

**RCW 46.61.520 Vehicular homicide—Penalty.** (1) When the death of any person ensues within three years as a proximate result of injury proximately caused by the driving of any vehicle by any person, the driver is guilty of vehicular homicide if the driver was operating a motor vehicle:

(a) While under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502; or

(b) In a reckless manner; or

(c) With disregard for the safety of others.

(2) Vehicular homicide is a class A felony punishable under chapter 9A.20 RCW, except that, for a conviction under subsection (1)(a) of this section, an additional two years shall be added to the sentence for each prior offense as defined in RCW 46.61.5055. [1998 c 211 § 2; 1996 c 199 § 7; 1991 c 348 § 1; 1983 c 164 § 1; 1975 1st ex.s. c 287 § 3; 1973 2nd ex.s. c 38 § 2; 1970 ex.s. c 49 § 5; 1965 ex.s. c 155 § 63; 1961 c 12 § 46.56.040. Prior: 1937 c 189 § 120; RRS § 6360-120. Formerly RCW 46.56.040.]

**Effective date—1998 c 211:** See note following RCW 46.61.5055.

**Severability—1996 c 199:** See note following RCW 9.94A.505.

**Effective date—1991 c 348:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991." [1991 c 348 § 5.]

**Severability—1973 2nd ex.s. c 38:** See note following RCW 69.50.101.

**Severability—1970 ex.s. c 49:** See note following RCW 9.69.100.

*Criminal history and driving record: RCW 46.61.513.*

*Ignition interlocks, biological, technical devices: RCW 46.20.710 through 46.20.750.*

*Suspension or revocation of license upon conviction of vehicular homicide or assault: RCW 46.20.285, 46.20.291.*