

## **STOP! STOP! STOP!**

There has been a lot of discussion on the Cascade Message Boards regarding cyclists and stop signs (See May 23, 2007 thread on Community and Government Forum). While everyone seems to have an opinion regarding compliance with and enforcement of the stop sign statute, the law itself is clear.

RCW 46.61.755(1) states in pertinent part as follows: "every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of duties applicable to the driver of a vehicle...."

RCW 46.61.190(2) states in pertinent part as follows: "...every driver of a vehicle approaching a stop sign shall stop at a clearly marked stop line, but if none, before entering a marked crosswalk on the near side of the intersection or, if none, than at the point near the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway, and after having stopped shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time in which such driver is moving across or within the intersection or junction of roadway."

RCW 46.04.565 states: "'Stop" when required means **complete cessation from movement.**"

In simple terms, whenever you see the red octagonal sign facing you, you need to come to a complete stop and not venture out into the intersection until it is safe to do so. Contrary to popular rumor, unless you are Fred Flintstone, there is no statute that says you have to put your foot down in order to make a lawful stop. Like any traffic statute, however, enforcement is within the discretion of the police officer. Putting your foot down is generally sufficient notice to all concerned (motorist, officer, prosecutor, judge, etc) that you had "complete cessation from movement."

Enter into any discussion with a cyclist regarding stop signs and you will undoubtedly hear a lengthy reason why he/she does not stop at certain signs. As explained below, failure to make a lawful stop could have severe financial and bodily injury consequences.

The following example is completely true and occurred in Bellevue this past spring. My cycling friend and client finished her normal training ride and was riding home through a Bellevue residential neighborhood when she "floated" (slowed but did not stop) through a stop sign that she had "floated" through numerous times over the years

without any incident. On this particular afternoon, she was clipped by a car and knocked unconscious. She spent one night in the Overlake ICU with a fractured scapula, fractured ribs and multiple bumps and bruises.

The following is her breakdown of the financial costs for "floating" through the stop sign:

Traffic ticket:	\$ 91.00
Totaled bike:	\$ 3,000.00
Cycling accessories:	\$ 250.00
Medical expenses:	\$ 18,000.00+
Damage to the car:	\$ 2,360.00
Total:	<b>\$23,701.00+</b>

The above total does not cover the cost of attorney's fees and does not include the cost of being laid up for eight weeks, missing one week of work, missing family time or the psychological scarring of the entire ordeal.

Do yourself a favor and **OBEY THE LAW!**

*John Duggan is an avid cyclist and Seattle attorney who represents injured cyclists. He is a member of the Cascade Bicycle Club, Bicycle Alliance of Washington and the Washington State Trial Lawyers Association. He is also a sponsor and member of the ByrneInvent/Jet City Velo Cycling Team. He can be reached at 206-343-1888 or [JohnD@warrenduggan.com](mailto:JohnD@warrenduggan.com).*