

# HOUSE BILL REPORT

## SB 5180

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### As Passed House - Amended:

April 7, 2009

**Title:** An act relating to public transit vehicle stops at unmarked stop zones.

**Brief Description:** Permitting public transit vehicle stops at unmarked stop zones under certain circumstances.

**Sponsors:** Senators Haugen and Parlette.

### Brief History:

#### Committee Activity:

Transportation: 3/16/09, 3/23/09 [DPA].

#### Floor Activity

Passed House - Amended: 4/7/09, 97-1.

### Brief Summary of Bill (As Amended by House)

- Allows certain transit vehicles to stop on a roadway in an unincorporated area momentarily to receive or discharge passengers at an unmarked stop zone so long as the driver meets certain safety-related requirements.

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## HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 26 members: Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong, Campbell, Cox, Driscoll, Eddy, Finn, Flannigan, Herrera, Johnson, Klippert, Kristiansen, Moeller, Rolfes, Sells, Shea, Simpson, Springer, Takko, Upthegrove, Wallace, Williams and Wood.

**Minority Report:** Do not pass. Signed by 1 member: Representative Ericksen.

**Staff:** David Munnecke (786-7315)

### Background:

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

It is a traffic infraction to stop, park, or leave standing any vehicle upon the roadway in an unincorporated area, whether attended or not. However, exceptions to this law are specified for the following: (1) the driver of any vehicle that is disabled such that it is impossible to avoid stopping and temporarily leaving the vehicle; (2) the driver of a public transit vehicle who temporarily stops the vehicle in order to receive and discharge passengers at a marked transit vehicle stop zone; and (3) the driver of a solid waste collection company who temporarily stops the vehicle as far to the right as practical in order to collect solid waste or recyclables.

The Washington State Department of Transportation (WSDOT) rules allow the Secretary of the WSDOT to approve unincorporated area public transit vehicle stop zones that are not wholly off the roadway if there is adequate sight distance and a suitable site off the roadway cannot be found. Such sites must have a vehicle stop sign installed by the transit authority as well as an advance warning sign installed by the WSDOT, if the WSDOT determines it appropriate.

**Summary of Amended Bill:**

Public transportation service providers, including certain nonprofit organizations, may allow the driver of a transit vehicle to stop upon a roadway in an unincorporated area momentarily to receive or discharge passengers at an unmarked stop zone. However, the driver must: (1) stop the vehicle in a safe and practicable manner; (2) activate four-way flashing lights; and (3) stop at a portion of the highway with an unobstructed view for drivers approaching the transit vehicle.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Island Transit served over one million passengers last year, and many of these passengers were picked up on the side of the road at an unmarked stop zone. Without the ability to pick-up and drop-off passengers in unmarked stop zones, Island Transit cannot operate in an effective manner, since some passengers would be forced to walk for miles to get to a marked stop zone. The passage of this bill would require that these stops be conducted in a safe manner and would allow Island Transit to continue to operate effectively. Transit drivers are trained to only stop in safe locations.

(In support with amendments) This bill should be amended in the same ways that it was last year at the recommendation of the Washington State Patrol. First, buses should not pull over and stop on the side of the road unless they can pull over beyond the fog line. Otherwise, there is an invitation to pass that can be deadly due to the lack of visibility. The Department of Licensing's commercial driver's license trainers endorse the approach of pulling over the fog line. Second, commercial driver's license holders have had their ability to mitigate an

infraction removed. They are the ones who hold the license, and thus have their livelihood threatened if they receive an infraction. The drivers should have the right to decide if they should pull over and make a stop, not the employer. Employees have been suspended for refusing to stop in an unsafe location.

(Opposed) None.

**Persons Testifying:** (In support) Bob Clay and Martha Rose, Island Transit.

(In support with amendments) Rita DiTenno, Amalgamated Transit Union Local 1384.

**Persons Signed In To Testify But Not Testifying:** None.