
HOUSE BILL 1535

State of Washington 61st Legislature 2009 Regular Session

By Representatives Wood, Upthegrove, and Williams

Read first time 01/22/09. Referred to Committee on Transportation.

1 AN ACT Relating to traffic control at thoroughfare work sites; and
2 amending RCW 47.36.200.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 47.36.200 and 2006 c 331 s 1 are each amended to read
5 as follows:

6 (1) When construction, repair, ~~((or))~~ maintenance, or utility work
7 is conducted on or adjacent to a public highway, county road, street,
8 bridge, trail, sidewalk, or other thoroughfare commonly traveled
9 ~~((and)),~~ the needs and control of all users of the public highway,
10 county road, street, bridge, trail, or sidewalk, or other thoroughfare
11 users, including motorists, bicyclists, and pedestrians within the
12 thoroughfare, and persons with disabilities in accordance with the
13 Americans with disabilities act of 1990 (28 C.F.R. Sec. 35.130), must
14 be an essential part of the construction, repair, maintenance, or
15 utility work. When the work interferes with the normal and established
16 mode of travel on the highway, county road, street, bridge, trail,
17 sidewalk, or thoroughfare, the location ~~((shall))~~ must be properly
18 posted by prominently displayed signs or flagmen or both. When passage
19 of the highway, county road, street, bridge, trail, sidewalk, or

1 thoroughfare is closed to any user, the location must be posted with
2 detour signs that direct the user to safe alternate routes of
3 reasonable distance. Signs used for posting in such ~~((an))~~ areas
4 ~~((shall))~~ must be consistent with the provisions found in the state of
5 Washington "Manual on Uniform Traffic Control Devices for Streets and
6 Highways" obtainable from the department of transportation. If safe
7 alternate routes of reasonable distance cannot be provided for
8 bicyclists and pedestrians, (a) public notice must be placed at the
9 site for a minimum of one week in advance of the work or (b)
10 arrangements must be made to transport bicyclists and pedestrians past
11 the construction, repair, maintenance, or utility zone.

12 (2) If the construction, repair, ~~((or))~~ maintenance, or utility
13 work includes or uses grooved pavement, abrupt lane edges, steel
14 plates, or gravel or earth surfaces, the construction, repair, ~~((or))~~
15 maintenance, or utility zone must be posted with signs stating the
16 condition, as required by current law, and in addition, must warn
17 motorcyclists of the potential hazard only if the hazard or condition
18 exists on a paved public highway, county road, street, bridge, or other
19 thoroughfare commonly traveled. For the purposes of this subsection,
20 the department shall adopt by rule a uniform sign or signs for this
21 purpose, including at least the following language, "MOTORCYCLES USE
22 EXTREME CAUTION."

23 (3) Any contractor, firm, corporation, political subdivision, or
24 other agency performing such work shall comply with this section.

25 (4) Each driver of a motor vehicle used in connection with such
26 construction, repair, ~~((or))~~ maintenance, or utility work shall obey
27 traffic signs posted for, and flaggers stationed at such location in
28 the same manner and under the same restrictions as is required for the
29 driver of any other vehicle.

30 (5) A violation of or a failure to comply with this section is a
31 misdemeanor. Each day upon which there is a violation, or there is a
32 failure to comply, constitutes a separate violation.

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