

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5229

Chapter 41, Laws of 2003

58th Legislature
2003 Regular Session

MOTORCYCLES--ENDORSEMENTS, EDUCATION

EFFECTIVE DATE: 1/1/04

Passed by the Senate March 11, 2003
YEAS 48 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House April 9, 2003
YEAS 73 NAYS 18

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Milton H. Doumit, Jr.,
Secretary of the Senate of the
State of Washington, do hereby
certify that the attached is
certify that the attached is
**ENGROSSED SUBSTITUTE SENATE BILL
5229** as passed by the Senate and
the House of Representatives on
the dates hereon set forth.

MILTON H. DOUMIT JR.

Secretary

Approved April 17, 2003.

FILED

April 17, 2003 - 2:30 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5229

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By Senate Committee on Highways & Transportation (originally sponsored by Senators Haugen, Horn, B. Sheldon, Zarelli, Poulsen, Jacobsen, Mulliken, Hargrove, Roach, Rossi, Stevens, T. Sheldon and West)

READ FIRST TIME 02/13/03.

1 AN ACT Relating to a motorcycle skills education program for three-
2 wheeled motorcycles; amending RCW 46.20.500, 46.20.505, 46.20.515,
3 46.81A.010, and 46.81A.020; creating a new section; and providing an
4 effective date.

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

6 **Sec. 1.** RCW 46.20.500 and 2002 c 247 s 6 are each amended to read
7 as follows:

8 (1) No person may drive either a two-wheeled or a three-wheeled
9 motorcycle, or a motor-driven cycle unless such person has a valid
10 driver's license specially endorsed by the director to enable the
11 holder to drive such vehicles.

12 (2) However, a person sixteen years of age or older, holding a
13 valid driver's license of any class issued by the state of the person's
14 residence, may operate a moped without taking any special examination
15 for the operation of a moped.

16 (3) No driver's license is required for operation of an electric-

1 assisted bicycle if the operator is at least sixteen years of age.
2 Persons under sixteen years of age may not operate an electric-assisted
3 bicycle.

4 (4) No driver's license is required to operate an electric personal
5 assistive mobility device.

6 **Sec. 2.** RCW 46.20.505 and 2002 c 352 s 16 are each amended to read
7 as follows:

8 Every person applying for a special endorsement of a driver's
9 license authorizing such person to drive a two or three-wheeled
10 motorcycle or a motor-driven cycle shall pay a fee of five dollars,
11 which is not refundable. In addition, the endorsement fee for the
12 initial motorcycle endorsement shall not exceed ten dollars, and the
13 subsequent renewal endorsement fee shall not exceed twenty-five
14 dollars, unless the endorsement is renewed or extended for a period
15 other than five years, in which case the subsequent renewal endorsement
16 fee shall not exceed five dollars for each year that the endorsement is
17 renewed or extended. The initial and renewal endorsement fees shall be
18 deposited in the motorcycle safety education account of the highway
19 safety fund.

20 **Sec. 3.** RCW 46.20.515 and 2002 c 197 s 1 are each amended to read
21 as follows:

22 The motorcycle endorsement examination must emphasize maneuvers
23 necessary for on-street operation, including emergency braking and
24 turning as may be required to avoid an impending collision. The
25 examination for a two-wheeled motorcycle endorsement and the
26 examination for a three-wheeled motorcycle endorsement must be separate
27 and distinct examinations emphasizing the skills and maneuvers
28 necessary to operate each type of motorcycle. The department may waive
29 all or part of the examination for persons who satisfactorily complete
30 the voluntary motorcycle operator training and education program
31 authorized under RCW 46.20.520 or who satisfactorily complete a private
32 motorcycle skills education course that has been certified by the
33 department under RCW 46.81A.020.

34 **Sec. 4.** RCW 46.81A.010 and 1988 c 227 s 2 are each amended to read
35 as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

3 (1) "Motorcycle skills education program" means a motorcycle rider
4 skills training program to be administered by the department.

5 (2) "Department" means the department of licensing.

6 (3) "Director" means the director of licensing.

7 (4) "Motorcycle" means a (~~motorcycle licensed under chapter 46.16~~
8 ~~RCW, and does not include motorized bicycles, mopeds, scooters, off-~~
9 ~~road motorcycles, motorized tricycles, side-car equipped motorcycles,~~
10 ~~or four-wheel all-terrain vehicles)) motor vehicle designed to travel
11 on not more than three wheels in contact with the ground, on which the
12 driver rides astride the motor unit or power train and is designed to
13 be steered with a handle bar, but excluding farm tractors, electric
14 personal assistive mobility devices, mopeds, motorized bicycles, and
15 off-road motorcycles.~~

16 **Sec. 5.** RCW 46.81A.020 and 2002 c 197 s 2 are each amended to read
17 as follows:

18 (1) The director shall administer and enforce the law pertaining to
19 the motorcycle skills education program as set forth in this chapter.

20 (2) The director may adopt and enforce reasonable rules that are
21 consistent with this chapter.

22 (3) The director shall revise the Washington motorcycle safety
23 program to:

24 (a) Institute ((a)) separate novice and advanced motorcycle skills
25 education courses for both ((~~novice and advanced motorcycle riders~~))
26 two-wheeled and three-wheeled motorcycles that ((~~is~~)) are each a
27 minimum of eight hours and no more than sixteen hours at a cost of (i)
28 no more than fifty dollars for Washington state residents under the age
29 of eighteen, and (ii) no more than one hundred dollars for Washington
30 state residents who are eighteen years of age or older and military
31 personnel of any age stationed in Washington state;

32 (b) Encourage the use of loaned or used motorcycles for use in the
33 motorcycle skills education course if the instructor approves them;

34 (c) Require all instructors for two-wheeled motorcycles to conduct
35 at least three classes in a one-year period, and all instructors for
36 three-wheeled motorcycles to conduct at least one class in a one-year
37 period, to maintain their teaching eligibility;

1 (d) Encourage the use of radio or intercom equipped helmets when,
2 in the opinion of the instructor, radio or intercom equipped helmets
3 improve the quality of instruction.

4 (4) The department may enter into agreements to review and certify
5 that a private motorcycle skills education course meets educational
6 standards equivalent to those required of courses conducted under the
7 motorcycle skills education program. An agreement entered into under
8 this subsection must provide that the department may conduct periodic
9 audits to ensure that educational standards continue to meet those
10 required for courses conducted under the motorcycle skills education
11 program, and that the costs of the review, certification, and audit
12 process will be borne by the party seeking certification.

13 (5) The department shall obtain and compile information from
14 applicants for a motorcycle endorsement regarding whether they have
15 completed a state approved or certified motorcycle skills education
16 course.

17 NEW SECTION. **Sec. 6.** This act shall be known as the Monty Lish
18 Memorial Act.

19 NEW SECTION. **Sec. 7.** This act takes effect January 1, 2004.

Passed by the Senate March 11, 2003.

Passed by the House April 9, 2003.

Approved by the Governor April 17, 2003.

Filed in Office of Secretary of State April 17, 2003.