

RCW 46.61.212 Emergency or work zones—Approaching—Penalty—

Violation. (1) An emergency or work zone is defined as the adjacent lanes of the roadway 200 feet before and after:

(a) A stationary authorized emergency vehicle that is making use of audible and/or visual signals meeting the requirements of RCW 46.37.190;

(b) A tow truck that is making use of visual red lights meeting the requirements of RCW 46.37.196;

(c) Other vehicles providing roadside assistance that are making use of warning lights with 360 degree visibility;

(d) A police vehicle properly and lawfully displaying a flashing, blinking, or alternating emergency light or lights; or

(e) A stationary or slow moving highway construction vehicle, highway maintenance vehicle, solid waste vehicle, or utility service vehicle making use of flashing lights that meet the requirements of RCW 46.37.300 or warning lights with 360 degree visibility.

(2) The driver of any motor vehicle, upon approaching an emergency or work zone, shall:

(a) On a highway having four or more lanes, at least two of which are intended for traffic proceeding in the same direction as the approaching vehicle, 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 identified in subsection (1) of this section;

(b) On a highway having less than four lanes, proceed with caution, reduce the speed of the vehicle, and, if the opportunity exists, with due regard for safety and traffic conditions, and under the rules of this chapter, 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 upon the highway; or

(c) If changing lanes or moving away would be unsafe, proceed with due caution and reduce the speed of the vehicle to at least 10 miles per hour below the posted speed limit, except for when the posted speed limit is 60 miles per hour or more, then reduce the speed of the vehicle to no more than 50 miles per hour.

(3) A person may not drive a vehicle in an emergency or work zone at a speed greater than the posted speed limit or greater than what is permitted under subsection (2)(c) of this section.

(4) A person found to be in violation of this section, or any infraction relating to speed restrictions in an emergency or work zone, must be assessed a monetary penalty equal to twice the penalty assessed under RCW 46.63.110. This penalty may not be waived, reduced, or suspended.

(5) A person who drives a vehicle in an emergency or work zone in such a manner as to endanger or be likely to endanger any emergency or work zone worker or property is guilty of reckless endangerment of emergency or work zone workers. A violation of this subsection is a gross misdemeanor punishable under chapter 9A.20 RCW.

(6) The department shall suspend for 60 days the driver's license, permit to drive, or nonresident driving privilege of a person convicted of reckless endangerment of emergency or work zone workers. [2022 c 279 § 2; 2019 c 106 § 1; 2018 c 18 § 2; 2010 c 252 § 1; 2007 c 83 § 1; 2005 c 413 § 1.]

Effective date—2010 c 252: "This act takes effect January 1, 2011." [2010 c 252 § 6.]