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ENGROSSED SUBSTITUTE SENATE BILL 5995

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State of Washington

53rd Legislature

1994 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Skratek, Erwin, Vognild, Drew, Winsley, Sheldon, Pelz, Nelson, McAuliffe and M. Rasmussen)

Read first time 01/31/94.

1 AN ACT Relating to reckless endangerment of highway workers;  
2 amending RCW 46.63.020; adding a new section to chapter 46.61 RCW;  
3 prescribing penalties; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61 RCW  
6 to read as follows:

7 (1) The secretary of transportation shall adopt standards and  
8 specifications for the use of traffic control devices in roadway  
9 construction zones on state highways. A roadway construction zone is  
10 an area where construction, repair, or maintenance work is being  
11 conducted by public employees or private contractors, on or adjacent to  
12 any public roadway.

13 (2) No person may drive a vehicle in a roadway construction zone at  
14 a speed greater than that allowed by traffic control devices.

15 (3) A person found to have committed any infraction relating to  
16 speed restrictions in a roadway construction zone shall be assessed a  
17 monetary penalty equal to twice the penalty assessed under RCW  
18 46.63.110. This penalty may not be waived, reduced, or suspended.

1 (4) A person who drives a vehicle in a roadway construction zone in  
2 such a manner as to endanger or be likely to endanger any persons or  
3 property, or who removes, evades, or intentionally strikes a traffic  
4 safety or control device is guilty of reckless endangerment of roadway  
5 workers. A violation of this subsection is a class C felony punishable  
6 under chapter 9A.20 RCW.

7 (5) The department shall suspend for sixty days the license or  
8 permit to drive or a nonresident driving privilege of a person  
9 convicted of reckless endangerment of roadway workers.

10 **Sec. 2.** RCW 46.63.020 and 1993 c 501 s 8 are each amended to  
11 read as follows:

12 Failure to perform any act required or the performance of any act  
13 prohibited by this title or an equivalent administrative regulation or  
14 local law, ordinance, regulation, or resolution relating to traffic  
15 including parking, standing, stopping, and pedestrian offenses, is  
16 designated as a traffic infraction and may not be classified as a  
17 criminal offense, except for an offense contained in the following  
18 provisions of this title or a violation of an equivalent administrative  
19 regulation or local law, ordinance, regulation, or resolution:

20 (1) RCW 46.09.120(2) relating to the operation of a nonhighway  
21 vehicle while under the influence of intoxicating liquor or a  
22 controlled substance;

23 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;

24 (3) RCW 46.10.090(2) relating to the operation of a snowmobile  
25 while under the influence of intoxicating liquor or narcotics or habit-  
26 forming drugs or in a manner endangering the person of another;

27 (4) RCW 46.10.130 relating to the operation of snowmobiles;

28 (5) Chapter 46.12 RCW relating to certificates of ownership and  
29 registration;

30 (6) RCW 46.16.010 relating to initial registration of motor  
31 vehicles;

32 (7) RCW 46.16.011 relating to permitting unauthorized persons to  
33 drive;

34 (8) RCW 46.16.160 relating to vehicle trip permits;

35 (9) RCW 46.16.381 (6) or (~~(+8)~~) (9) relating to unauthorized use  
36 or acquisition of a special placard or license plate for disabled  
37 persons' parking;

1 (10) RCW 46.20.021 relating to driving without a valid driver's  
2 license;

3 (11) RCW 46.20.336 relating to the unlawful possession and use of  
4 a driver's license;

5 (12) RCW 46.20.342 relating to driving with a suspended or revoked  
6 license or status;

7 (13) RCW 46.20.410 relating to the violation of restrictions of an  
8 occupational driver's license;

9 (14) RCW 46.20.420 relating to the operation of a motor vehicle  
10 with a suspended or revoked license;

11 (15) RCW 46.20.750 relating to assisting another person to start a  
12 vehicle equipped with an ignition interlock device;

13 (16) RCW 46.25.170 relating to commercial driver's licenses;

14 (17) Chapter 46.29 RCW relating to financial responsibility;

15 (18) RCW 46.30.040 relating to providing false evidence of  
16 financial responsibility;

17 (19) RCW 46.37.435 relating to wrongful installation of  
18 sunscreening material;

19 (20) RCW 46.44.180 relating to operation of mobile home pilot  
20 vehicles;

21 (21) RCW 46.48.175 relating to the transportation of dangerous  
22 articles;

23 (22) RCW 46.52.010 relating to duty on striking an unattended car  
24 or other property;

25 (23) RCW 46.52.020 relating to duty in case of injury to or death  
26 of a person or damage to an attended vehicle;

27 (24) RCW 46.52.090 relating to reports by repairmen, storagemen,  
28 and appraisers;

29 (25) RCW 46.52.100 relating to driving under the influence of  
30 liquor or drugs;

31 (26) RCW 46.52.130 relating to confidentiality of the driving  
32 record to be furnished to an insurance company, an employer, and an  
33 alcohol/drug assessment or treatment agency;

34 (27) RCW 46.55.020 relating to engaging in the activities of a  
35 registered tow truck operator without a registration certificate;

36 (28) RCW 46.55.035 relating to prohibited practices by tow truck  
37 operators;

38 (29) RCW 46.61.015 relating to obedience to police officers,  
39 flagmen, or fire fighters;

1 (30) RCW 46.61.020 relating to refusal to give information to or  
2 cooperate with an officer;  
3 (31) RCW 46.61.022 relating to failure to stop and give  
4 identification to an officer;  
5 (32) RCW 46.61.024 relating to attempting to elude pursuing police  
6 vehicles;  
7 (33) RCW 46.61.500 relating to reckless driving;  
8 (34) RCW 46.61.502 and 46.61.504 relating to persons under the  
9 influence of intoxicating liquor or drugs;  
10 (35) RCW 46.61.520 relating to vehicular homicide by motor vehicle;  
11 (36) RCW 46.61.522 relating to vehicular assault;  
12 (37) RCW 46.61.525 relating to negligent driving;  
13 (38) Section 1(4) of this act relating to reckless endangerment of  
14 roadway workers;  
15 (39) RCW 46.61.530 relating to racing of vehicles on highways;  
16 ~~((+39+))~~ (40) RCW 46.61.685 relating to leaving children in an  
17 unattended vehicle with the motor running;  
18 ~~((+40+))~~ (41) RCW 46.64.010 relating to unlawful cancellation of or  
19 attempt to cancel a traffic citation;  
20 ~~((+41+))~~ (42) RCW 46.64.048 relating to attempting, aiding,  
21 abetting, coercing, and committing crimes;  
22 ~~((+42+))~~ (43) Chapter 46.65 RCW relating to habitual traffic  
23 offenders;  
24 ~~((+43+))~~ (44) Chapter 46.70 RCW relating to unfair motor vehicle  
25 business practices, except where that chapter provides for the  
26 assessment of monetary penalties of a civil nature;  
27 ~~((+44+))~~ (45) Chapter 46.72 RCW relating to the transportation of  
28 passengers in for hire vehicles;  
29 ~~((+45+))~~ (46) Chapter 46.80 RCW relating to motor vehicle wreckers;  
30 ~~((+46+))~~ (47) Chapter 46.82 RCW relating to driver's training  
31 schools;  
32 ~~((+47+))~~ (48) RCW 46.87.260 relating to alteration or forgery of a  
33 cab card, letter of authority, or other temporary authority issued  
34 under chapter 46.87 RCW;  
35 ~~((+48+))~~ (49) RCW 46.87.290 relating to operation of an  
36 unregistered or unlicensed vehicle under chapter 46.87 RCW.

37 NEW SECTION. Sec. 3. This act is necessary for the immediate  
38 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take  
2 effect immediately.

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