
SUBSTITUTE HOUSE BILL 1154

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Winsley, Cole, Anderson, Betrozoff, Horn, Broback, Van Luven, Brough, Wynne and Fraser).

Read first time February 7, 1991.

1 AN ACT Relating to studded tires; amending RCW 47.36.250 and
2 46.37.420; and adding a new section to Title 82 RCW.

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

4 **Sec. 1.** RCW 47.36.250 and 1987 c 330 s 747 are each amended to
5 read as follows:

6 If the department or its delegate determines at any time for any
7 part of the public highway system that the unsafe conditions of the
8 roadway require particular tires, tire chains, or traction equipment in
9 addition to or beyond the ordinary pneumatic rubber tires, the
10 department may establish the following recommendations or requirements
11 with respect to the use of such equipment for all persons using such
12 public highway:

13 (1) Dangerous road conditions, chains or other approved traction
14 devices recommended.

1 (2) Dangerous road conditions, chains or other approved traction
2 devices required.

3 (3) Dangerous road conditions, chains required.

4 Any equipment that may be required by this section shall be
5 approved by the state patrol as authorized under RCW 46.37.420.

6 The department shall place and maintain signs and other traffic
7 control devices on the public highways that indicate the tire, tire
8 chain, or traction equipment recommendation or requirement determined
9 under this section. Such signs or traffic control devices shall in no
10 event prohibit the use of studded tires from November 1st to (~~April~~)
11 March 1st, but when the department determines that chains are required
12 and that no other traction equipment will suffice, the requirement is
13 applicable to all types of tires including studded tires. The signs or
14 traffic control devices may specify different recommendations or
15 requirements for four-wheel drive vehicles in gear.

16 Failure to obey a requirement indicated by a sign or other traffic
17 control device placed or maintained under this section is a
18 misdemeanor.

19 **Sec. 2.** RCW 46.37.420 and 1990 c 105 s 1 are each amended to read
20 as follows:

21 (1) It is unlawful to operate a vehicle upon the public highways of
22 this state unless it is completely equipped with pneumatic rubber tires
23 except vehicles equipped with temporary-use spare tires that meet
24 federal standards that are installed and used in accordance with the
25 manufacturer's instructions.

26 (2) No tire on a vehicle moved on a highway may have on its
27 periphery any block, flange, cleat, or spike or any other protuberance
28 of any material other than rubber which projects beyond the tread of
29 the traction surface of the tire, except that it is permissible (a) to

1 use farm machinery with tires having protuberances that will not injure
2 the highway, and (~~except also that it is permissible~~) (b) to use tire
3 chains or metal studs imbedded within the tire of reasonable
4 proportions and of a type conforming to rules adopted by the state
5 patrol, upon any vehicle when required for safety because of snow, ice,
6 or other conditions tending to cause a vehicle to skid. It is unlawful
7 to use metal studs imbedded within the tire between (~~April~~) March 1st
8 and November 1st. The state department of transportation may, from
9 time to time, determine additional periods in which the use of tires
10 with metal studs imbedded therein is lawful.

11 (3) The state department of transportation and local authorities in
12 their respective jurisdictions may issue special permits authorizing
13 the operation upon a highway of traction engines or tractors having
14 movable tracks with transverse corrugations upon the periphery of the
15 movable tracks or farm tractors or other farm machinery, the operation
16 of which upon a highway would otherwise be prohibited under this
17 section.

18 (4) Tires with metal studs imbedded therein may be used between
19 November 1st and (~~April~~) March 1st upon school buses and (~~fire~~
20 ~~department~~) authorized emergency vehicles, any law or regulation to
21 the contrary notwithstanding.

22 NEW SECTION. **Sec. 3.** A new section is added to Title 82 RCW to
23 read as follows:

24 The legislative authority of a county may fix and impose a fee on
25 the retail sale of studded tires as defined in RCW 46.37.420. The fee
26 imposed in this section shall be paid by the buyer to the seller, and
27 each seller shall collect from the buyer the full amount of the fee
28 which shall be paid to the department of revenue in accordance with RCW
29 82.32.045. All other applicable provisions of chapter 82.32 RCW shall

1 have full force and application with respect to the fee imposed under
2 this section.

3 The department of revenue shall administer and collect the fee.
4 The department shall deduct a percentage amount, as provided by
5 contract, not to exceed one percent of the fees collected, for
6 administration and collection expenses. The remaining proceeds shall
7 be remitted to the custody of the state treasurer for monthly
8 distribution under this section.

9 The state treasurer shall distribute revenues, less authorized
10 deductions, generated by the fee imposed in this section levied by
11 counties to the levying counties and the cities contained therein,
12 based on the relative per capita population. In calculating the
13 distributions, the state treasurer shall use the population estimates
14 prepared by the state office of financial management and shall further
15 calculate the distribution based on information supplied by the
16 department of revenue, as appropriate.

17 The proceeds of the fee shall be used solely for county road and
18 city street maintenance and preservation purposes.