

direction to a junction with state route number 82 at the Thrall road interchange;

(28) State route number 901, beginning at a junction with state route number 90 in the vicinity west of Issaquah, thence northerly to the west of Lake Sammamish to a junction with state route number 908 in the vicinity of Redmond. If the description of state route number 901 is changed after the effective date of this act, the revised route shall retain its status as part of the scenic and recreational highway system.

Passed the Senate February 7, 1990.

Passed the House February 28, 1990.

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CHAPTER 241

[Senate Bill No. 6303]

PEDESTRIAN SAFETY

AN ACT Relating to pedestrians; amending RCW 46.04.400, 46.61.055, 46.61.060, 46.61.235, 46.61.240, 46.61.250, 46.61.266, 46.61.370, and 46.61.375; adding a new section to chapter 46.37 RCW; and adding a new section to Title 28A RCW.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 46.04.400, chapter 12, Laws of 1961 and RCW 46.04.400 are each amended to read as follows:

"Pedestrian" means any person who is afoot or who is using a wheelchair or a means of conveyance propelled by human power other than a bicycle.

Sec. 2. Section 8, chapter 155, Laws of 1965 ex. sess. as amended by section 19, chapter 62, Laws of 1975 and RCW 46.61.055 are each amended to read as follows:

Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word or legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) ~~((Vehicular traffic))~~ Vehicle operators facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But ~~((vehicular traffic, including vehicles))~~ vehicle operators turning right or left ~~((shall yield the right of way))~~ shall stop to allow other vehicles ((and to)) or pedestrians lawfully within the intersection ((or an adjacent crosswalk at the time such signal is exhibited)) control area to complete their movements.

(b) ~~((Vehicular traffic))~~ Vehicle operators facing a green arrow signal, shown alone or in combination with another indication, may ~~((cautiously))~~ enter the intersection control area only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. ~~((Such vehicular traffic shall yield the right of way))~~ The vehicle operators shall stop to allow other vehicles or pedestrians lawfully within ((an adjacent crosswalk and to other traffic lawfully using)) the intersection control area to complete their movements.

(c) Unless otherwise directed by a pedestrian control signal, as provided in RCW 46.61.060 as now or hereafter amended, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) ~~((Vehicular traffic))~~ Vehicle operators facing a steady circular yellow or yellow arrow signal ~~((is))~~ are thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

(b) Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal as provided in RCW 46.61.060 ~~((as now or hereafter amended, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross))~~ shall not enter the roadway, but if pedestrians have begun to cross before the display of either signal, vehicle operators shall stop to allow them to complete their movements.

(3) Steady red indication

(a) ~~((Vehicular traffic))~~ Vehicle operators facing a steady circular red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection control area and shall remain standing until an indication to proceed is shown ~~((: PROVIDED, That such traffic))~~. However, the vehicle operators facing a steady circular red signal may, after stopping ((cautiously)) proceed to make a right turn from a one-way or two-way street into a two-way street or into a one-way street carrying traffic in the direction of the right turn; or a left turn from a one-way or two-way street into a one-way street carrying traffic in the direction of the left turn; unless a sign posted by competent authority prohibits such movement; but ((vehicular traffic making)) vehicle operators planning to make such turns shall ((yield the right of way)) remain stopped to allow other vehicles ((and to pedestrians)) lawfully within or approaching the intersection control area, or approaching pedestrians lawfully within an adjacent crosswalk ((at the time such signal is exhibited)), to complete their movements.

(b) Unless otherwise directed by a pedestrian control signal as provided in RCW 46.61.060 as now or hereafter amended, pedestrians facing a steady circular red signal alone shall not enter the roadway.

(c) (~~(Vehicular traffic)~~) Vehicle operators facing a steady red arrow indication may not enter the intersection control area to make the movement indicated by such arrow, and unless entering the intersection control area to make such other movement as is permitted by other indications shown at the same time, shall stop at a clearly marked stop line, but if none, before entering a crosswalk on the near side of the intersection control area, or if none, then before entering the intersection control area and shall remain standing until an indication to make the movement indicated by such arrow is shown (~~(PROVIDED, That such traffic)~~). However, the vehicle operators facing a steady red arrow indication may, after stopping (~~(cautiously)~~) proceed to make a right turn from a one-way or two-way street into a two-way street or into a one-way street carrying traffic in the direction of the right turn; or a left turn from a one-way street or two-way street into a one-way street carrying traffic in the direction of the left turn; unless a sign posted by competent authority prohibits such movement; but (~~(vehicular traffic making)~~) vehicle operators planning to make such turns shall (~~(yield the right of way)~~) remain stopped to allow other vehicles (and to pedestrians) lawfully within or approaching the intersection control area, or approaching pedestrians lawfully within an adjacent crosswalk (at the time such signal is exhibited), to complete their movements.

(d) Unless otherwise directed by a pedestrian signal, pedestrians facing a steady red arrow signal indication shall not enter the roadway.

(4) (~~(In the event)~~) If an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

Sec. 3. Section 9, chapter 155, Laws of 1965 ex. sess. as amended by section 20, chapter 62, Laws of 1975 and RCW 46.61.060 are each amended to read as follows:

Whenever (~~(special)~~) pedestrian control signals exhibiting the words "Walk" or the walking person symbol or "Don't Walk" or the hand symbol are (~~(in place such)~~) operating, the signals shall indicate as follows:

(1) WALK or walking person symbol—Pedestrians facing such signal may (~~(proceed across)~~) cross the roadway in the direction of the signal (and shall be given the right of way by the drivers of all vehicles). Pedestrians that begin to cross a roadway while facing such signal shall be granted the right to complete their crossing by all vehicle operators.

(2) (~~(STEADY DON'T WALK or FLASHING DON'T WALK~~)—No pedestrian shall start to cross the roadway in the direction of either such

~~signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety island while the don't walk signal is showing~~) Steady or flashing DON'T WALK or hand symbol—Pedestrians shall not enter the roadway, but if pedestrians have begun to cross before the display of either signal, vehicle operators shall stop to allow them to complete their movements.

(3) Pedestrian control signals having the "Wait" legend in use on August 6, 1965, shall be deemed authorized signals and shall indicate the same as the "Don't Walk" legend. Whenever such pedestrian control signals are replaced the legend "Wait" shall be replaced by the legend "Don't Walk".

Sec. 4. Section 34, chapter 155, Laws of 1965 ex. sess. and RCW 46-.61.235 are each amended to read as follows:

(1) When traffic-control signals are not in place or not in operation, the ~~((driver))~~ operator of ~~((α))~~ an approaching vehicle shall ~~((yield the right of way, slowing down or stopping if need be to so yield;))~~ stop to allow a pedestrian ((crossing)) to cross the roadway within ((α)) an unmarked or marked crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is ((approaching so closely from)) upon the opposite half of the roadway ((as to be in danger)) and moving toward the approaching vehicle.

(2) No pedestrian shall suddenly leave a curb or other place of safety and walk ~~((or)),~~ run, or otherwise move into the path of a vehicle which is so close that it is impossible for the driver to ~~((yield))~~ stop.

(3) Subsection (1) ~~((above shall))~~ of this section does not apply under the conditions stated in RCW 46.61.240 ((subsection)) (2).

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

Sec. 5. Section 35, chapter 155, Laws of 1965 ex. sess. and RCW 46-.61.240 are each amended to read as follows:

(1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

(2) Where curb ramps exist at or adjacent to intersections or at marked crosswalks in other locations, disabled persons may enter the roadway from the curb ramps and cross the roadway within or as closely as practicable to the crosswalk. All other pedestrian rights and duties as defined elsewhere in this chapter remain applicable.

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

~~((3))~~ (4) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

~~((4))~~ (5) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

~~((5))~~ (6) No pedestrian shall cross a roadway at an unmarked crosswalk where an official sign prohibits such crossing.

Sec. 6. Section 37, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.250 are each amended to read as follows:

(1) Where sidewalks are provided it ~~((shall be))~~ is unlawful for any pedestrian to walk or otherwise move along and upon an adjacent roadway. Where sidewalks are provided but wheelchair access is not available, disabled persons who require such access may walk or otherwise move along and upon an adjacent roadway until they reach an access point in the sidewalk.

(2) Where sidewalks are not provided any pedestrian walking or otherwise moving along and upon a highway shall, when practicable, walk or move only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction and upon meeting an oncoming vehicle shall ~~((step))~~ move clear of the roadway.

Sec. 7. Section 43, chapter 62, Laws of 1975 as amended by section 1, chapter 11, Laws of 1987 and RCW 46.61.266 are each amended to read as follows:

A law enforcement officer may offer to transport a pedestrian who appears to be under the influence of alcohol or any drug and who is walking or moving along or within the right of way of a public roadway, unless the pedestrian is to be taken into protective custody under RCW 70.96A.120.

The law enforcement officer offering to transport an intoxicated pedestrian under this section shall:

- (1) Transport the intoxicated pedestrian to a safe place; or
- (2) Release the intoxicated pedestrian to a competent person.

The law enforcement officer shall take no action if the pedestrian refuses this assistance. No suit or action may be commenced or prosecuted against the law enforcement officer, law enforcement agency, the state of Washington, or any political subdivision of the state for any act resulting from the refusal of the pedestrian to accept this assistance.

Sec. 8. Section 52, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.370 are each amended to read as follows:

(1) The driver of a vehicle upon overtaking or meeting from either direction any school bus which has stopped on the ~~((highway))~~ roadway for the purpose of receiving or discharging any school children shall stop the

vehicle before reaching such school bus when there is in operation on said school bus a visual signal as specified in RCW 46.37.190 and said driver shall not proceed until such school bus resumes motion (~~(or is signaled by the school bus driver to proceed)~~) or the visual signals are no longer activated.

(2) The driver of a vehicle upon a highway divided into separate roadways as provided in RCW 46.61.150 need not stop upon meeting a school bus which is proceeding in the opposite direction and is stopped for the purpose of receiving or discharging school children.

(3) The driver of a vehicle upon a highway with three or more marked traffic lanes need not stop upon meeting a school bus which is proceeding in the opposite direction and is stopped for the purpose of receiving or discharging school children.

~~((2) Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words "SCHOOL BUS" in letters not less than eight inches in height, and in addition shall be equipped with visual signals meeting the requirements of RCW 46.37.190 which shall be actuated by))~~ (4) The driver of ((said)) a school bus ((whenever but only whenever such vehicle)) shall actuate the visual signals required by RCW 46.37.190 only when such bus is stopped on the ((highway)) roadway for the purpose of receiving or discharging school children ((, except:

(a) When school children do not have to cross a highway and the bus is stopped completely off the main traveled portion of the roadway, or

(b) When the bus is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic control signal, or

(c) When the bus is stopped at school for the purpose of receiving or discharging school children and school children are not required to cross the roadway)).

~~((3))~~ (5) The driver of a ((vehicle upon a highway divided into separate roadways as provided in RCW 46.61.150, need not stop upon meeting or passing a school bus which is on a separate roadway or when upon a limited access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway)) school bus may stop completely off the roadway for the purpose of receiving or discharging school children only when the school children do not have to cross the roadway. The school bus driver shall actuate the hazard warning lamps as defined in RCW 46.37.215 before loading or unloading school children at such stops.

Sec. 9. Section 8, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.375 are each amended to read as follows:

(1) The driver of a vehicle upon overtaking or meeting from either direction any private carrier bus which has stopped on the ~~((highway))~~ roadway for the purpose of receiving or discharging any passenger shall stop the vehicle before reaching such private carrier bus when there is in operation

on said bus a visual signal as specified in RCW 46.37.190 and said driver shall not proceed until such bus resumes motion (~~((or is signaled by the bus driver to proceed))~~) or the visual signals are no longer activated.

(2) The driver of a vehicle upon a highway divided into separate roadways as provided in RCW 46.61.150 need not stop upon meeting a private carrier bus which is proceeding in the opposite direction and is stopped for the purpose of receiving or discharging passengers.

(3) The driver of a vehicle upon a highway with three or more lanes need not stop upon meeting a private carrier bus which is proceeding in the opposite direction and is stopped for the purpose of receiving or discharging passengers.

~~((2) Every private carrier bus shall bear upon the front and rear thereof plainly visible signs containing the words "PRIVATE CARRIER BUS" in letters not less than eight inches in height, and in addition shall be equipped with visual signals meeting the requirements of RCW 46.37.190 which shall be actuated by)) (4) The driver of ((said)) a private carrier bus ((whenever but only whenever such vehicle)) shall actuate the visual signals required by RCW 46.37.190 only when such bus is stopped on the ((highway)) roadway for the purpose of receiving or discharging passengers((; except:~~

(a) When the passengers boarding or alighting do not have to cross a highway and the bus is stopped completely off the main traveled portion of the roadway; or

(b) When the bus is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic control signal).

~~((3)) (5) The driver of a ((vehicle upon a highway divided into separate roadways as provided in RCW 46.61.150, need not stop upon meeting or passing a private carrier bus which is on a separate roadway or when upon a limited access highway and the private carrier bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway)) private carrier bus may stop a private carrier bus completely off the roadway for the purpose of receiving or discharging passengers only when the passengers do not have to cross the roadway. The private carrier bus driver shall actuate the hazard warning lamps as defined in RCW 46.37.215 before loading or unloading passengers at such stops.~~

NEW SECTION. Sec. 10. A new section is added to chapter 46.37 RCW to read as follows:

Every school bus and private carrier bus, in addition to any other equipment or distinctive markings required by this chapter, shall bear upon the front and rear thereof, above the windows thereof, plainly visible signs containing only the words "school bus" on a school bus and only the words "private carrier bus" on a private carrier bus in letters not less than eight

inches in height, and in addition shall be equipped with visual signals meeting the requirements of RCW 46.37.190.

NEW SECTION. Sec. 11. A new section is added to Title 28A RCW to read as follows:

On highways divided into separate roadways as provided in RCW 46-.61.150 and highways with three or more marked traffic lanes, public school district bus routes and private school bus routes shall serve each side of the highway so that students do not have to cross the highway, unless there is a traffic control signal as defined in RCW 46.04.600 or an adult crossing guard within three hundred feet of the bus stop to assist students while crossing such multiple-lane highways.

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CHAPTER 242

[House Bill No. 2475]

LODGING TAX—LIMITATIONS ON USES OF REVENUES

AN ACT Relating to a limitation on license fees and taxes; amending RCW 67.40.100; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 10, chapter 34, Laws of 1982 as amended by section 25, chapter 1, Laws of 1988 ex. sess. and RCW 67.40.100 are each amended to read as follows:

(1) Except as provided in chapters 67.28 and 82.14 RCW and subsection (2) of this section, after January 1, 1983, no city, town, or county in which the tax under RCW 67.40.090 is imposed may impose a license fee or tax on the act or privilege of engaging in business to furnish lodging by a hotel, rooming house, tourist court, motel, trailer camp, or similar facilities in excess of the rate imposed upon other persons engaged in the business of making sales at retail as that term is defined in chapter 82.04 RCW.

(2) A city incorporated before January 1, 1982, with a population over sixty thousand located in a county with a population over one million, other than the city of Seattle, may impose a special excise tax under the following conditions:

(a) The proceeds of the tax must be used (~~solely~~) for the acquisition, design, (~~and~~) construction, and marketing of convention and trade facilities and may be used for and pledged to the payment of bonds, leases, or other obligations issued or incurred for such purposes. The proceeds of the tax may be used for maintenance and operation only as part of a budget which includes the use of the tax for debt service and marketing.