
HOUSE BILL 1039

State of Washington

67th Legislature

2021 Regular Session

By Representative McCaslin

Prefiled 12/21/20.

1 AN ACT Relating to reporting on, updating, and expanding
2 deployment of existing government programs that provide education on
3 bicycle and pedestrian travel; amending RCW 43.43.390, 43.70.410, and
4 47.04.300; adding a new section to chapter 28A.300 RCW; and creating
5 a new section.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that many state
8 agencies are involved in creating educational and safety programs
9 involving bicycle and pedestrian travel. The legislature intends to
10 have agencies report and update their programs so that this
11 generation of students are provided more opportunities to acquire
12 safety skills. There is a need for increased training on hazard
13 avoidance skills and the impacts of usage of modern technology on
14 pedestrian, bicycle, and motor vehicle travel as it relates to their
15 interactions with each other.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
17 RCW to read as follows:

18 (1) On or before June 30, 2023, the office of the superintendent
19 of public instruction, in coordination with representatives of the
20 Washington state patrol, local law enforcement agencies, the

1 department of health traumatic brain injury prevention program, local
2 school districts, local bicycle clubs, and the traffic safety
3 commission's Cooper Jones active transportation safety council, must
4 review and update its existing curriculum related to bicycle and
5 pedestrian safety. The update must include more hazard avoidance
6 skills and address the additional distractions associated with the
7 use of modern technology when individuals are walking, biking, or
8 driving. The update should include a plan to increase implementation
9 of bicycle and safety education in communities throughout the state.
10 This plan must improve opportunities in distressed areas as defined
11 in RCW 43.168.020 while reducing disparities in communities of color
12 and other marginalized communities.

13 (2) The office of the superintendent of public instruction must:

14 (a) Review curriculum and educational materials, videos, and
15 training tools on bicycle and pedestrian safety and select
16 appropriate information to be posted on its website. This should
17 include a review of materials created by the United States department
18 of transportation; and

19 (b) Coordinate with the Washington state patrol to create a bike
20 safety awareness program for students enrolled in third to fifth
21 grade. The program shall be deployed in at least two school districts
22 that have a population of no more than 15,000 students and are
23 located on either side of the Cascade mountain range. The program
24 must include hazard avoidance skills and address the additional
25 distractions associated with the use of modern technology when
26 individuals are walking, biking, or driving.

27 (3) No later than November 1, 2023, the office of the
28 superintendent of public instruction must report to the
29 transportation committees of the house of representatives and the
30 senate on its activities under this section.

31 **Sec. 3.** RCW 43.43.390 and 1991 c 214 s 1 are each amended to
32 read as follows:

33 (1) Bicycling is increasing in popularity as a form of recreation
34 and as an alternative mode of transportation. To make bicycling
35 safer, the various law enforcement agencies should enforce traffic
36 regulations for bicyclists. By enforcing bicycle regulations, law
37 enforcement officers are reinforcing educational programs. Bicycling
38 takes more skill than most people realize. Since bicyclists have a

1 low profile in traffic and are unprotected, they need more defensive
2 riding skills than motorists do.

3 (2) A bicycle awareness program is created within the Washington
4 state patrol. In developing the curriculum for the bicycle awareness
5 program the patrol shall consult with the traffic safety
6 ((~~commission~~)) commission's Cooper Jones active transportation safety
7 council and with bicycling groups providing bicycle safety education.
8 The patrol shall conduct the program in conjunction with the safety
9 education officer program and may use other law enforcement personnel
10 and volunteers to implement the program for children in grades
11 kindergarten through six. The patrol shall ensure that each safety
12 educator presenting the bicycle awareness program has received
13 specialized training in bicycle safety education and has been trained
14 in effective defensive bicycle riding skills.

15 (3) No later than September 1, 2021, the chief of the Washington
16 state patrol must report to the transportation committees of the
17 house of representatives and the senate on the activities of the
18 patrol under this section.

19 (4) During the 2021-2023 biennium, the Washington state patrol
20 must coordinate with the office of the superintendent of public
21 instruction to create a bike safety awareness program for students
22 enrolled in third to fifth grade. The program shall be deployed in at
23 least two school districts that have a population of no more than
24 15,000 students and are located on either side of the Cascade
25 mountain range. The program must include hazard avoidance skills and
26 address the additional distractions associated with the use of modern
27 technology when individuals are walking, biking, or driving.

28 **Sec. 4.** RCW 43.70.410 and 1990 c 270 s 3 are each amended to
29 read as follows:

30 As used in RCW 43.70.400 through 43.70.440, the term "head
31 injury" means traumatic brain injury.

32 A head injury prevention program is created in the department of
33 health. The program's functions may be integrated with those of
34 similar programs to promote comprehensive, integrated, and effective
35 health promotion and disease prevention.

36 In consultation with the traffic safety ((~~commission~~))
37 commission's Cooper Jones active transportation safety council, the
38 department shall, directly or by contract, identify and coordinate
39 public education efforts currently underway within state government

1 and among private groups to prevent traumatic brain injury,
2 including, but not limited to, bicycle safety, pedestrian safety,
3 bicycle passenger seat safety, motorcycle safety, motor vehicle
4 safety, and sports safety. If the department finds that programs are
5 not available or not in use, it may, within funds appropriated for
6 the purpose, provide grants to promote public education efforts.
7 Grants may be awarded only after recipients have demonstrated
8 coordination with relevant and knowledgeable groups within their
9 communities, including at least schools, brain injury support
10 organizations, hospitals, physicians, traffic safety specialists,
11 police, and the public. The department may accept grants, gifts, and
12 donations from public or private sources to use to carry out the head
13 injury prevention program.

14 The department may assess or contract for the assessment of the
15 effectiveness of public education efforts coordinated or initiated by
16 any agency of state government. Agencies are directed to cooperate
17 with assessment efforts by providing access to data and program
18 records as reasonably required. The department may seek and receive
19 additional funds from the federal government or private sources for
20 assessments. Assessments shall contain findings and recommendations
21 that will improve the effectiveness of public education efforts.
22 These findings shall be distributed among public and private groups
23 concerned with traumatic brain injury prevention.

24 No later than September 1, 2021, the secretary must report to the
25 transportation committees of the house of representatives and the
26 senate on the activities of the department under this section.

27 **Sec. 5.** RCW 47.04.300 and 2009 c 392 s 1 are each amended to
28 read as follows:

29 (1) Concurrent with the federal safe, accountable, flexible,
30 efficient transportation equity act of 2005, a safe routes to school
31 program is established within the department. The purpose of the
32 program is to:

33 ~~((1))~~ (a) Enable and encourage children, including those with
34 disabilities, to walk and bicycle to school;

35 ~~((2))~~ (b) Make bicycling and walking to school a safer and more
36 appealing transportation alternative, encouraging a healthy and
37 active lifestyle from an early age; and

38 ~~((3))~~ (c) Facilitate the planning, development, and
39 implementation of projects and activities that will improve safety

1 and reduce traffic, fuel consumption, and air pollution in the
2 vicinity of schools.

3 (2) The department may award grant funding to school districts
4 under the safe routes to school program for presentation to students
5 of the bicycle awareness program created in RCW 43.43.390 and
6 presented by an officer of the Washington state patrol or local law
7 enforcement agencies.

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