

HOUSE BILL REPORT

HB 2333

As Reported By House Committee On:

Transportation

Title: An act relating to rights and duties of bicyclists.

Brief Description: Clarifying rights and responsibilities of bicyclists.

Sponsors: Representatives Schual-Berke, Dickerson, Carlson, Hurst and D. Sommers.

Brief History:

Committee Activity:

Transportation: 1/26/00, 1/27/00 [DP].

Brief Summary of Bill

- Bicycle riders have the same status as pedestrians on sidewalks or in crosswalks.
- Procedures are provided for law enforcement when confronting a bicycle rider who is impaired by alcohol or drugs.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 24 members: Representatives Fisher, Democratic Co-Chair; Mitchell, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Mielke; Morris; Murray; Ogden; Pflug; Radcliff; Romero; Schindler; Scott; Skinner; Wood and Woods.

Staff: Penny Nerup (786-7335).

Background:

Currently, no statute identifies the legal status of bicyclists when they are on a sidewalk or in a crosswalk. In June 1999, the Washington Supreme Court found that the protection afforded pedestrians in crosswalks, marked or unmarked, was extended

to bicyclists when they are within a crosswalk. There is also no law that provides guidance to law enforcement when confronting a bicycle rider who is impaired by alcohol or drugs.

Summary of Bill:

This bill affects the rights and duties of bicyclists in two ways. First, the holding in Pudmaroff v. Allen, 138 Wn.2d 55 (1999), is codified. Bicyclists in a crosswalk have all the rights and duties of pedestrians; drivers of vehicles must yield the right-of-way. Similarly, bicyclists also have all the rights and duties of pedestrians on sidewalks. However, bicyclists must yield the right-of-way to pedestrians when they are in crosswalks or on sidewalks.

Second, law enforcement officers may transport bicyclists impaired by alcohol or any drug to a safe place or release the rider to a competent person. If assistance is refused by the rider, no lawsuit may later be brought against a governmental agency for acts resulting from the refusal. Procedures are identified under which an officer may impound an impaired rider's bicycle.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill will codify a recent ruling of the Washington Supreme Court.

Testimony Against: None.

Testified: (Support) Michael Temple, Bicycle Alliance of Washington; and John Moffat, Washington Traffic Safety Commission.