

employment of persons of disability. The department shall submit the proposals to the house of representatives and senate commerce and labor and ways and means committees by December 1, 1987.

Passed the Senate February 20, 1987.

Passed the House March 27, 1987.

Approved by the Governor April 2, 1987.

Filed in Office of Secretary of State April 2, 1987.

CHAPTER 11

[Senate Bill No. 5060]

INTOXICATED PEDESTRIANS—LAW ENFORCEMENT OFFICER RESPONSE

AN ACT Relating to pedestrians under the influence of alcohol or drugs; and amending RCW 46.61.266.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 43, chapter 62, Laws of 1975 and RCW 46.61.266 are each amended to read as follows:

A law enforcement officer may offer to transport a pedestrian who ((is)) appears to be under the influence of alcohol or any drug ((to a degree which renders himself a hazard shall not walk or be upon a highway except on a sidewalk or, where there is no sidewalk, then off the main traveled portion of the highway)) and who is walking 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.

Passed the Senate February 9, 1987.

Passed the House March 27, 1987.

Approved by the Governor April 2, 1987.

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