

# HOUSE BILL REPORT

## SSB 5907

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to roadside safety measures.

**Brief Description:** Concerning roadside safety measures.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Wilson, J., Lovick, Fortunato, Lovelett, Randall, Saldaña, Stanford and Wilson, L.).

**Brief History:**

**Committee Activity:**

Transportation: 2/23/22, 2/28/22 [DPA].

**Brief Summary of Substitute Bill  
(As Amended By Committee)**

- Requires drivers to reduce their speed when approaching an emergency or work zone on a highway having four or more lanes.
- Allows tow trucks to operate rear-facing blue lights for use only at the scene of an emergency or accident.
- Directs the Washington State Department of Transportation to increase roadway signage and electronic display sign boards along roadways to reflect the emergency or work-zone requirements.
- Requires the Department of Licensing to develop an appropriate training module on emergency or work zones and provide applicants with written materials on the emergency or work-zone driver requirements.
- Requires the development of a statewide public awareness campaign about the emergency or work-zone driver requirements.

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### HOUSE COMMITTEE ON TRANSPORTATION

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*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.*

**Majority Report:** Do pass as amended. Signed by 28 members: Representatives Fey, Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman, Dent, Donaghy, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, McCaslin, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland, Taylor, Valdez, Walsh and Wicks.

**Staff:** Michael Hirsch (786-7195).

**Background:**

*Tow Trucks Lights.*

Emergency tow trucks are required to have an identifying light that must: be red, revolve or flash intermittently, be visible from 360 degrees, and be visible from 500 feet under normal atmospheric conditions. Emergency tow trucks must use the light at the scene of an emergency or accident. A tow truck is not considered an authorized emergency vehicle and may not operate the light on the way to an accident or for any purpose other than at the scene of an emergency or accident.

*Authorized Emergency Vehicle.*

An authorized emergency vehicle is:

- any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington State Patrol (WSP), 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 requires drivers to yield right-of-way and stop.

*Emergency or Work Zones.*

An emergency or work zone is defined as the adjacent lanes of the roadway 200 feet before and after:

- a stationary authorized emergency vehicle using audible or visual signals, or both;
- a tow truck using visual red lights;
- other vehicles providing roadside assistance using 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 using flashing lights or warning lights with 360-degree visibility.

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.

On any 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.

The requirements on drivers approaching or in an emergency or work zone are referred to by organizations, including the WSP, as the "Slow Down, Move Over" law.

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### **Summary of Amended Bill:**

#### *Tow Truck Lights.*

Tow trucks may use rear-facing blue lights at the scene of an emergency. Tow trucks may use an intermittent or flashing red light while reentering the roadway from the scene of an emergency or accident for a reasonable distance to reach operating speed.

#### *Emergency or Work Zones.*

Any driver on a highway with four or more lanes must reduce the speed of the vehicle when approaching an emergency or work zone. 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 50 mph or lower when the posted speed limit exceeds 60 mph or more.

The Department of Licensing (DOL) must develop an appropriate training module, for inclusion in all new driver training curriculums, relating to the requirements that apply when approaching and in an emergency or work zone. The DOL must provide each driver license applicant with written materials regarding the requirements that apply to drivers when approaching and in an emergency or work zone and place signage in each licensing service office providing background on the written materials.

The Washington State Department of Transportation must substantially increase the use of roadway signage and electronic display sign boards along roadways to reflect the emergency or work-zone requirements.

The DOL and the Washington Traffic Safety Commission must develop a statewide public

awareness campaign to inform and educate Washington citizens about the "Slow Down, Move Over" law.

**Amended Bill Compared to Substitute Bill:**

The amended bill removes the authority for fire department vehicles to operate rear-facing blue lights.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 4, relating to DOL training curricula, which takes effect October 1, 2023, and section 5, relating to DOL written materials and licensing office signage, which takes effect October 30, 2022.

**Staff Summary of Public Testimony:**

(In support) The bill has broad buy-in and the policies in this bill are growing in use around the country. Other states allow blue lights on tow trucks and fire equipment. Studies show that blue lights attract driver attention. Fire trucks are being struck while on the side of the roadway. Towing operators are often injured or killed doing their jobs and need additional protections. Current safety apparel and equipment are not enough. Towing scenes are emergency scenes and may have unseen dangers on the road. Tow drivers are first responders and no one else is keeping highways clear. Drivers need to know and understand the slow down and move over law and this bill provides education and information. This bill is the beginning of a serious effort to change driver behavior and will make the roadways safer for all first responders.

(Opposed) Blue lights send a specific message to the public and the WSP experiences roadside collisions. There is not data to suggest blue lights reduce collisions at the scene of the emergency. Some entity should study whether blue lights reduce collisions.

**Persons Testifying:** (In support) Representative Jim Walsh; Kelly Just, American Automobile Association Washington; Cory Wells, TLC Towing; Nathan Ogle, Dick's Towing; Peter Lukevich, Towing and Recovery Association of Washington; Phil Waldner, Fife Towing; Tyler Buchan; and A.J. Johnson, Washington State Council of Fire Fighters.

(Opposed) James McMahan, Washington Association of Sheriffs and Police Chiefs.

**Persons Signed In To Testify But Not Testifying:** None.