
SENATE BILL 6222

State of Washington

55th Legislature

1998 Regular Session

By Senators Brown and West

Read first time . Referred to Committee on .

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, and 46.20.305;
3 adding new sections to chapter 43.59 RCW; and creating a new section.

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

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

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

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

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

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

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

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

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

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

5 (b) High-risk traffic situations;

6 (c) Bicycle and traffic handling skills;

7 (d) On-bike training;

8 (e) Correct use of bicycle helmets;

9 (f) Traffic laws and regulations; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (2) There is levied and there shall be collected an additional tax
33 on each retail car rental, regardless of whether the vehicle is
34 licensed in this state, equal to five and nine-tenths percent of the
35 selling price. Ninety-one percent of the revenue collected under this

1 subsection shall be deposited and distributed in the same manner as
2 motor vehicle excise tax revenue collected under RCW 82.44.020(1).
3 Nine percent of the revenue collected under this subsection shall be
4 deposited in the transportation fund and distributed in the same manner
5 as motor vehicle excise tax revenue collected under RCW 82.44.020(2).

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

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

19 ~~((4))~~ (5) The rates provided in this section apply to taxes
20 imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

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

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

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

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

35 (4) Upon the conclusion of ~~((such))~~ an examination under this
36 section the department shall take driver improvement action as may be
37 appropriate and may suspend or revoke the license of such person or
38 permit him to retain such license, or may issue a license subject to

1 restrictions as permitted under RCW 46.20.041. The department may
2 suspend or revoke the license of such person who refuses or neglects to
3 submit to such examination.

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

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