

HOUSE BILL REPORT

HB 2033

As Passed House:

February 9, 2022

Title: An act relating to safety measures for fire department vehicles and other vehicles using lights or other signals in emergency or work zones.

Brief Description: Concerning safety measures for fire department vehicles and other vehicles using lights or other signals in emergency or work zones.

Sponsors: Representatives Donaghy, Bronoske, Shewmake, Sutherland, Harris-Talley and Riccelli.

Brief History:

Committee Activity:

Transportation: 1/27/22, 2/1/22 [DP].

Floor Activity:

Passed House: 2/9/22, 85-8.

Brief Summary of Bill

- Allows fire department vehicles to operate rear-facing blue lights. The combination of red and blue lights may only be used at the scene of the emergency.
- Requires any driver on a road with a posted speed limit of 60 miles per hour (mph) or more approaching any emergency or work zone who is unable to move away or change lanes to reduce speed to no more than 50 mph.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 25 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking

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

Minority Member; Eslick, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman, Donaghy, Duerr, Entenman, Griffey, Hackney, McCaslin, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland, Taylor, Valdez, Walsh and Wicks.

Minority Report: Without recommendation. Signed by 4 members: Representatives Robertson, Assistant Ranking Minority Member; Dent, Goehner and Klicker.

Staff: Beth Redfield (786-7140).

Background:

An authorized emergency vehicle is:

- any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington State Patrol (WSP), or ambulance service; or
- any other vehicle authorized in writing by the WSP.

Authorized emergency vehicles using signal equipment consisting of a red visible light and a siren require drivers to yield right-of-way and stop.

All fire department vehicles in service are identified by intermittent flashing red lights, visible from both front and rear for a distance of 500 feet under normal atmospheric conditions. The red flashing lights must be separated from the headlights so that they do not black out when the headlights are on. The red flashing lights must be in operation at all times when such vehicle is on emergency status.

An emergency or work zone is defined as the adjacent lanes of the roadway 200 feet before and after an emergency or work zone vehicle. The following vehicles qualify as emergency or work zone vehicles:

- a stationary authorized emergency vehicle that is making use of audible and/or visual signals that meet state requirements for authorized emergency vehicles;
- a tow truck that is making use of visual red lights that meet state requirements for emergency tow trucks;
- other vehicles providing roadside assistance that are making use of warning lights with 360-degree visibility;
- a police vehicle properly and lawfully displaying a flashing, blinking, or alternating emergency light or lights; or
- a stationary or slow-moving highway construction vehicle, highway maintenance vehicle, solid waste vehicle, or utility service vehicle that is making use of flashing lights that meet state requirements for snow-removal and other highway maintenance and service equipment or warning lights with 360-degree visibility.

The rules of the road provide specific rules for passing an emergency or work zone. If the highway has four or more lanes, at least two of which are intended for traffic proceeding in

the same direction as the motor vehicle approaching the emergency or work zone, the driver of any motor vehicle must proceed with caution and, if the opportunity exists, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change or moving away from the lane or shoulder occupied by an emergency or work zone vehicle.

On a highway having fewer than four lanes, the driver of a motor vehicle must proceed with caution, reduce the speed of the vehicle, and, if the opportunity exists, with due regard for safety and traffic conditions, and following all applicable rules of the road, yield the right-of-way by passing to the left at a safe distance and simultaneously yield the right-of-way to all vehicles traveling in the proper direction on the highway.

If changing lanes or moving away would be unsafe, the driver of a motor vehicle must proceed with due caution and reduce the speed of the vehicle to at least 10 miles per hour (mph) below the posted speed limit.

Summary of Bill:

Fire department vehicles may operate rear-facing blue lights. The combination of red and blue lights shall only be used at the scene of the emergency.

Any driver who is unable to change lanes on a road passing an emergency or work zone and is proceeding with due caution in an adjacent lane is required to reduce the speed of the vehicle to no more than 50 mph when the posted speed limit exceeds 60 mph or more.

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) When first responders rush to respond to an emergency on a highway or busy road, the last thing that is wanted is for them to get hit by a car and be injured or killed while trying to save somebody else. This legislation can help prevent these crashes, injuries, and deaths. Blue flashing lights are more visible and better at getting the attention of drivers. The bill will allow fire departments responding to emergencies to use rear-facing blue lights in addition to currently used red lights. There shouldn't be confusion about them being police vehicles because the lights are only going to be rear-facing. At least one of these crashes takes place every year in Washington, affecting firefighters, Washington State Department of Transportation incident truck response, and others coming to help. It is important to help those who are helping. There need to be solutions for firefighters having to stop on dangerous highways. Besides fighting a fire, stopping on a

highway is one the most dangerous things a firefighter is asked to do. The safety risk must be great when a firefighter would rather run into a burning building than stop on the highway. Enough vehicles run into fire engines to show that people don't move over for flashing red lights. The rear-facing blue lights would only be used when stopped at the scene of the emergency. It is very easy to add blue lights to a fire engine. When the air brake is pulled, the blue lights would turn on automatically or only turn on when the vehicle is parked. This will encourage traffic to slow down below the speed limit, something that red lights do not do. Blue lights naturally cause people to slow down and reduce their speed. Other states such as Virginia and Ohio decided this was a worthy safety measure to support.

(Opposed) Fire trucks are large and red and have bright, visible lighting—additional blue lighting will not reduce the likelihood of motorist collisions with fire trucks. Not aware of any data suggesting that blue lights will provide any greater safety at collision scenes. Over the last five years, there have been 587 WSP patrol cars struck while at accident scenes and traffic stops on Washington roadways. This says that the color of the lights doesn't prevent firefighters or troopers from getting hurt. Blue lights create the expectation among the public that law enforcement is present. Blue lights are universally recognized as law enforcement, not just in Washington but also across the country. Allowing other types of vehicles to use these lights will create public confusion that law enforcement is present. This is not the answer to the fire departments' concerns. First and foremost, recognizing the potential safety hazards, there is a need to be thankful for the work of firefighters. The large majority of states reserve blue lights for law enforcement. Effective law enforcement relies on being easily recognized.

Persons Testifying: (In support) Representative Brandy Donaghy, prime sponsor; and AJ Johnson, Washington State Council of Fire Fighters.

(Opposed) Taylor Gardner, Washington Association of Sheriffs and Police Chiefs; and Chief John Batiste, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.