Jinkins, and Appleton

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1 AN ACT Relating to access of broadcasters to a geographic area
2 subject to the declaration of a national, state, or local emergency;
3 and adding a new section to chapter 38.52 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 38.52
6 RCW to read as follows:

7 (1) As used in this section:

8 (a) "Broadcaster" means a person or entity that holds a license
9 issued by the federal communications commission under 47 C.F.R. Part
10 73, 74, 76, or 78.

11 (b) "Emergency" means the declaration of a state or local
12 emergency or disaster as provided under Washington state or federal
13 law.

14 (c) "First informer broadcaster" means an individual who:

15 (i) Has been certified as a first informer broadcaster under this
16 section and who is employed by, or acting pursuant to a contract
17 under the direction of, a broadcaster; and

18 (ii)(A) Maintains, including repairing or resupplying,
19 transmitters, generators, or other essential equipment at a broadcast
20 station or facility; or

1 (B) Provides technical support services to a broadcaster or to
2 another first informer broadcaster.

3 (2) To the extent practicable, consistent with public safety and
4 recovery efforts, unless prohibited by state or federal law, and in
5 the discretion of the incident commander, a state or local
6 governmental agency shall allow a first informer broadcaster who is
7 certified pursuant to this section access to an area affected by an
8 emergency for the purposes of restoring, repairing, resupplying, or
9 maintaining any facility or equipment necessary to acquire, produce,
10 and transmit to the public essential emergency information, related
11 alerts, and programming including, but not limited to, transporting
12 fuel to alternative emergency power generators; travel on public
13 roads within an area subject to a declaration of emergency; or access
14 to the distribution of fuel, food, water, supplies, equipment, and
15 any other materials necessary for producing a broadcast or a
16 broadcasting signal.

17 (3) An emergency service agency may not seize a vehicle, fuel,
18 food, water, or other essential materials in the possession of a
19 first informer broadcaster, unless as part of an official criminal
20 investigation.

21 (4) The state division of emergency management shall authorize a
22 private entity organized under the laws of this state that represents
23 a majority of the broadcasters in this state to establish a program
24 for the issuance of credentials for first informer broadcasters
25 pursuant to a plan developed by the private entity. The plan to
26 provide credentials to first informer broadcasters must provide for
27 training first informer broadcasters regarding:

28 (a) Risks associated with entering a geographic area subject to a
29 declaration of an emergency;

30 (b) Best practices for working safely in a geographic area
31 subject to a declaration of an emergency; and

32 (c) Best practices for working in a geographic area subject to a
33 declaration of an emergency without hindering or interfering with the
34 conduct of emergency services by an emergency service agency.

35 (5) The private entity selected by the division of emergency
36 management to develop a plan for and issue credentials to first
37 informer broadcasters shall annually submit to the division of

1 emergency management a report regarding the operation of the program
2 to issue credentials, including any changes to the plan or program.

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