

# SENATE BILL REPORT

## SB 5023

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As Passed Senate, February 22, 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: 1/17/23, 1/26/23 [DP].

**Floor Activity:** Passed Senate: 2/22/23, 49-0.

**Brief Summary of Bill**

- Allows tow trucks to operate rear-facing blue lights for use only at the scene of an emergency or accident.
- Allows tow trucks to use their intermittent or revolving red lights when reentering the roadway for a reasonable distance from the scene of an emergency or accident.
- Requires drivers to reduce their speed when approaching an emergency or work zone on a highway having four or more lanes.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Lias, Chair; Lovick, Vice Chair; Shewmake, Vice Chair; King, Ranking Member; Cleveland, Fortunato, Hawkins, Kauffman, Lovelett, MacEwen, Nobles, Padden, Randall, Valdez, Wilson, C. and Wilson, J..

**Staff:** Brandon Popovac (786-7465)

**Background:** Emergency tow trucks are identified by an intermittent or revolving red light

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capable of 360 degree visibility at a distance of 500 feet under normal atmospheric conditions. Emergency tow trucks may only use such lighting at the scene of an emergency or accident and not when traveling to or from an emergency, accident, or any other purpose.

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.

Drivers approaching an emergency or work zone on a highway with four or more lanes 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. If approaching the emergency or work zone on a highway having less than four lanes, the driver must also reduce the speed of the vehicle. If changing lanes or moving away would be unsafe, the driver must proceed with due caution and reduce the speed of the vehicle to at least 10 miles per hour below the posted speed limit, or reduce the speed of the vehicle to no more than 50 miles per hour when the posted speed limit is 60 miles per hour or more.

**Summary of Bill:** Tow trucks may operate rear-facing blue lights for use only at the scene of an emergency or accident. Tow trucks may use red lights when reentering the roadway from the scene of an emergency or accident for a reasonable distance to reach operating speed from the scene. The combination of red and blue lights may be used only at the scene of an emergency or accident.

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.

Drivers must reduce their speed to 50 miles per hour or less on a highway with a speed limit exceeding 60 miles per hour if unable to safely move over when approaching an emergency or work zone.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The bill is not intended to take away from law enforcement. Rear-facing blue lights will have limited use in its nature. Other states offer some limited use of blue lights on tow trucks. All registered tow truck operators may respond to emergencies. A combination of red/blue lights, along with recent enactment of the slow down, move over law, will help drivers slow down. Firetrucks have already been allowed use of such blue lights. Blue lights will make drivers pause and think what lies ahead. Freeways for tow trucks are dangerous. The slow down, move over law is not part of driver's education. Tow trucks are not authorized to shut down lanes adjacent to emergencies for safety reasons. Using red lights on tow trucks when reentering roadway will caution drivers appropriately.

**Persons Testifying:** PRO: Senator Jeff Wilson, Prime Sponsor; Phil Waldner, Fife Towing; Peter Lukevich, Towing and Recovery Association of Washington; Jake Black, TLC Towing.

**Persons Signed In To Testify But Not Testifying:** No one.