

## CHAPTER 232.

[Substitute Senate Bill No. 15.]

## MOTORCYCLES AND MOTOR-DRIVEN CYCLES.

AN ACT relating to motor vehicles; prescribing licensing requirements for operators of motorcycles and motor-driven cycles; prescribing equipment for motorcycles and motor-driven cycles and operators and riders thereof; amending section 46.20.130, chapter 12, Laws of 1961 as amended by section 10, chapter 121, Laws of 1965 extraordinary session and RCW 46.20.130; amending section 46.20.220, chapter 12, Laws of 1961 and RCW 46.20.220; amending section 46.37.390, chapter 12, Laws of 1961 and RCW 46.37.390; amending section 70, chapter 155, Laws of 1965 extraordinary session and RCW 46.61.610; adding a new section to chapter 12, Laws of 1961 and to chapter 46.20 RCW; adding a new section to chapter 12, Laws of 1961 and to chapter 46.37 RCW; adding a new section to chapter 12, Laws of 1961 and to chapter 46.48 RCW; and adding new sections to chapter 12, Laws of 1961 and to chapter 46.61 RCW; and providing penalties.

*Be it enacted by the Legislature of the State of Washington:*

Section 1. There is added to chapter 12, Laws of 1961 and to chapter 46.20 RCW a new section to read as follows:

No person shall drive a motorcycle, as defined in RCW 46.04.330, or a motor-driven cycle, as defined in RCW 46.04.332, unless such person has a valid driver's license specially endorsed by the director to enable the holder to drive such vehicles.

Sec. 2. Section 46.20.130, chapter 12, Laws of 1961 as amended by section 10, chapter 121, Laws of 1965 extraordinary session, and RCW 46.20.130 are each amended to read as follows:

The director shall prescribe the content of the driver licensing examination and the manner of conducting the examination, which shall include:

(1) A test of the applicant's eyesight, his ability to understand highway signs regulating, warning,

Motorcycles—  
Driver's  
licensing  
examinations.

and directing traffic, and his knowledge of the traffic laws of this state;

(2) An actual demonstration of his ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property; and

(3) Such further examination as the director deems necessary (a) to determine whether any facts exist which would bar the issuance of a vehicle operator's license under chapter 46.20, 46.21 and 46.29, and (b) to determine the applicant's fitness to operate a motor vehicle safely on the highways; and

(4) In addition to the foregoing, when the applicant desires to drive a motorcycle, as defined in RCW 46.04.330, or a motor-driven cycle, as defined in RCW 46.04.332, the applicant shall also demonstrate his ability to operate such motorcycle or motor-driven cycle in such a manner as not to jeopardize the safety of persons or property.

RCW 46.37.390  
amended.

Sec. 3. Section 46.37.390, chapter 12, Laws of 1961 and RCW 46.37.390 are each amended to read as follows:

Motorcycle  
equipment.  
Mufflers.

(1) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cut-out, bypass or similar device upon a motor vehicle on a highway.

(2) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

(3) No person shall modify the exhaust system of a motorcycle in a manner which will amplify or increase the noise emitted by the engine of such vehicle above that emitted by the muffler originally installed on the vehicle, and it shall be unlawful for any person to operate a motorcycle not equipped as required by this subsection, or which has been amplified as prohibited by this subsection.

Sec. 4. There is added to chapter 12, Laws of 1961 and to chapter 46.37 RCW a new section to read as follows:

New section.

It shall be unlawful:

(1) For any person to operate a motorcycle not equipped with a mirror on each side of the handlebars thereof the two mirrors shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle.

Motorcycles,  
miscellaneous  
equipment  
requirements  
—Helmets.

(2) For any person to operate a motorcycle in excess of thirty-five miles per hour which does not have a windshield unless he wears goggles or a face shield of a type approved by the commission. The commission is hereby authorized and empowered to adopt and amend regulations covering the types of goggles and face shields and the specifications therefor and to establish and maintain a list of approved goggles and face shields which meet the specifications of the established list hereunder.

(3) For any person to operate or ride upon a motorcycle unless he wears a protective helmet of a type approved by the commission on equipment. Such a helmet must be equipped with either a neck or chin strap which shall be fastened securely while the motorcycle is in motion. The commission is hereby authorized and empowered to adopt and amend regulations covering the types of helmet and the special specifications therefor and to establish, maintain, and distribute to law enforcement agencies throughout the state a list of approved helmets which meet the specifications to be established by the commission on equipment.

Sec. 5. Section 70, chapter 155, Laws of 1965 extraordinary session and RCW 46.61.610 are each amended to read as follows:

RCW 46.61.610  
amended.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached

Seating—  
Passengers.

Seating—  
Passengers.

thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the rear or side of the operator: *Provided, however,* That the motorcycle must contain foot pegs of a type approved by the equipment commission.

New section.

Sec. 6. There is added to chapter 12, Laws of 1961 and to chapter 46.61 RCW a new section to read as follows:

Equipment—  
Handlebars.

No person shall operate on a public highway a motorcycle in which the handlebars or grips are more than fifteen inches higher than the seat or saddle for the operator.

New section.

Sec. 7. There is added to chapter 12, Laws of 1961 and to chapter 46.61 RCW a new section to read as follows:

Sidesaddle  
riding pro-  
hibited.

No person shall ride a motorcycle in a position where both feet are placed on the same side of the motorcycle.

Temporary  
exemption for  
parades, etc.

Sec. 8. The provisions of sections 4 through 7 of this act may be temporarily suspended by the chief of the Washington state patrol, or his designee, with respect to the operation of motorcycles within their respective jurisdictions in connection with a parade or public demonstration.

RCW 46.20.220  
amended.

Sec. 9. Section 46.20.220, chapter 12, Laws of 1961 and RCW 46.20.220 are each amended to read as follows:

Rental—  
Licenses—  
Equipment.

(1) It shall be unlawful for any person to rent a motor vehicle of any kind including a motorcycle to any other person unless the latter person is then duly licensed as a vehicle operator for the kind of

motor vehicle being rented in this state or, in case of a nonresident, then that he is duly licensed as an operator under the laws of the state or country of his residence except a nonresident whose home state or country does not require that a motor vehicle operator be licensed;

(2) It shall be unlawful for any person to rent a motor vehicle to another person until he has inspected the vehicle operator's license of such other person and compared and verified the signature thereon with the signature of such other person written in his presence;

(3) Every person renting a motor vehicle to another person shall keep a record of the vehicle license number of the motor vehicle so rented, the name and address of the person to whom the motor vehicle is rented, the number of the vehicle operator's license of the person renting the vehicle and the date and place when and where such vehicle operator's license was issued. Such record shall be open to inspection by any peace officer or anyone acting for the director of licenses.

**NOTE:** See also section 28, chapter 32, Laws of 1967.

Sec. 10. There is added to chapter 12, Laws of 1961 and to chapter 46.48 RCW a new section to read as follows: New section.

It is unlawful for any person to rent out motorcycles unless he shall also have on hand for rent helmets of a type approved by the commission on equipment. Motorcycles—  
Rental—Hel-  
met available  
for rent.

No motorcycle shall be rented out unless the renter thereof has in his possession a helmet of a type approved by the commission on equipment regardless from whom the helmet is obtained.

Passed the Senate March 8, 1967.

Passed the House March 8, 1967.

Approved by the Governor March 21, 1967.