

# HOUSE BILL REPORT

## SHB 2572

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### As Amended by the Senate

**Title:** An act relating to the definition of a motorcycle helmet.

**Brief Description:** Defining "motorcycle helmet."

**Sponsors:** By House Committee on Transportation (originally sponsored by Representatives Pennington, Doumit, Delvin, Mielke, Hatfield, Schoesler, Clements, Boldt, DeBolt, Hurst, Kagi, G. Chandler, Dunn, Mulliken, Thomas, D. Schmidt, B. Chandler, Pflug, Talcott, Edmonds, Ruderman, Eickmeyer, Sullivan, Rockefeller, Wolfe and Woods).

### Brief History:

#### Committee Activity:

Transportation: 1/26/00, 1/31/00 [DPS].

#### Floor Activity:

Passed House: 2/10/00, 97-0.

Senate Amended.

Passed Senate: 3/2/00, 45-1.

### Brief Summary of Substitute Bill

- Removes the authority of the Washington State Patrol to adopt standards for motorcycle helmets.
- Requires legal helmets to continue to meet federal standards and specifications.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Fisher, Democratic Co-Chair; Mitchell, Republican Co-Chair; Cooper, Democratic 1st Vice Chair; Edwards, Democratic 2nd Vice Chair; Ericksen, Republican Vice Chair; Hankins, Republican Vice Chair; Buck; G. Chandler; DeBolt; Fortunato; Haigh; Hatfield; Hurst; Lovick; McDonald; Mielke; Morris; Ogden; Pflug; Radcliff; Romero; Schindler; Schual-Berke; Scott; Skinner; Wood and Woods.

**Staff:** Mary McLaughlin (786-7309).

**Background:**

The Washington State Patrol (WSP) is responsible for adopting guidelines for motor vehicle equipment standards through administrative rules. Motorcycle helmets, goggles, glasses, and face shields sold in the state of Washington must conform with WSP rules. The WSP usually adopts, by reference, the Federal Motor Vehicle Safety Standards (FMVSS) applicable to a certain piece of equipment. These standards are developed by the National Highway Traffic Safety Administration after extensive testing. In the case of motorcycle helmets, the WSP has adopted FMVSS No. 218 which requires: (1) a hard outer shell; (2) an inner liner of polystyrene foam; (3) a sturdy chin strap with solid rivets; (4) proper labeling [including the Department of Transportation (DOT) sticker on the outer shell]; and (5) instructions to the purchaser on care and use.

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**Summary of Bill:**

The WSP is no longer responsible for adopting guidelines for motorcycle helmets for sale in the state of Washington. This authority is replaced with a definition of "motorcycle helmet" that consists of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap retention system that meets the federal standards established by the National Highway Traffic Safety Administration for helmets.

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**EFFECT OF SENATE AMENDMENT(S):** Returns the bill to its original form. A motorcycle helmet consists of a hard outer core, padding, and a neck or chin strap with a sticker indicating that the helmet meets USDOT standards. Removes the reference to Federal Motor Vehicle Safety Standard No. 218, which sets forth specifications for federally-approved motorcycle helmets.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** The WSP rules for helmet specifications are confusing and enforcement is not consistent. Law enforcement may not always know if a helmet is legal.

**Testimony Against:** Some agency should be in charge of helmet rules to prevent the use of illegal helmets which will not protect the rider to the fullest extent possible.

**Testified:** (Supports) Argie Martin, Cowlitz County ABATE; Ray Colwell, Cowlitz County ABATE; Karen Bolin, ABATE of Washington; and Larry Walker, ABATE of Washington.

(Opposed) Steve Lind, Washington Traffic Safety Commission; and Captain Eric Robertson, Washington State Patrol.