

Chapter 47.38 RCW
ROADSIDE AREAS—SAFETY REST AREAS

Sections

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Acquisition of property for safety rest areas, buffers, viewpoints, historic sites: RCW 47.12.250.

RCW 47.38.010 Rules governing use and control of rest areas, historic sites, viewpoints, etc.—Penalties. (1) Pursuant to chapter 34.05 RCW, the department and the Washington state patrol shall jointly adopt rules governing the conduct and the safety of the traveling public relating to the use and control of rest areas and other areas as designated in RCW 47.12.250. Nothing herein may be construed as limiting the powers of the department as provided by law.

(2) Except as otherwise provided in this section, any person violating this section or any rule or regulation adopted pursuant to this section is guilty of a misdemeanor.

(3) (a) Except as provided in (b) of this subsection, violation of such a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction.

(b) Violation of such a rule or regulation equivalent to those provisions of Title 46 RCW set forth in RCW 46.63.020 remains a misdemeanor. [2003 c 53 s 260; 1993 c 116 s 1; 1984 c 7 s 204; 1967 ex.s. c 145 s 29.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Roadside areas—Safety rest areas, provisions of scenic and recreational highway act concerning: Chapter 47.39 RCW.

RCW 47.38.020 Limitations on use of rest areas. (1) Except where specifically authorized by the department, it is unlawful for any person or persons to stop, stand, or park any vehicle, including but not limited to trailers, campers, and motorcycles, for more than eight hours within a twenty-four hour period, or for any person or persons to camp or to maintain a camp, tent, or other sleeping accommodation or facility, in any safety rest area within the limits of the right-of-way of interstate highways or other state highways or

in other areas of state or interstate highways as designated in RCW 47.12.250. The department may also designate zones within a safety rest area with shorter parking time limits for the purposes of maximum efficiency and safety. Commercial vehicles may park up to an hour beyond federally mandated rest periods.

(2) Except where specifically authorized by the department, it is unlawful for any person or persons to stop, stand, or park any disabled vehicle, including but not limited to trailers, campers, and motorcycles, in any safety rest area for more than forty-eight hours, after which time the vehicle is subject to mandatory impoundment under RCW 46.55.080(1).

(3) The department shall post appropriate signage consistent with RCW 46.55.070(1) at all safety rest areas regarding the parking time limits in this section.

(4) The Washington state patrol shall enforce this section consistent with RCW 46.55.080(1), and to the maximum extent practicable. [2019 c 436 s 1; 1984 c 7 s 205; 1967 ex.s. c 145 s 30.]

RCW 47.38.040 Information centers. In order to provide information in the specific interest of the traveling public, the department may establish information centers at safety rest areas and permit maps, informational directories, and advertising pamphlets to be made available there for the purpose of informing the public of places of interest within the state and providing such other information as the department deems desirable. [1984 c 7 s 206; 1967 ex.s. c 145 s 32.]

RCW 47.38.050 Recreational vehicle sanitary disposal systems. The department of transportation shall construct and maintain recreational vehicle sanitary disposal systems in the following safety rest areas lying along highways which are a part of the interstate highway system:

(1) Gee Creek safety rest area, northbound and southbound on Interstate 5 in Clark county;

(2) SeaTac safety rest area, northbound on Interstate 5 in King county;

(3) Silver Lake safety rest area, southbound on Interstate 5 in Snohomish county;

(4) Winchester Wasteway safety rest area, eastbound and westbound on Interstate 90 in Grant county;

(5) Sprague safety rest area, eastbound on Interstate 90 in Lincoln county;

(6) Selah Creek safety rest area, northbound and southbound on Interstate 82 in Yakima county;

(7) Indian John Hill safety rest area, eastbound and westbound on Interstate 90 in Kittitas county;

(8) Smokey Point safety rest area, northbound and southbound on Interstate 5 in Snohomish county;

(9) Schrag safety rest area, westbound on Interstate 90 in Adams county. [1996 c 237 s 3; 1980 c 60 s 1.]

Effective date—1980 c 60: "This act shall take effect July 1, 1980." [1980 c 60 s 4.]

RCW 47.38.060 Dedication of memorial signs at rest areas. The department may designate interstate safety rest areas, as appropriate, as locations for memorial signs to prisoners of war and those missing in action. The department shall adopt policies for the placement of memorial signs on interstate safety rest areas and may disapprove any memorial sign that it determines to be inappropriate or inconsistent with the policies. The policies shall include, but are not limited to, guidelines for the size and location of and inscriptions on memorial signs. The secretary shall adopt rules for administering this program. Nonprofit associations may have their name identified on a memorial sign if the association bears the cost of supplying and maintaining the memorial sign. [2006 c 334 s 24; 1996 c 172 s 1.]

Effective date—2006 c 334: See note following RCW 47.01.051.

RCW 47.38.070 Electric vehicle infrastructure. (1) As a necessary and desirable step to spur public and private investment in electric vehicle infrastructure in accordance with section 1, chapter 459, Laws of 2009, and to begin implementing the provisions of RCW 43.19.648, the legislature authorizes an alternative fuels corridor pilot project capable of supporting electric vehicle charging and battery exchange technologies.

(2) To the extent permitted under federal programs, rules, or law, the department may enter into partnership agreements with other public and private entities for the use of land and facilities along state routes and within interstate highway rights-of-way for an alternative fuels corridor pilot project. At a minimum, the pilot project must:

(a) Limit renewable fuel and vehicle technology offerings to those with a forecasted demand over the next fifteen years and approved by the department;

(b) Ensure that a pilot project site does not compete with existing retail businesses in the same geographic area for the provision of the same refueling services, recharging technologies, or other retail commercial activities;

(c) Provide existing truck stop operators and retail truck refueling businesses with an absolute right of first refusal over the offering of refueling services to class six trucks with a maximum gross vehicle weight of twenty-six thousand pounds within the same geographic area identified for a possible pilot project site;

(d) Reach agreement with the department of services for the blind ensuring that any activities at host sites do not materially affect the revenues forecasted from their vending operations at each site;

(e) Regulate the internal rate of return from the partnership, including provisions to reduce or eliminate the level of state support once the partnership attains economic self-sufficiency;

(f) Be limited to not more than five locations on state-owned land within federal interstate rights-of-way or state highway rights-of-way in Washington; and

(g) Be limited in duration to a term of years reasonably necessary for the partnership to recover the cost of capital investments, plus the regulated internal rate of return.

(3) The department is not responsible for providing capital equipment nor operating refueling or recharging services. The department must provide periodic status reports on the pilot project

to the office of financial management and the relevant standing committees of the legislature not less than every biennium.

(4) The provisions of this section are subject to the availability of existing funds. However, capital improvements under this section must be funded with federal or private funds. [2009 c 459 s 14.]

Finding—Purpose—2009 c 459: See note following RCW 47.80.090.

Regional transportation planning organizations—Electric vehicle infrastructure: RCW 47.80.090.

RCW 47.38.075 Electrical outlets for electric vehicles at rest areas—Battery exchange and charging station installation and operation. (1) By December 31, 2015, the state must, to the extent practicable, install electrical outlets capable of charging electric vehicles in each state-operated highway rest stop.

(2) By December 31, 2015, the state must provide the opportunity to lease space for the limited purpose of installing and operating a battery exchange station or a battery charging station in appropriate state-owned highway rest stops.

(3) The department of transportation's obligations under this section are subject to the availability of amounts appropriated for the specific purpose identified in this section, unless the department receives federal or private funds for the specific purpose identified in this section.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Battery charging station" means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

(b) "Battery exchange station" means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. [2009 c 459 s 15.]

Finding—Purpose—2009 c 459: See note following RCW 47.80.090.

Regional transportation planning organizations—Electric vehicle infrastructure: RCW 47.80.090.

RCW 47.38.080 Human trafficking informational posters at rest areas. The department may work with human trafficking victim advocates in developing informational posters for placement in rest areas. The department may adopt policies for the placement of these posters in rest areas and these policies must address, at a minimum, placement of the posters in bathroom stalls. The posters may be in a variety of languages and include toll-free telephone numbers a person may call for assistance, including the number for the national human trafficking resource center at (888)373-7888 and the number for the

Washington state office of crime victims advocacy at (800)822-1067.
[2010 c 48 s 1.]

Model notice on human trafficking: RCW 43.280.110.

RCW 47.38.090 Reconfiguration of maintenance operations—

Planning process—Report. (1) Subject to the availability of amounts appropriated for this specific purpose, the department is directed to reconfigure its maintenance operations to assure that its owned and operated safety rest areas are open for use except for seasonal closures or cleaning, maintenance, and repairs.

(2) The department may initiate a strategic planning process that addresses the maintenance, operation, and safety of its owned and operated safety rest areas. At a minimum, this plan shall evaluate operations, maintenance, safety, and commercial motor vehicle parking at safety rest areas. The department must engage members from the freight community and other stakeholders for recommendations and solutions. The department must also coordinate with the office of intergovernmental coordination on public right-of-way homeless encampments established in *Engrossed Second Substitute Senate Bill No. 5662 (right-of-way camping/housing). The plan must identify strategies that the department can employ to ensure commercial motor vehicle parking is available at state-owned and operated safety rest areas. The department shall prioritize the planning effort to conclude by the end of the 2021-2023 biennium.

(3) The department must report to the transportation committees of the legislature the changes that have been made to or are planned to be made to operation of the safety rest areas by January 15, 2023, including recommendations related to commercial vehicle parking.
[2022 c 262 s 2.]

***Reviser's note:** Engrossed Second Substitute Senate Bill No. 5662 was not enacted during the 2022 legislative session.