

SENATE BILL REPORT

SB 5141

As Passed Senate, February 22, 2013

Title: An act relating to allowing motorcycles to stop and proceed through traffic control signals under certain conditions.

Brief Description: Allowing motorcycles to stop and proceed through traffic control signals under certain conditions.

Sponsors: Senators King, Eide, Rivers, Sheldon, Hatfield, Delvin, Ericksen, Carrell, Padden, Harper, Keiser, Rolfes, Shin, Holmquist Newbry, Roach and Kline.

Brief History:

Committee Activity: Transportation: 1/31/13, 2/05/13 [DP].

Passed Senate: 2/22/13, 47-1.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Eide, Co-Chair; King, Co-Chair; Benton, Vice Co-Chair; Hobbs, Vice Co-Chair; Fain, Budget Leadership Cabinet; Brown, Ericksen, Mullet, Rolfes, Sheldon, Carrell, Harper, Schlicher and Smith.

Staff: Kim Johnson (786-7472)

Background: All vehicle operators are required to obey traffic control devices, including traffic signals at intersections. Some of these traffic signals are equipped with sensors that determine when a vehicle has approached the intersection. Once detected by the sensor, the traffic signal will initiate a change in, or extension of, a traffic signal phase, for instance, a change from a red light to green.

Summary of Bill: If a motorcyclist approaches an intersection, including a left turn intersection, controlled by a triggered traffic control signal using a vehicle detection device, and that signal is inoperative due to the size of the motorcycle, the motorcyclist must come to a complete stop. If the signal fails to operate after one cycle, the motorcyclist may proceed through the intersection or turn left after exercising due care.

It is not a defense to a traffic citation for failure to obey a traffic control signal when a motorcyclist proceeds under the belief that a traffic control signal used a vehicle detection

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.

device, when it did not; or a traffic control signal was inoperative due to the size of the motorcycle, when the device was in fact operative.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: This bill was introduced because it is a reasonable approach to deal with the problem motorcyclists face when the signals do not recognize that they are sitting there. Without this change, motorcyclists are forced to make a choice to sit at a light forever, make sometimes unsafe maneuvers in traffic to change a lane, try to let larger vehicles through that may change the light, or just risk getting a ticket by proceeding carefully through a light. Idaho passed this bill several years ago and there are at least 14 other states that have passed similar legislation as well. To my knowledge none of them have experienced an increase in accidents related to allowing motorcycles to do this.

CON: Our primary concern is public safety. There are reporting mechanisms in place when someone comes upon a light sensor that is not working. We have a concern that motorist behaviors such as simply following the vehicle in front of them instead of paying attention to the signal could lead to additional accidents. From a law enforcement perspective, how are we supposed to know that the motorcyclist has waited through a full cycle of the light before proceeding through the intersection? Washington has not seen a decrease in fatalities related to motorcycles and we don't see how this legislation will help reduce accidents and fatalities.

Persons Testifying: PRO: Senator King, prime sponsor; Larry Walker, WA Road Riders Assn.; Michell Gillispie, A Brotherhood Against Totalitarian Enactments of WA; Rich Bright, Combat Veterans United.

CON: Alison Hellberg, Assn. of WA Cities; Captain Rob Huss, WA State Patrol.