
HOUSE BILL 2934

State of Washington

65th Legislature

2018 Regular Session

By Representatives Orcutt and Shea

Read first time 01/25/18. Referred to Committee on Transportation.

1 AN ACT Relating to the use of wheeled all-terrain vehicles on
2 state routes; 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 and~~) the speed limit on the segment is
15 thirty-five miles per hour or less;

16 (b)(i) A person operating a wheeled all-terrain vehicle may not
17 cross a public roadway, not including nonhighway roads and trails,
18 with a speed limit in excess of thirty-five miles per hour, except as
19 follows: A person operating a wheeled all-terrain vehicle may cross a
20 public roadway with a speed limit of sixty miles per hour or less,
21 but more than thirty-five miles per hour, at an intersection of

1 approximately ninety degrees if the roadway that intersects the
2 public roadway with a speed limit of sixty miles per hour or less,
3 but more than thirty-five miles per hour, is a roadway upon which the
4 operation of wheeled all-terrain vehicles has been approved or is
5 otherwise allowed under this section.

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

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

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

20 (ii) The legislative body of a county with a population of fewer
21 than fifteen thousand may, by ordinance, designate roadways or
22 highways within its boundaries to be unsuitable for use by wheeled
23 all-terrain vehicles.

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

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

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

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

1 (iii) This subsection (1)(d) does not affect any roadway that was
2 designated as open or closed as of January 1, 2013;
3 (e) Any person who violates this subsection commits a traffic
4 infraction.
5 (2) Local authorities may not establish requirements for the
6 registration of wheeled all-terrain vehicles.
7 (3) A person may operate a wheeled all-terrain vehicle upon any
8 public roadway, trail, nonhighway road, or highway within the state
9 while being used under the authority or direction of an appropriate
10 agency that engages in emergency management, as defined in RCW
11 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a
12 law enforcement agency, as defined in RCW 16.52.011, within the scope
13 of the agency's official duties.
14 (4) A wheeled all-terrain vehicle is an off-road vehicle for the
15 purposes of chapter 4.24 RCW.

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