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**HOUSE BILL 1605**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Representatives Corry, Abbarno, Caldier, Eslick, Walsh, Robertson, Barkis, Boehnke, Chase, Graham, Griffey, Chambers, and Young

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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 and 47.05.030; adding a new section to chapter 47.04 RCW;  
4 and creating a 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) The department shall establish a reducing rural roadway  
2 departures program to provide funding for safety improvements  
3 specific to preventing lane departures in areas where the departure  
4 is likely to cause serious injuries or death. Funding under this  
5 program may be used to:

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

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

11 (iii) Apply high friction surface treatments;

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

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

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

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

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

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

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

1 resources to make the corrections themselves and to make corrections  
2 where there has been historic disparate impacts.

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

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

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

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

31 **Sec. 4.** RCW 47.05.030 and 2007 c 516 s 7 are each amended to  
32 read as follows:

33 (1) The office of financial management shall propose a  
34 comprehensive ten-year investment program for the preservation and  
35 improvement programs defined in this section, consistent with the  
36 policy goals described under RCW 47.04.280. The proposed ten-year  
37 investment program must be forwarded as a recommendation by the  
38 office of financial management to the legislature, and must be based

1 upon the needs identified in the statewide transportation plan  
2 established under RCW 47.01.071(4).

3 (2) The preservation program consists of those investments  
4 necessary to preserve the existing state highway system and to  
5 restore and improve existing safety features, giving consideration to  
6 lowest life-cycle costing. This program includes responsibility for  
7 providing safety measures for high risk areas of unintentional lane  
8 departure that are likely to lead to serious injury or death.

9 (3) The improvement program consists of investments needed to  
10 address identified deficiencies on the state highway system to meet  
11 the goals established in RCW 47.04.280.

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