

SENATE BILL REPORT

SB 5027

As Reported by Senate Committee On:
Transportation, January 24, 2011

Title: An act relating to requiring motorcycle manufacturers to indicate whether a motorcycle is for off-road use only.

Brief Description: Requiring motorcycle manufacturers to indicate whether a motorcycle is for off-road use only.

Sponsors: Senators Haugen, King and Holmquist Newbry.

Brief History:

Committee Activity: Transportation: 1/20/11, 1/24/11 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5027 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; White, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Eide, Hill, Hobbs, Litzow, Nelson, Prentice, Ranker, Sheldon and Shin.

Staff: Katherine Taylor (786-7434)

Background: Currently, not all off-road motorcycle manufacturers are including a statement indicating that a motorcycle is for off-road use only on the manufacturer's statement of origin or certificate of origin. The statement of origin or certificate of origin is used by the Department of Licensing (DOL) when registering or licensing a vehicle for public street or off-road use. In instances where off-road motorcycle manufacturers have not included a statement indicating that a motorcycle is for off-road use only on the statement of origin or certificate of origin, motorcycles manufactured for off-road use have been licensed for public street use. Off-road motorcycles often have the words "off-road use only" or a similar message stamped into the frame of the motorcycle; however, DOL does not conduct motorcycle inspections and therefore DOL employees do not see these message stamps when issuing a license or registration.

The Washington Administrative Code requires that an application for a certificate of ownership for a new vehicle must be accompanied by a manufacturer's statement or

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certificate of origin, which indicates whether the vehicle was not manufactured for road use.

Some of the on-road federally required motorcycle components, which may not be included on off-road motorcycles, include the following:

- brake system;
- brake hoses;
- brake fluid;
- controls and displays;
- lights and reflectors;
- rearview mirrors;
- tires; and
- rims.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): If a motorcycle does not meet the Federal Motor Vehicle Safety Standards for use on public streets, roads, or highways, the manufacturer's statement of origin or certificate of origin must include a statement indicating that the motorcycle is for off-road use only. This requirement would ensure that motorcycles are accurately registered with DOL for public street or off-road use.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Requiring off-road motorcycle manufacturers to include a statement stating that a motorcycle is for off-road use only in the statement of origin or certificate of origin would help DOL properly register motorcycles.

CON: An individual should be able to accept liability for riding an off-road motorcycle on public roads. If riders are not allowed to drive off-road motorcycles on public roads they will have to sell their off-road motorcycles or not use them. Some members of the motorcycle community would like to add components to a currently off-road motorcycle to make it public street safe.

OTHER: Neither DOL, nor WSP want to be involved in inspecting or certifying off-road motorcycles with additional components added for public road use.

Persons Testifying: PRO: Glenn Ball, Toni Wilson, DOL.

CON: Donnie Landsman, A Brotherhood Against Totalitarian Enactments, Bikers of Lesser Tolerance; John Eaton, citizen.

OTHER: Jason Berry, WSP.