
ENGROSSED SUBSTITUTE HOUSE BILL 1081

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Transportation (originally sponsored 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 February 22, 1991.

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

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 not for the purposes of chapter 46.70 RCW. Bicycles
22 shall not be considered vehicles for the purposes of chapter 46.12,
23 46.16, or 46.70 RCW.

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

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

1 of Washington and sections 54, 55, and 63 as herein amended and RCW
2 46.48.012, 46.48.014, 46.48.015, 46.48.016, 46.48.023, 46.48.025,
3 46.48.026, 46.48.041, 46.48.046, 46.48.050, 46.48.060, 46.48.080,
4 46.48.110, 46.48.120, 46.48.150, 46.48.160, 46.48.340, 46.56.030,
5 46.56.070, 46.56.100, 46.56.130, 46.56.135, 46.56.190, 46.56.200,
6 46.56.210, 46.56.220, 46.56.230, 46.56.240, 46.60.260, 46.60.270,
7 46.60.330, and 46.60.340 shall be recodified as and be a part of said
8 chapter. The sections of the new chapter shall be organized under the
9 following captions: "OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS",
10 "TRAFFIC SIGNS, SIGNALS AND MARKINGS", "DRIVING ON RIGHT SIDE OF
11 ROADWAY--OVERTAKING AND PASSING--USE OF ROADWAY", "RIGHT OF WAY",
12 "PEDESTRIANS' RIGHTS AND DUTIES", "TURNING AND STARTING AND SIGNALS ON
13 STOPPING AND TURNING", "SPECIAL STOPS REQUIRED", "SPEED RESTRICTIONS",
14 "RECKLESS DRIVING, DRIVING WHILE INTOXICATED AND NEGLIGENT HOMICIDE BY
15 VEHICLE", "STOPPING, STANDING AND PARKING", "MISCELLANEOUS RULES", and
16 "OPERATION OF ((BICYCLES AND PLAY)) NONMOTORIZED VEHICLES". Such
17 captions shall not constitute any part of the law.

18 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.36 RCW
19 to read as follows:

20 The department of transportation shall, by January 1, 1992, adopt
21 minimum pavement marking standards for the area designating the limits
22 of the vehicle driving lane along the right edge for arterials that do
23 not have curbs or sidewalks and are inside urbanized areas. In
24 preparing the standards, the department of transportation shall take
25 into consideration all types of pavement markings, including flat,
26 raised, and recessed markings, and their effect on pedestrians,
27 bicycle, and motor vehicle safety.

28 The standards shall provide that a jurisdiction shall conform to
29 these requirements, at such time thereafter that it undertakes to (1)

1 renew or install permanent markings on the existing or new roadway, and
2 (2) remove existing nonconforming raised pavement markers at the time
3 the jurisdiction prepares to resurface the roadway, or earlier, at its
4 option. These standards shall be in effect, as provided in this
5 section, unless the legislative authority of the local governmental
6 body finds that special circumstances exist affecting vehicle and
7 pedestrian safety that warrant a variance to the standard.

8 For the purposes of this section, "urbanized area" means an area
9 designated as such by the United States bureau of census and having a
10 population of more than fifty thousand. Other jurisdictions that
11 install pavement marking material on the right edge of the roadway
12 shall do so in a manner not in conflict with the minimum state
13 standard.

14 NEW SECTION. **Sec. 5.** A new section is added to chapter 47.04 RCW
15 to read as follows:

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

19 (2) To assist in the operation of the bicycle transportation
20 management program, a full-time staff position of state bicycle program
21 manager is established within the department of transportation.

22 NEW SECTION. **Sec. 6.** A new section is added to chapter 47.04 RCW
23 to read as follows:

24 The state bicycle program manager shall:

25 (1) Design programs that encourage the use of bicycling for
26 transportation;

27 (2) Coordinate bicycle safety related programs and bicycle tourism
28 programs in all state agencies;

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

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

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

8 (6) Promote the use of bicycle helmets of a type certified to meet
9 the requirements of standard Z-90.4 of the American National Standards
10 Institute or such subsequent nationally recognized standard for bicycle
11 helmet performance; and

12 (7) Promote bicycle safety equipment.