

# HOUSE BILL REPORT

## SB 5687

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to certain traffic safety improvements.

**Brief Description:** Addressing certain traffic safety improvements.

**Sponsors:** Senators Wilson, C., Lias, Billig, Das, Nguyen, Pedersen, Saldaña and Stanford.

**Brief History:**

**Committee Activity:**

Transportation: 2/25/22, 2/28/22 [DP].

**Brief Summary of Bill**

- Extends the authority to establish a maximum speed limit of 20 miles per hour (mph) on a non-arterial highway from cities and towns to all local authorities, and from non-arterial highways in residential and business districts, to all non-arterial highways.
- Authorizes the Washington State Department of Transportation to establish a maximum speed limit of 20 mph on a non-arterial state highway without making a determination based on an engineering and traffic investigation.
- Requires a pedestrian to exercise due care when walking or moving along a roadway to avoid colliding with a vehicle.
- Authorizes the use of automated traffic safety cameras to detect speed violations on roadways in school walk areas.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 15 members: Representatives Fey, Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Berry, Donaghy, Duerr, Entenman,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Hackney, Paul, Ramel, Riccelli, Slatter, Taylor, Valdez and Wicks.

**Minority Report:** Do not pass. Signed by 12 members: Representatives Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Dent, Goehner, Griffey, Klicker, McCaslin, Orcutt, Sutherland and Walsh.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Chapman.

**Staff:** Jennifer Harris (786-7143).

### **Background:**

#### Maximum Speed Limits.

Except where a special hazard exists that requires a lower speed limit and as specified below, speed limits are set at:

- 25 miles per hour (mph) on city and town streets;
- 50 mph on county roads; and
- 60 mph on state highways.

When a local authority determines, based on an engineering and traffic investigation, that the maximum speed permitted on a roadway within its jurisdiction is greater or less than is reasonable and safe for a highway or part of a highway, the local authority may set a reasonable and safe maximum speed limit that:

1. decreases the limit at intersections;
2. increases the limit up to 60 mph; or
3. decreases the limit to as low as 20 mph.

Local authorities must determine, through the use of an engineering and traffic investigation, the proper maximum speed for all arterial streets within their jurisdiction, which may be greater or less than the maximum speed permitted, but which may not exceed 60 mph. Arterial roads include the interstate system, freeways, multi-lane highways, and roads that connect principal urbanized areas, cities, and industrial centers. "Local authorities" includes every county, municipal, and other local public board or body having authority to adopt local police regulations.

Cities or towns may establish a maximum speed of 20 mph on a non-arterial or part of a non-arterial highway (a local or collector street) that is within a residential or business district. Cities or towns do not need to select a maximum speed based on an engineering and traffic investigation if the city or town has developed procedures for establishing a maximum speed limit. Any speed limit established for a non-arterial highway may be removed within one year and the previous speed limit reestablished without an engineering and traffic investigation. Cities and towns must consult the Manual on Uniform Traffic

Control Devices as adopted by the Washington State Department of Transportation (WSDOT).

When the WSDOT determines, based on an engineering and traffic investigation, that any maximum speed on a state highway is greater than is reasonable or safe under the conditions found to exist at an intersection or on any other part of the state highway system or at state ferry terminals, the WSDOT may declare a reasonable and safe lower maximum speed limit.

#### Pedestrian Traffic Regulation.

Where sidewalks are provided and are accessible, it is unlawful for any pedestrian to walk or otherwise move along and on an adjacent roadway. When sidewalks are not provided or are inaccessible, a pedestrian walking or moving along and on a highway is required to:

- when shoulders are provided and are accessible, walk on the shoulder of the roadway as far as is practicable from its edge—facing traffic when a shoulder is available in this direction; or
- when shoulders are not provided or are inaccessible, walk as near as is practicable to the outside edge of the roadway facing traffic, and when practicable, move clear of the roadway on meeting an oncoming vehicle.

#### Automated Traffic Safety Cameras.

The use of automated traffic safety cameras is permitted at red light intersections that meet minimum yellow change interval requirements, at railroad crossings, and in school speed zones, if the following criteria are met:

1. The local legislative authority with jurisdiction where the cameras are to be located prepares an analysis of the locations within the jurisdiction where automated traffic safety cameras are proposed to be located before enacting an ordinance authorizing their use and before adding additional cameras or relocating any existing camera.
2. An ordinance is enacted in cities and counties with automated traffic safety cameras installed on or after July 24, 2005, that includes the restrictions required by state law and provisions for public notice and signage.
3. The location where the camera has been installed is clearly marked at least 30 days prior to activation of the camera through the placement of signs at that location that follow federal guidelines as adopted by the WSDOT.
4. Cities and counties using traffic safety cameras post an annual report on their websites that includes the number of traffic collisions that occurred at each location with a camera, the number of notices of traffic infractions issued for each camera, and any other relevant information.

The use of automated traffic safety cameras to detect speed violations is highly restricted (with the exception of cameras in school speed zones), and must meet the following criteria:

1. be located in a city west of the Cascade mountains with a population greater than

- 195,000, within a county with a population of fewer than 1.5 million;
2. be the only such camera located in a city that meets the above criteria; and
3. have been authorized by the Legislature as a pilot project for at least one full year.

Currently, only one camera meets these requirements, and it is located in the City of Tacoma.

With the exception of the camera located in the City of Tacoma, automated traffic safety cameras may only be located:

- at intersections of two arterials with traffic control signals that meet state yellow change interval duration requirements;
- at railroad crossings; and
- in school speed zones.

A pilot program is in effect through June 30, 2023, which authorizes cities with populations greater than 500,000 people to adopt an ordinance authorizing the use of automated traffic safety cameras to detect one or more of the following violations:

- stopping at intersection or crosswalk (20-intersection maximum, see below for details);
- stopping when traffic obstructed;
- public transportation only lane; and
- stopping or traveling in a restricted lane.

Stopping at intersection or crosswalk violations may only be enforced at the 20 intersections where the city would most like to address safety concerns related to these violations.

The use of automated traffic safety cameras for the pilot program is limited to the following locations:

1. the portion of state and local roadways in downtown areas used for office, commercial, retail shopping, support services, and mixed residential uses;
2. the portion of state and local roadways in areas within one-half mile north of the boundary of the downtown areas specified in (1) above;
3. the portion of non-interstate freeways that travel into and out of the surrounding area north of the downtown boundary identified in (2) above for up to 4 miles; and
4. the portion of roadway systems connected to these non-interstate freeway segments that are arterial roadways for up to 1 mile from their intersection with the non-interstate freeways specified above.

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### **Summary of Bill:**

The authority to establish a maximum speed limit of 20 mph on a non-arterial highway or part of a non-arterial highway is extended from cities and towns to all local authorities, and from applying only to non-arterial highways in residential and business districts to applying

to all non-arterial highways.

The WSDOT may establish a maximum speed limit of 20 mph on a non-arterial state highway, or part of a non-arterial state highway, without making a determination based on an engineering and traffic investigation, subject to requirements for doing so that apply to local authorities.

When walking or moving along and on an adjacent roadway, a pedestrian is required to exercise due care to avoid colliding with a vehicle on the roadway.

Rules relating to the use of sidewalks, shoulders, and the outside edge of a roadway by a pedestrian do not apply when a roadway is closed to vehicular traffic through the placement of official traffic control devices that restrict its use to pedestrians and bicyclists.

Automated traffic safety cameras may be used to detect speed violations on any roadway in a school walk area. A school "walk area" is defined as the area around a school with an adequate roadway configuration to provide students access to school with a walking distance of less than 1 mile, with mileage measured along the shortest roadway or maintained public walkway where hazardous conditions (including roadway, environmental, and social conditions) are not present.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 22, 2022.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 5, which, because of a double amendment, takes effect June 30, 2023.

**Staff Summary of Public Testimony:**

(In support) This bill is based on recommendations of the Cooper Jones Active Transportation Safety Council. The bill does three major things. It expands the ability of local authorities to adjust the maximum speed limit of roads without conducting a traffic and engineering study. It requires pedestrians to exercise due care to avoid vehicles, underscoring the need to better instruct pedestrians on what they need to do as roadway users. It also allows traffic cameras to be used in school walk areas to protect children traveling to and from school.

This bill will provide cities with new tools to address the impacts of speed and speeding. The expansion of cameras in school walk areas will change driver behavior and improve safety, reducing the likelihood and severity of collisions. This is an unbiased and efficient way to enforce speed limits.

(Opposed) None.

**Persons Testifying:** Senator Claire Wilson, prime sponsor; and Josh Diekmann, City of Tacoma.

**Persons Signed In To Testify But Not Testifying:** None.