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SENATE BILL 5335

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State of Washington

58th Legislature

2003 Regular Session

By Senators Zarelli, Haugen, Prentice, Mulliken, Benton, Oke and Carlson

Read first time 01/22/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to the definition of a motorcycle helmet; and  
2 amending RCW 46.37.530.

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

4 **Sec. 1.** RCW 46.37.530 and 1997 c 328 s 4 are each amended to read  
5 as follows:

6 (1) It is unlawful:

7 (a) For any person to operate a motorcycle or motor-driven cycle  
8 not equipped with mirrors on the left and right sides of the motorcycle  
9 which shall be so located as to give the driver a complete view of the  
10 highway for a distance of at least two hundred feet to the rear of the  
11 motorcycle or motor-driven cycle: PROVIDED, That mirrors shall not be  
12 required on any motorcycle or motor-driven cycle over twenty-five years  
13 old originally manufactured without mirrors and which has been restored  
14 to its original condition and which is being ridden to or from or  
15 otherwise in conjunction with an antique or classic motorcycle contest,  
16 show, or other such assemblage: PROVIDED FURTHER, That no mirror is  
17 required on any motorcycle manufactured prior to January 1, 1931;

18 (b) For any person to operate a motorcycle or motor-driven cycle

1 which does not have a windshield unless wearing glasses, goggles, or a  
2 face shield of a type conforming to rules adopted by the state patrol;

3 (c) For any person to operate or ride upon a motorcycle, motor-  
4 driven cycle, or moped on a state highway, county road, or city street  
5 unless wearing upon his or her head a (~~protective~~) motorcycle helmet  
6 (~~of a type conforming to rules adopted by the state patrol~~) except  
7 when the vehicle is an antique motor-driven cycle or automobile that is  
8 licensed as a motorcycle or when the vehicle is equipped with seat  
9 belts and roll bars approved by the state patrol. The motorcycle  
10 helmet (~~must be equipped with either a~~) neck or chin strap (~~which~~  
11 ~~shall~~) must be fastened securely while the motorcycle or motor-driven  
12 cycle is in motion. Persons operating electric-assisted bicycles shall  
13 comply with all laws and regulations related to the use of bicycle  
14 helmets;

15 (d) For any person to transport a child under the age of five on a  
16 motorcycle or motor-driven cycle;

17 (e) For any person to sell or offer for sale a motorcycle helmet  
18 (~~which~~) that does not meet the requirements established by (~~the~~  
19 ~~state patrol~~) this section.

20 (2) The state patrol (~~is hereby authorized and empowered to~~) may  
21 adopt and amend rules, pursuant to the Administrative Procedure Act,  
22 concerning (~~the~~) standards (~~and procedures for conformance of rules~~  
23 ~~adopted~~) for glasses, goggles, and face shields(~~, and protective~~  
24 ~~helmets~~)).

25 (3) For purposes of this section, "motorcycle helmet" means a  
26 protective covering for the head consisting of a hard outer shell,  
27 padding adjacent to and inside the outer shell, and a neck or chin  
28 strap type retention system with a sticker indicating that the  
29 motorcycle helmet meets standards established by the United States  
30 Department of Transportation.

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