

SENATE BILL REPORT

HB 1491

As of April 2, 2009

Title: An act relating to vehicles overtaking and passing pedestrians or bicycles.

Brief Description: Addressing when vehicles overtake and pass pedestrians or bicycles.

Sponsors: Representatives Pedersen, Rodne, Rolfes, Seaquist, Kenney, Upthegrove, Cody, Chase, Nelson, Moeller, Carlyle, Hunter, Roberts, Morrell, White, Wood, Dickerson and Goodman.

Brief History: Passed House: 3/06/09, 63-32.

Committee Activity: Transportation: 4/01/09.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kelly Simpson (786-7403)

Background: Under current law, the driver of a vehicle approaching a pedestrian or bicycle must pass to the left at a safe distance to clearly avoid coming into contact with the pedestrian or bicyclist, and must not drive to the right side of the roadway until safely clear of the overtaken traffic.

Summary of Bill: The driver of a vehicle approaching a pedestrian or bicycle must pass to the left at a safe distance of at least three feet to clearly avoid coming into contact with the pedestrian or bicyclist.

A specific exemption is created that allows vehicles passing bicycles or pedestrians to travel on the left side of the center of the roadway.

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.

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

Staff Summary of Public Testimony: PRO: This bill addresses a safety issue for bicyclists and pedestrians traveling on roadways. The bill may not be a comprehensive fix, but would go a long way to ensuring the safety of bicyclists and pedestrians. The bill also raises awareness of bicyclist safety and passing too closely to bicyclists. Lots of children ride bikes and this bill would help keep them safe.

CON: Drivers already violate the law; this bill will not stop bad drivers. More enforcement of the existing law is needed. This bill is too hard to enforce and doesn't account for the existing width of roadways.

OTHER: More education is the answer to this problem. Situations vary and warrant flexible responses, not the specifics in this bill.

Persons Testifying: PRO: Representative Pedersen, prime sponsor; Hannah Martens, Jacob Peterson, Bicycle Alliance of Washington; Serena Lehman, Cascade Bicycle Club; Brian Faller, Bicycle Alliance Capital Bicycling Club.

CON: Owen Linch, Joint Council of Teamsters.

OTHER: Rick Jensen, Washington State Patrol Troopers Association.