Chapter 43.59 RCW
TRAFFIC SAFETY COMMISSION

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Victim impact panel registry: RCW 10.01.230.

RCW 43.59.010 Purpose—Finding. (1) The Washington traffic safety commission is established as a public health authority. The functions and purpose of this commission shall be to identify contributing factors that most commonly lead to motor vehicle collisions that result in death or serious injury; to plan and supervise programs for the prevention of collisions on streets and highways including but not limited to educational campaigns designed to reduce traffic crashes in cooperation with all official and unofficial organizations interested in traffic safety; to coordinate the activities at the state and local level in the development of statewide and local traffic safety programs; to promote a uniform enforcement of traffic safety laws and establish standards for investigation and reporting of traffic collisions; to promote and improve driver education; and to authorize the governor to perform all functions required to be performed by him or her under the federal Highway Safety Act of 1966 (Public Law 89-564; 80 Stat. 731) in order to promote and protect public health and safety.

(2) The legislature finds and declares that bicycling and walking are becoming increasingly popular in Washington as clean and efficient modes of transportation, as recreational activities, and as organized sports. Future plans for the state's transportation system will require increased access and safety for bicycles and pedestrians on our common roadways, and federal transportation legislation and funding programs have created strong incentives to implement these changes quickly. As a result, many more people are likely to take up bicycling in Washington both as a leisure activity and as a convenient, inexpensive form of transportation. Bicyclists are more

vulnerable to serious injury during collisions than motorists, and should be as knowledgeable as possible about traffic laws, be highly visible and predictable when riding in traffic, and be encouraged to wear bicycle safety helmets. Hundreds of bicyclists and pedestrians are seriously injured every year in collisions, and millions of dollars are spent on health care costs associated with these collisions. There is clear evidence that organized training in the rules and techniques of safe and effective cycling can significantly reduce the incidence of serious injury and collisions, increase cooperation among road users, and significantly increase the incidence of bicycle helmet use, particularly among minors. A reduction in collisions benefits the entire community. Therefore it is appropriate for businesses and community organizations to provide donations to bicycle and pedestrian safety training programs. [2026 c 152 s 3; 2009 c 549 s 5141; 1998 c 165 s 2; 1967 ex.s. c 147 s 1.]

Short title—1998 c 165: "This act may be known and cited as the Cooper Jones Act." [1998 c 165 s 1.]

Driver education courses: Chapter 28A.220 RCW.

Drivers' training schools: Chapter 46.82 RCW.

RCW 43.59.015 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Bicyclist fatality" means any death of a bicyclist resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(2) "Commission" means the Washington traffic safety commission.

(3) "Council" means the Cooper Jones active transportation safety council.

(4) "Fatality review committee" means a group of subject matter experts and other members recruited and assembled by the commission based upon their traffic safety experience to review incidents involving the death of a person in Washington resulting from a collision involving a motor vehicle, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(5) "Motorist" means anyone using the transportation system who is using a motor vehicle as a driver or passenger.

(6) "Nonmotorist" means anyone using the transportation system who is not in a vehicle.

(7) "Pedestrian fatality" means any death of a pedestrian resulting from a collision, whether on a roadway, at an intersection, along an adjacent sidewalk, or on a path that is contiguous with a roadway.

(8) "Public health authority" has the same meaning as defined in 45 C.F.R. Part 164, as it existed on June 11, 2026, or such subsequent date as may be provided by the commission by rule, consistent with the purposes of this chapter.

(9) "Serious injury" means any injury other than a fatal injury that prevents the injured person from walking, driving, or normally continuing the activities the person was capable of performing before the injury occurred. [2026 c 152 s 2.]

RCW 43.59.020 Governor responsible for administration of traffic safety program—Acceptance and disbursal of federal funds. The governor shall be responsible for the administration of the traffic safety program of the state and shall be the official of the state having ultimate responsibility for dealing with the federal government with respect to all programs and activities of the state and local governments pursuant to the Highway Safety Act of 1966 (Public Law 89-564; 80 Stat. 731). The governor is authorized and empowered to accept and disburse federal grants or other funds or donations from any source for the purpose of improving traffic safety programs in the state of Washington, and is hereby empowered to contract and to do all other things necessary in behalf of this state to secure the full benefits available to this state under the federal Highway Safety Act of 1966 (Public Law 89-564; 80 Stat. 731) and in so doing, to cooperate with federal and state agencies, agencies private and public, interested organizations, and with individuals, to effectuate the purposes of that enactment, and any and all subsequent amendments thereto. [1967 ex.s. c 147 s 2.]

RCW 43.59.030 Members of commission—Appointment—Vacancies—Governor's designee to act during governor's absence. The governor shall be assisted in his or her duties and responsibilities by the Washington state traffic safety commission. The Washington traffic safety commission shall be composed of the governor as chair, the superintendent of public instruction, the director of licensing, the secretary of transportation, the chief of the state patrol, the secretary of health, the director of the health care authority, a representative of the association of Washington cities to be appointed by the governor, a member of the association of counties to be appointed by the governor, and a representative of the judiciary to be appointed by the governor. Appointments to any vacancies among appointee members shall be as in the case of original appointment.

The governor may designate an employee of the governor's office familiar with the traffic safety commission to act on behalf of the governor during the absence of the governor at one or more of the meetings of the commission. The vote of the designee shall have the same effect as if cast by the governor if the designation is in writing and is presented to the person presiding at the meetings included within the designation.

The governor may designate a member, other than the governor's designee, to preside during the governor's absence. [2018 c 201 s 8010; 2016 c 206 s 2. Prior: 2009 c 549 s 5142; 1991 c 3 s 298; 1982 c 30 s 1; 1979 c 158 s 105; 1971 ex.s. c 85 s 7; 1969 ex.s. c 105 s 1; 1967 ex.s. c 147 s 3.]

Findings—Intent—Effective date—2018 c 201: See notes following RCW 41.05.018.

Codification correction—2016 c 206: "The 1982 codification of an amendment to RCW 43.59.030, concerning the designation and authority of the governor's designee to the traffic safety commission, incorrectly omitted two phrases that were included in chapter 30, Laws of 1982, as signed into law by governor John Spellman. Section 2 of this act restores the missing phrases." [2016 c 206 s 1.]

RCW 43.59.040 Powers and duties of commission—Confidentiality.

(1) In addition to other responsibilities set forth in this chapter the commission shall:

(a) Advise and confer with the governing authority of any political subdivision of the state or federally recognized Indian tribe deemed eligible under the federal Highway Safety Act of 1966 (Public Law 89-564; 80 Stat. 731) for participation in the aims and programs and purposes of that act;

(b) Advise and confer with all agencies of state government whose programs and activities are within the scope of the Highway Safety Act including those agencies that are not subject to direct supervision, administration, and control by the governor under existing laws;

(c) Succeed to and be vested with all powers, duties, and jurisdictions previously vested in the Washington state safety council;

(d) Receive crash reports, toxicology reports, and related investigation information from state or local law enforcement agencies;

(e) Receive driver licensing records from the department of licensing for motor vehicle collisions resulting in a fatality;

(f) In reviewing traffic crashes resulting in the death of a pedestrian, bicyclist, or other active transportation user, include members from the council in the review process and provide a summary of the review results to the council at a regularly scheduled meeting. The number of councilmembers in attendance for the review are limited to less than a quorum of the membership;

(g) Present reports prepared under this section regarding fatal traffic crashes involving the deaths of active transportation users to the council during the calendar year that the review under (f) of this subsection is published; and

(h) Carry out such other responsibilities as may be consistent with this chapter.

(2) The commission may:

(a) As a public health authority, collect health care information under RCW 70.02.050(2)(b). Any health care information obtained under this subsection is exempt from public inspection and copying under chapter 42.56 RCW. The health care information may be collected from, but is not limited to, hospitals, emergency medical services, medical examiners, and coroner offices. The commission may compile and link the records data from these sources, store this information in a secure database, and perform statistical and epidemiological analyses to identify causes and trends in traffic fatalities. Such health care information must only be used for the purposes of this chapter, including for anonymized reports on fatal or serious injury collisions and for providing such reports and underlying data to the University of Washington's institute for health metrics and evaluation;

(b) As part of its purpose to identify contributing factors contributing to fatal and serious injury collisions, convene a fatality review committee to review any available information, including: Crash information maintained in existing databases; statutes, rules, policies, or ordinances related to the incidents; and any other relevant information, including reports and records described in this section;

(c) Make recommendations regarding changes in statutes, ordinances, rules, and policies that could improve the safety of all road users, including motor vehicle occupants, motorcyclists,

pedestrians, bicyclists, and individuals using personal mobility devices. Additionally, the commission may make recommendations on how to improve traffic fatality and serious injury data quality, including crashes that occur in privately owned property such as parking lots;

(d) Consult with local cities and counties, as well as local police departments and other law enforcement agencies and associations representing those jurisdictions on how to improve data quality regarding crashes;

(e) Obtain and examine medical records related to individuals involved in fatal traffic crashes that occur in Washington including, but not limited to, postmortem medical examinations and emergency medical treatment and trauma care provided after a traffic collision. Medical records may be reviewed by members of the fatality review committee and are subject to the protections described in (a) of this subsection; and

(f) Publish reports summarizing trends, contributing factors, and policy or program recommendations resulting from reviews. Reports may not include personally identifiable information or information with which, in combination with readily available public sources, members of the public could discern personal information.

(3) All meetings or deliberations of a fatality review committee are confidential and are not subject to the requirements of chapter 42.30 RCW, the open public meetings act.

(4) Discussions among participants of a fatality review committee during fatal crash review proceedings and documents, other than the final report of the committee, prepared by the commission are inadmissible and may not be used in a civil or administrative proceeding, except that any document that exists before its use or consideration in a review by the commission, or that is created independently of such review, does not become inadmissible merely because it is reviewed or used by the commission.

(5) For confidential information, including medical records and personal information under RCW 42.56.230 (7) and (9), that is obtained by the commission, neither the commission nor any participant in the fatality review committee may publicly disclose such confidential information. Such confidential information must only be used for the purposes of this chapter. No person who was in attendance at a meeting of the fatality review committee or who participated in the creation, retention, collection, or maintenance of information or documents specifically for the commission or the council shall be permitted to testify in any civil action as to the content of such proceedings or of the documents and information prepared specifically as part of the activities of the council. However, recommendations from the council and the commission generally may be disclosed without personal identifiers.

(6) The commission may review, only to the extent otherwise permitted by law or court rule when determined to be relevant and necessary: Any law enforcement incident documentation, such as incident reports, dispatch records, and victim, witness, and suspect statements; any supplemental reports, probable cause statements, and 911 call taker's reports; abstracts of driving records; and any other information determined to be relevant to the review. The commission and the council must maintain the confidentiality of the information to the extent required by any applicable law.

(7) If acting in good faith, without malice, and within the parameters of and protocols established under this chapter, representatives of the commission and members of a fatality review

committee convened by the commission are immune from civil liability for any activity related to reviews of any particular fatalities and serious injuries.

(8) This section does not create a private right of action, except if representatives of the commission and members of a fatality review committee act in bad faith by disclosing confidential information protected under this chapter. [2026 c 152 s 4; 1983 1st ex.s. c 14 s 1; 1967 ex.s. c 147 s 4.]

RCW 43.59.050 Meetings—Travel expenses of members. The commission shall meet at least quarterly and shall have such special meetings as may be required. Members of the commission shall receive no additional compensation for their services except that which shall be allowed as travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended. [1975-'76 2nd ex.s. c 34 s 120; 1967 ex.s. c 147 s 6.]

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 43.59.060 Director of commission—Appointment—Salary. The governor as chair of the commission shall appoint a person to be director of the Washington traffic safety commission which director shall be paid such salary as shall be deemed reasonable and shall serve at the pleasure of the governor. [2009 c 549 s 5143; 1967 ex.s. c 147 s 7.]

RCW 43.59.070 Director's duties—Staff—Rules and regulations. The director shall be secretary of the commission and shall be responsible for carrying into effect the commission's orders and rules and regulations promulgated by the commission. The director shall also be authorized to employ such staff as is necessary pursuant to the provisions of chapter 41.06 RCW. The commission shall adopt such rules and regulations as shall be necessary to carry into effect the purposes of this chapter. [1967 ex.s. c 147 s 8.]

RCW 43.59.080 Governor's duties as chair. The governor as chair of said commission shall have the authority to appoint advisory committees as he or she may deem advisable to aid, advise and assist the commission in carrying out the purposes of this chapter. All actions and decisions, however, shall be made by the commission. [2009 c 549 s 5144; 1967 ex.s. c 147 s 9.]

RCW 43.59.140 Driving while under the influence of intoxicating liquor or any drug—Information and education. The Washington traffic safety commission shall produce and disseminate through all possible media, informational and educational materials explaining the extent of the problems caused by drinking drivers, the need for public involvement in their solution, and the penalties of existing and new laws against driving while under the influence of intoxicating liquor or any drug. [1991 c 290 s 4; 1983 c 165 s 42.]

Legislative finding, intent—Effective dates—Severability—1983 c 165: See notes following RCW 46.20.308.

RCW 43.59.156 Cooper Jones active transportation safety council. (1) Within amounts appropriated to the commission, the commission must convene the council comprised of stakeholders who have a unique interest or expertise in the safety of pedestrians, bicyclists, and other nonmotorists.

(2) The purpose of the council is to review and analyze data and programs related to fatalities and serious injuries involving pedestrians, bicyclists, and other nonmotorists to identify points at which the transportation system can be improved including, whenever possible, privately owned areas of the system such as parking lots, and to identify patterns in pedestrian, bicyclist, and other nonmotorist fatalities and serious injuries. The council may also:

(a) Monitor progress on implementation of existing council recommendations; and

(b) Seek opportunities to expand consideration and implementation of the principles of systematic safety, including areas where data collection may need improvement.

(3)(a) The council may include, but is not limited to:

(i) A representative from the commission;

(ii) A coroner from the county in which pedestrian, bicyclist, or nonmotorist deaths have occurred;

(iii) Multiple members of law enforcement who have investigated pedestrian, bicyclist, or nonmotorist fatalities;

(iv) A traffic engineer;

(v) A representative from the department of transportation and a representative from the department of health;

(vi) A representative from the association of Washington cities;

(vii) A representative from the Washington state association of counties;

(viii) A representative from a pedestrian advocacy group;

(ix) A representative from a tribal government; and

(x) A representative from a bicyclist or other nonmotorist advocacy group.

(b) The commission may invite other representatives of stakeholder groups to participate in the council as deemed appropriate by the commission. Additionally, the commission may invite a victim or family member of a victim to participate in the council.

(4) The council must meet at least quarterly. By December 31st of each year, the council must issue an annual report detailing any findings and recommendations to the governor and the transportation committees of the legislature. The commission must provide the annual report electronically to all municipal governments and state agencies that participated in the council during that calendar year. Additionally, the council must report any budgetary or fiscal recommendations to the office of financial management and the legislature by August 1st on a biennial basis.

(5)(a) The council may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of the council and spend the gifts, grants, or endowments from the public or private sources according to their terms, unless the receipt of the gifts, grants, or endowments violates RCW 29B.45.020.

(b) Subject to the appropriation of funds for this specific purpose, the council may provide grants targeted at improving pedestrian, bicyclist, or nonmotorist safety in accordance with recommendations made by the council. [2026 c 152 s 5; 2025 c 417 s 903; (2025 c 417 s 902 expired January 1, 2026); 2024 c 164 s 523; 2020 c 72 s 1.]

Effective date—2025 c 417 ss 104, 105, 107-110, 201-206, 301-303, 604, and 903: See note following RCW 46.17.355.

Expiration date—2025 c 417 ss 603 and 902: See note following RCW 36.70A.200.

Findings—Intent—2025 c 417: See note following RCW 82.38.030.

Intent—Construction—Rules remain valid—Effective date—2024 c 164: See notes following RCW 29B.10.010.

RCW 43.59.170 Child restraint systems in motor vehicles—Information and education. (1) The Washington traffic safety commission shall produce and disseminate informational and educational materials explaining the proper use of child restraint systems in motor vehicles, the safety risks of not properly using child restraint systems in motor vehicles, where assistance on the proper installation and use of child restraint systems in motor vehicles can be obtained, and the legal penalties for not properly using child restraint systems in motor vehicles.

(2) As used in this section, "child restraint system" has the same meaning as defined in RCW 46.61.687(6). [2019 c 59 s 2.]

Effective date—2019 c 59: See note following RCW 46.61.687.

RCW 43.59.180 Negligent driving with a vulnerable user victim—First degree—Information and education. Subject to funds appropriated for this purpose, the Washington traffic safety commission shall produce and disseminate through all possible media, informational and educational materials explaining the penalties of the crime of negligent driving with a vulnerable user victim in the first degree. [2023 c 471 s 11.]

Effective date—2023 c 471: See note following RCW 46.61.5259.

RCW 43.59.190 Washington state commercial truck safety and education council. (1) The Washington state commercial truck safety and education council is established in the Washington traffic safety commission to recommend programs and projects that improve the safety of the commercial truck industry through cooperative public-private programs that focus on examining crash trends and evidence-based best practices in driver education, improved regulatory compliance, industry training, and educational programs. The council shall consist of the following members, appointed by the commission:

(a) The chief of the Washington state patrol, or the chief's designee;

(b) The director of the department of licensing, or the director's designee;

(c) The secretary of the department of transportation, or the secretary's designee;

(d) The executive director of the Washington trucking associations or the executive director's designee;

(e) The director of the Washington traffic safety commission, or the director's designee;

(f) The executive director of the Washington state board for community and technical colleges, or the executive director's designee;

(g) One member of the general public;

(h) Three members from a trucking industry association or associations as representatives of the trucking industry, with consideration given to a list of six nominees representative of the trucking industry submitted by the Washington trucking association;

(i) The executive director of the workforce training and education coordination board, or the executive director's designee;

(j) One member from a labor organization recommended by the Washington state labor council.

(2) In addition, the council may, where feasible, consult with other governmental entities or individuals from the public and private sector who have a unique interest or expertise in commercial vehicle safety, training, and efficient operations.

(3) The Washington state commercial truck safety and education council must meet at least quarterly. The council shall initially convene at the call of the director of the Washington traffic safety commission, or the director's designee, no later than the third Monday in January 2027. Subsequent meetings of the council shall be at the call of the chair or seven members. The council shall adopt a charter that includes, but is not limited to, rules governing the election of a chair and other officers, as well as term lengths.

(4)(a) The Washington state commercial truck safety and education council may:

(i) Recommend programs and projects that carry out the purpose of the council including, but not limited to, enhancing safety and training, providing for research and development, and educating the public;

(ii) Request the authorization of payment of council costs with funds designated for this use under RCW 46.17.315(2);

(iii) Coordinate council activities with industry associations, and others as appropriate, to provide efficient delivery of services for authorized programs and projects and to avoid unnecessary duplication of efforts and activities;

(iv) Recommend procurements for contracts with any public or private partnership, association, corporation, or other legal or commercial entity, to carry out the purpose of the council;

(v) Recommend the commission apply for, receive, and accept grants, loans, advances, and contributions from any source of money, property, labor, or other things of value, to be held, used, and applied for the council's purposes; and

(vi) Recommend grants targeted at improving commercial motor vehicle safety and training.

(b) Commission costs associated with support of the council are to be reimbursed from the commercial truck safety and education account created in RCW 46.68.550.

(5) Beginning December 31, 2027, the council shall annually report its activities, findings, and recommendations during the preceding year to the transportation committees of the legislature by December 31st.

(6) The council may solicit and accept gifts, grants, bequests, devises, or other funds from public and private sources to support its activities.

(7) Members of the Washington state commercial truck safety and education council who are not public employees shall be compensated in accordance with RCW 43.03.220 and shall be reimbursed for travel expenses incurred in carrying out the duties of the council in accordance with RCW 43.03.050 and 43.03.060. [2026 c 61 s 2.]

Findings—Intent—2026 c 61: "(1) The legislature finds that:

(a) The trucking industry is an essential part of our everyday lives. The trucking industry facilitates essential economic activity, including through the transport of goods for logistics, e-commerce, construction, agriculture, by driving economic growth, creating jobs, and enabling the movement of raw materials and finished products for all sectors. Trucks are vital for businesses to operate efficiently, reach customers, and meet supply chain demands.

(b) In Washington, the trucking industry contributes significantly to state and federal roadway taxes owed by Washington motorists. In 2024, trucks accounted for 8.8 percent of the miles driven upon Washington roadways. The trucking industry accounts for over 170,000 jobs in Washington. Eighty percent of communities in Washington depend exclusively on trucks to move their goods.

(c) Collecting and evaluating data related to commercial vehicle collisions and safety incidents throughout Washington state is vitally important. Over the last 10 years, Washingtonians have seen an uptick in collisions involving large trucks, underscoring the urgent need for targeted strategies to improve roadway safety. According to the Washington traffic safety commission, commercial vehicles were involved in an increasing percentage of fatal and serious injury crashes, with factors such as distracted driving and driver fatigue contributing to these incidents. Through robust safety initiatives and ongoing evaluation, the legislature aims to focus efforts on a reduction in these crash rates and enhancement of the overall safety of Washington's transportation network.

(d) The Washington state trucking industry faces many challenges, including challenges related to workforce development, highway safety, highway planning, and public education. A coordinated and focused mechanism is critical to promote education, training, research, and development for enhanced safety and efficiency within the industry. Such a system provides for better communication between industry, the public, enforcement agencies, local government, and the legislature, to enhance the safe, efficient delivery of goods and services and to avoid unnecessary duplication of efforts and activities.

(e) Heavy vehicles present unique safety challenges due to their size, weight, maneuverability, and longer stopping distances compared to passenger vehicles. These attributes result in a narrow margin of error for drivers. From 2020 to 2022, 13 percent of fatalities occurred in crashes that involved a heavy vehicle. The behavior of heavy vehicle drivers and other drivers sharing the roadway with them influences the outcome of heavy truck crashes. Other drivers share this responsibility and must be aware of heavy vehicles. A national

study of crashes from the 1990s identified drivers of passenger vehicles alone contributed to 70 percent of fatal, two-vehicle crashes that involved a heavy truck.

(f) Increasing education efforts, curriculum, and improved safety and hazard awareness can facilitate greater skill acquisition by heavy vehicle drivers. In addition, analysis supports the importance of focusing on behavior of the drivers of other vehicles. Raising awareness of safe driving practices and consideration for sharing the transportation system with trucks can support shared responsibility among road user modes.

(2) It is the intent of this act to establish the Washington state commercial truck safety and education council, hereinafter referred to as the "council," to recommend programs and projects to advance state interests in roadway safety and improve the safety of the commercial truck industry through cooperative public-private programs that focus on examining crash trends and evidence-based best practices in driver education, improved regulatory compliance, industry training, and educational programs to drive the safe movement of goods on Washington state highways. It is also the intent of the legislature to ensure that adequate funding is provided to implement this act to improve safety and efficiency in the trucking industry." [2026 c 61 s 1.]