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## Transportation Committee

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### HB 1203

**Brief Description:** Authorizing the use of four-wheel, all-terrain vehicles on public roadways under certain conditions.

**Sponsors:** Representatives Hope, Blake, Warnick, Green, Smith, Haler, Orcutt, Armstrong, McCune and Harris.

#### Brief Summary of Bill

- Allows a person to operate a four-wheel, all-terrain vehicle upon a roadway with a speed limit of 35 miles per hour or less which is not a state highway designated in statute.
- Requires that the four-wheel, all-terrain vehicle is registered with license plates, and is insured under a motor vehicle liability policy.
- Establishes equipment requirements for the four-wheel, all-terrain vehicles operating upon roadways.
- Designates that any violation of the requirements for the operation of the four-wheel, all-terrain vehicle is a traffic citation.
- States that local authorities may not establish requirements for the registration of four-wheel, all-terrain vehicles.

**Hearing Date:** 1/25/11

**Staff:** Jerry Long (786-7306).

**Background:**

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*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.*

Any city, county, or other political subdivision of the State of Washington, or any state agency, may regulate the operation of non-highway vehicles on public lands, waters, and other properties under their jurisdiction, and on streets, roads, or highways within its boundaries by adopting regulations and ordinances by its governing body, provided that such regulations are not less stringent than state law.

The legislative body of a city with a population of less than 3,000 people may, by ordinance, designate a street or highway within its boundaries to be suitable for use by off-road vehicles.

The legislative body of a county may by ordinance, designate a road or highway within its boundaries to be suitable for use by off-road vehicles if the road or connection between a city with a population of less than 3,000 people and an off-road facility.

**Summary of Bill:**

A person may operate a four-wheel, all-terrain vehicle on a roadway in the state having a speed limit of 35 miles per hour or less and is not a state highway listed in state law (RCW 47.17).

A person operating a four-wheel, all-terrain vehicle may not cross a roadway with a speed limit of 35 miles per hour. An exception is when a crossing begins and ends on a roadway with a speed limit of 35 miles per hour or less and occurs at an intersection of approximately 90 degrees. A person may only cross an uncontrolled intersection of streets and highways that are part of the state highway system if the local authorities have authorized the crossing.

The four-wheel, all-terrain vehicle must have a current vehicle registration and display vehicle license plates. The driver must have a valid driver's license along with having a motor vehicle liability policy as required by state law.

The four-wheel, all-terrain vehicle must have a headlight, taillight, brake light, mirror on the left and right handlebar, and if the roadway is paved with concrete or asphalt, the vehicle cannot have a solid rear axle.

A person who violates any of the above requirements is committing a traffic infraction.

Local authorities still can regulate four-wheel, all-terrain vehicles within their jurisdiction by resolution or ordinance of the governing body as long as the regulation is consistent with state laws.

Local authorities may not establish requirements for the registration of four-wheel, all-terrain vehicles.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.