

# SENATE BILL REPORT

## SSB 5185

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As Passed Senate, February 9, 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:** Senate Committee on Transportation (originally sponsored by 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].

Passed Senate: 2/09/11, 46-0.

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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.

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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.*

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

**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.