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**HOUSE BILL 1772**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Reed, Fitzgibbon, Berry, Parshley, Ramel, Nance, and Pollet

Read first time 01/31/25. Referred to Committee on Transportation.

1 AN ACT Relating to establishing shared streets; amending RCW  
2 46.61.250, 46.61.415, 46.61.110, 46.61.240, and 46.61.770; and adding  
3 a new section to chapter 46.61 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.61  
6 RCW to read as follows:

7 (1) A local authority may designate any nonarterial highway to be  
8 a shared street under this section, if the local authority has  
9 developed procedures for establishing shared streets.

10 (2) Vehicular traffic traveling along a shared street shall yield  
11 the right-of-way to any pedestrian, bicyclist, or operator of a  
12 micromobility device on the shared street.

13 (3) A bicyclist or operator of a micromobility device shall yield  
14 the right-of-way to any pedestrian on a shared street.

15 (4) For purposes of this section:

16 (a) "Micromobility device" means personal or shared nonmotorized  
17 scooters, "motorized foot scooters" as defined in RCW 46.04.336, and  
18 "electric personal assistive mobility devices" (EPAMD) as defined in  
19 RCW 46.04.1695; and

1 (b) "Shared street" means a city street designated by placement  
2 of official traffic control devices where pedestrians, bicyclists,  
3 and vehicular traffic share a portion or all of the same street.

4 **Sec. 2.** RCW 46.61.250 and 2022 c 235 s 3 are each amended to  
5 read as follows:

6 (1) Where sidewalks are provided and are accessible, it is  
7 unlawful for any pedestrian to walk or otherwise move along and upon  
8 an adjacent roadway. Where sidewalks are provided but wheelchair  
9 access is not available, persons with disabilities who require such  
10 access may walk or otherwise move along and upon an adjacent roadway  
11 until they reach an access point in the sidewalk.

12 (2) Where sidewalks are not provided or are inaccessible, a  
13 pedestrian walking or otherwise moving along and upon a highway, and  
14 any personal delivery device moving along and upon a highway, shall:

15 (a) When shoulders are provided and are accessible, walk or move  
16 on the shoulder of the roadway as far as is practicable from the edge  
17 of the roadway, facing traffic when a shoulder is available in this  
18 direction; or

19 (b) When shoulders are not provided or are inaccessible, walk or  
20 move as near as is practicable to the outside edge of the roadway  
21 facing traffic, and when practicable, move clear of the roadway upon  
22 meeting an oncoming vehicle.

23 (3) A pedestrian traveling to the nearest emergency reporting  
24 device on a one-way roadway of a controlled access highway is not  
25 required to travel facing traffic as otherwise required by subsection  
26 (2) of this section.

27 (4) When walking or otherwise moving along and upon an adjacent  
28 roadway, a pedestrian shall exercise due care to avoid colliding with  
29 any vehicle upon the roadway.

30 (5) Subsections (1) and (2) of this section do not apply when the  
31 roadway is duly closed to vehicular traffic by placement of official  
32 traffic control devices for the sole purposes of pedestrian and  
33 bicyclist use of the roadway.

34 (6) Subsections (1), (2), and (4) of this section do not apply on  
35 a shared street as defined in section 1 of this act.

36 **Sec. 3.** RCW 46.61.415 and 2022 c 235 s 1 are each amended to  
37 read as follows:

1 (1) Whenever local authorities in their respective jurisdictions  
2 determine on the basis of an engineering and traffic investigation  
3 that the maximum speed permitted under RCW 46.61.400 or 46.61.440 is  
4 greater or less than is reasonable and safe under the conditions  
5 found to exist upon a highway or part of a highway, the local  
6 authority may determine and declare a reasonable and safe maximum  
7 limit thereon which

8 (a) Decreases the limit at intersections; or

9 (b) Increases the limit but not to more than 60 miles per hour;

10 or

11 (c) Decreases the limit but not to less than 20 miles per hour.

12 (2) Local authorities in their respective jurisdictions shall  
13 determine by an engineering and traffic investigation the proper  
14 maximum speed for all arterial streets and shall declare a reasonable  
15 and safe maximum limit thereon, which may be greater or less than the  
16 maximum speed permitted under RCW 46.61.400(2) but shall not exceed  
17 60 miles per hour.

18 (3)(a) Local authorities in their respective jurisdictions may  
19 establish a maximum speed limit of 20 miles per hour on a nonarterial  
20 highway or part of a nonarterial highway or a maximum speed limit of  
21 10 miles per hour on a shared street as defined in section 1 of this  
22 act.

23 (b) A speed limit established under this subsection by a local  
24 authority does not need to be determined on the basis of an  
25 engineering and traffic investigation if the local authority has  
26 developed procedures regarding establishing a maximum speed limit  
27 under this subsection. Any speed limit established under this  
28 subsection may be canceled within one year of its establishment, and  
29 the previous speed limit reestablished, without an engineering and  
30 traffic investigation. This subsection does not otherwise affect the  
31 requirement that local authorities conduct an engineering and traffic  
32 investigation to determine whether to increase speed limits.

33 (c) When establishing speed limits under this subsection, local  
34 authorities shall consult the manual on uniform traffic control  
35 devices as adopted by the Washington state department of  
36 transportation.

37 (4) The secretary of transportation is authorized to establish  
38 speed limits on county roads and city and town streets as shall be  
39 necessary to conform with any federal requirements, which are a

1 prescribed condition for the allocation of federal funds to the  
2 state.

3 (5) Any altered limit established as hereinbefore authorized  
4 shall be effective when appropriate signs giving notice thereof are  
5 erected. Such maximum speed limit may be declared to be effective at  
6 all times or at such times as are indicated upon such signs; and  
7 differing limits may be established for different times of day,  
8 different types of vehicles, varying weather conditions, and other  
9 factors bearing on safe speeds, which shall be effective when posted  
10 upon appropriate fixed or variable signs.

11 (6) Any alteration of maximum limits on state highways within  
12 incorporated cities or towns by local authorities shall not be  
13 effective until such alteration has been approved by the secretary of  
14 transportation.

15 **Sec. 4.** RCW 46.61.110 and 2023 c 471 s 4 are each amended to  
16 read as follows:

17 The following rules shall govern the overtaking and passing of  
18 vehicles proceeding in the same direction:

19 (1)(a) The driver of a vehicle overtaking other traffic  
20 proceeding in the same direction shall pass to the left of it at a  
21 safe distance and shall not again drive to the right side of the  
22 roadway until safely clear of the overtaken traffic.

23 (b)(i) When the vehicle being overtaken is a motorcycle, motor-  
24 driven cycle, or moped, a driver of a motor vehicle found to be in  
25 violation of (a) of this subsection must be assessed an additional  
26 fine equal to the base penalty assessed under RCW 46.63.110(3). This  
27 fine may not be waived, reduced, or suspended, unless the court finds  
28 the offender to be indigent, and is not subject to the additional  
29 fees and assessments that the base penalty for this violation is  
30 subject to under RCW 2.68.040, 3.62.090, and 46.63.110.

31 (ii) The additional fine imposed under (b)(i) of this subsection  
32 must be deposited into the vulnerable roadway user education account  
33 created in RCW 46.61.145.

34 (2)(a) The driver of a vehicle approaching an individual who is  
35 traveling as a pedestrian or on a bicycle, riding an animal, or using  
36 a farm tractor or implement of husbandry without an enclosed shell,  
37 and who is traveling in the right lane of a roadway or on the right-  
38 hand shoulder or bicycle lane of the roadway, shall:

1 (i) On a roadway with two lanes or more for traffic moving in the  
2 direction of travel, before passing and until safely clear of the  
3 individual, move completely into a lane to the left of the right lane  
4 when it is safe to do so;

5 (ii) On a roadway with only one lane for traffic moving in the  
6 direction of travel:

7 (A) When there is sufficient room to the left of the individual  
8 in the lane for traffic moving in the direction of travel, before  
9 passing and until safely clear of the individual:

10 (I) Reduce speed to a safe speed for passing relative to the  
11 speed of the individual; and

12 (II) Pass at a safe distance, where practicable of at least three  
13 feet, to clearly avoid coming into contact with the individual or the  
14 individual's vehicle or animal; or

15 (B) When there is insufficient room to the left of the individual  
16 in the lane for traffic moving in the direction of travel to comply  
17 with (a)(ii)(A) of this subsection, before passing and until safely  
18 clear of the individual, move completely into the lane for traffic  
19 moving in the opposite direction when it is safe to do so and in  
20 compliance with RCW 46.61.120 and 46.61.125.

21 (b) A driver of a motor vehicle found to be in violation of this  
22 subsection (2) must be assessed an additional fine equal to the base  
23 penalty assessed under RCW 46.63.110(3). This fine may not be waived,  
24 reduced, or suspended, unless the court finds the offender to be  
25 indigent, and is not subject to the additional fees and assessments  
26 that the base penalty for this violation is subject to under RCW  
27 2.68.040, 3.62.090, and 46.63.110.

28 (c) The additional fine imposed under (b) of this subsection must  
29 be deposited into the vulnerable roadway user education account  
30 created in RCW 46.61.145.

31 (d) For the purposes of this section, "vulnerable user of a  
32 public way" has the same meaning as provided in RCW 46.61.5259.

33 (e) This subsection (2) does not apply on a shared street as  
34 defined in section 1 of this act.

35 (3) Except when overtaking and passing on the right is permitted,  
36 overtaken traffic shall give way to the right in favor of an  
37 overtaking vehicle on audible signal and shall not increase speed  
38 until completely passed by the overtaking vehicle.

1       **Sec. 5.** RCW 46.61.240 and 2019 c 214 s 13 are each amended to  
2 read as follows:

3       (1) Every pedestrian or personal delivery device crossing a  
4 roadway at any point other than within a marked crosswalk or within  
5 an unmarked crosswalk at an intersection shall yield the right-of-way  
6 to all vehicles upon the roadway.

7       (2) Where curb ramps exist at or adjacent to intersections or at  
8 marked crosswalks in other locations, persons with disabilities or  
9 personal delivery devices may enter the roadway from the curb ramps  
10 and cross the roadway within or as closely as practicable to the  
11 crosswalk. All other pedestrian rights and duties as defined  
12 elsewhere in this chapter remain applicable.

13       (3) Any pedestrian crossing a roadway at a point where a  
14 pedestrian tunnel or overhead pedestrian crossing has been provided  
15 shall yield the right-of-way to all vehicles upon the roadway.

16       (4) Between adjacent intersections at which traffic-control  
17 signals are in operation pedestrians shall not cross at any place  
18 except in a marked crosswalk.

19       (5) No pedestrian or personal delivery device shall cross a  
20 roadway intersection diagonally unless authorized by official  
21 traffic-control devices; and, when authorized to cross diagonally,  
22 pedestrians and personal delivery devices shall cross only in  
23 accordance with the official traffic-control devices pertaining to  
24 such crossing movements.

25       (6) No pedestrian or personal delivery device shall cross a  
26 roadway at an unmarked crosswalk where an official sign prohibits  
27 such crossing.

28       (7) This section does not apply on a shared street as defined in  
29 section 1 of this act.

30       **Sec. 6.** RCW 46.61.770 and 2019 c 403 s 10 are each amended to  
31 read as follows:

32       (1) Every person operating a bicycle upon a roadway at a rate of  
33 speed less than the normal flow of traffic at the particular time and  
34 place shall ride as near to the right side of the right through lane  
35 as is safe except:

36       (a) While preparing to make or while making turning movements at  
37 an intersection or into a private road or driveway;

38       (b) When approaching an intersection where right turns are  
39 permitted and there is a dedicated right turn lane, in which case a

1 person may operate a bicycle in this lane even if the operator does  
2 not intend to turn right;

3 (c) While overtaking and passing another bicycle or vehicle  
4 proceeding in the same direction; and

5 (d) When reasonably necessary to avoid unsafe conditions  
6 including, but not limited to, fixed or moving objects, parked or  
7 moving vehicles, bicyclists, pedestrians, animals, and surface  
8 hazards.

9 (2) A person operating a bicycle upon a roadway or highway other  
10 than a limited access highway, which roadway or highway carries  
11 traffic in one direction only and has two or more marked traffic  
12 lanes, may ride as near to the left side of the left through lane as  
13 is safe.

14 (3) A person operating a bicycle upon a roadway may use the  
15 shoulder of the roadway or any specially designated bicycle lane.

16 (4) When the operator of a bicycle is using the travel lane of a  
17 roadway with only one lane for traffic moving in the direction of  
18 travel and it is wide enough for a bicyclist and a vehicle to travel  
19 safely side-by-side within it, the bicycle operator shall operate far  
20 enough to the right to facilitate the movement of an overtaking  
21 vehicle unless other conditions make it unsafe to do so or unless the  
22 bicyclist is preparing to make a turning movement or while making a  
23 turning movement.

24 (5) Persons riding bicycles upon a roadway shall not ride more  
25 than two abreast except on paths or parts of roadways set aside for  
26 the exclusive use of bicycles.

27 (6) This section does not apply on a shared street as defined in  
28 section 1 of this act.

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