
SUBSTITUTE SENATE BILL 6222

State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Brown, West and Patterson)

Read first time 01/29/98.

1 AN ACT Relating to traffic safety; amending RCW 43.59.010,
2 28A.220.050, 46.20.095, 46.82.430, 46.83.040, 82.08.020, 46.20.305,
3 46.37.280, and 46.61.780; adding new sections to chapter 43.59 RCW; and
4 creating a new section.

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

6 NEW SECTION. **Sec. 1.** This act may be known and cited as the
7 Cooper Jones Act.

8 **Sec. 2.** RCW 43.59.010 and 1967 ex.s. c 147 s 1 are each amended to
9 read as follows:

10 (1) The purpose of this chapter is to establish a new agency of
11 state government to be known as the Washington traffic safety
12 commission. The functions and purpose of this commission shall be to
13 find solutions to the problems that have been created as a result of
14 the tremendous increase of motor vehicles on our highways and the
15 attendant traffic death and accident tolls; to plan and supervise
16 programs for the prevention of accidents on streets and highways
17 including but not limited to educational campaigns designed to reduce
18 traffic accidents in cooperation with all official and unofficial

1 organizations interested in traffic safety; to coordinate the
2 activities at the state and local level in the development of state-
3 wide and local traffic safety programs; to promote a uniform
4 enforcement of traffic safety laws and establish standards for
5 investigation and reporting of traffic accidents; to promote and
6 improve driver education; and to authorize the governor to perform all
7 functions required to be performed by him under the federal Highway
8 Safety Act of 1966 (Public Law 89-564; 80 Stat. 731).

9 (2) The legislature finds and declares that bicycling and walking
10 are becoming increasingly popular in Washington as clean and efficient
11 modes of transportation, as recreational activities, and as organized
12 sports. Future plans for the state's transportation system will
13 require increased access and safety for bicycles on our common
14 roadways, and federal transportation legislation and funding programs
15 have created strong incentives to implement these changes quickly. As
16 a result, many more people are likely to take up bicycling in
17 Washington both as a leisure activity and as a convenient, inexpensive
18 form of transportation. Bicyclists are more vulnerable to injury and
19 accident than motorists, and should be as knowledgeable as possible
20 about traffic laws, be highly visible and predictable when riding in
21 traffic, and be encouraged to wear bicycle safety helmets. Hundreds of
22 bicyclists and pedestrians are seriously injured every year in
23 accidents, and millions of dollars are spent on health care costs
24 associated with these accidents. There is clear evidence that
25 organized training in the rules and techniques of safe and effective
26 cycling can significantly reduce the incidence of serious injury and
27 accidents, increase cooperation among road users, and significantly
28 increase the incidence of bicycle helmet use, particularly among
29 minors.

30 NEW SECTION. Sec. 3. A new section is added to chapter 43.59 RCW
31 to read as follows:

32 (1) The Washington state traffic safety commission shall establish
33 a program for administering grants for activities that train persons in
34 pedestrian safety and the safe and effective operation of bicycles, and
35 shall cooperate with the state Criminal Justice Training Commission,
36 Bicycle Federation of America, the League of American Bicyclists, state
37 and local bicycling organizations, local governments, public school

1 districts, or other appropriate public and private organizations in
2 developing and operating the grant program.

3 (2) The commission shall prescribe minimum qualifications for the
4 grant recipients. Grants will be made to programs that include
5 instruction concerning:

6 (a) The safe handling and use of bicycles;

7 (b) High-risk traffic situations;

8 (c) Bicycle and traffic handling skills;

9 (d) On-bike training;

10 (e) Correct use of bicycle helmets;

11 (f) Traffic laws and regulations; and

12 (g) The number and severity of injuries resulting from bicycling
13 accidents in Washington and nationally and the number and severity of
14 such bicycle/pedestrian interaction injuries among minors.

15 (3) Upon successful completion of the program, participants will
16 receive a bicycle or pedestrian safety education certificate signed by
17 an authorized instructor. The certificate is evidence of compliance
18 with this section.

19 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.59 RCW
20 to read as follows:

21 (1) The bicycle and pedestrian safety education account is created
22 in the state treasury. All receipts from the sales tax on bicycles
23 designated under RCW 82.08.020(3) must be deposited into the account.
24 Moneys in the account may be spent only after legislative
25 appropriation. Expenditures from the account may be used only for the
26 establishment and operation of programs to teach safe and effective
27 bicycling and walking created under section 3(1) of this act.

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

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

1 **Sec. 5.** RCW 28A.220.050 and 1986 c 93 s 4 are each amended to read
2 as follows:

3 The superintendent of public instruction shall include information
4 on the proper use of the left-hand lane by motor vehicles on multilane
5 highways and on bicyclists' and pedestrians' rights and
6 responsibilities in instructional material used in traffic safety
7 education courses.

8 **Sec. 6.** RCW 46.20.095 and 1986 c 93 s 3 are each amended to read
9 as follows:

10 The department shall include information on the proper use of the
11 left-hand lane by motor vehicles on multilane highways and on
12 bicyclists' and pedestrians' rights and responsibilities in its
13 instructional publications for drivers.

14 **Sec. 7.** RCW 46.82.430 and 1986 c 93 s 5 are each amended to read
15 as follows:

16 Instructional material used in driver training schools shall
17 include information on the proper use of the left-hand lane by motor
18 vehicles on multilane highways and on bicyclists' and pedestrians'
19 rights and responsibilities and suggested riding procedures in common
20 traffic situations.

21 **Sec. 8.** RCW 46.83.040 and 1961 c 12 s 46.83.040 are each amended
22 to read as follows:

23 It shall be the purpose of every traffic school which may be
24 established hereunder to instruct, educate, and inform all persons
25 appearing for training in the proper, lawful, and safe operation of
26 motor vehicles, including but not limited to rules of the road and the
27 limitations of persons, vehicles, and bicycles and roads, streets, and
28 highways under varying conditions and circumstances.

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

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

34 (2) There is levied and there shall be collected an additional tax
35 on each retail car rental, regardless of whether the vehicle is

1 licensed in this state, equal to five and nine-tenths percent of the
2 selling price. Ninety-one percent of the revenue collected under this
3 subsection shall be deposited and distributed in the same manner as
4 motor vehicle excise tax revenue collected under RCW 82.44.020(1).
5 Nine percent of the revenue collected under this subsection shall be
6 deposited in the transportation fund and distributed in the same manner
7 as motor vehicle excise tax revenue collected under RCW 82.44.020(2).

8 (3) In addition to the amount collected under subsection (1) of
9 this section, on each retail sale of a bicycle as defined in RCW
10 46.04.071, an additional amount equal to one percent of the selling
11 price is levied and must be collected. Seventy-five percent of the
12 revenue collected under this subsection must be deposited into the
13 bicycle and pedestrian safety education account established under
14 section 4(1) of this act, and distributed in the manner described in
15 section 4 (2) and (3) of this act. Twenty-five percent of the revenue
16 collected under this subsection must be deposited in the transportation
17 fund and distributed in the same manner as motor vehicle excise tax
18 revenue collected under RCW 82.44.020(2).

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

21 ~~((+4))~~ (5) The rates provided in this section apply to taxes
22 imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

23 **Sec. 10.** RCW 46.20.305 and 1965 ex.s. c 121 s 26 are each amended
24 to read as follows:

25 (1) The department, having good cause to believe that a licensed
26 driver is incompetent or otherwise not qualified to be licensed may
27 upon notice require him to submit to an examination.

28 (2) The department shall require the driver of a vehicle involved
29 in an accident resulting in the serious injury to or death of a person
30 to submit to an examination. The examination must be completed no
31 later than ninety days after the accident report required under RCW
32 46.52.030 is received by the department.

33 (3) The department may in addition to an examination under
34 subsection (1) or (2) of this section require such person to obtain a
35 certificate showing his condition signed by a licensed physician or
36 other proper authority designated by the department.

37 (4) Upon the conclusion of ~~((such))~~ an examination under this
38 section the department shall take driver improvement action as may be

1 appropriate and may suspend or revoke the license of such person or
2 permit him to retain such license, or may issue a license subject to
3 restrictions as permitted under RCW 46.20.041. The department may
4 suspend or revoke the license of such person who refuses or neglects to
5 submit to such examination.

6 (5) The department may require payment of a fee by a person subject
7 to examination under this section. The department shall set the fee in
8 an amount that is sufficient to cover the additional cost of
9 administering examinations required by this section.

10 **Sec. 11.** RCW 46.37.280 and 1987 c 330 s 713 are each amended to
11 read as follows:

12 (1) During the times specified in RCW 46.37.020, any lighted lamp
13 or illuminating device upon a motor vehicle, other than head lamps,
14 spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle
15 warning lamps, warning lamps authorized by the state patrol and school
16 bus warning lamps, which projects a beam of light of an intensity
17 greater than three hundred candlepower shall be so directed that no
18 part of the high intensity portion of the beam will strike the level of
19 the roadway on which the vehicle stands at a distance of more than
20 seventy-five feet from the vehicle.

21 (2) Except as required in RCW 46.37.190 no person shall drive or
22 move any vehicle or equipment upon any highway with any lamp or device
23 thereon displaying a red light visible from directly in front of the
24 center thereof.

25 (3) Flashing lights are prohibited except as required in RCW
26 46.37.190, 46.37.200, 46.37.210, 46.37.215, and 46.37.300, ((and))
27 warning lamps authorized by the state patrol, and light-emitting diode
28 flashing taillights on bicycles.

29 **Sec. 12.** RCW 46.61.780 and 1987 c 330 s 746 are each amended to
30 read as follows:

31 (1) Every bicycle when in use during the hours of darkness as
32 defined in RCW 46.37.020 shall be equipped with a lamp on the front
33 which shall emit a white light visible from a distance of at least five
34 hundred feet to the front and with a red reflector on the rear of a
35 type approved by the state patrol which shall be visible from all
36 distances from ((one hundred feet to)) six hundred feet to the rear
37 when directly in front of lawful lower beams of head lamps on a motor

1 vehicle. A lamp emitting a red light visible from a distance of five
2 hundred feet to the rear may be used in addition to the red reflector.
3 A light-emitting diode flashing taillight visible from a distance of
4 five hundred feet to the rear may also be used in addition to the red
5 reflector.

6 (2) Every bicycle shall be equipped with a brake which will enable
7 the operator to make the braked wheels skid on dry, level, clean
8 pavement.

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