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More from bicyclist club's traffic justice summit

At least 200 people turned out Wednesday for the Cascade Bicycle Club's Traffic Justice Summit, which was held at City Hall to talk about toughening the law for at-fault drivers who kill or maim pedestrians and bicyclists.

The advocacy group is pushing for a "Vulnerable User Bill," which would expand Washington's negligent driving law to include traffic infractions that result in death or serious injury to a cyclist or pedestrian. Such infractions then would become gross misdemeanors, punishable by up to a year in jail.

For more background, here's a brief [story](#) I wrote Wednesday about the issue. Below are a few salient points from the summit.

Michele Black spoke about her husband, Kevin, a University of Washington scientist, who was [killed as he rode his bike to work this year in Ballard](#). The driver, who had turned in front of him, was at fault. The family waited for months to hear what consequences she would face in the legal system. But the driver was not under the influence of drugs or alcohol, and prosecutors had no state law with which to file criminal charges, Black said.

"We were thinking something would happen to this driver," she told the audience. "I don't want another family to have to feel that pain."

Black asked earlier during the summit why drivers in such cases don't at least lose their license, or get forced to take driver re-training courses.

Seattle enacted an ordinance in 2005 that made it a gross misdemeanor to commit certain traffic infractions when they kill or seriously hurt another person. But the state Court of Appeals overturned the law, ruling it didn't mesh with state law, which decriminalizes most traffic infractions.

Attendees asked lots of questions of City Attorney Tom Carr and state Sen. Adam Kline, D-Seattle, about current traffic regulations and whether the state Legislature might be willing to change the law. Kline, who is working with Cascade on the issue, said he supports a law that creates a heavier incentive for people to drive more safely.

But, he doesn't think the idea has enough support yet. The first concern, he said, is the legal difference between criminal negligence and ordinary negligence -- the latter which would apply to most infractions.

Another issue is that people can easily see themselves on both sides of such a law, he said, unlike a law intended to crack down on murderers or sex offenders.

"There is nobody in this room and nobody in that room (referring to the Legislature) who has not been negligent behind the wheel at some point...and luckily, luckily, luckily, they've been fortunate enough not to kill anybody," Kline said.

Prosecutors can file charges of vehicular homicide or assault under state law in cases that involve alcohol or drugs, or behavior that shows wanton recklessness or disregard for the safety of others. Carr, who rides his bike to work and prosecuted cases under Seattle's former ordinance, said the felony standard is high.

Several people shared stories about being cut off while on a bicycle or intimidated by drivers creeping into crosswalks.

Carr said he agreed that "In too many people's minds, it's always the bicyclist's fault."

One more point: Rob Kaufman, who conducted a four-year study of vehicle-pedestrian crashes for Harborview's Injury Prevention and Research Center, said a pedestrian's chance of dying in a crash is 50 percent at 30 mph. At 40 mph, the odds increase to 85 to 95 percent.