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SENATE BILL 6324

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State of Washington                      60th Legislature                      2008 Regular Session

By Senators Sheldon, Haugen, and Shin

Read first time 01/15/08. Referred to Committee on Transportation.

1            AN ACT Relating to liability immunity for aerial search and rescue  
2 activities managed by the department of transportation; and amending  
3 RCW 47.68.380.

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

5            **Sec. 1.** RCW 47.68.380 and 1995 c 153 s 1 are each amended to read  
6 as follows:

7            (1) The aviation division of the department is responsible for the  
8 conduct and management of all aerial search and rescue within the  
9 state. This includes search and rescue efforts involving aircraft and  
10 airships. The division is also responsible for search and rescue  
11 activities involving electronic emergency signaling devices such as  
12 emergency locator transmitters (ELT's) and emergency position  
13 indicating radio beacons (EPIRB's).

14            (2) An act or omission by any person registered with the aviation  
15 division of the department for the purpose of engaging in aerial search  
16 and rescue activities, while engaged in such activities, shall not  
17 impose any liability for civil damages resulting from the act or  
18 omission. However, the immunity provided under this subsection shall  
19 not apply to an act or omission that constitutes gross negligence or

1 willful or wanton misconduct. For the purpose of this subsection,  
2 "aerial search and rescue activities" includes, but is not limited to,  
3 training and training-related activities.

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