

HOUSE BILL REPORT

SSB 5335

As Reported by House Committee On:
Transportation

Title: An act relating to the definition of a motorcycle helmet.

Brief Description: Defining "motorcycle helmet."

Sponsors: Senate Committee on Highways & Transportation (originally sponsored by Senators Zarelli, Haugen, Prentice, Mulliken, Benton, Oke and Carlson).

Brief History:

Committee Activity:

Transportation: 4/4/03 [DPA].

Brief Summary of Substitute Bill
(As Amended by House Committee)

- Removes the authority of the Washington State Patrol to set equipment standards for motorcycle helmets.
- Defines "motorcycle helmet."

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended. Signed by 20 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Armstrong, Campbell, Clibborn, Dickerson, Flannigan, Hankins, Hatfield, Hudgins, Mielke, Morris, Nixon, Romero, Shabro, Sullivan, Wallace and Woods.

Minority Report: Do not pass. Signed by 4 members: Representatives Simpson, Vice Chair; Anderson, Cooper and Lovick.

Staff: Reema Griffith (786-7301).

Background:

Currently persons riding motorcycles, motor-driven cycles, and mopeds are required to wear motorcycle helmets. The Washington State Patrol (WSP) is authorized under

current law to adopt motorcycle helmet standards, which they have done via the rule-making process. The standards established by the WSP are based upon federal standards set by the U.S. Department of Transportation (USDOT).

Summary of Amended Bill:

The authority of the WSP to adopt rules for protective helmets is removed.

The term "motorcycle helmet" is defined as a protective covering for the head, consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system, with a sticker indicating that the motorcycle helmet meets standards established by the U.S. Department of Transportation.

Amended Bill Compared to Substitute Bill:

Restores the bill to its original language which states that a helmet must have a "sticker" indicating compliance with the USDOT standards, and does not specify who must place the sticker on the helmet, what the sticker should look like, or where on the helmet the sticker should be placed.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) This bill will assist law enforcement in identifying motorcycle helmets that do not meet the USDOT standards because it requires a sticker be on the helmet. Under current law, that is not required so any type of helmet could be in use and nobody could tell otherwise.

(Neutral with concerns) This change in law may compromise the safety of motorcycle helmets largely due to the fact that counterfeit stickers can be readily acquired and many helmets have stickers that say they meet U.S. Department of Transportation standards when they really do not. Saying that a "sticker" is all it takes to be in compliance is just not enough

Testimony Against: None.

Testified: Argie Martin, Cowlitz County ABATE ; Rich Bright, ABATE of Washington and Washington Legislative Task Force; and Dave Williams, ABATE of Washington.

(Neutral with concerns) Steve Lind, Traffic Safety Commission; and Glenn Cramer, Washington State Patrol.