

HOUSE BILL REPORT

HB 2975

As Reported by House Committee On:
Transportation

Title: An act relating to snow bikes.

Brief Description: Concerning snow bikes.

Sponsors: Representatives McCabe, Wylie, Orcutt, Irwin, Chapman, Goodman and Griffey.

Brief History:

Committee Activity:

Transportation: 2/5/18, 2/6/18 [DPS].

Brief Summary of Substitute Bill

- Allows the registration of a motorcycle designed for on-road use both for use on public roadways and for use as a snow bike, if the owner submits a declaration providing that vehicle must conform with all federal and state motor vehicle safety standards while in use as a motorcycle upon public roads, streets, or highways.
- Requires a person intending to use upon public roads a motorcycle designed for on-road use, and that had previously been converted to a snow bike, to submit a declaration to the Department of Licensing certifying vehicle conformance with all federal and state motor vehicle safety standards while in use as a motorcycle upon public roads, streets, or highways.
- 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 25 members: Representatives Clibborn, Chair; Fey, Vice Chair; Wylie, Vice Chair; Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Harmsworth, Assistant Ranking Minority Member; Chapman, Gregerson, Hayes, Irwin,

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.

Kloba, Lovick, McBride, Morris, Ortiz-Self, Pellicciotti, Pike, Riccelli, Rodne, Shea, Stambaugh, Tarleton, Valdez, Van Werven and Young.

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 as a means of propulsion an endless belt tread or cleats and is steered by skis or sled-type runners. Snowmobiles are regulated under state law separately from other off-road vehicles.

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 registering a motorcycle designed for on-road purposes to register the vehicle both for on-road use and for use 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 both for on-road use and for use as a snow bike, the owner must meet all registration requirements for both and pay all applicable fees. 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 person files a declaration with the DOL certifying the vehicle is in conformance with all federal and state motor vehicle safety standards while in use as a motorcycle upon public roads, streets, or highways. The vehicle itself, if it was previously converted to a snow bike, must meet applicable federal and state motor vehicle safety standards before it is operated on public roads, streets, or highways.

Substitute Bill Compared to Original Bill:

The substitute bill provides that a motorcycle that was previously converted to a snow bike must again meet applicable federal and state motor vehicle safety standards before legal use on public roads.

A modification is made to the definitions to distinguish snow bikes from snowmobiles, while at the same time subjecting snow bikes to the same laws that govern snowmobile registration, uses, and violations.

The effective date is delayed from July 1, 2018, to April 1, 2019.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect on April 1, 2019.

Staff Summary of Public Testimony:

(In support) This bill was brought by constituents. They have a lot of concerns about the condition of snowmobile trails. The funds that are collected when snowmobile owners register are used for trail upkeep and plowing. The revenue has been diminishing over the years and, moreover, has sometimes been allocated in the budget process for nonsnowmobile purposes. The constituents explained that there was this new activity called snow biking, where the operator simply puts tracks and treads on a motorcycle, and it could operate right next to regular snowmobiles. If they could register as snowmobilers with a motorcycle registration and a proper endorsement, this would improve the revenues to the account.

Snowmobile dealers are seeing a lot of customers interested in this activity. A proper licensing framework would facilitate the activity.

Some snow bikes cost \$15,000 to \$20,000. While the DOL does not anticipate much revenue to the state, there is a lot of economic activity around snow bikes. The conversion kit costs upwards of \$5,000. A number of people are operating converted motorcycles in United States Forest Service lands, but without clear licensing authority. The interest groups want to continue to do this but need clarity on licensing.

(Opposed) None.

Persons Testifying: Representative McCabe, prime sponsor; Terry Kohl, Washington State Snowmobile Association; Glenn Markovits, Sno-jammers Snowmobile Club; and Remko Oosterhof, I-90 Motorsports.

Persons Signed In To Testify But Not Testifying: None.