CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1436**

66th Legislature

2019 Regular Session

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| Passed by the House April 25, 2019  Yeas 98 Nays 0  **Speaker of the House of Representatives**  Passed by the Senate April 15, 2019  Yeas 48 Nays 0  **President of the Senate** | CERTIFICATE  I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1436** as passed by the House of Representatives and the Senate on the dates hereon set forth.  Chief Clerk |
| Approved |  |
| **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE HOUSE BILL 1436**

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AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

**State of Washington 66th Legislature 2019 Regular Session**

**By** House Transportation (originally sponsored by Representatives Mosbrucker, Wylie, Orcutt, Pettigrew, Goodman, Irwin, and Griffey)

AN ACT Relating to snow bikes; reenacting and amending RCW 46.10.300; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.10 RCW; adding a new section to chapter 46.61 RCW; adding a new section to chapter 46.04 RCW; and providing an effective date.

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

NEW SECTION. **Sec.**  A new section is added to chapter 46.16A RCW to read as follows:

(1) It is the intent of the legislature to create a concurrent licensing process to allow the owner of a motorcycle to maintain concurrent but separate registrations for the vehicle, for use as a motorcycle and for use as a snow bike.

(2) The department shall allow the owner of a motorcycle to maintain concurrent licenses for the vehicle for use as a motorcycle and for use as a snow bike. When the vehicle is registered as a motorcycle, the terms of the registration are those under this chapter that apply to motorcycles, including applicable fees. When the vehicle is registered as a snow bike, the terms of the registration are those under chapter 46.10 RCW that apply to snowmobiles, including applicable fees.

(3) The department shall establish a declaration subject to the requirements of RCW 9A.72.085, which must be submitted by the motorcycle owner when initially applying for a snowmobile registration under chapter 46.10 RCW for the use of the converted motorcycle as a snow bike. The declaration must include a statement signed by the owner that a motorcycle that had been previously converted to a snow bike must conform with all applicable federal motor vehicle safety standards and state standards while in use as a motorcycle upon public roads, streets, or highways. Once submitted by the motorcycle owner, the declaration is valid until the vehicle is sold or the title is otherwise transferred.

(4) The department may adopt rules to implement this section.

NEW SECTION. **Sec.**  A new section is added to chapter 46.10 RCW to read as follows:

The owner of a motorcycle may apply for a snowmobile registration as provided in section 1 of this act and under the terms of this chapter to use the motorcycle, when properly converted, as a snow bike for the purposes of this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 46.61 RCW to read as follows:

A person may operate a motorcycle, that previously had been converted to a snow bike, upon a public road, street, or highway of this state if:

(1) The person files a motorcycle highway use declaration, as provided under section 1 of this act, with the department certifying conformance with all applicable federal motor vehicle safety standards and state standards while in use as a motorcycle upon public roads, streets, or highways;

(2) The person obtains a valid driver's license and motorcycle endorsement issued to Washington residents in compliance with chapter 46.20 RCW for a motorcycle; and

(3) The motorcycle conforms to all applicable federal motor vehicle safety standards and state standards.

NEW SECTION. **Sec.**  A new section is added to chapter 46.04 RCW to read as follows:

"Snow bike" means a motorcycle or off-road motorcycle that has been modified with a conversion kit to include (1) an endless belt tread or cleats or similar means for the purposes of propulsion on snow and (2) a ski or sled type runner for the purposes of steering.

**Sec.**  RCW 46.10.300 and 2010 c 161 s 225 are each reenacted and amended to read as follows:

The following definitions apply throughout this chapter unless the context clearly requires otherwise.

(1) "All terrain vehicle" means any self-propelled vehicle other than a snowmobile, capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, and other natural terrain, including, but not limited to, four-wheel vehicles, amphibious vehicles, ground effect or air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind; except any vehicle designed primarily for travel on, over, or in the water, farm vehicles, or any military or law enforcement vehicles.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Committee" means the Washington state parks and recreation commission snowmobile advisory committee.

(4) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling snowmobiles or all terrain vehicles at wholesale or retail in this state.

(5) "Highway" means the entire width of the right-of-way of a primary and secondary state highway, including any portion of the interstate highway system.

(6) "Hunt" means any effort to kill, injure, capture, or disturb a wild animal or wild bird.

(7) "Public roadway" means the entire width of the right-of-way of any road or street designed and ordinarily used for travel or parking of motor vehicles, which is controlled by a public authority other than the Washington state department of transportation, and which is open as a matter of right to the general public for ordinary vehicular traffic.

(8) "Snowmobile" means both "snowmobile" as defined in RCW 46.04.546 and "snow bike" as defined in section 4 of this act.

NEW SECTION. **Sec.**  This act takes effect September 1, 2019.

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