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SENATE BILL 5366

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State of Washington                      62nd Legislature                      2011 Regular Session

By Senators Delvin, Hewitt, and Stevens

Read first time 01/21/11. Referred to Committee on Transportation.

1            AN ACT Relating to authorizing the use of four-wheel, all-terrain  
2 vehicles on public roadways under certain conditions; adding a new  
3 section to chapter 46.61 RCW; and prescribing penalties.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 46.61 RCW  
6 to read as follows:

7            (1) Except as provided in subsection (4) of this section, a person  
8 may operate a four-wheel, all-terrain vehicle upon a roadway of this  
9 state having a speed limit of thirty-five miles per hour or less if:

10            (a) The person does not operate a four-wheel, all-terrain vehicle  
11 upon state highways that are listed in chapter 47.17 RCW;

12            (b) The person does not operate a four-wheel, all-terrain vehicle  
13 upon a roadway of this state without first having obtained and having  
14 in full force and effect a current and proper vehicle registration and  
15 display vehicle license plates in compliance with chapter 46.16A RCW;

16            (c) The person does not operate a four-wheel, all-terrain vehicle  
17 upon a roadway of this state without (i) first obtaining a valid  
18 driver's license issued to Washington residents in compliance with

1 chapter 46.20 RCW, or (ii) possessing a valid driver's license issued  
2 by the state of the person's residence if the person is a nonresident;

3 (d) The person does not operate a four-wheel, all-terrain vehicle  
4 subject to registration under chapter 46.16A RCW on a roadway of this  
5 state unless the person is insured under a motor vehicle liability  
6 policy in compliance with chapter 46.30 RCW;

7 (e) The person operating a four-wheel, all-terrain vehicle does not  
8 cross a roadway with a speed limit in excess of thirty-five miles per  
9 hour, unless the crossing begins and ends on a roadway with a speed  
10 limit of thirty-five miles per hour or less and occurs at an  
11 intersection of approximately ninety degrees, except that the operator  
12 of a four-wheel, all-terrain vehicle must not cross an uncontrolled  
13 intersection of streets and highways that are part of the state highway  
14 system subject to Title 47 RCW unless that intersection has been  
15 authorized by local authorities under subsection (4) of this section;  
16 and

17 (f) The person operating a four-wheel, all-terrain vehicle with a  
18 solid rear axle does not operate the vehicle on a roadway that is paved  
19 with concrete or asphalt.

20 (2) Any four-wheel, all-terrain vehicle operated under this section  
21 must have a headlight, taillight, and brake light, and a mirror both on  
22 the left and right handlebar.

23 (3) Any person who violates this section commits a traffic  
24 infraction.

25 (4) This section does not prevent local authorities, with respect  
26 to streets and highways under their jurisdiction and within the  
27 reasonable exercise of their police power, from regulating the  
28 operation of four-wheel, all-terrain vehicles on streets and highways  
29 under their jurisdiction by resolution or ordinance of the governing  
30 body, if the regulation is consistent with this title, except that:

31 (a) Local authorities may not authorize the operation of four-  
32 wheel, all-terrain vehicles on streets and highways that are part of  
33 the state highway system subject to Title 47 RCW; and

34 (b) Local authorities may not establish requirements for the  
35 registration of four-wheel, all-terrain vehicles.

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