
HOUSE BILL 1246

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Blake, Kretz, Kirby, Orcutt, Haler, Warnick, Condotta, Dahlquist, MacEwen, Taylor, Shea, Upthegrove, Hargrove, Short, Holy, Ross, Crouse, Haigh, Schmick, Fagan, Magendanz, Van De Wege, and Vick

Read first time 01/21/13. Referred to Committee on Transportation.

1 AN ACT Relating to removing certain requirements for motorcycle
2 helmet use; and amending RCW 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 2009 c 275 s 5 are each amended to read
5 as follows:

6 (1) It is unlawful:

7 (a) For any person to operate a motorcycle, moped, or motor-driven
8 cycle not equipped with mirrors on the left and right sides which shall
9 be so located as to give the driver a complete view of the highway for
10 a distance of at least two hundred feet to the rear of the motorcycle,
11 moped, 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, moped, or motor-driven

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

4 ~~(c) ((For any person to operate or ride upon a motorcycle, motor-~~
5 ~~driven cycle, or moped on a state highway, county road, or city street~~
6 ~~unless wearing upon his or her head a motorcycle helmet except when the~~
7 ~~vehicle is an antique motor-driven cycle or when the vehicle is~~
8 ~~equipped with all of the following:~~

9 ~~(i) Steering wheel;~~

10 ~~(ii) Seat belts that conform to standards prescribed under 49~~
11 ~~C.F.R. Part 571; and~~

12 ~~(iii) Partially or completely enclosed seating area for the driver~~
13 ~~and passenger that is certified by the manufacturer as meeting the~~
14 ~~standards prescribed under 49 C.F.R. Sec. 571.216.~~

15 ~~The motorcycle helmet neck or chin strap must be fastened securely~~
16 ~~while the motorcycle, moped, or motor-driven cycle is in motion.~~
17 ~~Persons operating electric-assisted bicycles and motorized foot~~
18 ~~scooters shall comply with all laws and regulations related to the use~~
19 ~~of bicycle helmets;~~

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

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

24 (2) The state patrol may adopt and amend rules concerning standards
25 for glasses, goggles, and face shields.

26 (3) ~~((For purposes of this section, "motorcycle helmet" means a~~
27 ~~protective covering for the head consisting of a hard outer shell,~~
28 ~~padding adjacent to and inside the outer shell, and a neck or chin~~
29 ~~strap type retention system, with the manufacturer's certification~~
30 ~~applied in accordance with 49 C.F.R. Sec. 571.218 indicating that the~~
31 ~~motorcycle helmet meets standards established by the United States~~
32 ~~department of transportation.))~~

33 Persons operating electric-assisted
34 bicycles and motorized foot scooters shall comply with all laws and
regulations related to the use of bicycle helmets.

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

1 It is unlawful for any person to rent out motorcycles, motor-driven
2 cycles, or mopeds unless the person also has on hand for rent helmets
3 of a type conforming to rules adopted by the state patrol.

4 (~~It shall be unlawful for any person to rent a motorcycle, motor-~~
5 ~~driven cycle, or moped unless the person has in his or her possession~~
6 ~~a helmet of a type approved by the state patrol, regardless of from~~
7 ~~whom the helmet is obtained.))~~

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