
SUBSTITUTE HOUSE BILL 1605

State of Washington

67th Legislature

2022 Regular Session

By House Transportation (originally sponsored by Representatives Corry, Abbarno, Caldier, Eslick, Walsh, Robertson, Barkis, Boehnke, Chase, Graham, Griffey, Chambers, and Young)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to creating a program to provide for improved
2 safety on roadways to prevent vehicle lane departures; amending RCW
3 46.68.060; adding a new section to chapter 47.04 RCW; and creating a
4 new section.

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

6 NEW SECTION. **Sec. 1.** Washington state's target zero program
7 envisions Washington having policies that will lead to zero deaths of
8 people using the transportation system. For almost two decades more
9 than 200 people have lost their lives annually in circumstances where
10 a vehicle unintentionally left its lane of travel. Such fatalities
11 made up 48 percent of all traffic-related fatalities in 2019. There
12 are multiple ways to make improvements on the highway system that
13 have been proven in other locations to help reduce lane departures
14 and fatalities. This act is intended to direct resources towards
15 deploying such improvements by requiring the Washington state
16 department of transportation to create a program that is focused on
17 addressing this specific safety concern.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.04
19 RCW to read as follows:

1 (1) (a) When an appropriation is made for this purpose, the
2 department shall establish a reducing rural roadway departures
3 program to provide funding for safety improvements specific to
4 preventing lane departures in areas where the departure is likely to
5 cause serious injuries or death. Funding under this program may be
6 used to:

7 (i) Widen roadway shoulders or modify roadway design to improve
8 visibility or reduce lane departure risks;

9 (ii) Improve markings and paint on roadways, including making
10 markings on roads more visible for vehicles with lane departure
11 technology;

12 (iii) Apply high friction surface treatments;

13 (iv) Install rumble strips, signage, lighting, raised barriers,
14 medians, guardrails, cable barriers, or other safety equipment,
15 including deployment of innovative technology and connected
16 infrastructure devices;

17 (v) Remove or relocate fixed objects from rights-of-way that pose
18 a significant risk of serious injury or death if a vehicle were to
19 collide with the object due to a lane departure;

20 (vi) Repair or replace existing barriers that are damaged or
21 nonfunctional; or

22 (vii) Take other reasonable actions that are deemed likely to
23 address or prevent vehicle lane departures in specific areas of
24 concern.

25 (b) The department must create a program whereby it can
26 distribute funding or install safety improvements listed in (a) of
27 this subsection on state, county, small city, or town roads in rural
28 areas that have a high risk of having or actually have incidents of
29 serious injuries or fatalities due to vehicle lane departures. Any
30 installation of safety measures that are not under the jurisdiction
31 of the department must be done with permission from the entity that
32 is responsible for operation and maintenance of the roadway.

33 (c) The department's program must create a form and application
34 process whereby towns, small cities, counties, and transportation
35 benefit districts may apply for program funding for high risk areas
36 in their jurisdictions in need of safety improvements.

37 (d) Subject to the availability of amounts appropriated for this
38 specific purpose, the department must issue program funding for
39 purposes defined in (a) and (b) of this subsection in a
40 geographically diverse manner throughout the state. Criteria used to

1 assess a location can include the communities inability or lack of
2 resources to make the corrections themselves and to make corrections
3 where there has been historic disparate impacts.

4 (e) By December 31st of each year when there is funding
5 distributed in accordance with this program, the department must
6 provide the transportation committees of the legislature and the
7 traffic safety commission with a list of locations that received
8 funding and a description of the safety improvements installed there.

9 (2) During the first five years of the program, the department
10 must track incidence of lane departures at the locations where the
11 new infrastructure is installed and evaluate the effectiveness of the
12 safety improvements.

13 **Sec. 3.** RCW 46.68.060 and 2021 c 333 s 706 are each amended to
14 read as follows:

15 There is hereby created in the state treasury a fund to be known
16 as the highway safety fund to the credit of which must be deposited
17 all moneys directed by law to be deposited therein. This fund must be
18 used for carrying out the provisions of law relating to driver
19 licensing, driver improvement, financial responsibility, cost of
20 furnishing abstracts of driving records and maintaining such case
21 records, and to carry out the purposes set forth in RCW 43.59.010,
22 ~~((and))~~ chapters 46.72 and 46.72A RCW, and section 2 of this act.
23 During the 2013-2015 and 2015-2017 fiscal biennia, the legislature
24 may transfer from the highway safety fund to the Puget Sound ferry
25 operations account, the motor vehicle fund, and the multimodal
26 transportation account such amounts as reflect the excess fund
27 balance of the highway safety fund. During the 2017-2019, 2019-2021,
28 and 2021-2023 fiscal biennia, the legislature may direct the state
29 treasurer to make transfers of moneys in the highway safety fund to
30 the multimodal transportation account and the state patrol highway
31 account.

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