

# SENATE BILL REPORT

## SB 5263

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As of February 1, 2013

**Title:** An act relating to motorcycles overtaking and passing pedestrians and bicyclists.

**Brief Description:** Concerning motorcycles overtaking and passing pedestrians and bicyclists.

**Sponsors:** Senators Benton and King.

**Brief History:**

**Committee Activity:** Transportation: 1/31/13.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Kim Johnson (786-7472)

**Background:** Under current law, motorcycle operators are prohibited from overtaking and passing a vehicle that is in the same lane as the motorcycle.

**Summary of Bill:** The operator of a motorcycle may overtake and pass a pedestrian or bicyclist that is occupying the same lane as the operator; provided that the motorcycle passes to the left at a safe distance to clearly avoid coming into contact with the pedestrian or bicyclist and does not return to the right side of the roadway until safely clear of the overtaken pedestrian or bicyclist.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: This is really a clean up bill. With the increase in use of the sharrows lane designation over the past couple of years by local governments to indicate shared lanes of traffic with motor vehicles and bicyclists, we have discovered that our statute needs to be updated. If cars and buses can pass a bicyclist and pedestrian in a sharrows lane situation then it makes sense to also allow motorcyclists to pass. This bill will help out in rural areas just as much as urban areas. Going up Chinook Pass I

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have been caught behind a bicyclist and it is not safe for me to just enter into an oncoming traffic lane to pass, and there is plenty of room in the same lane to pass the bicyclists safely. We all support the amendatory language being proposed by the bicyclist groups that would define safely pass to mean at least three feet in these situations. At least 22 other states have a three-foot rule passing distance.

**Persons Testifying:** PRO: Senator Don Benton, prime sponsor; Larry Walker, WA Road Riders Assn.; Donnie Landsman, Bikers of Lesser Tolerance, A Brotherhood Against Totalitarian Enactments (ABATE); Timothy McCall, Scott Robinson, ABATE; Mathew Green, Cascade Bicycle Club.