

**RCW 46.61.266 Pedestrians under the influence of alcohol or drugs.** A law enforcement officer may offer to transport a pedestrian who appears to be under the influence of alcohol or any drug and who is walking or moving along or within the right-of-way of a public roadway, unless the pedestrian is to be taken into protective custody under \*RCW 70.96A.120.

The law enforcement officer offering to transport an intoxicated pedestrian under this section shall:

- (1) Transport the intoxicated pedestrian to a safe place; or
- (2) Release the intoxicated pedestrian to a competent person.

The law enforcement officer shall take no action if the pedestrian refuses this assistance. No suit or action may be commenced or prosecuted against the law enforcement officer, law enforcement agency, the state of Washington, or any political subdivision of the state for any act resulting from the refusal of the pedestrian to accept this assistance. [1990 c 241 s 7; 1987 c 11 s 1; 1975 c 62 s 43.]

**Rules of court:** *Monetary penalty schedule—IRLJ 6.2.*

**\*Reviser's note:** RCW 70.96A.120 was repealed by 2016 sp.s. c 29 s 301, effective April 1, 2018.

**Severability—1975 c 62:** See note following RCW 36.75.010.