

# SENATE BILL REPORT

## HB 1937

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As Reported By Senate Committee On:  
Highways & Transportation, March 27, 2003

**Title:** An act relating to power wheelchairs.

**Brief Description:** Excluding power wheelchairs from motor vehicle regulation.

**Sponsors:** Representatives Murray, Holmquist, Romero and Hankins.

**Brief History:**

**Committee Activity:** Highways & Transportation: 3/25/03, 3/27/03 [DPA].

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### SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

**Majority Report:** Do pass as amended.

Signed by Senators Horn, Chair; Benton, Vice Chair; Swecker, Vice Chair; Esser, Haugen, Kastama, Mulliken, Oke, Prentice and Spanel.

**Staff:** Kelly Simpson (786-7403)

**Background:** Current law is silent regarding a definition of power wheelchairs and whether the devices are subject to regulation.

**Summary of Amended Bill:** A "power wheelchair" is defined as a self-propelled vehicle capable of traveling no faster than 15 miles per hour, usable indoors, and used by individuals with mobility impairments. A power wheelchair does not meet the legal definition of a motor vehicle, a motorcycle, a motor-driven cycle, nor a vehicle. A person using a power wheelchair qualifies as a pedestrian.

A driver's license is not required to operate a power wheelchair.

**Amended Bill Compared to Original Bill:** The public highways and transportation code definitions of "pedestrian" and "vehicle" were amended to be more consistent with the definitions in the motor vehicles code.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The laws need to be changed to clarify that individuals using electric wheelchairs are acting as pedestrians and not drivers of vehicles. Operators of electric wheelchairs sometimes need to access a roadway, for example, when obstructions are blocking the sidewalk or if no sidewalk is available. Instances have occurred when electric

wheelchair operators have been cited for moving unlawfully upon roadways. The law specifically treats persons in wheelchairs as pedestrians and should also do so for those in electric wheelchairs, as required under the bill.

**Testimony Against:** None.

**Testified:** PRO: Toby Olson, Governor's Committee on Disability Issues; Patrick Farrell, Northwest Paralyzed Veterans of America.