
HOUSE BILL 2243

State of Washington

66th Legislature

2020 Regular Session

By Representatives Blake, Barkis, Chapman, Goehner, DeBolt, Orcutt, Eslick, and Irwin

Prefiled 12/18/19. Read first time 01/13/20. Referred to Committee on Transportation.

1 AN ACT Relating to all-terrain vehicles; and amending RCW
2 46.09.360 and 46.09.455.

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

4 **Sec. 1.** RCW 46.09.360 and 2013 2nd sp.s. c 23 s 11 are each
5 amended to read as follows:

6 ((1)) Notwithstanding any of the provisions of this chapter,
7 any city, town, county, or other political subdivision of this state,
8 or any state agency, may regulate the operation of nonhighway
9 vehicles on public lands, waters, and other properties under its
10 jurisdiction, and on streets, roads, or highways within its
11 boundaries by adopting regulations or ordinances of its governing
12 body, provided such regulations are not less stringent than the
13 provisions of this chapter. However, the legislative body of a city
14 or town with a population of less than three thousand persons may, by
15 ordinance, designate a street or highway within its boundaries to be
16 suitable for use by off-road vehicles. The legislative body of a
17 county may, by ordinance, designate a road or highway within its
18 boundaries to be suitable for use by off-road vehicles.

19 ((2) For purposes of this section, "off-road vehicles" does not
20 include wheeled all-terrain vehicles.))

1 **Sec. 2.** RCW 46.09.455 and 2017 c 26 s 1 are each amended to read
2 as follows:

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

7 (a) A person may (~~((not operate a wheeled all-terrain vehicle upon~~
8 ~~state highways that are listed in chapter 47.17 RCW; however, a~~
9 ~~person may))~~ operate a wheeled all-terrain vehicle upon a segment of
10 a state highway listed in chapter 47.17 RCW if the segment is
11 (~~(within the limits of a city or town and the speed limit on the~~
12 ~~segment is))~~ thirty-five miles per hour or less;

13 (b) (i) A person operating a wheeled all-terrain vehicle may not
14 cross a public roadway, not including nonhighway roads and trails,
15 with a speed limit in excess of thirty-five miles per hour, except as
16 follows: A person operating a wheeled all-terrain vehicle may cross a
17 public roadway with a speed limit of sixty miles per hour or less,
18 but more than thirty-five miles per hour, at an intersection of
19 approximately ninety degrees if the roadway that intersects the
20 public roadway with a speed limit of sixty miles per hour or less,
21 but more than thirty-five miles per hour, is a roadway upon which the
22 operation of wheeled all-terrain vehicles has been approved or is
23 otherwise allowed under this section.

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

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

32 (c) (i) A person may not operate a wheeled all-terrain vehicle on
33 a public roadway within the boundaries of a county, not including
34 nonhighway roads and trails, with a population of fifteen thousand or
35 more unless the county by ordinance has approved the operation of
36 wheeled all-terrain vehicles on county roadways, not including
37 nonhighway roads and trails.

38 (ii) The legislative body of a county with a population of fewer
39 than fifteen thousand may, by ordinance, designate roadways or

1 highways within its boundaries to be unsuitable for use by wheeled
2 all-terrain vehicles.

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

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

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

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

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

21 (e) Any person who violates this subsection commits a traffic
22 infraction.

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

25 (3) A person may operate a wheeled all-terrain vehicle upon any
26 public roadway, trail, nonhighway road, or highway within the state
27 while being used under the authority or direction of an appropriate
28 agency that engages in emergency management, as defined in RCW
29 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a
30 law enforcement agency, as defined in RCW 16.52.011, within the scope
31 of the agency's official duties.

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

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