
ENGROSSED HOUSE BILL 1251

State of Washington

67th Legislature

2021 Regular Session

By Representatives Orcutt, Dent, Eslick, and Robertson

Read first time 01/18/21. Referred to Committee on Transportation.

1 AN ACT Relating to the authorization of wheeled all-terrain
2 vehicles on state highways; and amending RCW 46.09.455.

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

4 **Sec. 1.** RCW 46.09.455 and 2017 c 26 s 1 are each amended to read
5 as follows:

6 (1) A person may operate a wheeled all-terrain vehicle upon any
7 public roadway of this state, not including nonhighway roads and
8 trails, having a speed limit of thirty-five miles per hour or less
9 subject to the following restrictions and requirements:

10 (a) A person may not operate a wheeled all-terrain vehicle upon
11 state highways that are listed in chapter 47.17 RCW; however, a
12 person may operate a wheeled all-terrain vehicle upon a segment of a
13 state highway listed in chapter 47.17 RCW if the segment is within
14 the limits of a city or town, or if the county in which the segment
15 is located has first consulted with the department of transportation,
16 and then adopted an ordinance approving the operation of wheeled all-
17 terrain vehicles on that segment, and the speed limit on the segment
18 is thirty-five miles per hour or less;

19 (b) (i) A person operating a wheeled all-terrain vehicle may not
20 cross a public roadway, not including nonhighway roads and trails,
21 with a speed limit in excess of thirty-five miles per hour, except as

1 follows: A person operating a wheeled all-terrain vehicle may cross a
2 public roadway with a speed limit of sixty miles per hour or less,
3 but more than thirty-five miles per hour, at an intersection of
4 approximately ninety degrees if the roadway that intersects the
5 public roadway with a speed limit of sixty miles per hour or less,
6 but more than thirty-five miles per hour, is a roadway upon which the
7 operation of wheeled all-terrain vehicles has been approved or is
8 otherwise allowed under this section.

9 (ii) A county, city, or town may by ordinance prohibit a person
10 operating a wheeled all-terrain vehicle from crossing a public
11 roadway with a speed limit of sixty miles per hour or less, but more
12 than thirty-five miles per hour, at specific intersections or along
13 the entirety of the route within the jurisdiction.

14 (iii) The operator of a wheeled all-terrain vehicle may not cross
15 at an uncontrolled intersection of a public highway listed under
16 chapter 47.17 RCW;

17 (c) (i) A person may not operate a wheeled all-terrain vehicle on
18 a public roadway within the boundaries of a county, not including
19 nonhighway roads and trails, with a population of fifteen thousand or
20 more unless the county by ordinance has approved the operation of
21 wheeled all-terrain vehicles on county roadways, not including
22 nonhighway roads and trails.

23 (ii) ~~((The))~~ Except as otherwise provided in (a) of this
24 subsection, the legislative body of a county with a population of
25 fewer than fifteen thousand may, by ordinance, designate roadways or
26 highways within its boundaries to be unsuitable for use by wheeled
27 all-terrain vehicles.

28 (iii) Any public roadways, not including nonhighway roads and
29 trails, authorized by a legislative body of a county under (c) (i) of
30 this subsection or designated as unsuitable under (c) (ii) of this
31 subsection must be listed publicly and made accessible from the main
32 page of the county web site.

33 (iv) This subsection (1) (c) does not affect any roadway that was
34 designated as open or closed as of January 1, 2013;

35 (d) (i) A person may not operate a wheeled all-terrain vehicle on
36 a public roadway within the boundaries of a city or town, not
37 including nonhighway roads and trails, unless the city or town by
38 ordinance has approved the operation of wheeled all-terrain vehicles
39 on city or town roadways, not including nonhighway roads and trails.

1 (ii) Any public roadways, not including nonhighway roads and
2 trails, authorized by a legislative body of a city or town under
3 (d)(i) of this subsection must be listed publicly and made accessible
4 from the main page of the city or town web site.

5 (iii) This subsection (1)(d) does not affect any roadway that was
6 designated as open or closed as of January 1, 2013;

7 (e) Any person who violates this subsection commits a traffic
8 infraction.

9 (2) Local authorities may not establish requirements for the
10 registration of wheeled all-terrain vehicles.

11 (3) A person may operate a wheeled all-terrain vehicle upon any
12 public roadway, trail, nonhighway road, or highway within the state
13 while being used under the authority or direction of an appropriate
14 agency that engages in emergency management, as defined in RCW
15 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a
16 law enforcement agency, as defined in RCW 16.52.011, within the scope
17 of the agency's official duties.

18 (4) A wheeled all-terrain vehicle is an off-road vehicle for the
19 purposes of chapter 4.24 RCW.

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