

# SENATE BILL REPORT

## SB 5185

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

**Title:** An act relating to temporarily suspending certain motorcycle rules when operating in parades or public demonstrations.

**Brief Description:** Temporarily suspending certain motorcycle rules when operating in parades or public demonstrations.

**Sponsors:** Senators Delvin, Sheldon, Becker, Honeyford, Swecker, Stevens, Benton, Holmquist Newbry, Zarelli, Baumgartner, King, Schoesler, Hewitt, Ericksen and Roach.

**Brief History:**

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

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5185 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:** Under current Washington law, when a motorcyclist participates in a parade or public demonstration, the Chief of the Washington State Patrol, or the Chief's designee, may temporarily suspend certain motorcycle operation rules, including the following:

- the general requirement that a motorcyclist use a helmet, a tightened chin strap, mirrors, a windshield or approved eyewear, and handlebars under 30 inches high;
- the general requirement that a motorcyclist ride upon his or her permanent motorcycle seat and the conditions under which a second passenger may ride on a motorcycle; and
- the prohibition on riding with both feet placed on the same side of the motorcycle.

**Summary of Bill (Recommended Substitute):** The Chief of the Washington State Patrol, or the Chief's designee, no longer have the power to temporarily suspend certain motorcycle

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

rules with respect to the operation of motorcycles in connection with a parade or public demonstration.

Certain motorcycle rules are temporarily suspended when motorcyclists are operating a closed road during a parade or public demonstration that has been permitted by a local jurisdiction and the suspension of the rules is not at the discretion of any law enforcement officer.

**EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute):** Parades and public demonstrations are more narrowly defined as those that take place on a closed road and have been permitted by a local jurisdiction.

**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 on Original Bill:** PRO: Generally, the motorcycle community wants to be able to suspend certain motorcycle rules for parades and public demonstrations. They do not want to break the law while doing so.

OTHER: Washington State Patrol (WSP) wants the wording narrowed so that certain motorcycle rules are only suspended while a motorcycle is operating in a parade, not on the way to a parade.

**Persons Testifying:** PRO: "Texas" Larry Walker, Washington Road Riders Association; Donnie Landsman, A Brotherhood Against Totalitarian Enactments (ABATE), Bikers of Lesser Tolerance; and Mike Gilesby, ABATE.

OTHER: Jason Berry, WSP.