

# HOUSE BILL REPORT

## SB 5141

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### 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:** Senators King, Eide, Rivers, Sheldon, Hatfield, Delvin, Ericksen, Carrell, Padden, Harper, Keiser, Rolfes, Shin, Holmquist Newbry, Roach and Kline.

#### **Brief History:**

##### **Committee Activity:**

Transportation: 2/24/14, 2/25/14 [DPA].

#### **Brief Summary of Bill (As Amended by Committee)**

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

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 26 members: Representatives Clibborn, Chair; Farrell, Vice Chair; Fey, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Bergquist, Fitzgibbon, Habib, Hawkins, Johnson, Klippert, Kochmar, Moeller, Morris, Muri, Riccelli, Rodne, Ryu, Sells, Shea, Takko, Walkinshaw, Young and Zeiger.

**Minority Report:** Do not pass. Signed by 5 members: Representatives Freeman, Hayes, Ortiz-Self, Pike and Tarleton.

**Staff:** Andrew Russell (786-7143).

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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.*

**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.

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**Summary of Amended Bill:**

If a vehicle-activated traffic control signal fails to detect the presence of a street-legal motorcycle, the operator of the motorcycle may, while exercising due care, proceed through the traffic signal. The operator may do so, however, only after he or she has come to a full and complete stop at the intersection and has waited at least 90 seconds for the traffic light to begin a change in signal phase. In proceeding, the operator may go through the intersection or may turn left, as appropriate. Finally, it is not a defense to a violation if the operator incorrectly believed that a traffic signal was vehicle-activated, when it was not, or that the vehicle-activated traffic control signal was inoperative due to the size of the motorcycle, when it was not.

**Amended Bill Compared to Original Bill:**

The original bill required operators to wait for a traffic control signal to complete a cycle before proceeding through the intersection. Instead, the amended bill requires that the operator wait 90 seconds for the traffic light to change in the signal phase.

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**Appropriation:** None.

**Fiscal Note:** Available.

**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) This is a rather simple bill that is a common-sense kind of thing. If a motorcyclist does not trigger a traffic light, after the light goes through a full cycle, the

motorcyclist could proceed through the light. While the Washington State Patrol has concerns, this is a matter of the motorcyclist proceeding only when it is safe to do so. This is a simple bill, but it means a lot to motorcyclists.

A recent law requires jurisdictions to maintain vehicle-detection equipment so that it will detect motorcycles, but this is made subject to the availability of funds. There is no immediate remedy for a person who is stuck at a malfunctioning traffic signal. This bill provides that remedy, allowing a motorcyclist to proceed through the intersection. This is the best solution.

This bill will not lead to motorcyclists pulling out in front of cars and trucks. This also will not confuse motorists; other drivers are currently capable of handling cars turning right on red. It is impossible to get immediate relief from a malfunctioning traffic control signal.

(Opposed) There are general safety concerns regarding a potential for collisions, crossing in front of on-coming traffic, and confusion to other drivers. All motorists have been stuck at a traffic light, and we have to decide how to handle the situation, changing lanes or proceeding through the intersection. A road-side conversation is an opportunity for the operator to explain the situation.

Current vehicle detection equipment senses metal in a vehicle, and these are calibrated to detect bicycles. Additionally, some jurisdictions are replacing these sensors with cameras. There is concern with the current language of the bill, because it does not define what is a "cycle," which could be problematic depending on the time of day and traffic pattern. Cities around the state are getting only a handful of complaints every year regarding this detection equipment.

**Persons Testifying:** (In support) Senator King, prime sponsor; Timothy McCall, A Brotherhood Against Totalitarian Enactments of Washington; and Larry Walker, Washington Road Riders Association.

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

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