

HOUSE BILL REPORT

SB 5023

As Passed House:
March 24, 2023

Title: An act relating to roadside safety measures.

Brief Description: Concerning roadside safety measures.

Sponsors: Senators Wilson, J., Lovick, Kuderer, Lias and Wellman.

Brief History:

Committee Activity:

Transportation: 3/9/23, 3/16/23 [DP].

Floor Activity:

Passed House: 3/24/23, 96-0.

Brief Summary of Bill

- Allows emergency tow trucks at the scene of an accident to use rear-facing blue lights in addition to an intermittent or revolving red light.
- Allows emergency tow trucks to operate an intermittent or revolving red light when reentering the roadway from the scene of an emergency or accident.
- Requires any driver on a road to reduce the speed of the vehicle in addition to proceeding with caution and moving away from the emergency or work zone vehicle, if such a move can be done safely when approaching an emergency or work zone on a highway having four or more lanes.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 29 members: Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice Chair; Timmons, Vice Chair; Barkis, Ranking Minority

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.

Member; Hutchins, Assistant Ranking Minority Member; Low, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Berry, Bronoske, Chapman, Cortes, Dent, Doglio, Duerr, Entenman, Goehner, Griffey, Hackney, Klicker, Mena, Orcutt, Ramel, Ramos, Schmidt, Taylor, Volz, Walsh and Wylie.

Staff: Michael Hirsch (786-7195).

Background:

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), 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 requires drivers to yield right-of-way and stop.

Tow Truck Lights.

Emergency tow trucks are required to have an identifying light that must: (1) be red; (2) revolve or flash intermittently; (3) be visible from 360 degrees; and (4) 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.

Emergency or Work Zone Vehicles.

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 either or both of audible and 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.

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, except for when the posted speed limit is 60 mph or more, then reduce the speed of a vehicle to no more than 50 mph.

Summary of Bill:

Tow Truck Lights.

Emergency tow trucks at the scene of an accident may use rear-facing blue lights. 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.

Passing an Emergency or Work Zone.

When approaching an emergency or work zone on a highway having four or more lanes, drivers must reduce the speed of the vehicle in addition to proceeding with caution and moving away from the emergency or work zone vehicle if such a move can be done safely.

Drivers must reduce their speed to no more than 50 mph on a highway with a speed limit exceeding 60 mph if unable to safely move over when approaching an emergency or work zone.

Appropriation: None.

Fiscal Note: Not requested.

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) The bill allows tow truck drivers to operate rear-facing blue lights only in emergency work zones. The blue lights will increase the visibility of tow truck drivers and differentiate them from red taillights and brake lights. It will cause people to look at their speedometers, and become aware of an incident or scene. Driving a tow truck is a dangerous job and tow truck drivers want to go home to their families. Tow truck drivers rescue people along the side of the highway and sometimes have to work in the lane of travel. Blue lights can save lives. People need to change lanes and move over when approaching an emergency work zone.

(Opposed) Blue lights should be a unique identifier for law enforcement. The safety issue is not due to the color of the lights on tow trucks. The current lights on tow trucks can be seen from a long ways away. The issues are that drivers are going too fast, are driving while distracted, or driving while intoxicated. If enacted, the policy should be studied to see if it is effective.

Persons Testifying: (In support) Senator Jeff Wilson, prime sponsor; Peter Lukevich, Towing Recovery Association of Washington; Phil Waldner, Fife Towing; and Cory Wells, TLC Towing and Recovery.

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

Persons Signed In To Testify But Not Testifying: None.