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**SENATE BILL 5354**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senators Saldaña, King, and Nguyen

Read first time 01/26/21. Referred to Committee on Transportation.

1 AN ACT Relating to traffic control in large cities; and amending  
2 RCW 46.61.050.

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

4 **Sec. 1.** RCW 46.61.050 and 2020 c 66 s 1 are each amended to read  
5 as follows:

6 (1) The driver of any vehicle, a person operating a bicycle, and  
7 every pedestrian shall obey, and the operation of every personal  
8 delivery device shall follow, the instructions of any official  
9 traffic control device applicable thereto, and as specified in this  
10 chapter, placed in accordance with the provisions of this chapter,  
11 unless otherwise directed by a traffic or police officer, or a single  
12 flagger as provided in subsection (5) of this section, subject to the  
13 exception granted the driver of an authorized emergency vehicle in  
14 this chapter.

15 (2) No provision of this chapter for which official traffic  
16 control devices are required shall be enforced against an alleged  
17 violator if at the time and place of the alleged violation an  
18 official device is not in proper position and sufficiently legible or  
19 visible to be seen by an ordinarily observant person. Whenever a  
20 particular section does not state that official traffic control

1 devices are required, such section shall be effective even though no  
2 devices are erected or in place.

3 (3) Whenever official traffic control devices are placed in  
4 position approximately conforming to the requirements of this  
5 chapter, such devices shall be presumed to have been so placed by the  
6 official act or direction of lawful authority, unless the contrary  
7 shall be established by competent evidence.

8 (4) Any official traffic control device placed pursuant to the  
9 provisions of this chapter and purporting to conform to the lawful  
10 requirements pertaining to such devices shall be presumed to comply  
11 with the requirements of this chapter, unless the contrary shall be  
12 established by competent evidence.

13 (5) In cities with a population of 700,000 or greater, a single  
14 flagger located at the middle of an intersection may direct traffic  
15 without a traffic or police officer present as part of a traffic  
16 control plan approved by the city.

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