
Transportation Committee

HB 1116

Brief Description: Addressing motorcycle safety.

Sponsors: Representatives Lovick and Ryu; by request of Department of Licensing and Washington Traffic Safety Commission.

Brief Summary of Bill

- Eliminates the 16-hour limit on the length of motorcycle skills education courses.
- Eliminates the limit on the cost of motorcycle skills education courses for Department of Licensing (DOL)-subsidized courses for state residents under the age of 18 (\$50) and for state residents 18 years of age and older and military personnel (\$125).
- Increases the total monetary penalty for driving without a driver's license without a valid motorcycle endorsement from \$136 to \$652.
- Permits entities that enter into contracts with the DOL to administer motorcycle instruction permit exams.
- Eliminates the requirement that unsubsidized motorcycle operator training education programs pay the cost of an audit by the DOL.
- Extends the duration of a motorcycle instruction permit to 180 days (from 90 days).
- Modifies the composition of the Motorcycle Safety Education Advisory Board.

Hearing Date: 2/4/19

Staff: Jennifer Harris (786-7143).

Background:

Motorcycle Skills Education Courses.

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.

To legally operate a two- or three-wheeled motorcycle or motor scooter on public highways, a person must have a valid motorcycle endorsement on his or her driver's license. To obtain such an endorsement, a person must either take an examination or complete a motorcycle training and education program that consists of separate novice and advanced motorcycle skills education courses that are each a minimum of eight hours and no more than 16 hours. These programs may be administered by public or private entities operating under contracts with the Department of Licensing (DOL).

The DOL may enter into agreements to review and certify that a private motorcycle skills education course meets educational standards of the motorcycle skills education program. Any agreement the DOL enters into must allow for the DOL to conduct periodic audits to ensure that the course continues to meet these educational standards. The costs of review, certification, and any audit must be paid by the entity providing the education course.

The cost of DOL-subsidized motorcycle skills education programs may not exceed \$50 for Washington residents who are under the age of 18 years and \$125 for other Washington residents and members of the military stationed in Washington.

The DOL must enter into an agreement with private entities that meet standards equivalent to those met by the DOL's motorcycle skills education program. The DOL must review and certify that the training program curriculum meets these standards. The DOL must allow private motorcycle skills education DOL-unsubsidized program providers to charge students the full cost of the education program.

The DOL may conduct periodic audits of certified private programs to ensure that the program continues to meet these educational standards. The costs of review, certification, and any audit must be paid by the private programs.

Motorcycle Instruction Permits and Examinations.

A person who holds a valid driver's license may apply for a motorcycle instruction permit, which the DOL may issue after the applicant has successfully passed all parts of the motorcycle examination other than the skills (driving) test. A driver with a motorcyclist's instruction permit may not carry passengers and may not operate a motorcycle when it is dark outside.

A motorcycle permit is valid for 90 days. During a five-year period, the DOL may issue two 90-day permits to an applicant, and may issue a third if presented with documented evidence that the applicant is enrolled in a DOL or DOL-authorized motorcycle skills education program with an expiration prior to the start date of the third permit.

Motorcycle Safety Education Advisory Board.

A Motorcycle Safety Education Advisory Board (Board) was established in law in 1982 to provide assistance to the DOL in developing and to monitor the motorcycle operator training education program, reporting to the DOL as necessary with recommendations not limited to but including program administration, application, and content.

The Board consists of five members, four of whom must be appointed by the DOL's Director. Three members of the Board, one of whom must be appointed by the Board's chairperson, must be active motorcycle riders or members of non-profit motorcycle organizations who actively support and promote motorcycle safety education. One member of the Board must be a Washington State Patrol (WSP) motorcycle officer with at least five years of experience with the WSP and at least one year of cumulative experience as a motorcycle officer. One member must be a member of the public. Members are appointed for two years.

The Board is required to meet as requested by the DOL Director, and at least two times each year and five times during its two-year term of appointment. No compensation is provided, but the Board is reimbursed for travel expenses while engaged in Board business.

Program priorities, in priority order are: (1) public awareness of motorcycle safety; (2) motorcycle safety education programs; (3) classroom and on-road training; and (4) improved motorcycle operator testing.

Driving without a Motorcycle Endorsement.

No person may driver a two-wheeled or a three-wheeled motorcycle or motor scooter unless he or she has a valid driver's license with a motorcycle endorsement. The monetary base penalty for driving a motorcycle or motor scooter without a motorcycle endorsement is currently \$48, as set by Washington State Supreme Court rule, and the total amount due is \$136 when additional fees and assessments are included.

Summary of Bill:

Motorcycle Skills Education Courses.

Motorcycle skills education courses delivered as part of the DOL motorcycle operator training education programs may exceed 16 hours in length. The limitations on the charge for state residents and military personnel for subsidized courses are removed.

Unsubsidized motorcycle operator training education programs are no longer required to pay the costs of a program audit by the DOL.

Motorcycle Instruction Permits and Examinations.

A motorcycle instruction permit is valid for 180 days. A total of two permits may be issued to an applicant in a five-year period.

The DOL may require that both knowledge (written) and skills (driving) examinations be completed by a motorcycle instruction permit applicant in order for the applicant to obtain a permit.

There must be separate knowledge and skills examinations administered for two-wheeled and for three-wheeled motorcycle instruction permits. The DOL may authorize entities that have entered into a contract with the DOL to provide courses under the DOL's motorcycle operating training education program to administer motorcycle instruction permit examinations.

The DOL may adopt and enforce rules consistent with laws related to motorcycle permit issuance and knowledge and skill examination administration.

Motorcycle Safety Education Advisory Board.

The Motorcycle Safety Education Advisory Board (Board) must consist of seven members appointed by the Director of the DOL. Two members must be active motorcycle riders or members of non-profit motorcycle organizations that actively support and promote motorcycle safety education. One member must represent each of the following: the Washington Traffic Safety Commission; the WSP; the Washington Association of Sheriffs and Police Chiefs; a statewide motorcycle dealer's association; and the public. The Board must appoint a chair.

The Board must meet at least twice annually, but is not required to meet at least five times during its two-year term of appointment.

Driving without a Motorcycle Endorsement.

The base penalty for driving without a driver's license with a valid motorcycle endorsement is increased to \$300. The total amount due with fees and assessments included is \$652.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2020.