

# HOUSE BILL REPORT

## SSB 5263

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### As Reported by House Committee On: Transportation

**Title:** An act relating to motorcycles overtaking and passing pedestrians and bicyclists.

**Brief Description:** Concerning motorcycles overtaking and passing pedestrians and bicyclists.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Benton and King).

#### **Brief History:**

##### **Committee Activity:**

Transportation: 3/19/13, 3/28/13 [DP].

#### **Brief Summary of Substitute Bill**

- Allows the operator of a motorcycle to pass a bicycle in the same lane as the bicycle is being ridden.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 28 members: Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Angel, Bergquist, Farrell, Freeman, Habib, Hayes, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Moeller, Morris, Riccelli, Rodne, Ryu, Sells, Shea, Takko, Tarleton and Zeiger.

**Staff:** Andrew Russell (786-7143).

#### **Background:**

Motorcycles are entitled to full use of the lanes of highways. Additionally, motorcyclists may operate two abreast in a single lane. However, a motorcycle may not be operated between lanes of traffic, and an operator of a motorcycle may not pass a vehicle in the same lane as the vehicle being overtaken. Under Washington law, the definition of a "vehicle" includes bicycles.

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**Summary of Bill:**

An operator of a motorcycle may pass a vehicle in the same lane as the vehicle being overtaken, so long as the operator passes the vehicle at a distance of at least three feet.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) The premise of this whole bill relates to shared lane use markings. Currently, motorcycles cannot pass bicycles in these shared lanes, but this bill amends state law to solve this issue. Additionally, this bill encourages safe passing of bicyclists and pedestrians when they are traveling in the roadway. This is not just an urban issue but comes up on rural roadways as well.

There is a problem here because the law allows other vehicle to pass bicycles, but not motorcycles, and this problem is easily corrected. This is just another example of how motorcycles are discriminated against. This bill corrects the way people treat one another in the shared lanes. Some question why passing distance is set for motorcycles only and not for a bus, a truck, or a car.

Motorcycles can safely pass bicyclists in the same lane, but this means they will be a little bit closer to the bicycle. The three-foot passing distance is standard and incorporated by other states. This is good language because it is an objective standard and a distance that can be thought of by motorcyclists as they pass bicycles.

(Opposed) None.

**Persons Testifying:** Timothy McCall and Ron Fryer, A Brotherhood of Totalitarian Enactments; and Matthew Green, Cascade Bicycle Club.

**Persons Signed In To Testify But Not Testifying:** None.