

# SENATE BILL REPORT

## HB 2333

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As of February 22, 2000

**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: 2/22/2000.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Michelle Chase (786-7305)

**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.

**Summary of Bill:** The rights and duties of bicyclists are affected 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.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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