
SUBSTITUTE SENATE BILL 5420

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Regala, Swecker, Haugen, Delvin, Jacobsen, Rasmussen, McAuliffe and Kohl-Welles)

READ FIRST TIME 03/04/05.

1 AN ACT Relating to children on motorcycles; and amending RCW
2 46.37.530.

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

4 **Sec. 1.** RCW 46.37.530 and 2003 c 197 s 1 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 motorcycle helmet except when the
6 vehicle is an antique motor-driven cycle or automobile that is licensed
7 as a motorcycle or when the vehicle is equipped with seat belts and
8 roll bars approved by the state patrol. The motorcycle helmet neck or
9 chin strap must be fastened securely while the motorcycle or motor-
10 driven cycle is in motion. Persons operating electric-assisted
11 bicycles shall comply with all laws and regulations related to the use
12 of bicycle helmets;

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

15 (e) For any person to transport a child between the ages of five
16 and twelve on a motorcycle or motor-driven cycle whose feet do not rest
17 firmly on passenger foot rests and who is either not sufficiently
18 supported by a firmly affixed passenger back rest or is not using a
19 handgrip mechanism; or

20 (f) For any person to sell or offer for sale a motorcycle helmet
21 that does not meet the requirements established by this section.

22 (2) The state patrol may adopt and amend rules, pursuant to the
23 Administrative Procedure Act, concerning standards for glasses,
24 goggles, and face shields.

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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