

HOUSE BILL REPORT

SHB 1436

As Amended by the Senate

Title: An act relating to snow bikes.

Brief Description: Concerning snow bikes.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Mosbrucker, Wylie, Orcutt, Pettigrew, Goodman, Irwin and Griffey).

Brief History:

Committee Activity:

Transportation: 2/6/19, 2/14/19 [DPS].

Floor Activity:

Passed House: 3/12/19, 98-0.

Senate Amended.

Passed Senate: 4/15/19, 48-0.

Brief Summary of Substitute Bill

- Creates a single vehicle license that allows for the operation of a motorcycle as either a motorcycle or a snow bike.
- Provides that the registration fee be the same as for snowmobiles and deposits the proceeds to the Snowmobile Account.
- Requires a person who applies for a single vehicle license for a motorcycle and snow bike to submit a one-time declaration providing that, while in use upon public roads, the vehicle will conform with all federal and state motor vehicle safety standards.
- Requires that a motorcycle that was previously converted to a snow bike meet applicable federal and state safety standards before use again on public roads as a motorcycle.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Fey, Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Ranking Minority Member; Boehnke, Chambers, Chapman, Dent, Dufault, Entenman, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Paul, Pellicciotti, Ramos, Riccelli, Shea, Shewmake and Van Werven.

Minority Report: Without recommendation. Signed by 2 members: Representatives Doglio and Ortiz-Self.

Staff: Mark Matteson (786-7145).

Background:

Motorcycles and Snowmobiles.

Motorcycles are designed for either on-road or off-road use. Motorcycles designed for on-road use must meet federal motor vehicle safety standards and federal emissions requirements. The motorcycle must carry a label from the manufacturer that indicates that the vehicle conforms to all applicable federal motor vehicle safety standards in effect on the date of manufacture shown on the label. Motorcycles designed for off-road use may be accompanied by a manufacturer's certificate of origin that indicates that the vehicle was not manufactured for use on public highways. Off-road motorcycles are regulated under state law as a type of off-road vehicle, a category that includes all-terrain vehicles, other four-wheel drive vehicles, dune buggies, off-road motorcycles, and other motorized vehicles not designed for highway use.

A snowmobile is a type of off-road vehicle that is capable of traveling over snow or ice that utilizes an endless belt tread or cleats as a means of propulsion and is steered by skis or sled-type runners. Snowmobiles are regulated under state law separately from other off-road vehicles.

Whether the vehicle is designed for on-road or off-road use, it is subject to the registration laws of the state. Motorcycles, whether on- or off-road, are subject to a rolling registration calendar, whereas the registration period for snowmobiles is October 1 through September 30. On-road motorcycles are subject to a registration fee of \$30, which is deposited to the Motor Vehicle Account. Off-road motorcycles are subject to a registration fee of \$18, which is deposited to the Nonhighway and Off-Road Vehicle Activities Program Account. Snowmobiles are subject to a registration fee of \$50, which is deposited to the Snowmobile Account.

Dual Use of Motorcycles.

Under state law, operators of motorcycles designed for on-road use may use the vehicle on nonhighway roads, trails, or other natural terrain for recreational purposes. On the other hand, motorcycles designed for off-road use may use highways and other public roads, but only under certain conditions. To be eligible for on-road use, the vehicle must have a headlight, a tail light, a stop light, reflectors, brakes, left and right handlebar mirrors, a windshield (unless the driver wears face protection), a warning device, turn signals, street-legal tires, and fenders. In addition, before operating the vehicle on public roads, the operator of the vehicle must:

- obtain a valid driver's license with a motorcycle endorsement from the Department of Licensing (DOL);
- have a current off-road vehicle registration or temporary use permit;
- file a motorcycle use declaration with the DOL certifying conformance with all federal and state motor vehicle safety standards;
- submit a safety inspection document completed by a licensed motorcycle dealer or repair shop certifying that the off-road motorcycle has the required equipment; and
- submit a release signed by the owner of the off-road motorcycle and verified by the DOL, county auditor, other agent, or subagent that releases the State of Washington from liability and outlines that the owner understands the original off-road motorcycle was not manufactured for on-road use and that it has been modified for use on public roads.

Motorcycles designed for off-road use may be registered in Washington both for off-road use as an off-road motorcycle and for off-road use as a snowmobile, if the vehicle has been specifically modified to allow for snowmobile use. The DOL requires the registered owner to complete a declaration stating that the vehicle is equipped with skis or sled-type runners and used wholly or in part for steering when being used as a snowmobile.

A motorcycle designed for off-road use that meets the requirements for on-road use may not also be simultaneously registered as a snowmobile. A motorcycle designed for off-road use that meets the requirements for a snowmobile may not also be simultaneously registered for on-road use.

Snow Bikes.

A snow bike is a motorcycle to which a conversion kit has been applied that allows the vehicle to be used on snow or ice as a snowmobile.

Summary of Substitute Bill:

The DOL must allow a person to register a motorcycle designed for on-road purposes both as a motorcycle for on-road use and as a snow bike, provided certain requirements are met. A "snow bike" is defined as a motorcycle designed for either on-road or off-road use that has been modified with a conversion kit to include an endless belt or cleats or similar means for the purposes of propulsion and a ski or sled-type runner for the purposes of steering.

To register a motorcycle designed for on-road purposes under a single license as an on-road motorcycle and as a snow bike, the owner must meet the registration requirements for both on-road motorcycles and for snowmobiles, except that the registration period and fee is the same as for snowmobiles and the fee proceeds must be deposited to the Snowmobile Account. When registering for the license for the first time, the owner must submit a declaration established by the DOL that includes a statement signed by the owner that, for any motorcycle that had been previously converted to a snow bike, the vehicle must conform with all federal and state motor vehicle safety standards while in use as a motorcycle upon public roads, streets, or highways.

A person who has a valid driver's license with a motorcycle endorsement may operate upon the public roads of the state a motorcycle designed for on-road purposes and which had been previously converted to a snow bike if the vehicle meets applicable federal and state motor vehicle safety standards.

A motorcycle that is registered as both an on-road motorcycle and a snow bike is subject to transportation benefit district fees, similarly to dedicated on-road motorcycles.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment makes the following changes to the substitute bill:

- provides that it is the intent of the Legislature to create a concurrent licensing process to allow owners of motorcycles to maintain separate registrations for the vehicles simultaneously, for use as a motorcycle and for use as a snow bike, instead of to create a single license;
- directs the Department of Licensing (DOL) to allow the owner of a motorcycle to maintain concurrent licenses for the vehicle for use as a motorcycle and for use as a snow bike, rather than directing the DOL to allow the owner to register the vehicle under a single license;
- provides that the terms of the registration for the vehicle relating to fees and the timing of the registration period are the same as those for on-road motorcycles, when the vehicle is registered as such, and the same as those for snowmobiles, when the vehicle is registered as a snow bike, rather than providing that the fees and registration period must be the same as those for snowmobiles; and
- removes the section regarding the application of transportation benefit district fees.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on September 1, 2019.

Staff Summary of Public Testimony:

(In support) Last year's bill on this topic passed unanimously. What is being seen in the Columbia River gorge, in the Mt. Adams area, and throughout the state is that more and more people are taking their motorcycles and turning them into snowmobiles. Snow biking is a new sport, a great thing. This bill combines the two licenses into one. If the vehicle owner turns it back into a motorcycle, it must comply with all federal regulations. It is good for business.

The Parks and Recreation Commission supports the intent. The State Parks Winter Recreation Program manages 123 snow parks and over 3,300 miles of groomed trails for both motorized and nonmotorized activities. Registration fees should be directed to the Snowmobile Account, which supports the maintenance of snowmobile trails throughout the state.

The Washington State Snowmobile Association, in the interest of safety, would like to support this legislation in order to maintain safe, groomed trails in the system. With increased activity from snow bikes, there is more wear and tear on the trail system, just as more on-road traffic causes deterioration to our highways. By implementing the licensing in this proposal, proper maintenance of the system can continue.

(Opposed) None.

Persons Testifying: Representative Mosbrucker, prime sponsor; Owen Rowe, Washington State Parks and Recreation Commission; Glenn Markovits, Washington State Snowmobile Association; and Jason Goldstein, Washington State Parks Winter Recreation Program.

Persons Signed In To Testify But Not Testifying: None.