
Transportation Committee

HB 1674

Brief Description: Improving protections for pedestrians and other vulnerable roadway users from dangers posed by certain pickup trucks and sport utility vehicles.

Sponsors: Representatives Ramel, Fey, Peterson, Reed, Berry, Duerr and Kloba.

Brief Summary of Bill

- Requires motor vehicle dealers showing, selling, or leasing a light truck or mid-size or large sport utility vehicle (SUV) to post and provide a specified written disclosure that describes an increased risk of the vehicle, due to its size and weight, to pedestrians, bicyclists, and other motorists, and stating that drivers of these vehicles may be subject to more severe penalties for certain safety infractions.
- Adds an additional fine of \$100 to certain traffic infractions if committed using a light truck or mid-size or large SUV.
- Requires the Department of Licensing (DOL) to maintain and publish a list of motor vehicles by make, model, and model year that are light trucks or mid-size or large SUVs, and to provide vehicle owners of light trucks and mid-size or large SUVs applying for an original or renewal vehicle registration with information similar to the information required to be disclosed by motor vehicle dealers.
- Mandates that the Washington Traffic Safety Commission conduct periodic educational campaigns to increase awareness of the increased risks to pedestrians and other vulnerable roadway users from light trucks and mid-size and large SUVs.

Hearing Date: 2/9/23

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.

Staff: Jennifer Harris (786-7143).

Background:

Motor Vehicle Dealer Regulation.

"Motor vehicle dealer" is a vehicle dealer that deals in new or used motor vehicles, or both. Motor vehicle dealers must be licensed and are subject to state regulation.

Motor vehicle dealers are prohibited from committing certain unlawful acts and practices related to the sale of vehicles. The Department of Licensing (DOL) may deny, suspend, or revoke the license of any motor vehicle dealer or may assess civil monetary penalties of up to \$1,000 per violation, or both, if the DOL finds that the penalty is in the public interest and that the motor vehicle dealer knowingly, or with reason to know, allowed a salesperson employed by the dealer, or acting as their agent, to commit any of the prohibited acts and practices.

Traffic Infractions.

Every driver of a vehicle approaching a stop sign is required to stop, and after stopping, to yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard. Every driver of a vehicle approaching a yield sign is required to slow down to a speed reasonable for existing conditions and, if required for safety, to stop. After slowing or stopping, the driver is required to yield the right-of-way to any vehicle in the intersection or approaching on another roadway as to constitute an immediate hazard. The penalty for Failure to Stop or Yield at an Intersection, inclusive of fees and assessments, is \$139.

The driver of an approaching vehicle is required to stop and remain stopped to allow a pedestrian, bicyclist, or personal delivery device to cross the roadway within an unmarked or marked crosswalk when the pedestrian, bicyclist, or personal delivery device is on or within one lane of the half of the roadway (or its entire width, if a one-way roadway) on which the vehicle is traveling or onto which the vehicle is turning. The penalty for Failure to Yield to a Pedestrian or Bicyclist in a Crosswalk, inclusive of fees and assessments, is \$139.

Every driver of a vehicle is required to exercise due care to avoid colliding with a pedestrian upon a roadway, must give warning when sounding the horn when necessary, and is required to exercise proper precaution upon observing a child or obviously confused or incapacitated person on a roadway. The penalty for Failure to Exercise Due Care to a Pedestrian, inclusive of fees and assessments, is \$139. The base penalty is doubled if an infraction is committed within a school, playground, or crosswalk speed zone, resulting in a total penalty, inclusive of fees and assessments, of \$237.

No person may drive a vehicle on a roadway at a speed greater than is reasonable and prudent under the conditions and in consideration of actual and potential hazards on the roadway. Speed must be controlled to avoid colliding with a person, vehicle, or other conveyance on or entering the roadway. No person may drive a vehicle on a roadway in excess of the roadway's maximum limits. Depending on the speed limit in effect and the speed at which the vehicle is traveling, the

penalty for Speeding ranges from \$108 to \$426, inclusive of fees and assessments.

No person may drive a vehicle at a speed greater than 20 miles per hour (mph) when passing a marked school or playground crosswalk when school speed or standard playground speed limit signs are posted. The speed zone at a marked school or playground crosswalk extends 300 feet in either direction of the crosswalk. Depending on the speed at which the vehicle is traveling, the penalty for Speeding When Passing a School or Playground Crosswalk ranges from \$217 to \$688, inclusive of fees and assessments.

Vulnerable Roadway User Education Account.

Expenditures from the Vulnerable Roadway User Education Account may only be used by the Washington Traffic Safety Commission (WTSC) to support programs dedicated to increasing awareness of traffic infractions and offenses committed against vulnerable roadway users, and with funds remaining after these programs are funded, to support programs dedicated to increasing awareness by the public of the risks and penalties associated with traffic infractions and offenses committed against vulnerable roadway users.

"Vulnerable user of a public way" is defined as a pedestrian; a person riding an animal; or a person operating or riding any of the following on a public way: (1) a bicycle; (2) an electric-assisted bicycle; (3) an electric personal assistive mobility device; (4) a moped; (5) a motor-driven cycle; (6) a motorized foot scooter; (7) a motorcycle; or (8) a farm tractor or implement of husbandry without an enclosed shell.

Motor Vehicle Classifications.

A "light truck" is defined as a motor vehicle manufactured as a truck with a declared gross weight of 12,000 pounds or less.

A "sport utility vehicle" (SUV) is defined as a high performance motor vehicle weighing 6,000 pounds or less, designed to carry 10 passengers or less or designated as an SUV by the manufacturer.

Summary of Bill:

Motor Vehicle Classification.

"Midsize or large sport utility vehicle" (Mid-size or large SUV) is defined as a motor vehicle with a scale weight of 4,000 pounds or more that is designated as an SUV by the manufacturer.

Motor Vehicle Dealer Regulation.

It is unlawful for a dealer to show a motor vehicle that is for sale or lease to a potential customer when it is a light truck or mid-size or large SUV without a written disclosure in at least 10 point font posted on a readily visible area of the motor vehicle that consists of specific language, some of which is required to be in bold font, describing an increased risk of the vehicle, due to its size and weight, to pedestrians, bicyclists, and other motorists, and stating that drivers of these vehicles may be subject to more severe penalties for certain safety infractions.

It is also unlawful for a dealer to enter into a motor vehicle sales contract for the retail sale or lease of a light truck or mid-size or large SUV without providing a written disclosure upon which the dealer is required to obtain the buyer's signature that provides specific language similar to the disclosure required to be placed on motor vehicles. The font used for the written disclosure must be at least as large as the font used in the standard text of the document that contains the disclosure, and must be set out from the surrounding material, such as through the use of bolded, capitalized, or italicized text.

Traffic Infractions.

An additional fine of \$100 applies to the following infractions when committed using a light truck or mid-size or large SUV:

- Failure to Stop or Yield at an Intersection.
- Failure to Yield to a Pedestrian or Bicyclist in Crosswalk.
- Failure to Exercise Due Care to a Pedestrian.
- Speeding, when the vehicle's speed exceeds the permitted maximum by 10 mph or more.
- Speeding When Passing School or Playground Crosswalks, when the speed exceeds the permitted maximum by 10 mph or more.

The additional fine is not subject to fees and assessments in addition to the fees and assessments that already apply to the base penalty amounts for these infractions. Revenues for the additional fine must be deposited in the Vulnerable Roadway User Education Account.

Agency Requirements.

The DOL must maintain a record of vehicles that meet the definitions of "light truck" and "mid-size or large sport utility vehicle," and may use any available information sources or databases that provide vehicle model classification information to do so. The DOL must provide the owner of a vehicle that meets the definition of "light truck" and "mid-size or large sport utility vehicle" applying for an original or renewal vehicle registration with specified information regarding vehicle safety similar to what is required under the motor vehicle dealership written disclosure requirement.

The DOL is also required to maintain and publish a list of motor vehicles by make, model, and model year that meet the definition of "light truck" and "mid-size or large sport utility vehicle." Vehicle dealers who rely on this list to determine the vehicles to which the disclosure requirements apply may not be found in violation of their disclosure obligation if the vehicle's make, model, and model year were not included in the list on the date the vehicle is shown or sold.

The Washington State Patrol is required to incorporate the DOL's classification of registered vehicles as "light trucks" or "mid-size or large sport utility vehicles" into its collision and traffic citation reporting system to facilitate the determination of whether the additional fine applies.

The WTSC must conduct periodic educational campaigns to increase awareness of the increased

risks to pedestrians and other vulnerable roadway users from light trucks and mid-size and large SUVs, with an emphasis on providing drivers of these vehicles with information on the nature of this increased risk and about the increased fines that apply for certain traffic infractions.

The allowable uses of the Vulnerable Roadway User Education Account are expanded to include expenditures for the educational campaigns the WTSC is required to conduct.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect on January 1, 2024.