

# **HOUSE BILL ANALYSIS**

## **SSB 5264**

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**Title:** *An act relating to requirements for operating a motorcycle on Washington highways.*

**Brief Description:** *Eliminating categories of motorcycle endorsement.*

**Sponsors:** *Senators Horn and Hochstatter.*

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### **HOUSE COMMITTEE ON FINANCIAL INSTITUTIONS & INSURANCE**

**Meeting Date:** *March 18, 1999*

**Bill Analysis Prepared by:** *Anntonette Alberti (786-7117)*

**Background:** *In order to lawfully drive a motorcycle in Washington one must have a valid driver's license with a motorcycle endorsement from the Department of Licensing (DOL). There are three categories of motorcycle endorsements:*

- b Category One: motorcycles having an engine displacement of 150 cc or less;*
- b Category Two: motorcycles having an engine displacement of 500 cc or less;*  
*and*
- b Category Three: motorcycles having an engine displacement of 501 cc or more.*

*To obtain an endorsement, one must pass both a written and a skills test. However, if one has completed an approved basic motorcycle rider's course, the skills test will be waived. There is a non-refundable \$2 fee for taking the written test.*

*When learning to operate a motorcycle on public roadways, one must have a motorcycle instruction permit. Motorcycle instruction permit holders:*

- b may operate a motorcycle only under the supervision of a driver who has been licensed for five years and has an endorsement for the appropriate category of motorcycle;*
- b may not carry passengers;*
- b may not ride a motorcycle during hours of darkness; and*
- b may not ride on a fully controlled limited access highway.*

*One does not have to obtain motor vehicle liability insurance in order to operate a motorcycle.*

The use tax is imposed on the use of articles of tangible personal property when the sale or acquisition of the property has not been subject to sales tax. The use tax is equal to the sales tax rate multiplied by the value of the property used. The use tax commonly applies to property acquired from out-of-state. *Motorcycle manufacturers and others sometimes loan motorcycles to the DOL and to DOL-approved trainers. These motorcycles are used solely for training purposes. The DOL and DOL-approved trainers may be required by law to pay use tax for these loaned motorcycles. The Department of Revenue has issued a temporary administrative waiver of the use tax.*

**Summary of Bill:** *There is only one category of motorcycle endorsement, which covers all sizes of motorcycle engines.*

*The \$2 examination fee is abolished. A \$2 application fee is imposed.*

*A person with a motorcycle instruction permit does not have to be under the direct visual supervision of an experienced driver when operating a motorcycle. Additionally, a person with such a permit may operate a motorcycle on a fully controlled limited access facility.*

*The DOL may waive the written examination for applicants who have satisfactorily completed an approved motorcycle rider's course.*

*Motorcycles are no longer exempt from motor vehicle liability insurance requirements. Motorcyclists must carry, at a minimum, the following coverages: (1) \$10,000 for property damage, (2) \$25,000 for personal injury or death of one person in any one accident, and (3) \$50,000 for personal injury or death of two or more persons in any one accident.*

*The DOL and persons contracting with the DOL do not have to pay use tax for loaned motorcycles used strictly for training purposes.*

**Appropriation:** *None.*

**Fiscal Note:** *Requested.*

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

**Rulemaking Authority:** *None granted.*