
HOUSE BILL 1984

State of Washington

54th Legislature

1995 Regular Session

By Representatives Brumsickle, R. Fisher, Brown, Quall, Costa, Morris, Poulsen, Mason, Thibaudeau, Ogden, Chopp, G. Fisher, Rust, Jacobsen, Basich and Kessler

Read first time 02/20/95. Referred to Committee on Education.

1 AN ACT Relating to bicycle safety education; amending RCW
2 28A.220.050, 46.20.095, 46.82.430, 46.83.040, and 82.08.020; adding a
3 new chapter to Title 77 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds and declares that
6 bicycling is becoming increasingly popular in Washington as a clean and
7 efficient mode of transportation, as a recreational activity, and as an
8 organized sport. Future plans for the state's transportation system
9 will require increased access and safety for bicycles on our common
10 roadways, and federal transportation legislation and funding programs
11 have created strong incentives to implement these changes quickly. As
12 a result, many more people are likely to take up bicycling in
13 Washington both as a leisure activity and as a convenient, inexpensive
14 form of transportation. Bicyclists are more vulnerable to injury and
15 accident than motorists, and should be as knowledgeable as possible
16 about traffic laws, be highly visible and predictable when riding in
17 traffic, and be encouraged to wear bicycle safety helmets. Hundreds of
18 bicyclists are seriously injured every year in car-bicycle accidents,
19 and millions of dollars are spent on health care costs associated with

1 these accidents. There is clear evidence that organized training in
2 the rules and techniques of safe and effective cycling can
3 significantly reduce the incidence of serious injury and accidents
4 among bicyclists, increase cooperation among road users, and
5 significantly increase the incidence of bicycle helmet use,
6 particularly among minors.

7 NEW SECTION. **Sec. 2.** (1) The director shall establish a program
8 for training persons in the safe and effective operation of bicycles,
9 and shall cooperate with the state Criminal Justice Training
10 Commission, Bicycle Federation of America, the League of American
11 Bicyclists, state and local bicycling organizations, local governments,
12 public school districts, or other appropriate public and private
13 organizations in developing and operating the program.

14 (2) The director shall prescribe minimum qualifications for
15 instructors and minimum elements of the program. The program shall
16 include instruction concerning:

- 17 (a) The safe handling and use of bicycles;
- 18 (b) High-risk traffic situations;
- 19 (c) Bicycle and traffic handling skills;
- 20 (d) On-bike training;
- 21 (e) Correct use of bicycle helmets;
- 22 (f) Traffic laws and regulations; and
- 23 (g) The number and severity of injuries resulting from bicycling
24 accidents in Washington and nationally and the number and severity of
25 such injuries among minors.

26 (3) Upon successful completion of the program, participants shall
27 receive a bicycle safety education certificate signed by an authorized
28 instructor. The certificate is evidence of compliance with this
29 section.

30 NEW SECTION. **Sec. 3.** (1) The bicycle safety education account is
31 created in the state treasury. All receipts from the sales tax on
32 bicycles designated under RCW 82.08.020(3) shall be deposited into the
33 account. Moneys in the account may be spent only after legislative
34 appropriation. Expenditures from the account may be used only for the
35 establishment and operation of programs to teach safe and effective
36 bicycling created under section 2(1) of this act.

1 (2) Funds may be used for the purchase of equipment and supplies
2 necessary for the operation of the programs, such as bicycles, bicycle
3 helmets, safety or environmental improvements, and liability protection
4 for nonprofit training programs.

5 (3) The funds will be available to nonprofit organizations on a
6 matching basis, including but not limited to bicycling groups and
7 community and civic organizations. All entities receiving matching
8 funds must provide a regularly scheduled program complying with
9 standards established under section 2 (1) and (2) of this act.

10 (4) Applicants for a grant from the account shall provide matching
11 funds in either cash or in-kind contributions. The match must
12 represent one dollar in value for each one dollar of the grant. In-
13 kind contributions include but are not limited to labor, materials, and
14 property.

15 **Sec. 4.** RCW 28A.220.050 and 1986 c 93 s 4 are each amended to read
16 as follows:

17 The superintendent of public instruction shall include information
18 on the proper use of the left-hand lane by motor vehicles on multilane
19 highways and on bicyclists' rights and responsibilities in
20 instructional material used in traffic safety education courses.

21 **Sec. 5.** RCW 46.20.095 and 1986 c 93 s 3 are each amended to read
22 as follows:

23 The department shall include information on the proper use of the
24 left-hand lane by motor vehicles on multilane highways and on
25 bicyclists' rights and responsibilities in its instructional
26 publications for drivers.

27 **Sec. 6.** RCW 46.82.430 and 1986 c 93 s 5 are each amended to read
28 as follows:

29 Instructional material used in driver training schools shall
30 include information on the proper use of the left-hand lane by motor
31 vehicles on multilane highways and on bicyclists' rights and
32 responsibilities and suggested riding procedures in common traffic
33 situations.

34 **Sec. 7.** RCW 46.83.040 and 1961 c 12 s 46.83.040 are each amended
35 to read as follows:

1 It shall be the purpose of every traffic school which may be
2 established hereunder to instruct, educate, and inform all persons
3 appearing for training in the proper, lawful, and safe operation of
4 motor vehicles, including but not limited to rules of the road and the
5 limitations of persons, vehicles, and bicycles and roads, streets, and
6 highways under varying conditions and circumstances.

7 **Sec. 8.** RCW 82.08.020 and 1992 c 194 s 9 are each amended to read
8 as follows:

9 (1) There is levied and there shall be collected a tax on each
10 retail sale in this state equal to six and five-tenths percent of the
11 selling price.

12 (2) There is levied and there shall be collected an additional tax
13 on each retail car rental, regardless of whether the vehicle is
14 licensed in this state, equal to five and nine-tenths percent of the
15 selling price. Ninety-one percent of the revenue collected under this
16 subsection shall be deposited and distributed in the same manner as
17 motor vehicle excise tax revenue collected under RCW 82.44.020(1).
18 Nine percent of the revenue collected under this subsection shall be
19 deposited in the transportation fund and distributed in the same manner
20 as motor vehicle excise tax revenue collected under RCW 82.44.020(2).

21 (3) Of the amount collected under subsection (1) of this section on
22 each retail sale of a bicycle as defined in RCW 46.04.071, an amount
23 equal to one percent of the selling price shall be deposited into the
24 bicycle safety education account established under section 3(1) of this
25 act, and distributed in the manner described in section 3 (2), (3), and
26 (4) of this act.

27 (4) The taxes imposed under this chapter shall apply to successive
28 retail sales of the same property.

29 ~~((+4))~~ (5) The rates provided in this section apply to taxes
30 imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

31 NEW SECTION. **Sec. 9.** Sections 2 and 3 of this act constitute a
32 new chapter in Title 77 RCW.

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