
ENGROSSED SUBSTITUTE SENATE BILL 5113

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Costa, Swecker, Kastama, Fairley, Oke, Gardner, Haugen and Eide)

READ FIRST TIME 02/08/01.

1 AN ACT Relating to the regulation of the use of motorized scooters;
2 amending RCW amending RCW 46.20.500, 46.37.535, and 46.61.710; adding
3 a new section to chapter 46.04 RCW; and adding a new section to chapter
4 46.61 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04 RCW
7 to read as follows:

8 "Motorized foot scooter" means a device with no more than two ten-
9 inch or smaller diameter wheels that has handlebars, is designed to be
10 stood or sat upon by the operator, and is powered by an internal
11 combustion motor that is capable of propelling the device with or
12 without human propulsion. A motorized foot scooter's motor must
13 produce no more than one and five-tenths gross horsepower and be
14 capable of propelling the entire device at not more than twenty-five
15 miles per hour on level ground.

16 For purposes of this section, a motor-driven cycle, a moped, an
17 electric-assisted bicycle, or a motorcycle is not a motorized foot
18 scooter.

1 **Sec. 2.** RCW 46.20.500 and 1999 c 274 s 8 are each amended to read
2 as follows:

3 No person may drive a motorcycle or a motor-driven cycle unless
4 such person has a valid driver's license specially endorsed by the
5 director to enable the holder to drive such vehicles. However, a
6 person sixteen years of age or older, holding a valid driver's license
7 of any class issued by the state of the person's residence, may operate
8 a moped without taking any special examination for the operation of a
9 moped. No driver's license is required for operation of an electric-
10 assisted bicycle if the operator is at least sixteen years of age. No
11 driver's license is required to operate a motorized foot scooter.
12 Persons under sixteen years of age may not operate an electric-assisted
13 bicycle. Persons under twelve years of age may not operate a motorized
14 foot scooter. Motorized foot scooters may not be operated at any time
15 from a half hour after sunset to a half hour before sunrise without
16 reflectors of a type approved by the state patrol.

17 **Sec. 3.** RCW 46.37.535 and 1990 c 270 s 8 are each amended to read
18 as follows:

19 It is unlawful for any person to rent out motorcycles, motor-driven
20 cycles, motorized foot scooters, or mopeds unless the person also has
21 on hand for rent helmets of a type conforming to rules adopted by the
22 state patrol.

23 It shall be unlawful for any person to rent a motorcycle, motor-
24 driven cycle, motorized foot scooter, or moped unless the person has in
25 his or her possession a helmet of a type approved by the state patrol,
26 regardless of from whom the helmet is obtained.

27 **Sec. 4.** RCW 46.61.710 and 1997 c 328 s 5 are each amended to read
28 as follows:

29 (1) No person shall operate a moped upon the highways of this state
30 unless the moped has been assigned a moped registration number and
31 displays a moped permit in accordance with the provisions of RCW
32 46.16.630.

33 (2) Notwithstanding any other provision of law, neither a moped nor
34 a motorized foot scooter may ((not)) be operated on a bicycle path or
35 trail, bikeway, equestrian trail, or hiking or recreational trail.

1 (3) Operation of a moped (~~(or)~~), an electric-assisted bicycle, or
2 a motorized foot scooter on a fully controlled limited access highway
3 or on a sidewalk is unlawful.

4 (4) Removal of any muffling device or pollution control device from
5 a moped or motorized foot scooter is unlawful.

6 (5) Subsections (1), (2), and (4) of this section do not apply to
7 electric-assisted bicycles. Electric-assisted bicycles may have access
8 to highways of the state to the same extent as bicycles. Electric-
9 assisted bicycles may be operated on a multipurpose trail or bicycle
10 lane, but local jurisdictions may restrict or otherwise limit the
11 access of electric-assisted bicycles.

12 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.61 RCW
13 to read as follows:

14 A motorized foot scooter that is powered by an electric motor will
15 be treated and regulated as a bicycle.

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