CERTIFICATION OF ENROLLMENT

**SENATE BILL 5687**

67th Legislature

2022 Regular Session

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| Passed by the Senate March 7, 2022  Yeas 27 Nays 22  **President of the Senate**  Passed by the House March 3, 2022  Yeas 55 Nays 42  **Speaker of the House of Representatives** | CERTIFICATE  I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5687** as passed by the Senate and the House of Representatives on the dates hereon set forth.  Secretary |
| Approved |  |
| **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SENATE BILL 5687**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2022 Regular Session

**State of Washington 67th Legislature 2022 Regular Session**

**By** Senators C. Wilson, Liias, Billig, Das, Nguyen, Pedersen, Saldaña, and Stanford

AN ACT Relating to certain traffic safety improvements; amending RCW 46.61.415 and 46.61.405; and reenacting and amending RCW 46.61.250.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

**Sec.**  RCW 46.61.415 and 2013 c 264 s 1 are each amended to read as follows:

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under RCW 46.61.400 or 46.61.440 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

(a) Decreases the limit at intersections; or

(b) Increases the limit but not to more than ((~~sixty~~)) 60 miles per hour; or

(c) Decreases the limit but not to less than ((~~twenty~~)) 20 miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed ((~~sixty~~)) 60 miles per hour.

(3)(a) ((~~Cities and towns~~)) Local authorities in their respective jurisdictions may establish a maximum speed limit of ((~~twenty~~)) 20 miles per hour on a nonarterial highway((~~,~~)) or part of a nonarterial highway((~~, that is within a residence district or business district~~)).

(b) A speed limit established under this subsection by a ((~~city or town~~)) local authority does not need to be determined on the basis of an engineering and traffic investigation if the ((~~city or town~~)) local authority has developed procedures regarding establishing a maximum speed limit under this subsection. Any speed limit established under this subsection may be canceled within one year of its establishment, and the previous speed limit reestablished, without an engineering and traffic investigation. This subsection does not otherwise affect the requirement that ((~~cities and towns~~)) local authorities conduct an engineering and traffic investigation to determine whether to increase speed limits.

(c) When establishing speed limits under this subsection, ((~~cities and towns~~)) local authorities shall consult the manual on uniform traffic control devices as adopted by the Washington state department of transportation.

(4) The secretary of transportation is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements which are a prescribed condition for the allocation of federal funds to the state.

(5) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

(6) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the secretary of transportation.

**Sec.**  RCW 46.61.405 and 1987 c 397 s 3 are each amended to read as follows:

(1) Whenever the secretary of transportation shall determine upon the basis of an engineering and traffic investigation that any maximum speed hereinbefore set forth is greater than is reasonable or safe with respect to a state highway under the conditions found to exist at any intersection or upon any other part of the state highway system or at state ferry terminals, or that a general reduction of any maximum speed set forth in RCW 46.61.400 is necessary in order to comply with a national maximum speed limit, the secretary may determine and declare a reasonable and safe lower maximum limit or a lower maximum limit which will comply with a national maximum speed limit, for any state highway, the entire state highway system, or any portion thereof, which shall be effective when appropriate signs giving notice thereof are erected. The secretary may also fix and regulate the speed of vehicles on any state highway within the maximum speed limit allowed by this chapter for special occasions including, but not limited to, local parades and other special events. Any such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective (a) ((~~[(1)]~~)) when posted upon appropriate fixed or variable signs or (b) ((~~[(2)]~~)) if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective ((~~thirty~~)) 30 days after written notice thereof is mailed in the manner provided in ((~~subsection (4) of~~)) RCW 46.61.410(4), as now or hereafter amended.

(2) The secretary of transportation may establish a maximum speed limit of 20 miles per hour on a nonarterial state highway, or part of a nonarterial state highway, without a determination made on the basis of an engineering and traffic investigation, subject to the conditions described in RCW 46.61.415(3).

**Sec.**  RCW 46.61.250 and 2019 c 403 s 9 and 2019 c 214 s 14 are each reenacted and amended to read as follows:

(1) Where sidewalks are provided and are accessible, it is unlawful for any pedestrian to walk or otherwise move along and upon an adjacent roadway. Where sidewalks are provided but wheelchair access is not available, persons with disabilities who require such access may walk or otherwise move along and upon an adjacent roadway until they reach an access point in the sidewalk.

(2) Where sidewalks are not provided or are inaccessible, a pedestrian walking or otherwise moving along and upon a highway, and any personal delivery device moving along and upon a highway, shall:

(a) When shoulders are provided and are accessible, walk or move on the shoulder of the roadway as far as is practicable from the edge of the roadway, facing traffic when a shoulder is available in this direction; or

(b) When shoulders are not provided or are inaccessible, walk or move as near as is practicable to the outside edge of the roadway facing traffic, and when practicable, move clear of the roadway upon meeting an oncoming vehicle.

(3) A pedestrian traveling to the nearest emergency reporting device on a one-way roadway of a controlled access highway is not required to travel facing traffic as otherwise required by subsection (2) of this section.

(4) When walking or otherwise moving along and upon an adjacent roadway, a pedestrian shall exercise due care to avoid colliding with any vehicle upon the roadway.

(5) Subsections (1) and (2) of this section do not apply when the roadway is duly closed to vehicular traffic by placement of official traffic control devices for the sole purposes of pedestrian and bicyclist use of the roadway.

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