

SENATE BILL REPORT

SB 6114

As of January 20, 2020

Title: An act relating to all-terrain vehicles.

Brief Description: Concerning all-terrain vehicles.

Sponsors: Senators Takko, O'Ban, Hobbs, Short, Van De Wege, Wagoner and Sheldon.

Brief History:

Committee Activity: Transportation: 1/20/20.

Brief Summary of Bill

- Allows cities and towns with a population under 3000 and counties to designate any road and highway as suitable for wheeled all-terrain vehicle (WATV) use under the current authority provided for off-road vehicle use.
- Removes the restriction that a WATV may only operate on a numbered state route if the segment is within the limits of a city or town.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Kim Johnson (786-7472)

Background: Off-Road Vehicles. An off-road vehicle (ORV) is a vehicle used for recreational purposes on nonhighway roads, trails, and other natural terrain. ORVs include all-terrain vehicles, certain motorcycles, dune buggies, and certain four-wheel drive vehicles.

An owner of an ORV that wishes to operate the vehicle in the state must first register the vehicle with the Department of Licensing (DOL) and pay an \$18 fee. DOL will issue a decal to the owner of an ORV. A person aged 16 may operate an ORV on a public road or highway if under the supervision of an 18 year-old or older licensed driver.

A county, or a city or town of less than 3000 persons, may designate a road or highway within its boundaries to be suitable for use by ORVs. However, WATVs are expressly excluded from the definition of ORV for this purpose.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Wheeled All-Terrain Vehicle. A WATV is a specific category of an ORV regulated separately under some aspects of 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:

- having handlebars 50 inches or less in width;
- having a seat height of at least 20 inches;
- weighing less than 1500 pounds; and
- having four tires with a diameter of 30 inches or less.

The second is a utility-type vehicle (UTV):

- designed for and capable of travel over designated roads;
- traveling on four or more low-pressure tires of 20 pounds per square inch or less;
- having a maximum width less than 74 inches;
- having a maximum weight of less than 2000 pounds; and
- having a wheelbase of 110 inches or less.

To be eligible for travel on public roads, the latter category of WATV must have a minimum width of 50 inches, have a minimum weight of at least 900 pounds, or have a wheelbase of over 61 inches.

A person who operates a WATV upon a public roadway must have a valid driver's license for travel on public roadways and a current on-road vehicle registration at a cost of \$12 for the WATV. The eligible WATV must display a metal tag affixed to the rear of the vehicle with the appropriate on-road tab. Wheeled all-terrain vehicles are eligible for operation on public roadways only if the vehicle meets certain equipment requirements and the operator possesses documentation of a safety inspection certifying that the vehicle's equipment meets state and federal requirements.

WATVs may operate on public roadways with a posted speed limit of 35 mph or less, under certain conditions. Any city and any county of 15,000 persons or more must approve the operation of eligible vehicles 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 where the posted speed limit is 35 mph or less.

Summary of Bill: The current authority cities and towns with a population under 3000 and counties have for designating any road or highway in their respective jurisdiction as suitable for ORV use is expanded to also include WATV use. A WATV may operate on a numbered state route with a speed limit above 35 miles per hour if authorized by a city, town, or county under the ORV use provision.

The limitation that a numbered state route segment be within the limits of a city or town in order for a WATV to operate on the numbered state route is removed.

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: The more access we provide to recreational opportunities, the more economic benefit rural communities will receive from tourism.

We are not a go fast group. My group is located in Cougar, Washington. All we are asking is to be able to operate on a numbered state route that has a speed limit of 35 mph or less when that part of the road is outside of a city limit. At my age I can not physically get outside the way I used to. My WATV gives me the ability to access the outdoors now, and with the slight adjustment provided in this bill, we could more easily get from one place to another without having to load our WATVs back on a trailer and move it down the road to the trail access point. Near Monroe we have created a great trail system, but there is a gap in what will be a loop due to needing to travel briefly on Highway 2. The segment of the Highway 2 is 35 mph, but it does not fall in the city limits.

Persons Testifying: PRO: Senator Dean Takko, Prime Sponsor; John Graham, Northwest Quad Association; Michael Richart, Cougar Area Trail Seekers; Grant Nelson, WATV Access Coalition.

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