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HOUSE BILL 1081

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Morris, R. Fisher, Braddock, Winsley, Moyer, Paris, Day, G. Fisher, Prentice, H. Sommers, Cooper, R. Johnson, Rust, Dellwo, Pruitt, Phillips, Sprenkle, Riley, Wineberry, Basich, Jacobsen, Leonard, Roland, Bowman, Brekke, Orr, Appelwick and Anderson.

Read first time January 18, 1991.                      Referred to Committee on Transportation.

1            AN ACT Relating to bicycle safety; amending RCW 46.04.670,  
2 46.61.990, and 46.37.480; adding a new section to chapter 47.36 RCW;  
3 adding a new section to chapter 43.43 RCW; adding new sections to  
4 chapter 47.04 RCW; creating a new section; and making an appropriation.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 43.43 RCW  
7 to read as follows:

8            Bicycling is increasing in popularity as a form of recreation and  
9 as an alternative mode of transportation. To make bicycling safer, the  
10 various law enforcement agencies should enforce traffic regulations for  
11 bicyclists. By enforcing bicycle regulations, law enforcement officers  
12 are reinforcing educational programs. Bicycling takes more skill than  
13 most people realize. Since bicyclists have a low profile in traffic  
14 and are unprotected, they need more defensive riding skills than  
15 motorists do.

1 A bicycle awareness program is created within the Washington state  
2 patrol. In developing the curriculum for the bicycle awareness program  
3 the patrol shall consult with the traffic safety commission and with  
4 bicycling groups providing bicycle safety education. The patrol shall  
5 conduct the program in conjunction with the safety education officer  
6 program and may use other law enforcement personnel and volunteers to  
7 implement the program for children in grades kindergarten through six.  
8 The patrol shall ensure that each safety educator presenting the  
9 bicycle awareness program has received specialized training in bicycle  
10 safety education and has been trained in effective defensive bicycle  
11 riding skills.

12 **Sec. 2.** RCW 46.04.670 and 1979 ex.s. c 213 s 4 are each amended to  
13 read as follows:

14 "Vehicle" includes every device capable of being moved upon a  
15 public highway and in, upon, or by which any persons or property is or  
16 may be transported or drawn upon a public highway, ~~((excepting))~~  
17 including bicycles. The term does not include devices other than  
18 bicycles moved by human or animal power or used exclusively upon  
19 stationary rails or tracks(~~(, except that)~~). Mopeds shall be  
20 considered vehicles or motor vehicles only for the purposes of chapter  
21 46.12 RCW(~~(, but)~~). Bicycles shall not be considered vehicles for the  
22 purposes of chapter 46.12 or 46.70 RCW.

23 **Sec. 3.** RCW 46.61.990 and 1965 ex.s. c 155 s 92 are each amended  
24 to read as follows:

25 Sections 1 through 52 and 54 through 86 of ~~((this amendatory act))~~  
26 chapter 155, Laws of 1965 ex. sess. are added to chapter 12, Laws of  
27 1961 and shall constitute a new chapter in Title 46 of the Revised Code  
28 of Washington and sections 54, 55, and 63 as herein amended and RCW

1 46.48.012, 46.48.014, 46.48.015, 46.48.016, 46.48.023, 46.48.025,  
2 46.48.026, 46.48.041, 46.48.046, 46.48.050, 46.48.060, 46.48.080,  
3 46.48.110, 46.48.120, 46.48.150, 46.48.160, 46.48.340, 46.56.030,  
4 46.56.070, 46.56.100, 46.56.130, 46.56.135, 46.56.190, 46.56.200,  
5 46.56.210, 46.56.220, 46.56.230, 46.56.240, 46.60.260, 46.60.270,  
6 46.60.330, and 46.60.340 shall be recodified as and be a part of said  
7 chapter. The sections of the new chapter shall be organized under the  
8 following captions: "OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS",  
9 "TRAFFIC SIGNS, SIGNALS AND MARKINGS", "DRIVING ON RIGHT SIDE OF  
10 ROADWAY--OVERTAKING AND PASSING--USE OF ROADWAY", "RIGHT OF WAY",  
11 "PEDESTRIANS' RIGHTS AND DUTIES", "TURNING AND STARTING AND SIGNALS ON  
12 STOPPING AND TURNING", "SPECIAL STOPS REQUIRED", "SPEED RESTRICTIONS",  
13 "RECKLESS DRIVING, DRIVING WHILE INTOXICATED AND NEGLIGENT HOMICIDE BY  
14 VEHICLE", "STOPPING, STANDING AND PARKING", "MISCELLANEOUS RULES", and  
15 "OPERATION OF ((BICYCLES AND PLAY)) NONMOTORIZED VEHICLES". Such  
16 captions shall not constitute any part of the law.

17 NEW SECTION. **Sec. 4.** The installation of painted reflective  
18 stripes along the right edge of roadways can enhance both bicycle and  
19 pedestrian safety, but certain types of reflective materials, such as  
20 raised pavement markers can cause bicyclists to lose control of their  
21 vehicles and fall into the path of oncoming motor vehicle traffic.  
22 Therefore it is appropriate to develop minimum guidelines for the  
23 installation of reflective edgestripes along urban and rural arterials.

24 NEW SECTION. **Sec. 5.** A new section is added to chapter 47.36 RCW  
25 to read as follows:

26 The department of transportation shall, by January 1, 1992, adopt  
27 minimum edgestriping standards for principal and minor arterials and  
28 collector streets that do not have curbs or sidewalks and are inside

1 urbanized areas or in other areas deemed appropriate by the department.  
2 Such arterial and collector streets shall be edgestriped in accordance  
3 with the standards by July 1, 1994. The standards shall not require  
4 edgestriping in any situation where the result would be a remaining  
5 lane width of eight feet, six inches or less.

6 For the purposes of this section, "urbanized area" means an area  
7 designated as such by the United States bureau of census and having a  
8 population of more than fifty thousand. Other jurisdictions which  
9 install edgestriping material shall do so in a manner not in conflict  
10 with the minimum state standard.

11 **Sec. 6.** RCW 46.37.480 and 1988 c 227 s 6 are each amended to read  
12 as follows:

13 (1) No person shall drive any motor vehicle equipped with any  
14 television viewer, screen, or other means of visually receiving a  
15 television broadcast which is located in the motor vehicle at any point  
16 forward of the back of the driver's seat, or which is visible to the  
17 driver while operating the motor vehicle.

18 (2) No person shall operate any bicycle or motor vehicle on a  
19 public highway while wearing any headset or earphones connected to any  
20 electronic device capable of receiving a radio broadcast or playing a  
21 sound recording for the purpose of transmitting a sound to the human  
22 auditory senses and which headset or earphones muffle or exclude other  
23 sounds to both ears. This subsection does not apply to students and  
24 instructors participating in a Washington state motorcycle safety  
25 program.

26 (3) This section does not apply to authorized emergency vehicles.

27 NEW SECTION. **Sec. 7.** A new section is added to chapter 47.04 RCW  
28 to read as follows:

1 (1) The department of transportation is responsible for the  
2 initiation, coordination, and operation of a bicycle transportation  
3 management program.

4 (2) To assist the department in the operation of the bicycle  
5 transportation management program, a full-time staff position of state  
6 bicycle program manager is established.

7 NEW SECTION. **Sec. 8.** A new section is added to chapter 47.04 RCW  
8 to read as follows:

9 The state bicycle program manager shall:

10 (1) Design programs that encourage the use of bicycling for  
11 transportation;

12 (2) Coordinate bicycle safety related programs and bicycle tourism  
13 programs in all state agencies;

14 (3) Assist the department of transportation and the cities and  
15 counties of the state in assigning priorities to, programming, and  
16 developing bicycle-related projects;

17 (4) Serve as a clearinghouse for bicycle program information and  
18 resources;

19 (5) Provide assistance in revising and updating bicycle material of  
20 the superintendent of public instruction and the state patrol;

21 (6) Develop a grant program to distribute funds to local agencies  
22 in areas with high bicycle accident rates to create bicycle programs;

23 (7) Promote the use of bicycle helmets of a type certified to meet  
24 the requirements of standard Z-90.4 of the American National Standards  
25 Institute or such subsequent nationally recognized standard for bicycle  
26 helmet performance; and

27 (8) Promote bicycle safety equipment.

1        NEW SECTION.    **Sec. 9.**        The sum of one hundred fifty thousand  
2 dollars, or so much thereof as may be necessary, is appropriated from  
3 the transportation fund to the department of transportation for the  
4 fiscal biennium ending June 30, 1993, to carry out the purposes of  
5 section 8 of this act.