

1 5113-S AMS COST S2102.4

2 **SSB 5113** - S AMD 043
3 By Senators Costa and Horn

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 46.04 RCW
8 to read as follows:

9 "Motorized foot scooter" means a device with no more than two ten-
10 inch or smaller diameter wheels that has handlebars, is designed to be
11 stood or sat upon by the operator, and is powered by an internal
12 combustion motor that is capable of propelling the device with or
13 without human propulsion. A motorized foot scooter's motor must
14 produce no more than one and five-tenths gross horsepower and be
15 capable of propelling the entire device at not more than twenty-five
16 miles per hour on level ground.

17 For purposes of this section, a motor-driven cycle, a moped, an
18 electric-assisted bicycle, or a motorcycle is not a motorized foot
19 scooter.

20 **Sec. 2.** RCW 46.20.500 and 1999 c 274 s 8 are each amended to read
21 as follows:

22 No person may drive a motorcycle or a motor-driven cycle unless
23 such person has a valid driver's license specially endorsed by the
24 director to enable the holder to drive such vehicles. However, a
25 person sixteen years of age or older, holding a valid driver's license
26 of any class issued by the state of the person's residence, may operate
27 a moped without taking any special examination for the operation of a
28 moped. No driver's license is required for operation of an electric-
29 assisted bicycle if the operator is at least sixteen years of age. No
30 driver's license is required to operate a motorized foot scooter.
31 Persons under sixteen years of age may not operate an electric-assisted
32 bicycle. Persons under twelve years of age may not operate a motorized
33 foot scooter. Motorized foot scooters may not be operated at any time
34 from a half hour after sunset to a half hour before sunrise without
35 reflectors of a type approved by the state patrol.

1 **Sec. 3.** RCW 46.37.535 and 1990 c 270 s 8 are each amended to read
2 as follows:

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

7 It shall be unlawful for any person to rent a motorcycle, motor-
8 driven cycle, motorized foot scooter, or moped unless the person has in
9 his or her possession a helmet of a type approved by the state patrol,
10 regardless of from whom the helmet is obtained.

11 **Sec. 4.** RCW 46.61.710 and 1997 c 328 s 5 are each amended to read
12 as follows:

13 (1) No person shall operate a moped upon the highways of this state
14 unless the moped has been assigned a moped registration number and
15 displays a moped permit in accordance with the provisions of RCW
16 46.16.630.

17 (2) Notwithstanding any other provision of law, neither a moped nor
18 a motorized foot scooter may ~~((not))~~ be operated on a bicycle path or
19 trail, bikeway, equestrian trail, or hiking or recreational trail.

20 (3) Operation of a moped ~~((or))~~, an electric-assisted bicycle, or
21 a motorized foot scooter on a fully controlled limited access highway
22 or on a sidewalk is unlawful.

23 (4) Removal of any muffling device or pollution control device from
24 a moped or motorized foot scooter is unlawful.

25 (5) Subsections (1), (2), and (4) of this section do not apply to
26 electric-assisted bicycles. Electric-assisted bicycles may have access
27 to highways of the state to the same extent as bicycles. Electric-
28 assisted bicycles may be operated on a multipurpose trail or bicycle
29 lane, but local jurisdictions may restrict or otherwise limit the
30 access of electric-assisted bicycles.

31 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.61 RCW
32 to read as follows:

33 A motorized foot scooter that is powered by an electric motor will
34 be treated and regulated as a bicycle."

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4 In line 2 of the title, after "scooters;" strike the remainder of
5 the title and insert "amending RCW 46.20.500, 46.37.535, and 46.61.710;
6 adding a new section to chapter 46.04 RCW; and adding a new section to
7 chapter 46.61 RCW."

EFFECT: Gasoline powered scooters are treated similarly to mopeds or electric-assisted bicycles. Electric scooters are treated as bicycles. There are no helmet requirements for either type of scooter.

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