

WAC 204-24-035 Standards for alternative traction devices. (1)

In order for an alternative traction device to be considered approved:

(a) The alternative traction device must be tested in accordance with a recognized standard on vehicles certified by its manufacturer as complying with the United States Federal Motor Vehicle Safety Standards. The testing will:

(i) Be conducted using USDOT approved summer tires.

(ii) For passenger vehicles, at minimum:

(A) Be done on both front and rear wheel drive vehicles with the device mounted on only the drive tires.

(B) Include the following tests:

(I) Durability testing of the product;

(II) Acceleration on both snow and ice;

(III) Deceleration on both snow and ice; and

(IV) Traction force of the product on snow.

(iii) For vehicle combinations over 10,000 pounds as outlined in WAC 204-24-050(2), at minimum:

(A) Be done on a five axle vehicle with the device on one tire on each side of each drive axle and one tire on the last axle of the last trailer or semi-trailer, if seeking approval for a combination with five or less axles.

(B) Be done on a five axle vehicle with the device mounted on all tires on one drive axle and one tire on the last axle of the last trailer or semi-trailer, if seeking approval for a combination with five or more axles.

(C) Include the following tests:

(I) Durability testing of the product;

(II) Acceleration on snow and/or ice;

(III) Deceleration on snow and/or ice; and

(IV) Traction force of the product on snow.

(iv) Be done in comparison to a tire chain when tested using the same standard to show that the alternative traction device meets or exceeds the standard as compared to the results of the referenced tire chain approved for use in the state of Washington under this chapter.

(b) Alternative traction devices must cooperate well with any given electronic driving support such as ABS, ESP, and ASR.

(c) Alternative traction devices should be resistant to UV light, corrosion, water, fuels, spreading salts and alcohols typically used to clear roads during winter.

(d) The following information must be provided to the Washington state patrol:

(i) The testing standard used, in English.

(ii) Documentation of the testing results, which must include the data produced for each test comparing the alternative traction device to the referenced tire chain. Except that durability testing is not required to be provided for the referenced tire chain.

(iii) A certified statement from the company or manufacturer outlining what measurable indicator of wear can be used by an officer to indicate when the product will no longer provide adequate traction equivalent to a chain.

(iv) Review and approval by a third-party testing agency that the tests were conducted according to the published standard. If testing cannot be done according to the published standard, companies may self-certify any supplemental tests necessary to comply with the requirements in this section, provided that the data from the tests is confirmed by a third-party testing agency. The patrol may request that the data be provided by the third-party testing agency directly.

(v) Provide certification of the test results, which must contain the following statement "I certify that the test methods, conditions and results reported are accurate and complete" and bear the signature of the tester.

(2) The patrol may suspend or revoke approval for an alternative traction device upon receiving evidence that the device has failed to comply or no longer complies with any requirement or provision of law or this chapter. The following process will be used:

(a) The patrol will give the applicant or manufacturer notice of the action and an opportunity to be heard as prescribed in chapter 34.05 RCW, prior to suspension or revocation of the approval, except as provided in subsection (3) of this section.

(b) Upon receiving notice of the action, the applicant or manufacturer may request an administrative hearing to contest the decision. A request for administrative hearing must:

(i) Be made in writing and mailed to the Washington State Patrol Equipment and Standards Section, P.O. Box 42600, Olympia, WA 98504-2600; and

(ii) Be received by the patrol's equipment and standards section within twenty business days after the date of the notice of action.

(c) Failure to request a hearing or failure to appear at a hearing, a prehearing conference, or any other stage of adjudicative proceeding may constitute default and result in the entry of a final order under RCW 34.05.440.

(d) Administrative proceedings consistent with chapter 34.05 RCW for revocation or other action will be promptly instituted and determined. The patrol must give notice as practicable to the applicant or manufacturer.

(e) Unless the patrol finds the immediate revocation is necessary or unless the applicant or manufacturer timely requests a hearing as provided under this section, a decision to revoke or suspend will be effective thirty days from the date of the notice of action decision unless that patrol finds that immediate revocation is necessary.

(3) The patrol may, without prior notification suspend or revoke approval for a device if it finds that there is danger to the public health, safety, or welfare that requires immediate action. For every summary suspension of a letter of approval, an order signed by the patrol must be entered in accordance with the provisions of RCW 34.05.479.

[Statutory Authority: RCW 46.37.420. WSR 12-17-116, § 204-24-035, filed 8/21/12, effective 9/21/12.]