
**Fisheries, Ecology & Parks
Committee**

HB 2356

Brief Description: Allowing off-road vehicles on nonhighway roads.

Sponsors: Representatives Hinkle, Buck, Condotta, O'Brien, Pearson and Shabro.

Brief Summary of Bill

- Authorizes the use of off-road vehicles (ORVs) on nonhighway roads unless prohibited by the responsible governing body.
- Exempts ORVs operating on nonhighway roads from vehicle licensing, equipment and lighting requirements.
- Establishes an infraction for operating an ORV on a highway.

Hearing Date: 1/20/04

Staff: Jeff Olsen (786-7157).

Background:

Except for specific exemptions, it is unlawful for persons to operate any vehicle on a public highway without first having a current vehicle license. Exceptions to the licensing requirement include motorized foot scooters, electric-assisted bicycles, certain farm vehicles, and certain trailers. In addition, vehicles operating on any highway must comply with vehicle lighting and equipment requirements.

The Forest Service Manual, Pacific Northwest Region, effective April 10, 2003, accepts the use of off-highway vehicles when it is in accordance with state laws and regulations and consistent with the forest plan. In response to questions regarding state regulation on forest service roads, Attorneys General Opinion 1972 No.3 in part maintained that forest service roads fell within the definition of highway.

Summary of Bill:

The use of ORVs on nonhighway roads is authorized unless prohibited by the responsible governing body. Any person operating an ORV on a nonhighway road must be in compliance with equipment and operator standards established for ORVs. In addition, ORVs may only operate on a nonhighway road if it is not intended primarily for passenger motor vehicle use.

ORVs are exempt from vehicle licensing, equipment and lighting requirements when operating on nonhighway roads. It is a traffic infraction for any person to operate an ORV on a highway.

Appropriation: None.

Fiscal Note: Requested on 1/15/2004.

Effective Date: The bill takes effect on July 1, 2004.