
Local Government Committee

HB 1435

Brief Description: Authorizing local authorities to implement bicycle tour permits.

Sponsors: Representatives Kretz, Sutherland, Graham, Dent, Eslick and Ormsby.

Brief Summary of Bill

- Allows cities, towns, and rural counties to adopt a requirement for groups of six or more unrelated bicyclists in which a person or entity has been compensated to organize or lead the bicycle group to obtain a bicycle tour permit to use the jurisdiction's roads, paths, or trails.
- Sets out provisions that may be included in bicycle tour permit requirements, including the designation of the route to be used, the payment of a fee for the permit, the provision of a damage deposit, a law enforcement escort for the group if needed for public safety or an orderly transit by the group, and the payment of a penalty for violations.

Hearing Date: 2/10/21

Staff: Kellen Wright (786-7134).

Background:

Bicyclists using the roadway in Washington generally have the same rights and duties as drivers of motor vehicles. This means that traffic laws, except for those which by their nature cannot be applied, apply to bicyclists. Bicyclists are also subject to some additional requirements. Bicyclists must normally ride as far to the right side of the right lane as practicable and must provide enough space for a car using the same lane on a one-through-lane road to pass, unless conditions render doing so unsafe. No more than two bicyclists may ride side-by-side on the road, unless part of the roadway has been set aside for the exclusive use of bicycles.

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

Cities, towns, and counties have some ability to regulate the use of bicycles within their jurisdiction. Of these, the county's authority is the most limited. A county may pass an ordinance or resolution closing a limited-access highway, including the shoulder of the highway, to bicyclists in an urban area or in a section of the highway where bicycling is deemed unsafe. The county may also close the roadway of a limited access highway to bicycles, but bicyclists may then use the right shoulder of the highway for travel.

Cities and towns also have this authority, as well as a more general ability to regulate the use of bicycles. Cities and towns can pass ordinances regulating the use of bicycles on the streets, highways, and public areas. Cities and towns may also license bicycles and charge a reasonable fee for the license. The city or town may proscribe penalties for violating the licensing or use regulations. At least 75 percent of license fees or penalties collected must be used exclusively for building and maintaining bicycles paths and roadways or for enforcing the licensing and regulation requirements.

Summary of Bill:

Cities, towns, counties with a population density of less than 100 people per square mile, and counties smaller than 225 square miles may require a bicycle tour permit to use the jurisdiction's roads, trails, and paths from groups of bicyclists in which an individual, group, or entity has been compensated to organize or lead the bicycle group. This requirement could only apply to groups of six or more bicyclists that are not family members and do not reside in the same household.

The city, town, or county (local government) imposing the permit may:

- Require the group to designate the date and time for the trip, and to indicate the proposed route. The local government may reject the route or propose a new route if the group's original route would hinder construction or other activities on the public road. The local government can designate the dates and times for which the permit is valid. The permit may either be paper or electronic, and must be in the possession of the permittee when using the designated routes.
- Require a law enforcement escort for the group on the roadways if needed for public safety or for the orderly transit of the group.
- Charge a fee for the permit, set at a rate reasonably necessary to recover the costs of administering and enforcing the permit requirement and of providing public services to the group. The county may also provide for this fee to be waived in the ordinance enacting the bicycle tour permit requirements.
- Require that a damage deposit to be posted before the issuance of a permit for a group of more than 50. The damage deposit required may not exceed \$20 per rider, and may be used to repair or remedy physical damage caused by the group. Any portion that is not used to repair or remedy damage must be returned to the group within 30 days of the use of the permit.
- Establish a civil penalty of up to \$250 per violator for failing to obtain a required permit or

for violating the conditions of the permit. The local government may adopt a presumption that groups of six or more bicyclists who are not family and who do not reside in the same household, and who are riding with a guide or other person paid to lead the riders, are subject to bicycle tour requirements.

- Enter into an interlocal agreement for a county's bicycle tour permit requirements to apply within cities and towns, and to divide any revenue from bicycle tour permits applied for within the city or town.

Appropriation: None.

Fiscal Note: Requested on 02/02/2021.

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