

## **Transportation Committee**

### **HB 1238**

**Brief Description:** Allowing motorcycles to stop and proceed through traffic control signals under certain conditions.

**Sponsors:** Representatives Moscoso, Hargrove, Kirby, Shea, Moeller, Upthegrove, Hunt, Orcutt, Short, Tharinger, Sells, Kagi, Haler, Riccelli, Springer, Haigh, Morrell, Bergquist, Schmick, Magendanz, Vick, Reykdal, Parker, Roberts and Angel.

#### **Brief Summary of Bill**

- Allows motorcycles, under certain circumstances, to proceed through a vehicle-activated traffic control signal that is inoperable due to the size of the motorcycle.

**Hearing Date:** 2/5/13

**Staff:** Andrew Russell (786-7143).

#### **Background:**

The driver of a vehicle must obey every official traffic control device. Drivers must stop when a traffic signal shows a steady red indication, and they generally may not turn if the signal shows a steady red arrow in the direction of the turn. Failure to follow a traffic control device is a traffic infraction, which carries a fine of up to \$250.

At some intersections, vehicle-activated traffic control signals are used to regulate the flow of traffic. A vehicle-activated traffic control signal detects the presence of a motor vehicle, including a motorcycle or bicycle, in order to trigger a change in the signal phase. If such a control signal cannot reliably detect motorcycles or bicycles, the equipment must be adjusted. Generally, the vehicle-detection equipment is located immediately before the stop-line or crosswalk and in the middle of the lane. If the equipment is located somewhere else, it must be clearly marked.

#### **Summary of Bill:**

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If a vehicle-activated traffic control signal fails to detect the presence of a street legal motorcycle, the operator of the motorcycle may, while exercising due care, proceed through the traffic signal. The operator may do so, however, only after he or she has come to a full and complete stop at the intersection and has waited for the signal to go through a full cycle. In proceeding, the operator may go through the intersection or may turn left, as appropriate. Finally, it is not a defense to a violation if the operator incorrectly believed that a traffic signal was vehicle-activated, when it was not, or that the vehicle-activated traffic control signal was inoperative due to the size of the motorcycle, when it was not.

**Appropriation:** None.

**Fiscal Note:** Requested on January 26, 2013.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.