

# HOUSE BILL REPORT

## HB 2333

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### As Passed Legislature

**Title:** An act relating to rights and duties of bicyclists.

**Brief Description:** Clarifying rights and responsibilities of bicyclists.

**Sponsors:** Representatives Schual-Berke, Dickerson, Carlson, Hurst and D. Sommers.

**Brief History:**

**Committee Activity:**

Transportation: 1/26/00, 1/27/00 [DP].

**Floor Activity:**

Passed House: 2/8/00, 92-5.

Passed Senate: 2/29/00, 39-6.

Passed Legislature.

### Brief Summary of Bill

- Bicycle riders have the same status as pedestrians on sidewalks or in crosswalks.
- Procedures are provided for law enforcement when confronting a bicycle rider who is impaired by alcohol or drugs.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 24 members: Representatives Fisher, Democratic Co-Chair; Mitchell, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Mielke; Morris; Murray; Ogden; Pflug; Radcliff; Romero; Schindler; Scott; Skinner; Wood and Woods.

**Staff:** Penny Nerup (786-7335).

**Background:**

Currently, no statute identifies the legal status of bicyclists when they are on a sidewalk or in a crosswalk. In June 1999, the Washington Supreme Court found that the protection afforded pedestrians in crosswalks, marked or unmarked, was extended to bicyclists when they are within a crosswalk. There is also no law that provides guidance to law enforcement when confronting a bicycle rider who is impaired by alcohol or drugs.

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**Summary of Bill:**

This bill affects the rights and duties of bicyclists in two ways. First, the holding in Pudmaroff v. Allen, 138 Wn.2d 55 (1999), is codified. Bicyclists in a crosswalk have all the rights and duties of pedestrians; drivers of vehicles must yield the right-of-way. Similarly, bicyclists also have all the rights and duties of pedestrians on sidewalks. However, bicyclists must yield the right-of-way to pedestrians when they are in crosswalks or on sidewalks.

Second, law enforcement officers may transport bicyclists impaired by alcohol or any drug to a safe place or release the rider to a competent person. If assistance is refused by the rider, no lawsuit may later be brought against a governmental agency for acts resulting from the refusal. Procedures are identified under which an officer may impound an impaired rider's bicycle.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill will codify a recent ruling of the Washington Supreme Court.

**Testimony Against:** None.

**Testified:** (Support) Michael Temple, Bicycle Alliance of Washington; and John Moffat, Washington Traffic Safety Commission.