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**SUBSTITUTE SENATE BILL 5256**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senate Committee on Law & Justice (originally sponsored by Senators Roach, Heavey, Hochstatter, Schow, Finkbeiner, Zarelli, Prince, Wood, Stevens, Horn, Hargrove, Morton, Newhouse, Sellar, Benton, Hale, Strannigan and Johnson)

Read first time 02/19/97.

1 AN ACT Relating to motorcycle equipment; and amending RCW 46.37.530  
2 and 46.37.535.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.37.530 and 1990 c 270 s 7 are each amended to read  
5 as follows:

6 ~~((1))~~ It is unlawful:

7 ~~((a))~~ (1) For any person to operate a motorcycle or motor-driven  
8 cycle not equipped with mirrors on the left and right sides of the  
9 motorcycle which shall be so located as to give the driver a complete  
10 view of the highway for a distance of at least two hundred feet to the  
11 rear of the motorcycle or motor-driven cycle: PROVIDED, That mirrors  
12 shall not be required on any motorcycle or motor-driven cycle over  
13 twenty-five years old originally manufactured without mirrors and which  
14 has been restored to its original condition ~~((and which is being ridden  
15 to or from or otherwise in conjunction with an antique or classic  
16 motorcycle contest, show, or other such assemblage: PROVIDED FURTHER,  
17 That))~~. No mirror is required on any motorcycle manufactured prior to  
18 January 1, 1931;

1       ~~((b))~~ (2) For any person to operate a motorcycle or motor-driven  
2 cycle which does not have a windshield unless wearing glasses, goggles,  
3 or a face shield ~~((of a type conforming to rules adopted by the state~~  
4 ~~patrol))~~;

5       ~~((c))~~(3) For any person under the age of twenty-one years to  
6 operate or ride upon a motorcycle, motor-driven cycle, or moped on a  
7 state highway, county road, or city street unless wearing upon his or  
8 her head a commercially manufactured protective motorcycle helmet ~~((of~~  
9 ~~a type conforming to rules adopted by the state patrol))~~ except when  
10 the vehicle is an antique motor-driven cycle at least twenty-five years  
11 old, or an automobile that is licensed as a motorcycle, or ~~((when the))~~  
12 a vehicle ~~((is))~~ equipped with seat belts and roll bars ~~((approved by~~  
13 ~~the state patrol))~~. The motorcycle helmet must be equipped with either  
14 a neck or chin strap which shall be fastened securely while the  
15 motorcycle or motor-driven cycle is in motion;

16       ~~((d))~~ (4) For any person to transport a child under the age of  
17 five on a motorcycle or motor-driven cycle(;

18       ~~(e) For any person to sell or offer for sale a motorcycle helmet~~  
19 ~~which does not meet the requirements established by the state patrol.~~

20       ~~(2) The state patrol is hereby authorized and empowered to adopt~~  
21 ~~and amend rules, pursuant to the administrative procedure act,~~  
22 ~~concerning the standards and procedures for conformance of rules~~  
23 ~~adopted for glasses, goggles, face shields, and protective helmets)).~~

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

26       It is unlawful for any person to rent out motorcycles, motor-driven  
27 cycles, or mopeds unless the person also has commercially manufactured  
28 motorcycle helmets on hand for rent ~~((helmets of a type conforming to~~  
29 ~~rules adopted by the state patrol))~~.

30       It shall be unlawful for any person under the age of twenty-one  
31 years to rent a motorcycle, motor-driven cycle, or moped unless the  
32 person has in his or her possession a commercially manufactured  
33 motorcycle helmet ~~((of a type approved by the state patrol, regardless~~  
34 ~~of from whom the helmet is obtained))~~.

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