

# HOUSE BILL REPORT

## HB 1937

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**As Passed House:**

March 13, 2003

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

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

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

**Brief History:**

**Committee Activity:**

Transportation: 2/27/03, 3/6/03 [DP].

**Floor Activity:**

Passed House: 3/13/03, 96-0.

**Brief Summary of Bill**

- Defines power wheelchair and clarifies that power wheelchairs are not motor vehicles.
- Defines operators of power wheelchairs as pedestrians.
- Specifies that a driver's license is not required to operate a power wheelchair.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 27 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Simpson, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Anderson, Armstrong, Bailey, Clibborn, Cooper, Dickerson, Flannigan, Hankins, Hatfield, Hudgins, Kristiansen, Lovick, Mielke, Morris, Nixon, Romero, Schindler, Shabro, Sullivan, Wallace, Wood and Woods.

**Staff:** Jill Satran (786-7315).

**Background:**

Currently operators of non-motorized wheelchairs are regulated as pedestrians. It is unclear, however, whether operators of power wheelchairs are also subject to regulation as pedestrians or whether these motorized devices are subject to regulation as motor

vehicles.

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**Summary of Bill:**

HB 1937 defines a "power wheelchair" as a self-propelled vehicle capable of traveling no more than 15 miles per hour, usable indoors, and designed as a mobility aid operated by an individual with mobility impairments. The definitions of motor vehicles, motorcycles, motor-drive cycles, and vehicles are revised to exclude power wheelchairs and the definition of pedestrian is altered to include anyone who is using a power wheelchair. The bill specifies that no driver's license is required to drive a power wheelchair.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** Washington State does not have a law that defines an electric wheelchair user as a pedestrian or a motorized vehicle. Citizens using power wheelchairs could be found in violation of existing laws if they use either the roadway or the sidewalk to navigate through the state. There should be no question in the law about whether power wheelchairs are allowed on sidewalks.

**Testimony Against:** None.

**Testified:** Skip Drep, Northwest Chapter Paralyzed Veterans of America; and Toby Olson, Governor's Committee on Disability.