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**SUBSTITUTE SENATE BILL 5206**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Haugen and Swecker)

READ FIRST TIME 02/21/07.

1 AN ACT Relating to the regulation of studded tire use; amending RCW  
2 46.37.420, 46.37.4215, and 46.37.4216; repealing RCW 46.04.272; and  
3 providing effective dates.

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

5 **Sec. 1.** RCW 46.37.420 and 1999 c 208 s 1 are each amended to read  
6 as follows:

7 (1) It is unlawful to operate a vehicle upon the public highways of  
8 this state unless it is completely equipped with pneumatic rubber tires  
9 except vehicles equipped with temporary-use spare tires that meet  
10 federal standards that are installed and used in accordance with the  
11 manufacturer's instructions.

12 ~~(2) ((No tire on a vehicle moved on a highway may have on its~~  
13 ~~periphery any block, flange, cleat, or spike or any other protuberance~~  
14 ~~of any material other than rubber which projects beyond the tread of~~  
15 ~~the traction surface of the tire, except that it is permissible to use~~  
16 ~~farm machinery equipped with pneumatic tires or solid rubber tracks~~  
17 ~~having protuberances that will not injure the highway, and except also~~  
18 ~~that it is permissible to use tire chains or metal studs imbedded~~  
19 ~~within the tire of reasonable proportions and of a type conforming to~~

1 rules adopted by the state patrol, upon any vehicle when required for  
2 safety because of snow, ice, or other conditions tending to cause a  
3 vehicle to skid. It is unlawful to use metal studs imbedded within the  
4 tire between April 1st and November 1st.) According to the powers and  
5 duties specified in RCW 46.37.005, the Washington state patrol shall  
6 adopt, apply, and enforce reasonable rules regarding the type of tire  
7 chains and tires, including studded tires, that may be equipped on  
8 vehicles that move on Washington state highways. The rules adopted by  
9 the Washington state patrol may define the technology or the weight and  
10 type of materials that may be used. In developing rules regarding  
11 studded tires, the Washington state patrol shall consult with the  
12 department of transportation regarding the impact of various types of  
13 studded tires on the state's roadways, and shall prohibit the use of  
14 tires or equipment that unreasonably damage roadways.

15 (3) The state department of transportation ((may, from time to  
16 time, determine additional periods in which the use of)) shall adopt  
17 reasonable rules regarding any times or conditions when the use of tire  
18 chains or tires with metal studs imbedded therein is lawful. In  
19 adopting rules to regulate the use of tire chains and studded tires,  
20 the department shall consider motorist safety and roadway maintenance  
21 costs.

22 ((+3)) (4) The state department of transportation and local  
23 authorities in their respective jurisdictions may issue special permits  
24 authorizing the operation upon a highway of traction engines or  
25 tractors having movable tracks with transverse corrugations upon the  
26 periphery of the movable tracks or farm tractors or other farm  
27 machinery, the operation of which upon a highway would otherwise be  
28 prohibited under this section.

29 ((+4)) (5) Tires with metal studs imbedded therein may be used  
30 between November 1st and April 1st upon school buses and fire  
31 department vehicles, any law or regulation to the contrary  
32 notwithstanding.

33 **Sec. 2.** RCW 46.37.4215 and 1999 c 219 s 2 are each amended to read  
34 as follows:

35 Beginning January 1, ((2000)) 2008, a person offering to sell to a  
36 tire dealer conducting business in the state of Washington, a metal  
37 flange or cleat intended for installation as a stud in a vehicle tire

1 shall certify that the studs (~~are lightweight studs as defined in RCW~~  
2 ~~46.04.272~~) comply with rules established by the Washington state  
3 patrol in RCW 46.37.420(2). Certification must be accomplished by  
4 clearly marking the boxes or containers used to ship and store studs  
5 with the designation (~~"lightweight."~~) that the Washington state  
6 patrol specifies by rule. This section does not apply to tires or  
7 studs in a wholesaler's existing inventory as of January 1, (~~2000~~)  
8 2008.

9       **Sec. 3.** RCW 46.37.4216 and 1999 c 219 s 3 are each amended to read  
10 as follows:

11       Beginning July 1, (~~2001~~) 2008, a person may not sell a studded  
12 tire or sell a stud for installation in a tire unless the stud  
13 (~~qualifies as a lightweight stud under RCW 46.04.272~~) complies with  
14 rules established by the Washington state patrol in RCW 46.37.420(2).

15       NEW SECTION. **Sec. 4.** RCW 46.04.272 (Lightweight stud) and 1999 c  
16 219 s 1 are each repealed.

17       NEW SECTION. **Sec. 5.** Section 2 of this act takes effect January  
18 1, 2008.

19       NEW SECTION. **Sec. 6.** Section 3 of this act takes effect July 1,  
20 2008.

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