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SENATE BILL 6509

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State of Washington

58th Legislature

2004 Regular Session

By Senators Regala, Horn, Haugen, Shin and Kohl-Welles

Read first time 01/22/2004. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to children on motorcycles; and amending RCW  
2 46.37.530.

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

4 **Sec. 1.** RCW 46.37.530 and 2003 c 197 s 1 are each amended to read  
5 as follows:

6 (1) It is unlawful:

7 (a) For any person to operate a motorcycle or motor-driven cycle  
8 not equipped with mirrors on the left and right sides of the motorcycle  
9 which shall be so located as to give the driver a complete view of the  
10 highway for a distance of at least two hundred feet to the rear of the  
11 motorcycle or motor-driven cycle: PROVIDED, That mirrors shall not be  
12 required on any motorcycle or motor-driven cycle over twenty-five years  
13 old originally manufactured without mirrors and which has been restored  
14 to its original condition and which is being ridden to or from or  
15 otherwise in conjunction with an antique or classic motorcycle contest,  
16 show, or other such assemblage: PROVIDED FURTHER, That no mirror is  
17 required on any motorcycle manufactured prior to January 1, 1931;

18 (b) For any person to operate a motorcycle or motor-driven cycle

1 which does not have a windshield unless wearing glasses, goggles, or a  
2 face shield of a type conforming to rules adopted by the state patrol;

3 (c) For any person to operate or ride upon a motorcycle, motor-  
4 driven cycle, or moped on a state highway, county road, or city street  
5 unless wearing upon his or her head a motorcycle helmet except when the  
6 vehicle is an antique motor-driven cycle or automobile that is licensed  
7 as a motorcycle or when the vehicle is equipped with seat belts and  
8 roll bars approved by the state patrol. The motorcycle helmet neck or  
9 chin strap must be fastened securely while the motorcycle or motor-  
10 driven cycle is in motion. Persons operating electric-assisted  
11 bicycles shall comply with all laws and regulations related to the use  
12 of bicycle helmets;

13 (d) For any person to transport a child under the age of ((five))  
14 six, or under the weight of sixty pounds, or whose feet do not rest  
15 firmly on the passenger foot pegs on a motorcycle or motor-driven cycle  
16 unless the motorcycle or motor-driven cycle:

- 17 (i) Has three wheels;
- 18 (ii) Is powered by an electric motor;
- 19 (iii) Has a full body enclosed cab; and
- 20 (iv) Has a seat belt assembly or a child restraint system for the  
21 driver and passenger and the operator and passengers use the seat belt  
22 or child restraint system;

23 (e) For any person to sell or offer for sale a motorcycle helmet  
24 that does not meet the requirements established by this section.

25 (2) The state patrol may adopt and amend rules, pursuant to the  
26 Administrative Procedure Act, concerning standards for glasses,  
27 goggles, and face shields.

28 (3) For purposes of this section, "motorcycle helmet" means a  
29 protective covering for the head consisting of a hard outer shell,  
30 padding adjacent to and inside the outer shell, and a neck or chin  
31 strap type retention system, with a sticker indicating that the  
32 motorcycle helmet meets standards established by the United States  
33 Department of Transportation.

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