

equal amount from the Province of British Columbia for design and construction of the proposed Lake Osoyoos International Water Control Structure authorized under section 1 of this act. These funds shall not be obligated for the proposed project until such time as the Province of British Columbia makes a binding commitment to provide matching funds.

Passed the Senate February 18, 1982.

Passed the House March 6, 1982.

Approved by the Governor March 26, 1982.

Filed in Office of Secretary of State March 26, 1982.

CHAPTER 77

[Engrossed Substitute Senate Bill No. 4692]

MOTORCYCLES—LICENSE ENDORSEMENTS—OPERATOR TRAINING AND EDUCATION PROGRAM—ADVISORY COMMITTEE—EQUIPMENT— APPROPRIATION

AN ACT Relating to motorcycles; amending section 1, chapter 232, Laws of 1967 as amended by section 6, chapter 213, Laws of 1979 ex. sess. and RCW 46.20.500; amending section 50, chapter 145, Laws of 1967 ex. sess. as amended by section 153, chapter 158, Laws of 1979 and RCW 46.20.505; amending section 49, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.527; amending section 4, chapter 232, Laws of 1967 as last amended by section 55, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.530; adding new sections to chapter 46.20 RCW; adding a new section to chapter 46.68 RCW; making an appropriation; defining crimes; and prescribing penalties.

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

Section 1. Section 1, chapter 232, Laws of 1967 as amended by section 6, chapter 213, Laws of 1979 ex. sess. and RCW 46.20.500 are each amended to read as follows:

No person (~~shall~~) may drive a motorcycle(~~(, as defined in RCW 46.04.330;))~~ or a motor-driven cycle(~~(, as defined in RCW 46.04.332 as now or hereafter amended;))~~) unless such person has a valid driver's license specially endorsed by the director to enable the holder to drive such vehicles, nor may a person drive a motorcycle of a larger engine displacement than that authorized by such special endorsement or by an instruction permit for such category: PROVIDED, That any person sixteen years of age or older, holding a valid driver's license of any class issued by the state of the person's residence, may operate a moped without taking any special examination for the operation of a moped.

Sec. 2. Section 50, chapter 145, Laws of 1967 ex. sess. as amended by section 153, chapter 158, Laws of 1979 and RCW 46.20.505 are each amended to read as follows:

Every person applying for a special endorsement or a new category of endorsement of a driver's license authorizing such person to drive a motorcycle or a motor-driven cycle shall pay a motorcycle examination fee

which ~~((shall))~~ is not ~~((be))~~ refundable. The director of licensing shall prescribe the examination fee at an amount equal to the cost of administering such examination, but in no event more than four dollars for the initial or new category examination nor more than two dollars for a subsequent renewal examination. One dollar of the initial or new category examination fee and one dollar of any subsequent fee for a renewal shall be deposited in the motorcycle safety education account of the highway safety fund.

NEW SECTION. Sec. 3. There is added to chapter 46.20 RCW a new section to read as follows:

(1) There shall be three categories for the special motorcycle endorsement of a driver's license. Category one shall be for motorcycles or motor-driven cycles having an engine displacement of one hundred fifty cubic centimeters or less. Category two shall be for motorcycles having an engine displacement of five hundred cubic centimeters or less. Category three shall include categories one and two, and shall be for motorcycles having an engine displacement of five hundred one cubic centimeters or more.

(2) A motorcycle endorsement issued prior to the effective date of this act, is deemed to be for category three. Thereafter, a person first seeking a motorcycle endorsement or a person seeking an endorsement to operate a motorcycle with an engine displacement of a higher category than the one covered by his or her existing endorsement, shall obtain an endorsement for the appropriate category pursuant to sections 2 through 4 of this act.

(3) The department may issue an instruction permit to an individual who wishes to learn to ride a motorcycle or obtain an endorsement of a larger endorsement category. This permit and a valid driver's license with current endorsement, if any, shall be carried when operating a motorcycle. An individual with an instruction permit may not carry passengers, may not operate a motorcycle during the hours of darkness or on a fully controlled, limited access facility, and shall be under the direct visual supervision of a person with a motorcycle endorsement of the appropriate category.

NEW SECTION. Sec. 4. There is added to chapter 46.20 RCW a new section to read as follows:

The motorcycle endorsement examination for each displacement category shall emphasize maneuvers necessary for on-street operation, including emergency braking and turning as may be required to avoid an impending collision.

NEW SECTION. Sec. 5. There is added to chapter 46.20 RCW a new section to read as follows:

(1) The director of licensing shall use moneys designated for the motorcycle safety education account of the highway safety fund to implement by July 1, 1983, a voluntary motorcycle operator training and education program. The director may contract with public and private entities to implement this program.

(2) There is created a motorcycle safety education advisory committee to assist the director of licensing in the development of a motorcycle operator training education program. The committee shall monitor this program following implementation and report to the director of licensing as necessary with recommendations including, but not limited to, administration, application, and substance of the motorcycle operator training and education program.

The committee shall consist of five members appointed by the director of licensing. Three members of the committee, one of whom shall be appointed chairman, shall be active motorcycle riders. The term of appointment shall be determined by the director. The committee shall meet at the call of the director and shall receive no compensation for their services but shall be reimbursed their travel expenses while engaged in business of the committee in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) The director of licensing shall submit a proposed motorcycle operator training and education program to the legislative transportation committee for review and approval on or before April 1, 1983.

Sec. 6. Section 49, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.527 are each amended to read as follows:

Every motorcycle and motor-driven cycle must comply with the provisions of RCW 46.37.351, except that:

(1) Motorcycles and motor-driven cycles need not be equipped with parking brakes;

(2) The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, and the front wheel of a motor-driven cycle need not be equipped with brakes, if such motorcycle or motor-driven cycle is otherwise capable of complying with the braking performance requirements of RCW 46.37.528 and 46.37.529;

(3) Motorcycles shall be equipped with brakes operating on both the front and rear wheels unless the vehicle was originally manufactured without both front and rear brakes: PROVIDED, That a front brake shall not be required on any motorcycle over twenty-five years old which was originally manufactured without a front brake and which has been restored to its original condition and is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show or other such assemblage: PROVIDED FURTHER, That no front brake shall be required on any motorcycle manufactured prior to January 1, 1931.

Sec. 7. Section 4, chapter 232, Laws of 1967 as last amended by section 55, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.530 are each amended to read as follows:

(1) It ~~((shall be))~~ is unlawful:

(a) For any person to operate a motorcycle or motor-driven cycle not equipped with ~~((α))~~ mirrors on the left and right sides of the ~~((handlebars))~~

motorcycle which 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 or motor-driven cycle((-:)): PROVIDED, That mirrors shall not be required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show or other such assemblage: PROVIDED FURTHER, That no mirror shall be required on any motorcycle manufactured prior to January 1, 1931;

(b) For any person to operate a motorcycle or motor-driven cycle which does not have a windshield unless ~~((he wears))~~ wearing glasses, goggles, or a face shield of a type approved by the state commission on equipment;

(c) For any person to sell or offer for sale a motorcycle helmet which does not meet the requirements established by the state commission on equipment.

(2) The state commission on equipment is hereby authorized and empowered to adopt and amend regulations, pursuant to the administrative procedure act, concerning the standards and procedures for approval of glasses, goggles, face shields, and protective helmets. The state commission on equipment shall maintain and publish a list of those devices which the commission on equipment has approved.

NEW SECTION. Sec. 8. There is added to chapter 46.68 RCW a new section to read as follows:

There is hereby created the motorcycle safety education account in the highway safety fund of the state treasury, to the credit of which shall be deposited all moneys directed by law to be credited thereto. All expenses incurred by the director of the department of licensing in administering sections 2 through 5 of this act shall be borne by appropriations from this account.

NEW SECTION. Sec. 9. There is appropriated to the director of licensing from the highway safety fund for the 1981-1983 fiscal biennium, the sum of fifty thousand dollars or so much thereof as may be necessary, to develop the program required under section 5 of this act. By July 1, 1983, the state treasurer shall transfer the sum of fifty thousand dollars from the motorcycle safety education account of the highway safety fund to the highway safety fund to reimburse the highway safety fund for this appropriation.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or

the application of the provision to other persons or circumstances is not affected.

Passed the Senate February 16, 1982.

Passed the House March 6, 1982.

Approved by the Governor March 26, 1982.

Filed in Office of Secretary of State March 26, 1982.

CHAPTER 78

[Senate Bill No. 3425]

URANIUM AND THORIUM—MILLING

AN ACT Relating to social and health services; and amending section 2, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.020.

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

Section 1. Section 2, chapter 110, Laws of 1979 ex. sess. and RCW 70.121.020 are each amended to read as follows:

Unless the context clearly requires a different meaning, the definitions in this section apply throughout this chapter.

- (1) "Department" means the department of social and health services.
- (2) "Secretary" means the secretary of social and health services.
- (3) "Site" means the restricted area as defined by the United States nuclear regulatory commission.
- (4) "Tailings" means the residue remaining after extraction of uranium or thorium from the ore whether or not the residue is left in piles, but shall not include ore bodies nor ore stock piles.
- (5) "License" means a radioactive materials license issued under chapter 70.98 RCW and the rules adopted under chapter 70.98 RCW.
- (6) "Termination of license" means the cancellation of the license after permanent cessation of operations. Temporary interruptions or suspensions of production due to economic or other conditions are not a permanent cessation of operations.
- (7) "Milling" means grinding, cutting, working, or concentrating ore which has been extracted from the earth by mechanical (conventional) or chemical (in situ) processes.

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Passed the House March 6, 1982.

Approved by the Governor March 27, 1982.

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