

HOUSE BILL REPORT

HB 1238

As Reported by House Committee On: Transportation

Title: An act relating to allowing motorcycles to stop and proceed through traffic control signals under certain conditions.

Brief Description: Allowing motorcycles to stop and proceed through traffic control signals under certain conditions.

Sponsors: Representatives Moscoso, Hargrove, Kirby, Shea, Moeller, Upthegrove, Hunt, Orcutt, Short, Tharinger, Sells, Kagi, Haler, Riccelli, Springer, Haigh, Morrell, Bergquist, Schmick, Magendanz, Vick, Reykdal, Parker, Roberts and Angel.

Brief History:

Committee Activity:

Transportation: 2/5/13, 2/14/13 [DPS].

Brief Summary of Substitute Bill

- Allows motorcycles, under certain circumstances, to proceed through a vehicle-activated traffic control signal that is inoperable due to the size of the motorcycle.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 23 members: Representatives Clibborn, Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel, Fitzgibbon, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Moeller, Morris, Riccelli, Rodne, Ryu, Sells, Shea, Takko, Upthegrove and Zeiger.

Minority Report: Do not pass. Signed by 7 members: Representatives Bergquist, Farrell, Freeman, Habib, Hayes, O'Ban and Tarleton.

Staff: Andrew Russell (786-7143).

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.

Background:

The driver of a vehicle must obey every official traffic control device. Drivers must stop when a traffic signal shows a steady red indication, and they generally may not turn if the signal shows a steady red arrow in the direction of the turn. Failure to follow a traffic control device is a traffic infraction, which carries a fine of up to \$250.

At some intersections, vehicle-activated traffic control signals are used to regulate the flow of traffic. A vehicle-activated traffic control signal detects the presence of a motor vehicle, including a motorcycle or bicycle, in order to trigger a change in the signal phase. If such a control signal cannot reliably detect motorcycles or bicycles, the equipment must be adjusted. Generally, the vehicle-detection equipment is located immediately before the stop-line or crosswalk and in the middle of the lane. If the equipment is located somewhere else, it must be clearly marked.

Summary of Substitute Bill:

Law enforcement personnel may not cite a motorcycle operator for proceeding through a red indicator at a traffic control signal under certain circumstances. First, the operator must bring the motorcycle to a complete stop. Second, the signal must remain red for 90 seconds. The traffic control device must appear to be malfunctioning or, if programmed to detect the presence of a motor vehicle, have failed to detect the motorcycle. Finally, a pedestrian or motor vehicle must not constitute an immediate hazard. If these requirements are met, the operator may proceed through the intersection.

Substitute Bill Compared to Original Bill:

The original bill would require the operator to wait for the signal to go through a full cycle before proceeding; however, the substitute bill allows the operator to proceed if the signal remains red for 90 seconds. The original bill's exception applied only if the intersection in question was controlled by vehicle-detection equipment and if such equipment was inoperable due to the size of the motorcycle. On the other hand, the substitute bill's exception applies whether or not the intersection is, in fact, controlled by a traffic control signal that detects the presence of a motor vehicle to trigger a change in the signal phase. Finally, the substitute bill's exception applies whether or not an automated traffic control signal failed to detect the presence of a motorcycle.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute 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) This bill still requires care and caution by the driver in order to proceed; motorcycles will not be pulling out in front of trucks. State law already authorizes vehicles to proceed through red lights, for example, when turning right on red. This situation will come up usually in deserted areas and quiet traffic patterns. Good police work will enable law enforcement to determine whether or not an operator complied with these requirements.

(Opposed) Collisions may occur if riders disregard traffic control devices or turn in front of other drivers. This can cause confusion on the part of other drivers. There is already a reporting mechanism of sensor deficiencies. Law enforcement might not be able to determine if an operator complied with this law. Washington is experiencing an increase in motorcycle fatalities, and this will not help mitigate this problem. Cities have public safety and enforcement concerns as well. Sensors are already required to be set to detect motorcycles and bicycles, and there is a process in place to report ones that do not.

Persons Testifying: (In support) Representative Moscoso, prime sponsor; and Larry Walker, Washington Road Riders Association.

(Opposed) Rob Huss, Washington State Patrol; and Alison Hellberg, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: None.