

---

SENATE BILL 5783

---

State of Washington

59th Legislature

2005 Regular Session

By Senators Sheldon, Delvin, Zarelli, Mulliken, Hewitt, Hargrove, Carrell and Benton

Read first time 02/07/2005. Referred to Committee on Transportation.

1 AN ACT Relating to motorcycle helmet use; and amending RCW  
2 46.37.530 and 46.37.535.

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

13 (d) For any person to transport a child under the age of five on a  
14 motorcycle or motor-driven cycle;

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

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

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

26 **Sec. 2.** RCW 46.37.535 and 1990 c 270 s 8 are each amended to read  
27 as follows:

28 It is unlawful for any person to rent out motorcycles, motor-driven  
29 cycles, or mopeds unless the person also has on hand for rent helmets  
30 (~~(of a type conforming to rules adopted by the state patrol)~~) as  
31 defined by RCW 46.37.530.

32 It shall be unlawful for any person under the age of twenty-one  
33 years to rent a motorcycle, motor-driven cycle, or moped unless the  
34 person has in his or her possession a helmet (~~(of a type approved by~~  
35 ~~the state patrol)~~) as defined by RCW 46.37.530, regardless of from whom

1 the helmet is obtained.

--- END ---