

# SENATE BILL REPORT

## SB 5438

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As Reported by Senate Committee On:  
Transportation, February 4, 2015

**Title:** An act relating to allowing bicycles to stop and proceed through traffic control signals under certain conditions.

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

**Sponsors:** Senators King, Hobbs, Dammeier, Rolfes, Hill, Rivers, Lias, Mullet, Billig and Pedersen.

**Brief History:**

**Committee Activity:** Transportation: 2/03/15, 2/04/15 [DPS].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5438 be substituted therefor, and the substitute bill do pass.

Signed by Senators King, Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Lias, Assistant Ranking Minority Member; Cleveland, Habib, Jayapal, Pedersen and Rivers.

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

**Background:** Generally, all vehicle operators must obey traffic control devices, including traffic signals at intersections. Some of these traffic signals are equipped with sensors that determine when a vehicle approaches the intersection. Once detected by the sensor, the traffic signal will initiate a change in, or extension of, a traffic signal phase, for instance, a change from a red light to green.

However, if a motorcyclist approaches an intersection, including a left turn intersection, controlled by a triggered traffic control signal using a vehicle detection device, and that signal is inoperative due to the size of the motorcycle, the motorcyclist must come to a complete stop. If the signal fails to operate after one cycle, the motorcyclist may proceed through the intersection or turn left after exercising due care.

It is not a defense to a traffic citation for failure to obey a traffic control signal when a motorcyclist proceeds under the belief that a traffic control signal used a vehicle detection

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device, when it did not; or a traffic control signal was inoperative due to the size of the motorcycle, when the device was in fact operative.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Recommended Substitute):** The operators of mopeds, bicycles, and electric-assisted bicycles are authorized to stop and proceed through a traffic control signal under the same requirements and restrictions as motorcycles.

For the criteria of whether the vehicle detection device was inoperable because of the composition of the bicycle, an electric-assisted bicycle or motorcycle is also added.

**EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute):** Mopeds are also authorized to stop and proceed through a traffic control signal under the same requirements and restrictions.

**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 on Proposed Substitute as Heard in Committee:**  
PRO: The act is a simple common sense procedure to give bicyclists the same authority as motorcyclists have to safely proceed through an intersection when the detection device does not recognize the bike or motorcycle. Older traffic signals still fail to recognize bicycles. This bill builds on recent legislation. It provides clear protocol for the operator of a bicycle to follow and requires the operator to come to a complete stop. We hope that in the future all traffic signals will recognize bikes and motorcycles and then this language will be unnecessary, but until then this is important.

OTHER: The Washington State Patrol (WSP) has concerns from a public safety standpoint and an enforcement standpoint. Bicyclists are not required to wear helmets and move at a much slower pace than motorcyclists and therefore are more vulnerable to being struck and are not able to get out of the way and avoid collisions.

**Persons Testifying:** PRO: Blake Trask, WA Bikes, Policy Director; Timothy McCall, A Brotherhood Against Totalitarian Enactments.

OTHER: Rob Huss, WSP.