

HOUSE BILL REPORT

SB 6580

As Reported by House Committee On:
Transportation

Title: An act relating to organ transport vehicles.

Brief Description: Concerning organ transport vehicles.

Sponsors: Senator Mullet.

Brief History:

Committee Activity:

Transportation: 2/29/20, 3/2/20 [DP].

Brief Summary of Bill

- Requires the Department of Health to license vehicles designated as organ transport vehicles for a period of two years, subject to renewal and revocation, and to prescribe minimum requirements for organ transport vehicles.
- Requires organ transport vehicles to be equipped with at least one lamp capable of displaying a red light and a siren capable of giving an audible signal, the use of which requires drivers of other vehicles to yield the right-of-way and stop on the right-hand edge or curb of the roadway until the vehicle has passed.
- Restricts the use of organ transport vehicle sirens to when the vehicle is transporting a time-urgent organ when it is reasonably necessary to warn pedestrians and other drivers of its approach.
- Permits organ transport vehicles to have installed and make use of signal preemption devices when a vehicle is transporting a time-urgent organ.
- Authorizes the Washington State Department of Transportation to allow organ transport vehicles to use high-occupancy vehicle lanes.

HOUSE COMMITTEE ON TRANSPORTATION

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass. Signed by 30 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Dent, Doglio, Duerr, Entenman, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Ortiz-Self, Paul, Ramos, Riccelli, Shewmake, Van Werven and Volz.

Staff: Jennifer Harris (786-7143).

Background:

Department of Health Vehicle Licensing.

The Department of Health (DOH) licenses vehicles designated as ambulances and aid vehicles. Ambulance services and aid services may not operate in the state without holding a license issued by the DOH, subject to certain exceptions. The license issued by the DOH is valid for two years and may be renewed if the vehicle and its equipment meet the DOH requirements or may be revoked if the service is found in violation of them. The license is automatically terminated if the vehicle is sold or transferred to the control of any organization not currently licensed as an ambulance or aid vehicle service. The license number must be prominently displayed on each vehicle.

The DOH must prescribe minimum requirements for ambulance, air ambulance, and aid vehicles and equipment related to medical care. The DOH is required to maintain a self-inspection program to ensure compliance with minimum medical care-related standards for vehicles and for medical equipment and personnel on all licensed vehicles. The self-inspection must coincide with the vehicle licensing cycle and must be recorded on forms provided by the DOH. The DOH may perform an on-site inspection of any licensed service or vehicle as needed.

Authorized Emergency Vehicle Signal and Siren Equipment.

Authorized emergency vehicles are required to be equipped with at least one lamp capable of displaying a red light visible from at least 500 feet in normal sunlight and a siren capable of giving an audible signal. The use of this signal equipment imposes upon drivers of other vehicles the obligation to yield right-of-way and stop on the right-hand edge or curb of the roadway until the vehicle has passed.

Authorized emergency vehicles may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of at least 500 feet and that meets Washington State Patrol (WSP) regulations. The siren may only be used when the vehicle is operated in response to an emergency call, or in the immediate pursuit of an actual or suspected violator of law when reasonably necessary to warn pedestrians and other drivers of its approach.

Signal Preemption Device Use.

A "signal preemption device" is a device capable of altering the normal operation of a traffic control signal. The following vehicles may have installed and make use of signal preemption devices in qualifying circumstances: emergency vehicles authorized by the WSP; publicly owned law enforcement or emergency vehicles; Washington State Department of Transportation (WSDOT), city, or county maintenance vehicles; and public transit vehicles.

High-Occupancy Vehicle Lane Use.

The WSDOT and local authorities are authorized to designate any portion of a highway under their respective jurisdictions for the exclusive or preferential use of:

- public transportation vehicles;
- motorcycles;
- private motor vehicles carrying a specified minimum number of passengers; and
- certain categories of private transportation provider vehicles if the vehicle has a carrying capacity of at least eight passengers.

The portion of highways with these restricted usage rules are known as high-occupancy vehicle (HOV) lanes. The WSDOT and local authorities have the ability to specify certain times of days or certain specified days during which the HOV restrictions are in effect. The WSDOT and local authorities are also authorized to prohibit the use of an HOV lane by private transportation provider vehicles when the average transit speed in the HOV lane fails to meet United States Department of Transportation standards (falling below 45 miles per hour at least 90 percent of the time during peak hours).

Under current state administrative rule, the following motor vehicles are authorized to use the HOV lanes on interstate highways, state highways, and ramps:

- municipal transit vehicles;
- buses with a carrying capacity of 16 or more people;
- motorcycles;
- all vehicles meeting specified HOV-lane occupancy requirements (except for trucks with more than a 10,000 pounds maximum operating weight rating); and
- officially marked law enforcement and fire department vehicles equipped with emergency lights and sirens that are operated by on-duty WSP or local law enforcement or local or special district fire department personnel.

Federal law applies to federal-aid highways and requires that HOV lanes be restricted for the use of vehicles with no fewer than two occupants per vehicle, subject to certain exceptions. A public authority has jurisdiction over the operation of an HOV facility and may establish occupancy requirements of vehicles operating on the facility, so long as it complies with federal occupancy and usage restrictions.

Under federal law, exceptions are granted to the following vehicles, subject to a public authority authorizing their use on an HOV facility within its jurisdiction:

- public transportation vehicles;
- motorcycles and bicycles;
- over-the-road buses serving the public;
- high-occupancy toll vehicles; and
- low emission and energy-efficient vehicles.

While the state is not mandated to comply with federal HOV-lane requirements, if the Federal Highway Administration (FHWA) were to find a state to be out of compliance with its HOV-lane requirements, the FHWA could withhold payment to the state of federal funds.

Summary of Bill:

The DOH must license vehicles designated as organ transport vehicles for a period of two years, subject to renewal and revocation, and is required to prescribe minimum requirements for organ transport vehicles. An "organ transport vehicle" is defined as any vehicle operated or contracted by an organ procurement organization that is clearly and identifiably marked as an organ transport vehicle on all sides of the vehicle.

Organ transport vehicles must be equipped with at least one lamp capable of displaying a red light visible from at least 500 feet in normal sunlight and a siren capable of giving an audible signal. The use of this signal equipment imposes upon drivers of other vehicles the obligation to yield right-of-way and stop on the right-hand edge or curb of the roadway until the vehicle has passed. To the greatest extent practicable, organ procurement organizations must notify the WSP when an organ transport vehicle is operating with audible and visual signals in use.

Organ transport vehicles may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of at least 500 feet and meets WSP regulations. The siren may only be used when the vehicle is transporting a time-urgent organ when it is reasonably necessary to warn pedestrians and other drivers of its approach. "Time-urgent organ" is defined as an organ being transported for human transplant that a member of the transplant team or a representative of the organ procurement organization declares an emergency.

Organ transport vehicles may have installed and make use of signal preemption devices when a vehicle is transporting a time-urgent organ.

Organ transport vehicles may also be permitted to use HOV lanes by the WSDOT and other highway authorities in the state.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Drivers of vehicles transporting organs get stuck in traffic in ways that law enforcement vehicles do not. The WSP was consulted to make sure the bill was consistent with what they would be comfortable with. This bill creates a public policy benefit by improving the transportation of transplant organs.

The federally designated organ donation entity in this region works with five transplant hospitals and 15 transplant programs. Last year, 924 organs were transported by it. Many of the transplant organs must be transported a long way, and some of these organs need to be transported in a time-urgent manner. For example, hearts and lungs have a four- to six-hour time limit for viability.

If this bill passes, these vehicles would be equipped with the lights, sirens, and signal-preemption devices authorized in the bill for the transportation of time-sensitive organs. Right now, ambulances are used for the transportation of time-sensitive organs. This method is more expensive and takes these ambulances away from their other life-saving duties.

(Opposed) None.

Persons Testifying: Senator Mullet, prime sponsor; and Vicki Christophersen, Life Center Northwest.

Persons Signed In To Testify But Not Testifying: None.