

# SENATE BILL REPORT

## EHB 1251

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As Passed Senate, April 9, 2021

**Title:** An act relating to the authorization of wheeled all-terrain vehicles on state highways.

**Brief Description:** Concerning the authorization of wheeled all-terrain vehicles on state highways.

**Sponsors:** Representatives Orcutt, Dent, Eslick and Robertson.

**Brief History:** Passed House: 2/23/21, 96-1.

**Committee Activity:** Transportation: 3/16/21, 3/30/21 [DP].

**Floor Activity:** Passed Senate: 4/9/21, 46-3.

### Brief Summary of Bill

- Expands the locations where a person may potentially operate a wheeled all-terrain vehicle (WATV) on numbered state routes to unincorporated areas with a posted speed limit of 35 miles per hour or less.
- Makes the operation of a WATV upon a numbered state route segment in unincorporated territory contingent upon the passage of an ordinance approving the operation on the segment by the legislative authority of the county in which the numbered state route segment is located.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Cleveland, Das, Fortunato, Hawkins, Lovelett, Nguyen, Nobles, Padden, Randall, Sheldon, Wilson, C. and Wilson, J.

**Staff:** Kimberly Johnson (786-7472)

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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 part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** A wheeled all-terrain vehicle (WATV) is a specific category of off-road vehicle (ORV) regulated separately from other ORVs under a state law first enacted in 2013. There are two types of WATVs regulated with respect to travel on public roads. One is a motorized nonhighway vehicle with certain specifications: handlebars of 50 inches or less in width; a seat with a height of at least 20 inches; a maximum weight of 1500 pounds; and four tires with a maximum diameter of 30 inches. The second is a utility-type vehicle designed for and capable of travel over designated roads and has certain specifications: four or more low-pressure tires of 20 pounds per square inch or less; a maximum width of less than 74 inches; a maximum weight of less than 2000 pounds; and a wheelbase of 110 inches or less. The latter category of a WATV must satisfy one of three additional specifications: a minimum width of 50 inches; a minimum weight of 900 pounds; or a wheelbase of over 61 inches.

The operation of WATVs is allowed on public roadways with a posted speed limit of 35 miles per hour (mph) or less under certain conditions. Any city and any county of 15,000 persons or more must approve the operation of eligible WATVs on roads under its jurisdiction before such travel is allowed.

Operation of an eligible WATV is allowed in a county of less than 15,000 persons on public roadways, unless the county designates its roadways to be unsuitable for use by WATVs. Any county or city road which was designated as of January 1, 2013, as either open or closed for WATV use is unaffected by the requirements pertaining to eligible WATV use. Operation of an eligible WATV on a numbered state route is allowed only inside city limits.

**Summary of Bill:** A person operating a WATV may travel on a segment of a numbered state route with a posted speed limit of 35 mph or less in an unincorporated area of the state, if the county in which the segment is located has passed an ordinance authorizing travel on the segment. The county must consult with the Department of Transportation prior to passing the ordinance.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill will help with expanding tourism across the state. It will create more connectivity within our rural areas. We believe tourism will increase which means more revenue for rural shops and restaurants. Unincorporated communities will greatly appreciate the same authority cities are provided. We have several routes in Snohomish County that would directly benefit, for example Sultan to Monroe on SR 203 and also Startup to Gold Bar which would double our miles of route.

**Persons Testifying:** PRO: Ted Jackson, Washington ATV Association; John Graham, Northwest Quad Association; Amy Cruver, PC Council.

**Persons Signed In To Testify But Not Testifying:** No one.