

2 **ESHB 2439** - S COMM AMD  
3 By Committee on Transportation

4 ADOPTED 3/5/98

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** This act may be known and cited as the  
8 Cooper Jones Act.

9 **Sec. 2.** RCW 43.59.010 and 1967 ex.s. c 147 s 1 are each amended to  
10 read as follows:

11 (1) The purpose of this chapter is to establish a new agency of  
12 state government to be known as the Washington traffic safety  
13 commission. The functions and purpose of this commission shall be to  
14 find solutions to the problems that have been created as a result of  
15 the tremendous increase of motor vehicles on our highways and the  
16 attendant traffic death and accident tolls; to plan and supervise  
17 programs for the prevention of accidents on streets and highways  
18 including but not limited to educational campaigns designed to reduce  
19 traffic accidents in cooperation with all official and unofficial  
20 organizations interested in traffic safety; to coordinate the  
21 activities at the state and local level in the development of state-  
22 wide and local traffic safety programs; to promote a uniform  
23 enforcement of traffic safety laws and establish standards for  
24 investigation and reporting of traffic accidents; to promote and  
25 improve driver education; and to authorize the governor to perform all  
26 functions required to be performed by him under the federal Highway  
27 Safety Act of 1966 (Public Law 89-564; 80 Stat. 731).

28 (2) The legislature finds and declares that bicycling and walking  
29 are becoming increasingly popular in Washington as clean and efficient  
30 modes of transportation, as recreational activities, and as organized  
31 sports. Future plans for the state's transportation system will  
32 require increased access and safety for bicycles and pedestrians on our  
33 common roadways, and federal transportation legislation and funding  
34 programs have created strong incentives to implement these changes  
35 quickly. As a result, many more people are likely to take up bicycling

1 in Washington both as a leisure activity and as a convenient,  
2 inexpensive form of transportation. Bicyclists are more vulnerable to  
3 injury and accident than motorists, and should be as knowledgeable as  
4 possible about traffic laws, be highly visible and predictable when  
5 riding in traffic, and be encouraged to wear bicycle safety helmets.  
6 Hundreds of bicyclists and pedestrians are seriously injured every year  
7 in accidents, and millions of dollars are spent on health care costs  
8 associated with these accidents. There is clear evidence that  
9 organized training in the rules and techniques of safe and effective  
10 cycling can significantly reduce the incidence of serious injury and  
11 accidents, increase cooperation among road users, and significantly  
12 increase the incidence of bicycle helmet use, particularly among  
13 minors.

14 NEW SECTION. Sec. 3. A new section is added to chapter 43.59 RCW  
15 to read as follows:

16 (1) The Washington state traffic safety commission shall establish  
17 a program for improving bicycle and pedestrian safety, and shall  
18 cooperate with the state criminal justice training commission, bicycle  
19 federation of America, the league of American bicyclists, state and  
20 local bicycling organizations, local governments, public school  
21 districts, or other appropriate public and private organizations in  
22 developing and operating programs to improve bicycle and pedestrian  
23 safety.

24 (2) The commission shall prescribe minimum qualifications for the  
25 grant recipients.

26 (3) The commission will form an advisory group of bicycle and  
27 pedestrian safety stakeholders to assist the director in:

28 (a) Establishing standards and criteria for traffic safety grants  
29 and reviewing the merits of grant applications submitted;

30 (b) Determining the most effective programs available to improve  
31 bicycle and pedestrian safety; and

32 (c) Establishing state pedestrian and bicycle safety goals and  
33 performance measures.

34 (4) Upon successful completion of a safety training program,  
35 participants will receive a bicycle or pedestrian safety education  
36 certificate signed by an authorized instructor. The certificate is  
37 evidence of compliance with this section.

1 (5) State agencies, political subdivisions of the state, and  
2 nonprofit organizations, including but not limited to bicycling groups  
3 and community and civic organizations, are eligible for grant funds on  
4 a matching basis under the program established in subsection (1) of  
5 this section. All entities receiving matching funds must provide a  
6 regularly scheduled program complying with standards established by the  
7 traffic safety commission. Bicycle organizations are encouraged to  
8 make donations to the matching grant program.

9 **Sec. 4.** RCW 48.02.190 and 1987 c 505 s 54 are each amended to read  
10 as follows:

11 (1) As used in this section:

12 (a) "Organization" means every insurer, as defined in RCW  
13 48.01.050, having a certificate of authority to do business in this  
14 state and every health care service contractor registered to do  
15 business in this state. "Class one" organizations shall consist of all  
16 insurers as defined in RCW 48.01.050. "Class two" organizations shall  
17 consist of all organizations registered under provisions of chapter  
18 48.44 RCW.

19 (b) "Receipts" means (i) net direct premiums consisting of direct  
20 gross premiums, as defined in RCW 48.18.170, paid for insurance written  
21 or renewed upon risks or property resident, situated, or to be  
22 performed in this state, less return premiums and premiums on policies  
23 not taken, dividends paid or credited to policyholders on direct  
24 business, and premiums received from policies or contracts issued in  
25 connection with qualified plans as defined in RCW 48.14.021, and (ii)  
26 prepayments to health care service contractors as set forth in RCW  
27 48.44.010(3) less experience rating credits, dividends, prepayments  
28 returned to subscribers, and payments for contracts not taken.

29 (2) The annual cost of operating the office of insurance  
30 commissioner shall be determined by legislative appropriation. A pro  
31 rata share of the cost shall be charged to all organizations. Each  
32 class of organization shall contribute sufficient in fees to the  
33 insurance commissioner's regulatory account to pay the reasonable  
34 costs, including overhead, of regulating that class of organization.

35 (3) Fees charged shall be calculated separately for each class of  
36 organization. The fee charged each organization shall be that portion  
37 of the cost of operating the insurance commissioner's office, for that  
38 class of organization, for the ensuing fiscal year that is represented

1 by the organization's portion of the receipts collected or received by  
2 all organizations within that class on business in this state during  
3 the previous calendar year: PROVIDED, That the fee shall not exceed  
4 one-eighth of one percent of receipts: PROVIDED FURTHER, That the  
5 minimum fee shall be one thousand dollars.

6 (4) The commissioner shall annually, on or before June 1, calculate  
7 and bill each organization for the amount of its fee. Fees shall be  
8 due and payable no later than June 15 of each year: PROVIDED, That if  
9 the necessary financial records are not available or if the amount of  
10 the legislative appropriation is not determined in time to carry out  
11 such calculations and bill such fees within the time specified, the  
12 commissioner may use the fee factors for the prior year as the basis  
13 for the fees and, if necessary, the commissioner may impose  
14 supplemental fees to fully and properly charge the organizations. The  
15 penalties for failure to pay fees when due shall be the same as the  
16 penalties for failure to pay taxes pursuant to RCW 48.14.060. The fees  
17 required by this section are in addition to all other taxes and fees  
18 now imposed or that may be subsequently imposed.

19 (5) All moneys collected shall be deposited in the insurance  
20 commissioner's regulatory account in the state treasury which is hereby  
21 created.

22 (6) Appropriations may be made from the insurance commissioner's  
23 regulatory account for the purposes of bicycle and pedestrian safety  
24 programs under section 3 of this act.

25 (7) Unexpended funds in the insurance commissioner's regulatory  
26 account at the close of a fiscal year shall be carried forward in the  
27 insurance commissioner's regulatory account to the succeeding fiscal  
28 year and shall be used to reduce future fees.

29 NEW SECTION. Sec. 5. A new section is added to chapter 43.59 RCW  
30 to read as follows:

31 The traffic safety commission, acting jointly with the department  
32 of licensing and the superintendent of public instruction, shall  
33 develop a curriculum for bicycle safety education. The commission may  
34 develop a video presentation to accompany this curriculum.

35 NEW SECTION. Sec. 6. A new section is added to chapter 46.20 RCW  
36 to read as follows:

1 The department of licensing shall incorporate a section on bicycle  
2 safety and sharing the road into its instructional publications for  
3 drivers and shall include questions in the written portion of the  
4 driver's license examination on bicycle safety and sharing the road  
5 with bicycles.

6 **Sec. 7.** RCW 46.20.095 and 1986 c 93 s 3 are each amended to read  
7 as follows:

8 The department shall include information on the proper use of the  
9 left-hand lane by motor vehicles on multilane highways and on  
10 bicyclists' and pedestrians' rights and responsibilities in its  
11 instructional publications for drivers.

12 **Sec. 8.** RCW 46.82.430 and 1986 c 93 s 5 are each amended to read  
13 as follows:

14 Instructional material used in driver training schools shall  
15 include information on the proper use of the left-hand lane by motor  
16 vehicles on multilane highways and on bicyclists' and pedestrians'  
17 rights and responsibilities and suggested riding procedures in common  
18 traffic situations.

19 **Sec. 9.** RCW 46.83.040 and 1961 c 12 s 46.83.040 are each amended  
20 to read as follows:

21 It shall be the purpose of every traffic school which may be  
22 established hereunder to instruct, educate, and inform all persons  
23 appearing for training in the proper, lawful, and safe operation of  
24 motor vehicles, including but not limited to rules of the road and the  
25 limitations of persons, vehicles, and bicycles and roads, streets, and  
26 highways under varying conditions and circumstances.

27 **Sec. 10.** RCW 46.52.070 and 1967 c 32 s 57 are each amended to read  
28 as follows:

29 (1) Any police officer of the state of Washington or of any county,  
30 city, town or other political subdivision, present at the scene of any  
31 accident or in possession of any facts concerning any accident whether  
32 by way of official investigation or otherwise shall make report thereof  
33 in the same manner as required of the parties to such accident and as  
34 fully as the facts in his possession concerning such accident will  
35 permit.

1       (2) The police officer shall report to the department, on a form  
2 prescribed by the director: (a) When an accident has occurred that  
3 results in a fatality or serious injury; (b) the identity of the  
4 operator of a vehicle involved in the accident when the officer has  
5 reasonable grounds to believe the operator who caused the fatality or  
6 serious injury may not be competent to operate a motor vehicle; and (c)  
7 the reason or reasons for such belief.

8       **Sec. 11.** RCW 46.52.100 and 1995 c 219 s 3 are each amended to read  
9 as follows:

10       Every district court, municipal court, and clerk of superior court  
11 shall keep or cause to be kept a record of every traffic complaint,  
12 traffic citation, notice of infraction, or other legal form of traffic  
13 charge deposited with or presented to the court or a traffic violations  
14 bureau, and shall keep a record of every official action by the court  
15 or its traffic violations bureau in reference thereto, including but  
16 not limited to a record of every conviction, forfeiture of bail,  
17 judgment of acquittal, finding that a traffic infraction has been  
18 committed, dismissal of a notice of infraction, and the amount of fine,  
19 forfeiture, or penalty resulting from every traffic complaint,  
20 citation, or notice of infraction deposited with or presented to the  
21 district court, municipal court, superior court, or traffic violations  
22 bureau.

23       The Monday following the conviction, forfeiture of bail, or finding  
24 that a traffic infraction was committed for violation of any provisions  
25 of this chapter or other law regulating the operating of vehicles on  
26 highways, every magistrate of the court or clerk of the court of record  
27 in which such conviction was had, bail was forfeited, or the finding  
28 made shall prepare and immediately forward to the director of licensing  
29 at Olympia an abstract of the record of the court covering the case,  
30 which abstract must be certified by the person so required to prepare  
31 the same to be true and correct. Report need not be made of any  
32 finding involving the illegal parking or standing of a vehicle.

33       The abstract must be made upon a form or forms furnished by the  
34 director and shall include the name and address of the party charged,  
35 the number, if any, of the party's driver's or chauffeur's license, the  
36 registration number of the vehicle involved if required by the  
37 director, the nature of the offense, the date of hearing, the plea, the  
38 judgment, whether the offense was an alcohol-related offense as defined

1 in RCW 46.01.260(2), whether the incident that gave rise to the offense  
2 charged resulted in any fatality, whether bail forfeited, whether the  
3 determination that a traffic infraction was committed was contested,  
4 and the amount of the fine, forfeiture, or penalty as the case may be.

5 Every court of record shall also forward a like report to the  
6 director upon the conviction of any person of a felony in the  
7 commission of which a vehicle was used.

8 The failure of any such judicial officer to comply with any of the  
9 requirements of this section shall constitute misconduct in office and  
10 shall be grounds for removal therefrom.

11 The director shall keep all abstracts received hereunder at the  
12 director's office in Olympia and the same shall be open to public  
13 inspection during reasonable business hours.

14 Venue in all district courts shall be before one of the two nearest  
15 district judges in incorporated cities and towns nearest to the point  
16 the violation allegedly occurred: PROVIDED, That in counties with  
17 populations of one hundred twenty-five thousand or more such cases may  
18 be tried in the county seat at the request of the defendant.

19 It shall be the duty of the officer, prosecuting attorney, or city  
20 attorney signing the charge or information in any case involving a  
21 charge of driving under the influence of intoxicating liquor or any  
22 drug immediately to make request to the director for an abstract of  
23 convictions and forfeitures which the director shall furnish.

24 **Sec. 12.** RCW 46.52.120 and 1993 c 501 s 12 are each amended to  
25 read as follows:

26 (1) The director shall keep a case record on every motor vehicle  
27 driver licensed under the laws of this state, together with information  
28 on each driver, showing all the convictions and findings of traffic  
29 infractions certified by the courts, together with an index cross-  
30 reference record of each accident reported relating to such individual  
31 with a brief statement of the cause of the accident and whether or not  
32 the accident resulted in any fatality. The chief of the Washington  
33 state patrol shall furnish the index cross-reference record to the  
34 director, with reference to each driver involved in the reported  
35 accidents.

36 (2) The records shall be for the confidential use of the director,  
37 the chief of the Washington state patrol, the director of the  
38 Washington traffic safety commission, and for such police officers or

1 other cognizant public officials as may be designated by law. Such  
2 case records shall not be offered as evidence in any court except in  
3 case appeal is taken from the order of the director, suspending,  
4 revoking, canceling, or refusing a vehicle driver's license.

5 (3) The director shall tabulate and analyze vehicle driver's case  
6 records and suspend, revoke, cancel, or refuse a vehicle driver's  
7 license to a person when it is deemed from facts contained in the case  
8 record of such person that it is for the best interest of public safety  
9 that such person be denied the privilege of operating a motor vehicle.  
10 The director shall also suspend a person's driver's license if the  
11 person fails to attend or complete a driver improvement interview or  
12 fails to abide by conditions of probation under RCW 46.20.335.  
13 Whenever the director orders the vehicle driver's license of any such  
14 person suspended, revoked, or canceled, or refuses the issuance of a  
15 vehicle driver's license, such suspension, revocation, cancellation, or  
16 refusal is final and effective unless appeal from the decision of the  
17 director is taken as provided by law.

18 **Sec. 13.** RCW 46.52.130 and 1997 c 66 s 12 are each amended to read  
19 as follows:

20 A certified abstract of the driving record shall be furnished only  
21 to the individual named in the abstract, an employer or prospective  
22 employer or an agent acting on behalf of an employer or prospective  
23 employer, the insurance carrier that has insurance in effect covering  
24 the employer or a prospective employer, the insurance carrier that has  
25 insurance in effect covering the named individual, the insurance  
26 carrier to which the named individual has applied, an alcohol/drug  
27 assessment or treatment agency approved by the department of social and  
28 health services, to which the named individual has applied or been  
29 assigned for evaluation or treatment, or city and county prosecuting  
30 attorneys. City attorneys and county prosecuting attorneys may provide  
31 the driving record to alcohol/drug assessment or treatment agencies  
32 approved by the department of social and health services to which the  
33 named individual has applied or been assigned for evaluation or  
34 treatment. The director, upon proper request, shall furnish a  
35 certified abstract covering the period of not more than the last three  
36 years to insurance companies. Upon proper request, the director shall  
37 furnish a certified abstract covering a period of not more than the  
38 last five years to state approved alcohol/drug assessment or treatment



1 agencies, except that the certified abstract shall also include records  
2 of alcohol-related offenses as defined in RCW 46.01.260(2) covering a  
3 period of not more than the last ten years. Upon proper request, a  
4 certified abstract of the full driving record maintained by the  
5 department shall be furnished to a city or county prosecuting attorney,  
6 to the individual named in the abstract or to an employer or  
7 prospective employer or an agent acting on behalf of an employer or  
8 prospective employer of the named individual. The abstract, whenever  
9 possible, shall include an enumeration of motor vehicle accidents in  
10 which the person was driving; the total number of vehicles involved;  
11 whether the vehicles were legally parked or moving; whether the  
12 vehicles were occupied at the time of the accident; whether the  
13 accident resulted in any fatality; any reported convictions,  
14 forfeitures of bail, or findings that an infraction was committed based  
15 upon a violation of any motor vehicle law; and the status of the  
16 person's driving privilege in this state. The enumeration shall  
17 include any reports of failure to appear in response to a traffic  
18 citation or failure to respond to a notice of infraction served upon  
19 the named individual by an arresting officer. Certified abstracts  
20 furnished to prosecutors and alcohol/drug assessment or treatment  
21 agencies shall also indicate whether a recorded violation is an  
22 alcohol-related offense as defined in RCW 46.01.260(2) that was  
23 originally charged as one of the alcohol-related offenses designated in  
24 RCW 46.01.260(2)(b)(i).

25 The abstract provided to the insurance company shall exclude any  
26 information, except that related to the commission of misdemeanors or  
27 felonies by the individual, pertaining to law enforcement officers or  
28 fire fighters as defined in RCW 41.26.030, or any officer of the  
29 Washington state patrol, while driving official vehicles in the  
30 performance of occupational duty. The abstract provided to the  
31 insurance company shall include convictions for RCW 46.61.5249 and  
32 46.61.525 except that the abstract shall report them only as negligent  
33 driving without reference to whether they are for first or second  
34 degree negligent driving. The abstract provided to the insurance  
35 company shall exclude any deferred prosecution under RCW 10.05.060,  
36 except that if a person is removed from a deferred prosecution under  
37 RCW 10.05.090, the abstract shall show the deferred prosecution as well  
38 as the removal.

1       The director shall collect for each abstract the sum of four  
2 dollars and fifty cents which shall be deposited in the highway safety  
3 fund.

4       Any insurance company or its agent receiving the certified abstract  
5 shall use it exclusively for its own underwriting purposes and shall  
6 not divulge any of the information contained in it to a third party.  
7 No policy of insurance may be canceled, nonrenewed, denied, or have the  
8 rate increased on the basis of such information unless the policyholder  
9 was determined to be at fault. No insurance company or its agent for  
10 underwriting purposes relating to the operation of commercial motor  
11 vehicles may use any information contained in the abstract relative to  
12 any person's operation of motor vehicles while not engaged in such  
13 employment, nor may any insurance company or its agent for underwriting  
14 purposes relating to the operation of noncommercial motor vehicles use  
15 any information contained in the abstract relative to any person's  
16 operation of commercial motor vehicles.

17       Any employer or prospective employer or an agent acting on behalf  
18 of an employer or prospective employer receiving the certified abstract  
19 shall use it exclusively for his or her own purpose to determine  
20 whether the licensee should be permitted to operate a commercial  
21 vehicle or school bus upon the public highways of this state and shall  
22 not divulge any information contained in it to a third party.

23       Any alcohol/drug assessment or treatment agency approved by the  
24 department of social and health services receiving the certified  
25 abstract shall use it exclusively for the purpose of assisting its  
26 employees in making a determination as to what level of treatment, if  
27 any, is appropriate. The agency, or any of its employees, shall not  
28 divulge any information contained in the abstract to a third party.

29       Release of a certified abstract of the driving record of an  
30 employee or prospective employee requires a statement signed by: (1)  
31 The employee or prospective employee that authorizes the release of the  
32 record, and (2) the employer attesting that the information is  
33 necessary to determine whether the licensee should be employed to  
34 operate a commercial vehicle or school bus upon the public highways of  
35 this state. If the employer or prospective employer authorizes an  
36 agent to obtain this information on their behalf, this must be noted in  
37 the statement.

38       Any violation of this section is a gross misdemeanor.

1       **Sec. 14.** RCW 46.20.291 and 1997 c 58 s 806 are each amended to  
2 read as follows:

3       The department is authorized to suspend the license of a driver  
4 upon a showing by its records or other sufficient evidence that the  
5 licensee:

6       (1) Has committed an offense for which mandatory revocation or  
7 suspension of license is provided by law;

8       (2) Has, by reckless or unlawful operation of a motor vehicle,  
9 caused or contributed to an accident resulting in death or injury to  
10 any person or serious property damage;

11       (3) Has been convicted of offenses against traffic regulations  
12 governing the movement of vehicles, or found to have committed traffic  
13 infractions, with such frequency as to indicate a disrespect for  
14 traffic laws or a disregard for the safety of other persons on the  
15 highways;

16       (4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);

17       (5) Has failed to respond to a notice of traffic infraction, failed  
18 to appear at a requested hearing, violated a written promise to appear  
19 in court, or has failed to comply with the terms of a notice of traffic  
20 infraction or citation, as provided in RCW 46.20.289;

21       (6) Is subject to suspension under RCW 46.20.305;

22       (7) Has committed one of the prohibited practices relating to  
23 drivers' licenses defined in RCW 46.20.336; or

24       (~~(7)~~) (8) Has been certified by the department of social and  
25 health services as a person who is not in compliance with a child  
26 support order or a residential or visitation order as provided in RCW  
27 74.20A.320.

28       **Sec. 15.** RCW 46.20.305 and 1965 ex.s. c 121 s 26 are each amended  
29 to read as follows:

30       (1) The department, having good cause to believe that a licensed  
31 driver is incompetent or otherwise not qualified to be licensed may  
32 upon notice require him or her to submit to an examination.

33       (2) The department shall require a driver reported under RCW  
34 46.52.070(2), when a fatality occurred, to submit to an examination.  
35 The examination must be completed no later than one hundred twenty days  
36 after the accident report required under RCW 46.52.070(2) is received  
37 by the department unless the department, at the request of the  
38 operator, extends the time for examination.

1       (3) The department may require a driver reported under RCW  
2 46.52.070(2) to submit to an examination, or suspend the person's  
3 license subject to RCW 46.20.322, when a serious injury occurred. The  
4 examination must be completed no later than one hundred twenty days  
5 after the accident report required under RCW 46.52.070(2) is received  
6 by the department.

7       (4) The department may in addition to an examination under this  
8 section require such person to obtain a certificate showing his or her  
9 condition signed by a licensed physician or other proper authority  
10 designated by the department.

11       (5) Upon the conclusion of (~~such~~) an examination under this  
12 section the department shall take driver improvement action as may be  
13 appropriate and may suspend or revoke the license of such person or  
14 permit him or her to retain such license, or may issue a license  
15 subject to restrictions as permitted under RCW 46.20.041. The  
16 department may suspend or revoke the license of such person who refuses  
17 or neglects to submit to such examination.

18       (6) The department may require payment of a fee by a person subject  
19 to examination under this section. The department shall set the fee in  
20 an amount that is sufficient to cover the additional cost of  
21 administering examinations required by this section.

22       NEW SECTION. Sec. 16. The department of licensing may adopt rules  
23 as necessary to implement this act.

24       NEW SECTION. Sec. 17. Sections 10 through 16 of this act take  
25 effect January 1, 1999.

26       **Sec. 18.** RCW 46.37.280 and 1987 c 330 s 713 are each amended to  
27 read as follows:

28       (1) During the times specified in RCW 46.37.020, any lighted lamp  
29 or illuminating device upon a motor vehicle, other than head lamps,  
30 spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle  
31 warning lamps, warning lamps authorized by the state patrol and school  
32 bus warning lamps, which projects a beam of light of an intensity  
33 greater than three hundred candlepower shall be so directed that no  
34 part of the high intensity portion of the beam will strike the level of  
35 the roadway on which the vehicle stands at a distance of more than  
36 seventy-five feet from the vehicle.

1 (2) Except as required in RCW 46.37.190 no person shall drive or  
2 move any vehicle or equipment upon any highway with any lamp or device  
3 thereon displaying a red light visible from directly in front of the  
4 center thereof.

5 (3) Flashing lights are prohibited except as required in RCW  
6 46.37.190, 46.37.200, 46.37.210, 46.37.215, and 46.37.300, ((and))  
7 warning lamps authorized by the state patrol, and light-emitting diode  
8 flashing taillights on bicycles.

9 **Sec. 19.** RCW 46.61.780 and 1987 c 330 s 746 are each amended to  
10 read as follows:

11 (1) Every bicycle when in use during the hours of darkness as  
12 defined in RCW 46.37.020 shall be equipped with a lamp on the front  
13 which shall emit a white light visible from a distance of at least five  
14 hundred feet to the front and with a red reflector on the rear of a  
15 type approved by the state patrol which shall be visible from all  
16 distances ((~~from one hundred feet~~)) up to six hundred feet to the rear  
17 when directly in front of lawful lower beams of head lamps on a motor  
18 vehicle. A lamp emitting a red light visible from a distance of five  
19 hundred feet to the rear may be used in addition to the red reflector.  
20 A light-emitting diode flashing taillight visible from a distance of  
21 five hundred feet to the rear may also be used in addition to the red  
22 reflector.

23 (2) Every bicycle shall be equipped with a brake which will enable  
24 the operator to make the braked wheels skid on dry, level, clean  
25 pavement."

26 **ESHB 2439** - S COMM AMD  
27 By Committee on Transportation

28 ADOPTED 3/5/98

29 In line 1 of the title, after "education;" strike the remainder of  
30 the title and insert "amending RCW 43.59.010, 48.02.190, 46.20.095,  
31 46.82.430, 46.83.040, 46.52.070, 46.52.100, 46.52.120, 46.52.130,  
32 46.20.291, 46.20.305, 46.37.280, and 46.61.780; adding new sections to  
33 chapter 43.59 RCW; adding a new section to chapter 46.20 RCW; creating  
34 new sections; prescribing penalties; and providing an effective date."

--- END ---