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SENATE BILL 5264

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State of Washington

56th Legislature

1999 Regular Session

By Senators Horn and Hochstatter

Read first time 01/18/1999. Referred to Committee on Transportation.

1 AN ACT Relating to requirements for operating a motorcycle on  
2 Washington highways; amending RCW 46.20.100, 46.20.500, 46.20.505,  
3 46.20.510, 46.20.515, 46.30.020, and 46.20.505; and adding a new  
4 section to chapter 82.12 RCW.

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

6 **Sec. 1.** RCW 46.20.100 and 1990 c 250 s 36 are each amended to read  
7 as follows:

8 The department of licensing shall not consider an application of  
9 any minor under the age of eighteen years for a driver's license or the  
10 issuance of a motorcycle endorsement (~~((for a particular category))~~)  
11 unless:

12 (1) The application is also signed by a parent or guardian having  
13 the custody of such minor, or in the event a minor under the age of  
14 eighteen has no father, mother, or guardian, then a driver's license  
15 shall not be issued to the minor unless his or her application is also  
16 signed by the minor's employer; and

17 (2) The applicant has satisfactorily completed a traffic safety  
18 education course as defined in RCW 28A.220.020, conducted by a  
19 recognized secondary school, that meets the standards established by

1 the office of the state superintendent of public instruction or the  
2 applicant has satisfactorily completed a traffic safety education  
3 course, conducted by a commercial driving instruction enterprise, that  
4 meets the standards established by the office of the superintendent of  
5 public instruction and is officially approved by that office on an  
6 annual basis: PROVIDED, HOWEVER, That the director may upon a showing  
7 that an applicant was unable to take or complete a driver education  
8 course waive that requirement if the applicant shows to the  
9 satisfaction of the department that a need exists for the applicant to  
10 operate a motor vehicle and he or she has the ability to operate a  
11 motor vehicle in such a manner as not to jeopardize the safety of  
12 persons or property, under rules to be promulgated by the department in  
13 concert with the supervisor of the traffic safety education section,  
14 office of the superintendent of public instruction. For a person under  
15 the age of eighteen years to obtain a motorcycle endorsement, he or she  
16 must successfully complete a motorcycle safety education course that  
17 meets the standards established by the department of licensing.

18 The department may waive any education requirement under this  
19 subsection for an applicant previously licensed to drive a motor  
20 vehicle or motorcycle outside this state if the applicant provides  
21 proof satisfactory to the department that he or she has had education  
22 equivalent to that required under this subsection.

23 **Sec. 2.** RCW 46.20.500 and 1997 c 328 s 3 are each amended to read  
24 as follows:

25 No person may drive a motorcycle or a motor-driven cycle unless  
26 such person has a valid driver's license specially endorsed by the  
27 director to enable the holder to drive such vehicles(~~(, nor may a~~  
28 ~~person drive a motorcycle of a larger engine displacement than that~~  
29 ~~authorized by such special endorsement or by an instruction permit for~~  
30 ~~such category)). However, a person sixteen years of age or older,~~  
31 holding a valid driver's license of any class issued by the state of  
32 the person's residence, may operate a moped without taking any special  
33 examination for the operation of a moped. No driver's license is  
34 required for operation of an electric-assisted bicycle if the operator  
35 is at least sixteen years of age. Persons under sixteen years of age  
36 may not operate an electric-assisted bicycle.

1       **Sec. 3.** RCW 46.20.505 and 1993 c 115 s 1 are each amended to read  
2 as follows:

3       Every person applying for a special endorsement (~~((or a new category~~  
4 ~~of endorsement))~~) of a driver's license authorizing such person to drive  
5 a motorcycle or a motor-driven cycle shall pay an examination fee of  
6 two dollars which is not refundable. In addition, the endorsement fee  
7 for the initial (~~((or new category))~~) motorcycle endorsement shall be six  
8 dollars, and the subsequent renewal endorsement fee shall be fourteen  
9 dollars. The initial (~~((or new category))~~) and renewal endorsement fees  
10 shall be deposited in the motorcycle safety education account of the  
11 highway safety fund.

12       **Sec. 4.** RCW 46.20.510 and 1989 c 337 s 9 are each amended to read  
13 as follows:

14       ~~((1) There shall be three categories for the special motorcycle~~  
15 ~~endorsement of a driver's license. Category one shall be for~~  
16 ~~motorcycles or motor-driven cycles having an engine displacement of one~~  
17 ~~hundred fifty cubic centimeters or less. Category two shall be for~~  
18 ~~motorcycles having an engine displacement of five hundred cubic~~  
19 ~~centimeters or less. Category three shall include categories one and~~  
20 ~~two, and shall be for motorcycles having an engine displacement of five~~  
21 ~~hundred one cubic centimeters or more.~~

22       ~~(2))~~ The department may issue a motorcyclist's instruction permit  
23 to an individual who wishes to learn to ride a motorcycle (~~((or obtain~~  
24 ~~an endorsement of a larger endorsement category))~~) for a period not to  
25 exceed ninety days. This motorcyclist's instruction permit may be  
26 renewed for an additional ninety days. The director shall collect a  
27 two dollar and fifty cent fee for the motorcyclist's instruction permit  
28 or renewal, and the fee shall be deposited in the motorcycle safety  
29 education account of the highway safety fund. This permit and a valid  
30 driver's license (~~((with current endorsement, if any, shall))~~) must be  
31 carried when operating a motorcycle. An individual with a  
32 motorcyclist's instruction permit may not carry passengers, and may not  
33 operate a motorcycle during the hours of darkness (~~((or on a fully-~~  
34 ~~controlled, limited access facility, and shall be under the direct~~  
35 ~~visual supervision of a person with a motorcycle endorsement of the~~  
36 ~~appropriate category and at least five years' riding experience))~~).

1       **Sec. 5.** RCW 46.20.515 and 1982 c 77 s 4 are each amended to read  
2 as follows:

3       The motorcycle endorsement examination (~~((for each displacement~~  
4 ~~category shall))~~) must emphasize maneuvers necessary for on-street  
5 operation, including emergency braking and turning as may be required  
6 to avoid an impending collision. The department may waive all or part  
7 of the examination for persons who satisfactorily complete the  
8 voluntary motorcycle operator training and education program authorized  
9 under RCW 46.20.520.

10       **Sec. 6.** RCW 46.30.020 and 1991 sp.s. c 25 s 1 are each amended to  
11 read as follows:

12       (1)(a) No person may operate a motor vehicle subject to  
13 registration under chapter 46.16 RCW in this state unless the person is  
14 insured under a motor vehicle liability policy with liability limits of  
15 at least the amounts provided in RCW 46.29.090, is self-insured as  
16 provided in RCW 46.29.630, is covered by a certificate of deposit in  
17 conformance with RCW 46.29.550, or is covered by a liability bond of at  
18 least the amounts provided in RCW 46.29.090. Written proof of  
19 financial responsibility for motor vehicle operation must be provided  
20 on the request of a law enforcement officer in the format specified  
21 under RCW 46.30.030.

22       (b) A person who drives a motor vehicle that is required to be  
23 registered in another state that requires drivers and owners of  
24 vehicles in that state to maintain insurance or financial  
25 responsibility shall, when requested by a law enforcement officer,  
26 provide evidence of financial responsibility or insurance as is  
27 required by the laws of the state in which the vehicle is registered.

28       (c) When asked to do so by a law enforcement officer, failure to  
29 display an insurance identification card as specified under RCW  
30 46.30.030 creates a presumption that the person does not have motor  
31 vehicle insurance.

32       (d) Failure to provide proof of motor vehicle insurance is a  
33 traffic infraction and is subject to penalties as set by the supreme  
34 court under RCW 46.63.110 or community service.

35       (2) If a person cited for a violation of subsection (1) of this  
36 section appears in person before the court and provides written  
37 evidence that at the time the person was cited, he or she was in  
38 compliance with the financial responsibility requirements of subsection

1 (1) of this section, the citation shall be dismissed. In lieu of  
2 personal appearance, a person cited for a violation of subsection (1)  
3 of this section may, before the date scheduled for the person's  
4 appearance before the court, submit by mail to the court written  
5 evidence that at the time the person was cited, he or she was in  
6 compliance with the financial responsibility requirements of subsection  
7 (1) of this section, in which case the citation shall be dismissed  
8 without cost, except that the court may assess court administrative  
9 costs of twenty-five dollars at the time of dismissal.

10 (3) The provisions of this chapter shall not govern(~~(+~~  
11 ~~(a))~~) the operation of a motor vehicle registered under RCW  
12 46.16.305(1), governed by RCW 46.16.020, or registered with the  
13 Washington utilities and transportation commission as common or  
14 contract carriers(~~(+)~~)~~,~~ or  
15 ~~((b))~~ the operation of a ~~((motorcycle as defined in RCW~~  
16 ~~46.04.330, a))~~ motor-driven cycle as defined in RCW 46.04.332, or a  
17 moped as defined in RCW 46.04.304.

18 (4) RCW 46.29.490 shall not be deemed to govern all motor vehicle  
19 liability policies required by this chapter but only those certified  
20 for the purposes stated in chapter 46.29 RCW.

21 **Sec. 7.** RCW 46.20.505 and 1993 c 115 s 1 are each amended to read  
22 as follows:

23 Every person applying for a special endorsement or a new category  
24 of endorsement of a driver's license authorizing such person to drive  
25 a motorcycle or a motor-driven cycle shall pay ~~((an examination))~~ a fee  
26 of two dollars which is not refundable. In addition, the endorsement  
27 fee for the initial or new category motorcycle endorsement shall be six  
28 dollars and the subsequent renewal endorsement fee shall be fourteen  
29 dollars. The initial or new category and renewal endorsement fees  
30 shall be deposited in the motorcycle safety education account of the  
31 highway safety fund.

32 NEW SECTION. **Sec. 8.** A new section is added to chapter 82.12 RCW  
33 to read as follows:

34 This chapter does not apply to the use of motorcycles that are  
35 loaned to the department of licensing and used exclusively to provide

- 1 motorcycle training by the department of licensing or persons
- 2 contracting with the department of licensing.

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