

# SENATE BILL REPORT

## HB 2617

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As Reported By Senate Committee On:  
Transportation, February 27, 2006

**Title:** An act relating to allowing local jurisdictions to allow off-road vehicles to operate on designated city or county roads.

**Brief Description:** Allowing local jurisdictions to allow off-road vehicles to operate on designated city or county roads.

**Sponsors:** Representatives Kretz, Blake, Ahern, Schindler, Sump, Condotta, Holmquist, Kristiansen, Serben, Campbell, McDonald, Hinkle and Dunn.

**Brief History:** Passed House: 2/11/06, 84-11.

**Committee Activity:** Transportation: 2/27/06 [DPA].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended.

Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Benson, Ranking Minority Member; Berkey, Eide, Esser, Finkbeiner, Mulliken, Oke, Sheldon, Spanel, Swecker and Weinstein.

**Staff:** Janice Baumgardt (786-7319)

**Background:** Current law allows off-road vehicles (ORVs) to operate on a nonhighway road if the state, federal, local, or private authority responsible for the management of the road has authorized the use of ORVs.

For the purposes of the statutes regulating ORVs, nonhighway roads are defined as roads that are owned or managed by a public agency that has granted an easement for public use, and that do not receive funds from the Motor Vehicle Account. Highway roads are defined as public roads that are generally capable of travel by a conventional automobile.

A local jurisdiction or state agency may regulate the operation of ORVs on land and roads within its jurisdiction, provided such regulations are not less stringent than state statute.

ORVs must have a use permit decal issued by the Department of Licensing, with certain exceptions. When operating on lands not owned by the ORV owner or operator, ORVs must meet certain equipment standards and operators must wear helmets, unless the ORV has a roll bar or an enclosed passenger compartment. Such ORVs are exempt from the licensing and equipment standards applied to highway vehicles.

**Summary of Amended Bill:** Cities with a population of less than 3000 persons may allow the use of off-road vehicles on streets and highways within its boundaries even if the regulations are less stringent than state statute. ORVs operating on such streets or highways are exempt from the licensing and equipment standards that apply to vehicles operating on

highway roads. Such ORVs are not exempted from the use permit, equipment, and operating standards generally applied to ORV use.

**Amended Bill Compared to Original Bill:** The bill as referred to committee was not considered.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** This bill will enable small towns to be linked into the trail systems that are intended for ORV use.

**Testimony Against:** None.

**Who Testified:** PRO: Representative Kretz; Patrick Halstead, Washington State Motorsports Dealers' Association.