

HOUSE BILL REPORT

SSB 5457

As Passed House:

April 14, 2003

Title: An act relating to posting of hazards to motorcycles.

Brief Description: Posting hazards to motorcycles.

Sponsors: By Senate Committee on Highways & Transportation (originally sponsored by Senators Horn, Haugen, Oke, Johnson, Hargrove, B. Sheldon, Roach, Zarelli, Sheahan, Jacobsen, Stevens, Schmidt, Rossi, Eide, Kline, T. Sheldon, West, Shin and Rasmussen).

Brief History:

Committee Activity:

Transportation: 3/31/03, 4/3/03 [DP].

Floor Activity:

Passed House: 4/14/03, 93-0.

Brief Summary of Substitute Bill

- Requires that signs be posted when road construction, repair or maintenance present a special hazard to motorcyclists.
- Requires the Department of Transportation to adopt rules for a uniform sign for the purpose of warning motorcyclists of hazards related to construction, repair, or maintenance, including at least the language "Motorcycles use extreme caution."
- Provides that if funding for the provisions of this bill is not provided by June 30, 2003, in the Omnibus Transportation Appropriations Act, this act is null and void.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 27 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Simpson, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Anderson, Armstrong, Bailey, Campbell, Clibborn, Cooper, Dickerson, Edwards, Hankins, Hatfield, Hudgins, Kristiansen, Lovick, Mielke, Morris, Nixon, Romero, Schindler, Shabro, Sullivan, Wood and Woods.

Minority Report: Do not pass. Signed by 1 member: Representative Flannigan.

Staff: Jill Satran (786-7315).

Background:

Under current law, when construction, repair, or maintenance work on public highways, county roads, streets or bridges interferes with the normal and established mode of travel, the location must be posted with signs, flagman or both. This requirement applies to contractors, firms, political subdivisions, and other agencies performing work on commonly traveled thoroughfares. Signage used must be consistent with the provisions found in the state Manual on Uniform Traffic Control Devices.

Summary of Bill:

If construction, repair or maintenance work on public highways, county roads, streets or bridges, or other thoroughfare commonly traveled includes or uses grooved pavement, abrupt lane edges, steel plates, or gravel or earth surfaces, the work zone must be posted with signs stating MOTORCYCLES USE EXTREME CAUTION.–

The Department of Transportation is required to adopt by rule a uniform sign or signs for this purpose.

If funding for this purpose is not provided by June 30, 2003, in the Omnibus Transportation Appropriations Act, the provisions of this bill are null and void.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect on January 1, 2004. However, the bill is null and void if not funded in the budget.

Testimony For: We need a law advising contractors to post signs specific to motorcycles. Motorcycles face different hazards than cars. If a rider is informed of a pavement problem, they are better able to handle the situation. As a result, this bill will save lives, reduce injuries, and ultimately reduce liability to the state for claims arising from accidents involving motorcycles in work zones.

(With concerns) Signage is designed for the hazard and not for the specific vehicle. This proposed statute could create a special standard of care for motorcyclists, and potentially increase the state's liability in cases where a motorcyclist is involved in an accident in a

work zone.

Testimony Against: None.

Testified: Senator Horn, prime sponsor; Karen Bolin and Larry Walker, Washington Road Riders Association; and Martin Fox, National Coalition of Motorcycles.

(Information only) Toby Rickman, Department of Transportation.