

**SHB 1632 - H AMD 572**

By Representative Blake

ADOPTED 06/28/2013

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that off-road  
4 vehicle users have been overwhelmed with varied confusing rules,  
5 regulations, and ordinances from federal, state, county, and city land  
6 managers throughout the state to the extent standardization statewide  
7 is needed to maintain public safety and good order.

8 (2) It is the intent of the legislature to: (a) Increase  
9 opportunities for safe, legal, and environmentally acceptable motorized  
10 recreation; (b) decrease the amount of unlawful or environmentally  
11 harmful motorized recreation; (c) generate funds for use in  
12 maintenance, signage, education, and enforcement of motorized  
13 recreation opportunities; (d) advance a culture of self-policing and  
14 abuse intolerance among motorized recreationists; (e) cause no change  
15 in the policies of any governmental agency with respect to public land;  
16 (f) not change any current ORV usage routes as authorized in chapter  
17 213, Laws of 2005; (g) stimulate rural economies by opening certain  
18 roadways to use by motorized recreationists which will in turn  
19 stimulate economic activity through expenditures on gasoline, lodging,  
20 food and drink, and other entertainment purposes; and (h) require all  
21 wheeled all-terrain vehicles to obtain a metal tag.

22 **Sec. 2.** RCW 46.09.310 and 2010 c 161 s 213 are each amended to  
23 read as follows:

24 The definitions in this section apply throughout this chapter  
25 unless the context clearly requires otherwise.

26 (1) "Advisory committee" means the nonhighway and off-road vehicle  
27 activities advisory committee established in RCW 46.09.340.

28 (2) "Board" means the recreation and conservation funding board  
29 established in RCW 79A.25.110.

1 (3) "Dealer" means a person, partnership, association, or  
2 corporation engaged in the business of selling off-road vehicles at  
3 wholesale or retail in this state.

4 (4) "Highway," for the purpose of this chapter only, means the  
5 entire width between the boundary lines of every roadway publicly  
6 maintained by the state department of transportation or any county or  
7 city with funding from the motor vehicle fund. A highway is generally  
8 capable of travel by a conventional two-wheel drive passenger  
9 automobile during most of the year and in use by such vehicles.

10 (5) "Nonhighway road" means any road owned or managed by a public  
11 agency, a primitive road, or any private road for which the owner has  
12 granted an easement for public use for which appropriations from the  
13 motor vehicle fund were not used for (a) original construction or  
14 reconstruction in the last twenty-five years; or (b) maintenance in the  
15 last four years.

16 (6) "Nonhighway road recreation facilities" means recreational  
17 facilities that are adjacent to, or accessed by, a nonhighway road and  
18 intended primarily for nonhighway road recreational users.

19 (7) "Nonhighway road recreational user" means a person whose  
20 purpose for consuming fuel on a nonhighway road or off-road is  
21 primarily for nonhighway road recreational purposes, including, but not  
22 limited to, hunting, fishing, camping, sightseeing, wildlife viewing,  
23 picnicking, driving for pleasure, kayaking/canoeing, and gathering  
24 berries, firewood, mushrooms, and other natural products.

25 (8) "Nonhighway vehicle" means any motorized vehicle including an  
26 ORV when used for recreational purposes on nonhighway roads, trails, or  
27 a variety of other natural terrain.

28 Nonhighway vehicle does not include:

29 (a) Any vehicle designed primarily for travel on, over, or in the  
30 water;

31 (b) Snowmobiles or any military vehicles; or

32 (c) Any vehicle eligible for a motor vehicle fuel tax exemption or  
33 rebate under chapter 82.36 RCW while an exemption or rebate is claimed.  
34 This exemption includes but is not limited to farm, construction, and  
35 logging vehicles.

36 (9) "Nonmotorized recreational facilities" means recreational  
37 trails and facilities that are adjacent to, or accessed by, a

1 nonhighway road and intended primarily for nonmotorized recreational  
2 users.

3 (10) "Nonmotorized recreational user" means a person whose purpose  
4 for consuming fuel on a nonhighway road or off-road is primarily for  
5 nonmotorized recreational purposes including, but not limited to,  
6 walking, hiking, backpacking, climbing, cross-country skiing,  
7 snowshoeing, mountain biking, horseback riding, and pack animal  
8 activities.

9 (11) "Organized competitive event" means any competition,  
10 advertised in advance through written notice to organized clubs or  
11 published in local newspapers, sponsored by recognized clubs, and  
12 conducted at a predetermined time and place.

13 (12) "ORV recreation facilities" include, but are not limited to,  
14 ORV trails, trailheads, campgrounds, ORV sports parks, and ORV use  
15 areas, designated for ORV use by the managing authority (~~that are~~  
16 ~~intended primarily for ORV recreational users~~)).

17 (13) "ORV recreational user" means a person whose purpose for  
18 consuming fuel on nonhighway roads or off-road is primarily for ORV  
19 recreational purposes, including but not limited to riding an all-  
20 terrain vehicle, motorcycling, or driving a four-wheel drive vehicle or  
21 dune buggy.

22 (14) "ORV sports park" means a facility designed to accommodate  
23 competitive ORV recreational uses including, but not limited to,  
24 motocross racing, four-wheel drive competitions, and flat track racing.  
25 Use of ORV sports parks can be competitive or noncompetitive in nature.

26 (15) "ORV trail" means a multiple-use corridor designated by the  
27 managing authority and maintained for recreational use by motorized  
28 vehicles.

29 (16) "Direct supervision" means that the supervising adult must be  
30 in a position, on another wheeled all-terrain vehicle or specialty off-  
31 highway vehicle or motorbike or, if on the ground, within a reasonable  
32 distance of the unlicensed operator, to provide close support,  
33 assistance, or direction to the unlicensed operator.

34 (17) "Emergency management" means the carrying out of emergency  
35 functions related to responding and recovering from emergencies and  
36 disasters, and to aid victims suffering from injury or damage,  
37 resulting from disasters caused by all hazards, whether natural,

1 technological, or human caused, and to provide support for search and  
2 rescue operations for persons and property in distress.

3 (18) "Primitive road" means a linear route managed for use by four-  
4 wheel drive or high-clearance vehicles that is generally not maintained  
5 or paved, a road designated by a county as primitive under RCW  
6 36.75.300, or a road designated by a city or town as primitive under a  
7 local ordinance.

8 (19) "Wheeled all-terrain vehicle" means (a) any motorized  
9 nonhighway vehicle with handlebars that is fifty inches or less in  
10 width, has a seat height of at least twenty inches, weighs less than  
11 one thousand five hundred pounds, and has four tires having a diameter  
12 of thirty inches or less, or (b) a utility-type vehicle designed for  
13 and capable of travel over designated roads that travels on four or  
14 more low-pressure tires of twenty psi or less, has a maximum width less  
15 than seventy-four inches, has a maximum weight less than two thousand  
16 pounds, has a wheelbase of one hundred ten inches or less, and  
17 satisfies at least one of the following: (i) Has a minimum width of  
18 fifty inches; (ii) has a minimum weight of at least nine hundred  
19 pounds; or (iii) has a wheelbase of over sixty-one inches.

20 **Sec. 3.** RCW 46.09.310 and 2013 c 225 s 607 are each amended to  
21 read as follows:

22 The definitions in this section apply throughout this chapter  
23 unless the context clearly requires otherwise.

24 (1) "Advisory committee" means the nonhighway and off-road vehicle  
25 activities advisory committee established in RCW 46.09.340.

26 (2) "Board" means the recreation and conservation funding board  
27 established in RCW 79A.25.110.

28 (3) "Dealer" means a person, partnership, association, or  
29 corporation engaged in the business of selling off-road vehicles at  
30 wholesale or retail in this state.

31 (4) "Highway," for the purpose of this chapter only, means the  
32 entire width between the boundary lines of every roadway publicly  
33 maintained by the state department of transportation or any county or  
34 city with funding from the motor vehicle fund. A highway is generally  
35 capable of travel by a conventional two-wheel drive passenger  
36 automobile during most of the year and in use by such vehicles.

1 (5) "Nonhighway road" means any road owned or managed by a public  
2 agency, a primitive road, or any private road for which the owner has  
3 granted an easement for public use for which appropriations from the  
4 motor vehicle fund were not used for (a) original construction or  
5 reconstruction in the last twenty-five years; or (b) maintenance in the  
6 last four years.

7 (6) "Nonhighway road recreation facilities" means recreational  
8 facilities that are adjacent to, or accessed by, a nonhighway road and  
9 intended primarily for nonhighway road recreational users.

10 (7) "Nonhighway road recreational user" means a person whose  
11 purpose for consuming fuel on a nonhighway road or off-road is  
12 primarily for nonhighway road recreational purposes, including, but not  
13 limited to, hunting, fishing, camping, sightseeing, wildlife viewing,  
14 picnicking, driving for pleasure, kayaking/canoeing, and gathering  
15 berries, firewood, mushrooms, and other natural products.

16 (8) "Nonhighway vehicle" means any motorized vehicle including an  
17 ORV when used for recreational purposes on nonhighway roads, trails, or  
18 a variety of other natural terrain.

19 Nonhighway vehicle does not include:

20 (a) Any vehicle designed primarily for travel on, over, or in the  
21 water;

22 (b) Snowmobiles or any military vehicles; or

23 (c) Any vehicle eligible for a motor vehicle fuel tax exemption or  
24 rebate under chapter 82.38 RCW while an exemption or rebate is claimed.  
25 This exemption includes but is not limited to farm, construction, and  
26 logging vehicles.

27 (9) "Nonmotorized recreational facilities" means recreational  
28 trails and facilities that are adjacent to, or accessed by, a  
29 nonhighway road and intended primarily for nonmotorized recreational  
30 users.

31 (10) "Nonmotorized recreational user" means a person whose purpose  
32 for consuming fuel on a nonhighway road or off-road is primarily for  
33 nonmotorized recreational purposes including, but not limited to,  
34 walking, hiking, backpacking, climbing, cross-country skiing,  
35 snowshoeing, mountain biking, horseback riding, and pack animal  
36 activities.

37 (11) "Organized competitive event" means any competition,

1 advertised in advance through written notice to organized clubs or  
2 published in local newspapers, sponsored by recognized clubs, and  
3 conducted at a predetermined time and place.

4 (12) "ORV recreation facilities" include, but are not limited to,  
5 ORV trails, trailheads, campgrounds, ORV sports parks, and ORV use  
6 areas, designated for ORV use by the managing authority (~~that are~~  
7 ~~intended primarily for ORV recreational users~~)).

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9 consuming fuel on nonhighway roads or off-road is primarily for ORV  
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11 terrain vehicle, motorcycling, or driving a four-wheel drive vehicle or  
12 dune buggy.

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14 competitive ORV recreational uses including, but not limited to,  
15 motocross racing, four-wheel drive competitions, and flat track racing.  
16 Use of ORV sports parks can be competitive or noncompetitive in nature.

17 (15) "ORV trail" means a multiple-use corridor designated by the  
18 managing authority and maintained for recreational use by motorized  
19 vehicles.

20 (16) "Direct supervision" means that the supervising adult must be  
21 in a position, on another wheeled all-terrain vehicle or specialty off-  
22 highway vehicle or motorbike or, if on the ground, within a reasonable  
23 distance of the unlicensed operator, to provide close support,  
24 assistance, or direction to the unlicensed operator.

25 (17) "Emergency management" means the carrying out of emergency  
26 functions related to responding and recovering from emergencies and  
27 disasters, and to aid victims suffering from injury or damage,  
28 resulting from disasters caused by all hazards, whether natural,  
29 technological, or human caused, and to provide support for search and  
30 rescue operations for persons and property in distress.

31 (18) "Primitive road" means a linear route managed for use by four-  
32 wheel drive or high-clearance vehicles that is generally not maintained  
33 or paved, a road designated by a county as primitive under RCW  
34 36.75.300, or a road designated by a city or town as primitive under a  
35 local ordinance.

36 (19) "Wheeled all-terrain vehicle" means (a) any motorized  
37 nonhighway vehicle with handlebars that is fifty inches or less in  
38 width, has a seat height of at least twenty inches, weighs less than

1 one thousand five hundred pounds, and has four tires having a diameter  
2 of thirty inches or less, or (b) a utility-type vehicle designed for  
3 and capable of travel over designated roads that travels on four or  
4 more low-pressure tires of twenty psi or less, has a maximum width less  
5 than seventy-four inches, has a maximum weight less than two thousand  
6 pounds, has a wheelbase of one hundred ten inches or less, and  
7 satisfies at least one of the following: (i) Has a minimum width of  
8 fifty inches; (ii) has a minimum weight of at least nine hundred  
9 pounds; or (iii) has a wheelbase of over sixty-one inches.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.09 RCW  
11 under the subchapter heading "registrations and use permits" to read as  
12 follows:

13 (1) Any wheeled all-terrain vehicle operated within this state must  
14 display a metal tag to be affixed to the rear of the wheeled all-  
15 terrain vehicle. The initial metal tag must be issued with an original  
16 off-road vehicle registration and upon payment of the initial vehicle  
17 license fee under RCW 46.17.350(1)(s). The metal tag must be replaced  
18 every seven years at a cost of two dollars. Revenue from replacement  
19 metal tags must be deposited into the nonhighway and off-road vehicle  
20 activities program account. The department must design the metal tag,  
21 which must:

22 (a) Be the same size as a motorcycle license plate;

23 (b) Have the words "RESTRICTED VEHICLE" listed at the top of the  
24 tag;

25 (c) Contain designated identification through a combination of  
26 letters and numbers;

27 (d) Leave space at the bottom left corner of the tag for an off-  
28 road tab issued under subsection (2) of this section; and

29 (e) Leave space at the bottom right corner of the tag for an on-  
30 road tab, when required, issued under subsection (3) of this section.

31 (2) A person who operates a wheeled all-terrain vehicle must have  
32 a current and proper off-road vehicle registration, with the  
33 appropriate off-road tab, and pay the annual vehicle license fee as  
34 provided in RCW 46.17.350(1)(s), which must be deposited into the  
35 nonhighway and off-road vehicle activities program account. The off-  
36 road tab must be issued annually by the department upon payment of  
37 initial and renewal vehicle license fees under RCW 46.17.350(1)(s).

1 (3) A person who operates a wheeled all-terrain vehicle upon a  
2 public roadway must have a current and proper on-road vehicle  
3 registration, with the appropriate on-road tab, which must be of a  
4 bright color that can be seen from a reasonable distance, and pay the  
5 annual vehicle license fee as provided in RCW 46.17.350(1)(r). The on-  
6 road tab must be issued annually by the department upon payment of  
7 initial and renewal vehicle license fees under RCW 46.17.350(1)(r).

8 (4) A wheeled all-terrain vehicle may not be registered for  
9 commercial use.

10 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.09 RCW  
11 under the subchapter heading "registrations and use permits" to read as  
12 follows:

13 (1) A person may not operate a wheeled all-terrain vehicle upon a  
14 public roadway of this state, not including nonhighway roads and  
15 trails, without (a) first obtaining a valid driver's license issued to  
16 Washington residents in compliance with chapter 46.20 RCW or (b)  
17 possessing a valid driver's license issued by the state of the person's  
18 residence if the person is a nonresident.

19 (2) A person who operates a wheeled all-terrain vehicle under this  
20 section is granted all rights and is subject to all duties applicable  
21 to the operator of a motorcycle under RCW 46.37.530 and chapter 46.61  
22 RCW, unless otherwise stated in this act, except that wheeled all-  
23 terrain vehicles may not be operated side-by-side in a single lane of  
24 traffic.

25 (3) Wheeled all-terrain vehicles are subject to chapter 46.55 RCW.

26 (4) Any person who violates this section commits a traffic  
27 infraction.

28 (5) The department may develop and implement an online training  
29 course for persons that register wheeled all-terrain vehicles and  
30 utility-type vehicles for use on a public roadway of this state. The  
31 department is granted rule-making authority for the training course.  
32 Any future costs associated with the training course must be  
33 appropriated from the highway safety account and any fees collected  
34 must be distributed to the highway safety account.

35 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.09 RCW  
36 under the subchapter heading "uses and violations" to read as follows:



1 (1) A person may operate a wheeled all-terrain vehicle upon any  
2 public roadway of this state, not including nonhighway roads and  
3 trails, having a speed limit of thirty-five miles per hour or less  
4 subject to the following restrictions and requirements:

5 (a) A person may not operate a wheeled all-terrain vehicle upon  
6 state highways that are listed in chapter 47.17 RCW; however, a person  
7 may operate a wheeled all-terrain vehicle upon a segment of a state  
8 highway listed in chapter 47.17 RCW if the segment is within the limits  
9 of a city or town and the speed limit on the segment is thirty-five  
10 miles per hour or less;

11 (b) A person operating a wheeled all-terrain vehicle may not cross  
12 a public roadway, not including nonhighway roads and trails, with a  
13 speed limit in excess of thirty-five miles per hour, unless the  
14 crossing begins and ends on a public roadway, not including nonhighway  
15 roads and trails, or an ORV trail, with a speed limit of thirty-five  
16 miles per hour or less and occurs at an intersection of approximately  
17 ninety degrees, except that the operator of a wheeled all-terrain  
18 vehicle may not cross at an uncontrolled intersection of a public  
19 highway listed under chapter 47.17 RCW;

20 (c)(i) A person may not operate a wheeled all-terrain vehicle on a  
21 public roadway within the boundaries of a county, not including  
22 nonhighway roads and trails, with a population of fifteen thousand or  
23 more unless the county by ordinance has approved the operation of  
24 wheeled all-terrain vehicles on county roadways, not including  
25 nonhighway roads and trails.

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

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

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

37 (d)(i) A person may not operate a wheeled all-terrain vehicle on a  
38 public roadway within the boundaries of a city or town, not including

1 nonhighway roads and trails, unless the city or town by ordinance has  
2 approved the operation of wheeled all-terrain vehicles on city or town  
3 roadways, not including nonhighway roads and trails.

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

8 (iii) This subsection (1)(d) does not affect any roadway that was  
9 designated as open or closed as of January 1, 2013.

10 (e) Any person who violates this subsection commits a traffic  
11 infraction.

12 (2) Local authorities may not establish requirements for the  
13 registration of wheeled all-terrain vehicles.

14 (3) A person may operate a wheeled all-terrain vehicle upon any  
15 public roadway, trail, nonhighway road, or highway within the state  
16 while being used under the authority or direction of an appropriate  
17 agency that engages in emergency management, as defined in RCW  
18 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a law  
19 enforcement agency, as defined in RCW 16.52.011, within the scope of  
20 the agency's official duties.

21 (4) A wheeled all-terrain vehicle is an off-road vehicle for the  
22 purposes of chapter 4.24 RCW.

23 NEW SECTION. **Sec. 7.** A new section is added to chapter 46.09 RCW  
24 under the subchapter heading "uses and violations" to read as follows:

25 (1) A person may operate a wheeled all-terrain vehicle upon any  
26 public roadway of this state, not including nonhighway roads and  
27 trails, subject to the following equipment and declaration  
28 requirements:

29 (a) A person who operates a wheeled all-terrain vehicle must comply  
30 with the following equipment requirements:

31 (i) Headlights meeting the requirements of RCW 46.37.030 and  
32 46.37.040 and used at all times when the vehicle is in motion upon a  
33 highway;

34 (ii) One tail lamp meeting the requirements of RCW 46.37.525 and  
35 used at all times when the vehicle is in motion upon a highway;  
36 however, a utility-type vehicle, as described under RCW 46.09.310, must

1 have two tail lamps meeting the requirements of RCW 46.37.070(1) and to  
2 be used at all times when the vehicle is in motion upon a highway;

3 (iii) A stop lamp meeting the requirements of RCW 46.37.200;

4 (iv) Reflectors meeting the requirements of RCW 46.37.060;

5 (v) During hours of darkness, as defined in RCW 46.04.200, turn  
6 signals meeting the requirements of RCW 46.37.200. Outside of hours of  
7 darkness, the operator must comply with RCW 46.37.200 or 46.61.310;

8 (vi) A mirror attached to either the right or left handlebar, which  
9 must be located to give the operator a complete view of the highway for  
10 a distance of at least two hundred feet to the rear of the vehicle;  
11 however, a utility-type vehicle, as described under RCW 46.09.310(19),  
12 must have two mirrors meeting the requirements of RCW 46.37.400;

13 (vii) A windshield meeting the requirements of RCW 46.37.430,  
14 unless the operator wears glasses, goggles, or a face shield while  
15 operating the vehicle, of a type conforming to rules adopted by the  
16 Washington state patrol;

17 (viii) A horn or warning device meeting the requirements of RCW  
18 46.37.380;

19 (ix) Brakes in working order;

20 (x) A spark arrester and muffling device meeting the requirements  
21 of RCW 46.09.470; and

22 (xi) For utility-type vehicles, as described under RCW  
23 46.09.310(19), seatbelts meeting the requirements of RCW 46.37.510.

24 (b) A person who operates a wheeled all-terrain vehicle upon a  
25 public roadway must provide a declaration that includes the following:

26 (i) Documentation of a safety inspection to be completed by a  
27 licensed wheeled all-terrain vehicle dealer or repair shop in the state  
28 of Washington that must outline the vehicle information and certify  
29 under oath that all wheeled all-terrain vehicle equipment as required  
30 under this section meets the requirements outlined in state and federal  
31 law. A person who makes a false statement regarding the inspection of  
32 equipment required under this section is guilty of false swearing, a  
33 gross misdemeanor, under RCW 9A.72.040;

34 (ii) Documentation that the licensed wheeled all-terrain vehicle  
35 dealer or repair shop did not charge more than fifty dollars per safety  
36 inspection and that the entire safety inspection fee is paid directly  
37 and only to the licensed wheeled all-terrain vehicle dealer or repair  
38 shop;

1 (iii) A statement that the licensed wheeled all-terrain vehicle  
2 dealer or repair shop is entitled to the full amount charged for the  
3 safety inspection;

4 (iv) A vehicle identification number verification that must be  
5 completed by a licensed wheeled all-terrain vehicle dealer or repair  
6 shop in the state of Washington; and

7 (v) A release signed by the owner of the wheeled all-terrain  
8 vehicle and verified by the department, county auditor or other agent,  
9 or subagent appointed by the director that releases the state from any  
10 liability and outlines that the owner understands that the original  
11 wheeled all-terrain vehicle was not manufactured for on-road use and  
12 that it has been modified for use on public roadways.

13 (2) This section does not apply to emergency services vehicles,  
14 vehicles used for emergency management purposes, or vehicles used in  
15 the production of agricultural and timber products on and across lands  
16 owned, leased, or managed by the owner or operator of the wheeled all-  
17 terrain vehicle or the operator's employer.

18 NEW SECTION. **Sec. 8.** A new section is added to chapter 46.09 RCW  
19 under the subchapter heading "general provisions" to read as follows:

20 The department must track wheeled all-terrain vehicles in a  
21 separate registration category for reporting purposes.

22 NEW SECTION. **Sec. 9.** A new section is added to chapter 46.09 RCW  
23 under the subchapter heading "uses and violations" to read as follows:

24 (1) A person who operates a wheeled all-terrain vehicle consistent  
25 with RCW 46.09.470(1) (g), (h), or (i) or inconsistent with the  
26 emergency exemption under RCW 46.09.420 is a traffic infraction.

27 (2) Any law enforcement officer may issue a notice of traffic  
28 infraction for a violation of subsection (1) of this section whether or  
29 not the infraction was committed in the officer's presence, as long as  
30 there is reasonable evidence presented that the operator of the wheeled  
31 all-terrain vehicle committed a violation of subsection (1) of this  
32 section. At a minimum, the evidence must include information relating  
33 to the time and location at which the violation occurred, and the  
34 wheeled all-terrain vehicle metal tag number or a description of the  
35 vehicle involved in the violation. If, after an investigation of a  
36 reported violation of subsection (1) of this section, the law

1 enforcement officer is able to identify the operator and has probable  
2 cause to believe a violation of subsection (1) of this section has  
3 occurred, the law enforcement officer shall prepare a notice of traffic  
4 infraction and have it served upon the operator of the wheeled all-  
5 terrain vehicle.

6 NEW SECTION. **Sec. 10.** A new section is added to chapter 46.09 RCW  
7 under the subchapter heading "revenue" to read as follows:

8 (1) The multiuse roadway safety account is created in the motor  
9 vehicle fund. All receipts from vehicle license fees under RCW  
10 46.17.350(1)(r) must be deposited into the account. Moneys in the  
11 account may be spent only after appropriation. Expenditures from the  
12 account may be used only for grants administered by the department of  
13 transportation to: (a) Counties to perform safety engineering analysis  
14 of mixed vehicle use on any road within a county; (b) local governments  
15 to provide funding to erect signs providing notice to the motoring  
16 public that (i) wheeled all-terrain vehicles are present or (ii)  
17 wheeled all-terrain vehicles may be crossing; (c) the state patrol or  
18 local law enforcement for purposes of defraying the costs of  
19 enforcement of this act; and (d) law enforcement to investigate  
20 accidents involving wheeled all-terrain vehicles.

21 (2) The department of transportation must prioritize grant awards  
22 in the following priority order:

23 (a) For the purpose of marking highway crossings with signs warning  
24 motorists that wheeled all-terrain vehicles may be crossing when an ORV  
25 recreation facility parking lot is on the other side of a public  
26 roadway from the actual ORV recreation facility; and

27 (b) For the purpose of marking intersections with signs where a  
28 wheeled all-terrain vehicle may cross a public road to advise motorists  
29 of the upcoming intersection. Such signs must conform to the manual on  
30 uniform traffic control devices.

31 **Sec. 11.** RCW 46.09.360 and 2006 c 212 s 4 are each amended to read  
32 as follows:

33 (1) Notwithstanding any of the provisions of this chapter, any  
34 city, town, county, or other political subdivision of this state, or  
35 any state agency, may regulate the operation of nonhighway vehicles on  
36 public lands, waters, and other properties under its jurisdiction, and

1 on streets, roads, or highways within its boundaries by adopting  
2 regulations or ordinances of its governing body, provided such  
3 regulations are not less stringent than the provisions of this chapter.  
4 However, the legislative body of a city or town with a population of  
5 less than three thousand persons may, by ordinance, designate a street  
6 or highway within its boundaries to be suitable for use by off-road  
7 vehicles. The legislative body of a county may, by ordinance,  
8 designate a road or highway within its boundaries to be suitable for  
9 use by off-road vehicles (~~if the road or highway is a direct~~  
10 ~~connection between a city with a population of less than three thousand~~  
11 ~~persons and an off-road vehicle recreation facility)).~~

12 (2) For purposes of this section, "off-road vehicles" does not  
13 include wheeled all-terrain vehicles.

14 **Sec. 12.** RCW 46.09.400 and 2011 c 171 s 25 are each amended to  
15 read as follows:

16 The department shall:

17 (1) Issue registrations and temporary ORV use permits for off-road  
18 vehicles, excluding wheeled all-terrain vehicles subject to subsection  
19 (4) of this section;

20 (2) Issue decals for off-road vehicles, excluding wheeled all-  
21 terrain vehicles subject to subsection (4) of this section. The decals  
22 serve the same function as license plates for vehicles registered under  
23 chapter 46.16A RCW; (~~and~~)

24 (3) Charge a fee for each decal covering the actual cost of the  
25 decal; and

26 (4) Issue metal tags, off-road vehicle registrations, and on-road  
27 vehicle registrations for wheeled all-terrain vehicles.

28 **Sec. 13.** RCW 46.09.410 and 2010 c 161 s 218 are each amended to  
29 read as follows:

30 (1) The application for an original ORV registration has the same  
31 requirements as described for original vehicle registrations in RCW  
32 46.16A.040 and must be accompanied by the annual off-road vehicle  
33 license fee required under RCW 46.17.350, in addition to any other fees  
34 or taxes due for the application.

35 (2) The application for renewal of an ORV registration has the same  
36 requirements as described for the renewal of vehicle registrations in

1 RCW 46.16A.110 and must be accompanied by the annual off-road vehicle  
2 license fee required under RCW 46.17.350, in addition to any other fees  
3 or taxes due for the application.

4 (3) The annual ORV registration is valid for one year and may be  
5 renewed each subsequent year as prescribed by the department.

6 (4) A person who acquires an off-road vehicle that has an ORV  
7 registration must:

8 (a) Apply to the department, county auditor or other agent, or  
9 subagent appointed by the director for a transfer of the ORV  
10 registration within fifteen days of taking possession of the off-road  
11 vehicle; and

12 (b) Pay the ORV registration transfer fee required under RCW  
13 46.17.410, in addition to any other fees or taxes due at the time of  
14 application.

15 (5) The department shall issue an ORV registration, decals, and  
16 tabs upon receipt of:

17 (a) A properly completed application for an original ORV  
18 registration; and

19 (b) The payment of all fees and taxes due at the time of  
20 application.

21 (6) The ORV registration must be carried on the vehicle for which  
22 it was issued at all times during its operation in this state.

23 (7) Off-road vehicle decals must be affixed to the off-road vehicle  
24 in a manner prescribed by the department.

25 (8) Unless exempt under RCW 46.09.420, any out-of-state operator of  
26 an off-road vehicle, when operating in this state, must comply with  
27 this chapter. If an ORV registration is required under this chapter,  
28 the out-of-state operator must obtain an ORV registration and decal or  
29 a temporary ORV use permit.

30 (9) This section does not apply to wheeled all-terrain vehicles  
31 registered for use under section 4 of this act.

32 **Sec. 14.** RCW 46.09.420 and 2011 c 171 s 26 are each amended to  
33 read as follows:

34 ORV registrations and decals are required under this chapter except  
35 for the following:

36 (1) Off-road vehicles owned and operated by the United States,

1 another state, or a political subdivision of the United States or  
2 another state.

3 (2) Off-road vehicles owned and operated by this state, a  
4 municipality, or a political subdivision of this state or the  
5 municipality.

6 (3) Off-road vehicles operated on and across agricultural and  
7 timber lands owned (~~(or)~~), leased, or managed by the off-road vehicle  
8 owner or operator or operator's employer.

9 (4) Off-road vehicles owned by a resident of another state that  
10 have a valid ORV use permit or vehicle registration issued in  
11 accordance with the laws of the other state. This exemption applies  
12 only to the extent that a similar exemption or privilege is granted  
13 under the laws of that state.

14 (5) Off-road vehicles while being used for (~~search and rescue~~)  
15 emergency management purposes under the authority or direction of an  
16 appropriate agency that engages in emergency management, as defined in  
17 RCW 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a  
18 law enforcement agency as defined in RCW 16.52.011.

19 (6) Vehicles registered under chapter 46.16A RCW or, in the case of  
20 nonresidents, vehicles validly registered for operation over public  
21 highways in the jurisdiction of the owner's residence.

22 (7) Off-road vehicles operated by persons who, in good faith,  
23 render emergency care or assistance with respect to an incident  
24 involving off-road vehicles. Persons who operate off-road vehicles to  
25 render such care, assistance, or advice are not liable for civil  
26 damages resulting from any act or omission in the rendering of such  
27 care, assistance, or advice, other than acts or omissions constituting  
28 gross negligence or willful or wanton misconduct.

29 **Sec. 15.** RCW 46.09.450 and 2011 c 171 s 27 are each amended to  
30 read as follows:

31 (1) Except as otherwise provided in this section, it is lawful to  
32 operate an off-road vehicle upon:

33 (a) A nonhighway road and in parking areas serving designated off-  
34 road vehicle areas if the state, federal, local, or private authority  
35 responsible for the management of the nonhighway road authorizes the  
36 use of off-road vehicles; (~~and~~)



1 (b) A street, road, or highway as authorized under RCW 46.09.360;  
2 and

3 (c) Any trail, nonhighway road, or highway within the state while  
4 being used under the authority or direction of an appropriate agency  
5 that engages in emergency management, as defined in RCW 46.09.310, or  
6 search and rescue, as defined in RCW 38.52.010, or a law enforcement  
7 agency, as defined in RCW 16.52.011, within the scope of the agency's  
8 official duties.

9 (2) (~~Operations of~~) An off-road vehicle operated on a nonhighway  
10 road(~~(7)~~) or on a street, road, or highway as authorized under RCW  
11 46.09.360(~~(7, under)~~) and this section is exempt from both registration  
12 requirements of chapter 46.16A RCW and vehicle lighting and equipment  
13 requirements of chapter 46.37 RCW.

14 (3) It is unlawful to operate an off-road vehicle upon a private  
15 nonhighway road if the road owner has not authorized the use of off-  
16 road vehicles.

17 (4) Nothing in this section authorizes trespass on private  
18 property.

19 (5) The provisions of RCW 4.24.210(5) (~~shall~~) apply to public and  
20 private landowners who allow members of the public to use public  
21 facilities accessed by a highway, street, or nonhighway road for  
22 recreational off-road vehicle use.

23 **Sec. 16.** RCW 46.09.460 and 2005 c 213 s 5 are each amended to read  
24 as follows:

25 (1) Except as specified in subsection (2) of this section, no  
26 person under (~~thirteen~~) sixteen years of age may operate an off-road  
27 vehicle on or across a highway or nonhighway road in this state without  
28 direct supervision of a person eighteen years of age or older  
29 possessing a valid license to operate a motor vehicle under chapter  
30 46.20 RCW. This prohibition does not apply when a person under sixteen  
31 years of age is acting in accordance with RCW 46.09.420 (5) and (7).

32 (2) Persons under (~~thirteen~~) sixteen years of age may operate an  
33 off-road vehicle across a highway, if at that crossing signs indicate  
34 that wheeled all-terrain vehicles or off-road vehicles may be crossing,  
35 or on a nonhighway road designated for off-road vehicle use, under the  
36 direct supervision of a person eighteen years of age or older

1 possessing a valid license to operate a motor vehicle under chapter  
2 46.20 RCW.

3 (3) This section does not apply to vehicles used in the production  
4 of agricultural or timber products on and across lands owned, leased,  
5 or managed by the owner or operator of a wheeled all-terrain vehicle or  
6 the operator's employer.

7 **Sec. 17.** RCW 46.09.470 and 2011 c 171 s 28 and 2011 c 121 s 4 are  
8 each reenacted and amended to read as follows:

9 (1) Except as provided in subsection (4) of this section, it is a  
10 traffic infraction for any person to operate any nonhighway vehicle:

11 (a) In such a manner as to endanger the property of another;

12 (b) On lands not owned by the operator or owner of the nonhighway  
13 vehicle without a lighted headlight and taillight between the hours of  
14 dusk and dawn, or when otherwise required for the safety of others  
15 regardless of ownership;

16 (c) On lands not owned by the operator or owner of the nonhighway  
17 vehicle without an adequate braking device or when otherwise required  
18 for the safety of others regardless of ownership;

19 (d) Without a spark arrester approved by the department of natural  
20 resources;

21 (e) Without an adequate, and operating, muffling device which  
22 effectively limits vehicle noise to no more than eighty-six decibels on  
23 the "A" scale at fifty feet as measured by the Society of Automotive  
24 Engineers (SAE) test procedure J 331a, except that a maximum noise  
25 level of one hundred and five decibels on the "A" scale at a distance  
26 of twenty inches from the exhaust outlet shall be an acceptable  
27 substitute in lieu of the Society of Automotive Engineers test  
28 procedure J 331a when measured:

29 (i) At a forty-five degree angle at a distance of twenty inches  
30 from the exhaust outlet;

31 (ii) With the vehicle stationary and the engine running at a steady  
32 speed equal to one-half of the manufacturer's maximum allowable ("red  
33 line") engine speed or where the manufacturer's maximum allowable  
34 engine speed is not known the test speed in revolutions per minute  
35 calculated as sixty percent of the speed at which maximum horsepower is  
36 developed; and

1 (iii) With the microphone placed ten inches from the side of the  
2 vehicle, one-half way between the lowest part of the vehicle body and  
3 the ground plane, and in the same lateral plane as the rearmost exhaust  
4 outlet where the outlet of the exhaust pipe is under the vehicle;

5 (f) On lands not owned by the operator or owner of the nonhighway  
6 vehicle upon the shoulder or inside bank or slope of any nonhighway  
7 road or highway, or upon the median of any divided highway;

8 (g) On lands not owned by the operator or owner of the nonhighway  
9 vehicle in any area or in such a manner so as to unreasonably expose  
10 the underlying soil, or to create an erosion condition, or to injure,  
11 damage, or destroy trees, growing crops, or other vegetation;

12 (h) On lands not owned by the operator or owner of the nonhighway  
13 vehicle or on any nonhighway road or trail, when these are restricted  
14 to pedestrian or animal travel;

15 (i) On any public lands in violation of rules and regulations of  
16 the agency administering such lands; and

17 (j) On a private nonhighway road in violation of RCW 46.09.450(3).

18 (2) It is a misdemeanor for any person to operate any nonhighway  
19 vehicle while under the influence of intoxicating liquor or a  
20 controlled substance.

21 (3)(a) Except for an off-road vehicle equipped with seat belts and  
22 roll bars or an enclosed passenger compartment, it is a traffic  
23 infraction for any person to operate or ride an off-road vehicle on a  
24 nonhighway road without wearing upon his or her head a motorcycle  
25 helmet fastened securely while in motion. For purposes of this  
26 section, "motorcycle helmet" has the same meaning as provided in RCW  
27 46.37.530.

28 (b) Subsection (3)(a) of this section does not apply to an off-road  
29 vehicle operator operating on his or her own land.

30 (c) Subsection (3)(a) of this section does not apply to an off-road  
31 vehicle (~~operator operating on agricultural lands owned or leased by~~  
32 ~~the off-road vehicle operator or the operator's employer~~) used in  
33 production of agricultural and timber products on and across lands  
34 owned, leased, or managed by the owner or operator of the off-road  
35 vehicle or the operator's employer.

36 (4) It is not a traffic infraction to operate an off-road vehicle  
37 on a street, road, or highway as authorized under RCW 46.09.360 (~~(e)~~),  
38 46.61.705, or section 6 of this act.

1       **Sec. 18.** RCW 46.09.530 and 2010 c 161 s 223 are each amended to  
2 read as follows:

3       (1) After deducting administrative expenses and the expense of any  
4 programs conducted under this chapter, the board shall, at least once  
5 each year, distribute the funds it receives under RCW 46.68.045 and  
6 46.09.520 to state agencies, counties, municipalities, federal  
7 agencies, nonprofit off-road vehicle organizations, and Indian tribes.  
8 Funds distributed under this section to nonprofit off-road vehicle  
9 organizations may be spent only on projects or activities that benefit  
10 off-road vehicle recreation on publicly owned lands or lands once  
11 publicly owned that come into private ownership in a federally approved  
12 land exchange completed between January 1, 1998, and January 1, 2005.

13       (2) The board shall adopt rules governing applications for funds  
14 administered by the recreation and conservation office under this  
15 chapter and shall determine the amount of money distributed to each  
16 applicant. Agencies receiving funds under this chapter for capital  
17 purposes shall consider the possibility of contracting with the state  
18 parks and recreation commission, the department of natural resources,  
19 or other federal, state, and local agencies to employ the youth  
20 development and conservation corps or other youth crews in completing  
21 the project.

22       (3) The board shall require each applicant for acquisition or  
23 development funds under this section to comply with the requirements of  
24 either the state environmental policy act, chapter 43.21C RCW, or the  
25 national environmental policy act (42 U.S.C. Sec. 4321 et seq.).

26       **Sec. 19.** RCW 46.17.350 and 2010 c 161 s 531 are each amended to  
27 read as follows:

28       (1) Before accepting an application for a vehicle registration, the  
29 department, county auditor or other agent, or subagent appointed by the  
30 director shall require the applicant, unless specifically exempt, to  
31 pay the following vehicle license fee by vehicle type:

| VEHICLE TYPE                      | INITIAL FEE | RENEWAL FEE | DISTRIBUTED UNDER |
|-----------------------------------|-------------|-------------|-------------------|
| (a) Auto stage, six seats or less | \$ 30.00    | \$ 30.00    | RCW 46.68.030     |
| (b) Camper                        | \$ 4.90     | \$ 3.50     | RCW 46.68.030     |
| (c) Commercial trailer            | \$ 34.00    | \$ 30.00    | RCW 46.68.035     |

|    |   |                |                |                               |
|----|---|----------------|----------------|-------------------------------|
| 1  | (d) For hire vehicle, six seats         | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 2  | or less                                 |                |                |                               |
| 3  | (e) Mobile home (if registered)         | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 4  | (f) Moped                               | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 5  | (g) Motor home                          | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 6  | (h) Motorcycle                          | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 7  | (i) Off-road vehicle                    | \$ 18.00       | \$ 18.00       | RCW 46.68.045                 |
| 8  | (j) Passenger car                       | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 9  | (k) Private use single-axle             | \$ 15.00       | \$ 15.00       | RCW 46.68.035(((2)))          |
| 10 | trailer                                 |                |                |                               |
| 11 | (l) Snowmobile                          | \$ 30.00       | \$ 30.00       | RCW 46.68.350                 |
| 12 | (m) Snowmobile, vintage                 | \$ 12.00       | \$ 12.00       | RCW 46.68.350                 |
| 13 | (n) Sport utility vehicle               | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 14 | (o) Tow truck                           | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 15 | (p) Trailer, over 2000 pounds           | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 16 | (q) Travel trailer                      | \$ 30.00       | \$ 30.00       | RCW 46.68.030                 |
| 17 | <u>(r) Wheeled all-terrain vehicle,</u> | <u>\$12.00</u> | <u>\$12.00</u> | <u>Section 10 of this act</u> |
| 18 | <u>on-road use</u>                      |                |                |                               |
| 19 | <u>(s) Wheeled all-terrain vehicle,</u> | <u>\$18.00</u> | <u>\$18.00</u> | <u>RCW 46.09.510</u>          |
| 20 | <u>off-road use</u>                     |                |                |                               |

21 (2) The vehicle license fee required in subsection (1) of this  
22 section is in addition to the filing fee required under RCW 46.17.005,  
23 and any other fee or tax required by law.

24 **Sec. 20.** RCW 46.30.020 and 2013 c 157 s 1 are each amended to read  
25 as follows:

26 (1)(a) No person may operate a motor vehicle subject to  
27 registration under chapter 46.16A RCW in this state unless the person  
28 is insured under a motor vehicle liability policy with liability limits  
29 of at least the amounts provided in RCW 46.29.090, is self-insured as  
30 provided in RCW 46.29.630, is covered by a certificate of deposit in  
31 conformance with RCW 46.29.550, or is covered by a liability bond of at  
32 least the amounts provided in RCW 46.29.090. Proof of financial  
33 responsibility for motor vehicle operation must be provided on the  
34 request of a law enforcement officer in the format specified under RCW  
35 46.30.030.

1 (b) A person who drives a motor vehicle that is required to be  
2 registered in another state that requires drivers and owners of  
3 vehicles in that state to maintain insurance or financial  
4 responsibility shall, when requested by a law enforcement officer,  
5 provide evidence of financial responsibility or insurance as is  
6 required by the laws of the state in which the vehicle is registered.

7 (c) When asked to do so by a law enforcement officer, failure to  
8 display proof of financial responsibility for motor vehicle operation  
9 as specified under RCW 46.30.030 creates a presumption that the person  
10 does not have motor vehicle insurance.

11 (d) Failure to provide proof of motor vehicle insurance is a  
12 traffic infraction and is subject to penalties as set by the supreme  
13 court under RCW 46.63.110 or community restitution.

14 (e) For the purposes of this section, when a person uses a portable  
15 electronic device to display proof of financial security to a law  
16 enforcement officer, the officer may only view the proof of financial  
17 security and is otherwise prohibited from viewing any other content on  
18 the portable electronic device.

19 (f) Whenever a person presents a portable electronic device  
20 pursuant to this section, that person assumes all liability for any  
21 damage to the portable electronic device.

22 (2) If a person cited for a violation of subsection (1) of this  
23 section appears in person before the court or a violations bureau and  
24 provides written evidence that at the time the person was cited, he or  
25 she was in compliance with the financial responsibility requirements of  
26 subsection (1) of this section, the citation shall be dismissed and the  
27 court or violations bureau may assess court administrative costs of  
28 twenty-five dollars at the time of dismissal. In lieu of personal  
29 appearance, a person cited for a violation of subsection (1) of this  
30 section may, before the date scheduled for the person's appearance  
31 before the court or violations bureau, submit by mail to the court or  
32 violations bureau written evidence that at the time the person was  
33 cited, he or she was in compliance with the financial responsibility  
34 requirements of subsection (1) of this section, in which case the  
35 citation shall be dismissed without cost, except that the court or  
36 violations bureau may assess court administrative costs of twenty-five  
37 dollars at the time of dismissal.

38 (3) The provisions of this chapter shall not govern:

1 (a) The operation of a motor vehicle registered under RCW 46.18.220  
2 or 46.18.255, governed by RCW 46.16A.170, or registered with the  
3 Washington utilities and transportation commission as common or  
4 contract carriers; or

5 (b) The operation of a motorcycle as defined in RCW 46.04.330, a  
6 motor-driven cycle as defined in RCW 46.04.332, ~~((or))~~ a moped as  
7 defined in RCW 46.04.304, or a wheeled all-terrain vehicle as defined  
8 in RCW 46.09.310.

9 (4) RCW 46.29.490 shall not be deemed to govern all motor vehicle  
10 liability policies required by this chapter but only those certified  
11 for the purposes stated in chapter 46.29 RCW.

12 **Sec. 21.** RCW 46.63.020 and 2013 c 135 s 2 are each amended to read  
13 as follows:

14 Failure to perform any act required or the performance of any act  
15 prohibited by this title or an equivalent administrative regulation or  
16 local law, ordinance, regulation, or resolution relating to traffic  
17 including parking, standing, stopping, and pedestrian offenses, is  
18 designated as a traffic infraction and may not be classified as a  
19 criminal offense, except for an offense contained in the following  
20 provisions of this title or a violation of an equivalent administrative  
21 regulation or local law, ordinance, regulation, or resolution:

22 (1) Section 7(1)(b)(i) of this act relating to a false statement  
23 regarding the inspection of and installation of equipment on wheeled  
24 all-terrain vehicles;

25 (2) RCW 46.09.470(2) relating to the operation of a nonhighway  
26 vehicle while under the influence of intoxicating liquor or a  
27 controlled substance;

28 ~~((+2))~~ (3) RCW 46.09.480 relating to operation of nonhighway  
29 vehicles;

30 ~~((+3))~~ (4) RCW 46.10.490(2) relating to the operation of a  
31 snowmobile while under the influence of intoxicating liquor or  
32 narcotics or habit-forming drugs or in a manner endangering the person  
33 of another;

34 ~~((+4))~~ (5) RCW 46.10.495 relating to the operation of snowmobiles;

35 ~~((+5))~~ (6) Chapter 46.12 RCW relating to certificates of title,  
36 registration certificates, and markings indicating that a vehicle has  
37 been destroyed or declared a total loss;

1           ~~((+6))~~ (7) RCW 46.16A.030 and 46.16A.050(3) relating to the  
2 nonpayment of taxes and fees by failure to register a vehicle and  
3 falsifying residency when registering a motor vehicle;  
4           ~~((+7))~~ (8) RCW 46.16A.520 relating to permitting unauthorized  
5 persons to drive;  
6           ~~((+8))~~ (9) RCW 46.16A.320 relating to vehicle trip permits;  
7           ~~((+9))~~ (10) RCW 46.19.050 relating to knowingly providing false  
8 information in conjunction with an application for a special placard or  
9 license plate for disabled persons' parking;  
10           ~~((+10))~~ (11) RCW 46.20.005 relating to driving without a valid  
11 driver's license;  
12           ~~((+11))~~ (12) RCW 46.20.091 relating to false statements regarding  
13 a driver's license or instruction permit;  
14           ~~((+12))~~ (13) RCW 46.20.0921 relating to the unlawful possession  
15 and use of a driver's license;  
16           ~~((+13))~~ (14) RCW 46.20.342 relating to driving with a suspended or  
17 revoked license or status;  
18           ~~((+14))~~ (15) RCW 46.20.345 relating to the operation of a motor  
19 vehicle with a suspended or revoked license;  
20           ~~((+15))~~ (16) RCW 46.20.410 relating to the violation of  
21 restrictions of an occupational driver's license, temporary restricted  
22 driver's license, or ignition interlock driver's license;  
23           ~~((+16))~~ (17) RCW 46.20.740 relating to operation of a motor  
24 vehicle without an ignition interlock device in violation of a license  
25 notation that the device is required;  
26           ~~((+17))~~ (18) RCW 46.20.750 relating to circumventing an ignition  
27 interlock device;  
28           ~~((+18))~~ (19) RCW 46.25.170 relating to commercial driver's  
29 licenses;  
30           ~~((+19))~~ (20) Chapter 46.29 RCW relating to financial  
31 responsibility;  
32           ~~((+20))~~ (21) RCW 46.30.040 relating to providing false evidence of  
33 financial responsibility;  
34           ~~((+21))~~ (22) RCW 46.35.030 relating to recording device  
35 information;  
36           ~~((+22))~~ (23) RCW 46.37.435 relating to wrongful installation of  
37 sunscreening material;



1           ~~((+23))~~ (24) RCW 46.37.650 relating to the sale, resale,  
2 distribution, or installation of a previously deployed air bag;  
3           ~~((+24))~~ (25) RCW 46.37.671 through 46.37.675 relating to signal  
4 preemption devices;  
5           ~~((+25))~~ (26) RCW 46.37. . . (section 1, chapter 135, Laws of 2013)  
6 relating to switching or flipping license plates, utilizing technology  
7 to flip or change the appearance of a license plate, selling a license  
8 plate flipping device or technology used to change the appearance of a  
9 license plate, or falsifying a vehicle registration;  
10          ~~((+26))~~ (27) RCW 46.44.180 relating to operation of mobile home  
11 pilot vehicles;  
12          ~~((+27))~~ (28) RCW 46.48.175 relating to the transportation of  
13 dangerous articles;  
14          ~~((+28))~~ (29) RCW 46.52.010 relating to duty on striking an  
15 unattended car or other property;  
16          ~~((+29))~~ (30) RCW 46.52.020 relating to duty in case of injury to  
17 or death of a person or damage to an attended vehicle;  
18          ~~((+30))~~ (31) RCW 46.52.090 relating to reports by repairers,  
19 storage persons, and appraisers;  
20          ~~((+31))~~ (32) RCW 46.52.130 relating to confidentiality of the  
21 driving record to be furnished to an insurance company, an employer,  
22 and an alcohol/drug assessment or treatment agency;  
23          ~~((+32))~~ (33) RCW 46.55.020 relating to engaging in the activities  
24 of a registered tow truck operator without a registration certificate;  
25          ~~((+33))~~ (34) RCW 46.55.035 relating to prohibited practices by tow  
26 truck operators;  
27          ~~((+34))~~ (35) RCW 46.55.300 relating to vehicle immobilization;  
28          ~~((+35))~~ (36) RCW 46.61.015 relating to obedience to police  
29 officers, flaggers, or firefighters;  
30          ~~((+36))~~ (37) RCW 46.61.020 relating to refusal to give information  
31 to or cooperate with an officer;  
32          ~~((+37))~~ (38) RCW 46.61.022 relating to failure to stop and give  
33 identification to an officer;  
34          ~~((+38))~~ (39) RCW 46.61.024 relating to attempting to elude  
35 pursuing police vehicles;  
36          ~~((+39))~~ (40) RCW 46.61.212(4) relating to reckless endangerment of  
37 emergency zone workers;  
38          ~~((+40))~~ (41) RCW 46.61.500 relating to reckless driving;

1           ~~((41))~~ (42) RCW 46.61.502 and 46.61.504 relating to persons under  
2 the influence of intoxicating liquor or drugs;  
3           ~~((42))~~ (43) RCW 46.61.503 relating to a person under age twenty-  
4 one driving a motor vehicle after consuming alcohol;  
5           ~~((43))~~ (44) RCW 46.61.520 relating to vehicular homicide by motor  
6 vehicle;  
7           ~~((44))~~ (45) RCW 46.61.522 relating to vehicular assault;  
8           ~~((45))~~ (46) RCW 46.61.5249 relating to first degree negligent  
9 driving;  
10           ~~((46))~~ (47) RCW 46.61.527(4) relating to reckless endangerment of  
11 roadway workers;  
12           ~~((47))~~ (48) RCW 46.61.530 relating to racing of vehicles on  
13 highways;  
14           ~~((48))~~ (49) RCW 46.61.655(7) (a) and (b) relating to failure to  
15 secure a load;  
16           ~~((49))~~ (50) RCW 46.61.685 relating to leaving children in an  
17 unattended vehicle with the motor running;  
18           ~~((50))~~ (51) RCW 46.61.740 relating to theft of motor vehicle  
19 fuel;  
20           ~~((51))~~ (52) RCW 46.64.010 relating to unlawful cancellation of or  
21 attempt to cancel a traffic citation;  
22           ~~((52))~~ (53) RCW 46.64.048 relating to attempting, aiding,  
23 abetting, coercing, and committing crimes;  
24           ~~((53))~~ (54) Chapter 46.65 RCW relating to habitual traffic  
25 offenders;  
26           ~~((54))~~ (55) RCW 46.68.010 relating to false statements made to  
27 obtain a refund;  
28           ~~((55))~~ (56) Chapter 46.70 RCW relating to unfair motor vehicle  
29 business practices, except where that chapter provides for the  
30 assessment of monetary penalties of a civil nature;  
31           ~~((56))~~ (57) Chapter 46.72 RCW relating to the transportation of  
32 passengers in for hire vehicles;  
33           ~~((57))~~ (58) RCW 46.72A.060 relating to limousine carrier  
34 insurance;  
35           ~~((58))~~ (59) RCW 46.72A.070 relating to operation of a limousine  
36 without a vehicle certificate;  
37           ~~((59))~~ (60) RCW 46.72A.080 relating to false advertising by a  
38 limousine carrier;

1       (~~(60)~~) (61) Chapter 46.80 RCW relating to motor vehicle wreckers;  
2       (~~(61)~~) (62) Chapter 46.82 RCW relating to driver's training  
3 schools;  
4       (~~(62)~~) (63) RCW 46.87.260 relating to alteration or forgery of a  
5 cab card, letter of authority, or other temporary authority issued  
6 under chapter 46.87 RCW;  
7       (~~(63)~~) (64) RCW 46.87.290 relating to operation of an  
8 unregistered or unlicensed vehicle under chapter 46.87 RCW.

9       **Sec. 22.** RCW 79A.80.010 and 2012 c 261 s 1 are each amended to  
10 read as follows:

11       The definitions in this section apply throughout this chapter  
12 unless the context clearly requires otherwise.

13       (1) "Agency" or "agencies" means the department of fish and  
14 wildlife, the department of natural resources, and the parks and  
15 recreation commission.

16       (2) "Annual natural investment permit" means the annual permit  
17 issued by the parks and recreation commission for the purpose of  
18 launching boats from the designated state parks boat launch sites.

19       (3) "Camper registration" means proof of payment of a camping fee  
20 on recreational lands managed by the parks and recreation commission.

21       (4) "Day-use permit" means the permit created in RCW 79A.80.030.

22       (5) "Discover pass" means the annual pass created in RCW  
23 79A.80.020.

24       (6) "Motor vehicle" has the same meaning as defined in RCW  
25 46.04.320 and which are required to be registered under chapter 46.16A  
26 RCW. "Motor vehicle" does not include those motor vehicles exempt from  
27 registration under RCW 46.16A.080, wheeled all-terrain vehicles  
28 registered for use under section 4 of this act, and state and publicly  
29 owned motor vehicles as provided in RCW 46.16A.170.

30       (7) "Recreation site or lands" means a state park, state lands and  
31 state forest lands as those terms are defined in RCW 79.02.010, natural  
32 resources conservation areas as that term is defined in RCW 79.71.030,  
33 natural area preserves as that term is defined in RCW 79.70.020, and  
34 fish and wildlife conservation sites including water access areas, boat  
35 ramps, wildlife areas, parking areas, roads, and trailheads.

36       (8) "Sno-park seasonal permit" means the seasonal permit issued by

1 the parks and recreation commission for providing access to winter  
2 recreational facilities for the period of November 1st through March  
3 31st.

4 (9) "Vehicle access pass" means the pass created in RCW 79A.80.040.

5 **Sec. 23.** RCW 46.63.030 and 2011 c 375 s 5 are each amended to read  
6 as follows:

7 (1) A law enforcement officer has the authority to issue a notice  
8 of traffic infraction:

9 (a) When the infraction is committed in the officer's presence,  
10 except as provided in section 9 of this act;

11 (b) When the officer is acting upon the request of a law  
12 enforcement officer in whose presence the traffic infraction was  
13 committed;

14 (c) If an officer investigating at the scene of a motor vehicle  
15 accident has reasonable cause to believe that the driver of a motor  
16 vehicle involved in the accident has committed a traffic infraction;

17 (d) When the infraction is detected through the use of an automated  
18 traffic safety camera under RCW 46.63.170; or

19 (e) When the infraction is detected through the use of an automated  
20 school bus safety camera under RCW 46.63.180.

21 (2) A court may issue a notice of traffic infraction upon receipt  
22 of a written statement of the officer that there is reasonable cause to  
23 believe that an infraction was committed.

24 (3) If any motor vehicle without a driver is found parked,  
25 standing, or stopped in violation of this title or an equivalent  
26 administrative regulation or local law, ordinance, regulation, or  
27 resolution, the officer finding the vehicle shall take its registration  
28 number and may take any other information displayed on the vehicle  
29 which may identify its user, and shall conspicuously affix to the  
30 vehicle a notice of traffic infraction.

31 (4) In the case of failure to redeem an abandoned vehicle under RCW  
32 46.55.120, upon receiving a complaint by a registered tow truck  
33 operator that has incurred costs in removing, storing, and disposing of  
34 an abandoned vehicle, an officer of the law enforcement agency  
35 responsible for directing the removal of the vehicle shall send a  
36 notice of infraction by certified mail to the last known address of the  
37 person responsible under RCW 46.55.105. The notice must be entitled

1 "Littering--Abandoned Vehicle" and give notice of the monetary penalty.  
2 The officer shall append to the notice of infraction, on a form  
3 prescribed by the department of licensing, a notice indicating the  
4 amount of costs incurred as a result of removing, storing, and  
5 disposing of the abandoned vehicle, less any amount realized at  
6 auction, and a statement that monetary penalties for the infraction  
7 will not be considered as having been paid until the monetary penalty  
8 payable under this chapter has been paid and the court is satisfied  
9 that the person has made restitution in the amount of the deficiency  
10 remaining after disposal of the vehicle.

11 **Sec. 24.** RCW 43.84.092 and 2013 2nd sp.s. c 1 s 15 are each  
12 amended to read as follows:

13 (1) All earnings of investments of surplus balances in the state  
14 treasury shall be deposited to the treasury income account, which  
15 account is hereby established in the state treasury.

16 (2) The treasury income account shall be utilized to pay or receive  
17 funds associated with federal programs as required by the federal cash  
18 management improvement act of 1990. The treasury income account is  
19 subject in all respects to chapter 43.88 RCW, but no appropriation is  
20 required for refunds or allocations of interest earnings required by  
21 the cash management improvement act. Refunds of interest to the  
22 federal treasury required under the cash management improvement act  
23 fall under RCW 43.88.180 and shall not require appropriation. The  
24 office of financial management shall determine the amounts due to or  
25 from the federal government pursuant to the cash management improvement  
26 act. The office of financial management may direct transfers of funds  
27 between accounts as deemed necessary to implement the provisions of the  
28 cash management improvement act, and this subsection. Refunds or  
29 allocations shall occur prior to the distributions of earnings set  
30 forth in subsection (4) of this section.

31 (3) Except for the provisions of RCW 43.84.160, the treasury income  
32 account may be utilized for the payment of purchased banking services  
33 on behalf of treasury funds including, but not limited to, depository,  
34 safekeeping, and disbursement functions for the state treasury and  
35 affected state agencies. The treasury income account is subject in all  
36 respects to chapter 43.88 RCW, but no appropriation is required for

1 payments to financial institutions. Payments shall occur prior to  
2 distribution of earnings set forth in subsection (4) of this section.

3 (4) Monthly, the state treasurer shall distribute the earnings  
4 credited to the treasury income account. The state treasurer shall  
5 credit the general fund with all the earnings credited to the treasury  
6 income account except:

7 (a) The following accounts and funds shall receive their  
8 proportionate share of earnings based upon each account's and fund's  
9 average daily balance for the period: The aeronautics account, the  
10 aircraft search and rescue account, the Alaskan Way viaduct replacement  
11 project account, the brownfield redevelopment trust fund account, the  
12 budget stabilization account, the capital vessel replacement account,  
13 the capitol building construction account, the Cedar River channel  
14 construction and operation account, the Central Washington University  
15 capital projects account, the charitable, educational, penal and  
16 reformatory institutions account, the cleanup settlement account, the  
17 Columbia river basin water supply development account, the Columbia  
18 river basin taxable bond water supply development account, the Columbia  
19 river basin water supply revenue recovery account, the common school  
20 construction fund, the county arterial preservation account, the county  
21 criminal justice assistance account, the deferred compensation  
22 administrative account, the deferred compensation principal account,  
23 the department of licensing services account, the department of  
24 retirement systems expense account, the developmental disabilities  
25 community trust account, the drinking water assistance account, the  
26 drinking water assistance administrative account, the drinking water  
27 assistance repayment account, the Eastern Washington University capital  
28 projects account, the Interstate 405 express toll lanes operations  
29 account, the education construction fund, the education legacy trust  
30 account, the election account, the energy freedom account, the energy  
31 recovery act account, the essential rail assistance account, The  
32 Evergreen State College capital projects account, the federal forest  
33 revolving account, the ferry bond retirement fund, the freight mobility  
34 investment account, the freight mobility multimodal account, the grade  
35 crossing protective fund, the public health services account, the high  
36 capacity transportation account, the state higher education  
37 construction account, the higher education construction account, the  
38 highway bond retirement fund, the highway infrastructure account, the

1 highway safety fund, the high occupancy toll lanes operations account,  
2 the hospital safety net assessment fund, the industrial insurance  
3 premium refund account, the judges' retirement account, the judicial  
4 retirement administrative account, the judicial retirement principal  
5 account, the local leasehold excise tax account, the local real estate  
6 excise tax account, the local sales and use tax account, the marine  
7 resources stewardship trust account, the medical aid account, the  
8 mobile home park relocation fund, the motor vehicle fund, the  
9 motorcycle safety education account, the multimodal transportation  
10 account, the multiuse roadway safety account, the municipal criminal  
11 justice assistance account, the natural resources deposit account, the  
12 oyster reserve land account, the pension funding stabilization account,  
13 the perpetual surveillance and maintenance account, the public  
14 employees' retirement system plan 1 account, the public employees'  
15 retirement system combined plan 2 and plan 3 account, the public  
16 facilities construction loan revolving account beginning July 1, 2004,  
17 the public health supplemental account, the public works assistance  
18 account, the Puget Sound capital construction account, the Puget Sound  
19 ferry operations account, the real estate appraiser commission account,  
20 the recreational vehicle account, the regional mobility grant program  
21 account, the resource management cost account, the rural arterial trust  
22 account, the rural mobility grant program account, the rural Washington  
23 loan fund, the site closure account, the skilled nursing facility  
24 safety net trust fund, the small city pavement and sidewalk account,  
25 the special category C account, the special wildlife account, the state  
26 employees' insurance account, the state employees' insurance reserve  
27 account, the state investment board expense account, the state  
28 investment board commingled trust fund accounts, the state patrol  
29 highway account, the state route number 520 civil penalties account,  
30 the state route number 520 corridor account, the state wildlife  
31 account, the supplemental pension account, the Tacoma Narrows toll  
32 bridge account, the teachers' retirement system plan 1 account, the  
33 teachers' retirement system combined plan 2 and plan 3 account, the  
34 tobacco prevention and control account, the tobacco settlement account,  
35 the toll facility bond retirement account, the transportation 2003  
36 account (nickel account), the transportation equipment fund, the  
37 transportation fund, the transportation improvement account, the  
38 transportation improvement board bond retirement account, the

1 transportation infrastructure account, the transportation partnership  
2 account, the traumatic brain injury account, the tuition recovery trust  
3 fund, the University of Washington bond retirement fund, the University  
4 of Washington building account, the volunteer firefighters' and reserve  
5 officers' relief and pension principal fund, the volunteer  
6 firefighters' and reserve officers' administrative fund, the Washington  
7 judicial retirement system account, the Washington law enforcement  
8 officers' and firefighters' system plan 1 retirement account, the  
9 Washington law enforcement officers' and firefighters' system plan 2  
10 retirement account, the Washington public safety employees' plan 2  
11 retirement account, the Washington school employees' retirement system  
12 combined plan 2 and 3 account, the Washington state economic  
13 development commission account, the Washington state health insurance  
14 pool account, the Washington state patrol retirement account, the  
15 Washington State University building account, the Washington State  
16 University bond retirement fund, the water pollution control revolving  
17 administration account, the water pollution control revolving fund, and  
18 the Western Washington University capital projects account. Earnings  
19 derived from investing balances of the agricultural permanent fund, the  
20 normal school permanent fund, the permanent common school fund, the  
21 scientific permanent fund, the state university permanent fund, and the  
22 state reclamation revolving account shall be allocated to their  
23 respective beneficiary accounts.

24 (b) Any state agency that has independent authority over accounts  
25 or funds not statutorily required to be held in the state treasury that  
26 deposits funds into a fund or account in the state treasury pursuant to  
27 an agreement with the office of the state treasurer shall receive its  
28 proportionate share of earnings based upon each account's or fund's  
29 average daily balance for the period.

30 (5) In conformance with Article II, section 37 of the state  
31 Constitution, no treasury accounts or funds shall be allocated earnings  
32 without the specific affirmative directive of this section.

33 **Sec. 25.** RCW 43.84.092 and 2013 2nd sp.s. c 1 s 16 are each  
34 amended to read as follows:

35 (1) All earnings of investments of surplus balances in the state  
36 treasury shall be deposited to the treasury income account, which  
37 account is hereby established in the state treasury.



1           (2) The treasury income account shall be utilized to pay or receive  
2 funds associated with federal programs as required by the federal cash  
3 management improvement act of 1990. The treasury income account is  
4 subject in all respects to chapter 43.88 RCW, but no appropriation is  
5 required for refunds or allocations of interest earnings required by  
6 the cash management improvement act. Refunds of interest to the  
7 federal treasury required under the cash management improvement act  
8 fall under RCW 43.88.180 and shall not require appropriation. The  
9 office of financial management shall determine the amounts due to or  
10 from the federal government pursuant to the cash management improvement  
11 act. The office of financial management may direct transfers of funds  
12 between accounts as deemed necessary to implement the provisions of the  
13 cash management improvement act, and this subsection. Refunds or  
14 allocations shall occur prior to the distributions of earnings set  
15 forth in subsection (4) of this section.

16           (3) Except for the provisions of RCW 43.84.160, the treasury income  
17 account may be utilized for the payment of purchased banking services  
18 on behalf of treasury funds including, but not limited to, depository,  
19 safekeeping, and disbursement functions for the state treasury and  
20 affected state agencies. The treasury income account is subject in all  
21 respects to chapter 43.88 RCW, but no appropriation is required for  
22 payments to financial institutions. Payments shall occur prior to  
23 distribution of earnings set forth in subsection (4) of this section.

24           (4) Monthly, the state treasurer shall distribute the earnings  
25 credited to the treasury income account. The state treasurer shall  
26 credit the general fund with all the earnings credited to the treasury  
27 income account except:

28           (a) The following accounts and funds shall receive their  
29 proportionate share of earnings based upon each account's and fund's  
30 average daily balance for the period: The aeronautics account, the  
31 aircraft search and rescue account, the Alaskan Way viaduct replacement  
32 project account, the brownfield redevelopment trust fund account, the  
33 budget stabilization account, the capital vessel replacement account,  
34 the capitol building construction account, the Cedar River channel  
35 construction and operation account, the Central Washington University  
36 capital projects account, the charitable, educational, penal and  
37 reformatory institutions account, the cleanup settlement account, the  
38 Columbia river basin water supply development account, the Columbia

1 river basin taxable bond water supply development account, the Columbia  
2 river basin water supply revenue recovery account, the Columbia river  
3 crossing project account, the common school construction fund, the  
4 county arterial preservation account, the county criminal justice  
5 assistance account, the deferred compensation administrative account,  
6 the deferred compensation principal account, the department of  
7 licensing services account, the department of retirement systems  
8 expense account, the developmental disabilities community trust  
9 account, the drinking water assistance account, the drinking water  
10 assistance administrative account, the drinking water assistance  
11 repayment account, the Eastern Washington University capital projects  
12 account, the Interstate 405 express toll lanes operations account, the  
13 education construction fund, the education legacy trust account, the  
14 election account, the energy freedom account, the energy recovery act  
15 account, the essential rail assistance account, The Evergreen State  
16 College capital projects account, the federal forest revolving account,  
17 the ferry bond retirement fund, the freight mobility investment  
18 account, the freight mobility multimodal account, the grade crossing  
19 protective fund, the public health services account, the high capacity  
20 transportation account, the state higher education construction  
21 account, the higher education construction account, the highway bond  
22 retirement fund, the highway infrastructure account, the highway safety  
23 fund, the high occupancy toll lanes operations account, the hospital  
24 safety net assessment fund, the industrial insurance premium refund  
25 account, the judges' retirement account, the judicial retirement  
26 administrative account, the judicial retirement principal account, the  
27 local leasehold excise tax account, the local real estate excise tax  
28 account, the local sales and use tax account, the marine resources  
29 stewardship trust account, the medical aid account, the mobile home  
30 park relocation fund, the motor vehicle fund, the motorcycle safety  
31 education account, the multimodal transportation account, the multiuse  
32 roadway safety account, the municipal criminal justice assistance  
33 account, the natural resources deposit account, the oyster reserve land  
34 account, the pension funding stabilization account, the perpetual  
35 surveillance and maintenance account, the public employees' retirement  
36 system plan 1 account, the public employees' retirement system combined  
37 plan 2 and plan 3 account, the public facilities construction loan  
38 revolving account beginning July 1, 2004, the public health

1 supplemental account, the public works assistance account, the Puget  
2 Sound capital construction account, the Puget Sound ferry operations  
3 account, the real estate appraiser commission account, the recreational  
4 vehicle account, the regional mobility grant program account, the  
5 resource management cost account, the rural arterial trust account, the  
6 rural mobility grant program account, the rural Washington loan fund,  
7 the site closure account, the skilled nursing facility safety net trust  
8 fund, the small city pavement and sidewalk account, the special  
9 category C account, the special wildlife account, the state employees'  
10 insurance account, the state employees' insurance reserve account, the  
11 state investment board expense account, the state investment board  
12 commingled trust fund accounts, the state patrol highway account, the  
13 state route number 520 civil penalties account, the state route number  
14 520 corridor account, the state wildlife account, the supplemental  
15 pension account, the Tacoma Narrows toll bridge account, the teachers'  
16 retirement system plan 1 account, the teachers' retirement system  
17 combined plan 2 and plan 3 account, the tobacco prevention and control  
18 account, the tobacco settlement account, the toll facility bond  
19 retirement account, the transportation 2003 account (nickel account),  
20 the transportation equipment fund, the transportation fund, the  
21 transportation improvement account, the transportation improvement  
22 board bond retirement account, the transportation infrastructure  
23 account, the transportation partnership account, the traumatic brain  
24 injury account, the tuition recovery trust fund, the University of  
25 Washington bond retirement fund, the University of Washington building  
26 account, the volunteer firefighters' and reserve officers' relief and  
27 pension principal fund, the volunteer firefighters' and reserve  
28 officers' administrative fund, the Washington judicial retirement  
29 system account, the Washington law enforcement officers' and  
30 firefighters' system plan 1 retirement account, the Washington law  
31 enforcement officers' and firefighters' system plan 2 retirement  
32 account, the Washington public safety employees' plan 2 retirement  
33 account, the Washington school employees' retirement system combined  
34 plan 2 and 3 account, the Washington state economic development  
35 commission account, the Washington state health insurance pool account,  
36 the Washington state patrol retirement account, the Washington State  
37 University building account, the Washington State University bond  
38 retirement fund, the water pollution control revolving administration

1 account, the water pollution control revolving fund, and the Western  
2 Washington University capital projects account. Earnings derived from  
3 investing balances of the agricultural permanent fund, the normal  
4 school permanent fund, the permanent common school fund, the scientific  
5 permanent fund, the state university permanent fund, and the state  
6 reclamation revolving account shall be allocated to their respective  
7 beneficiary accounts.

8 (b) Any state agency that has independent authority over accounts  
9 or funds not statutorily required to be held in the state treasury that  
10 deposits funds into a fund or account in the state treasury pursuant to  
11 an agreement with the office of the state treasurer shall receive its  
12 proportionate share of earnings based upon each account's or fund's  
13 average daily balance for the period.

14 (5) In conformance with Article II, section 37 of the state  
15 Constitution, no treasury accounts or funds shall be allocated earnings  
16 without the specific affirmative directive of this section.

17 NEW SECTION. **Sec. 26.** Except for sections 3 and 25 of this act,  
18 this act is necessary for the immediate preservation of the public  
19 peace, health, or safety, or support of the state government and its  
20 existing public institutions, and takes effect July 28, 2013.

21 NEW SECTION. **Sec. 27.** Section 2 of this act expires July 1, 2015.

22 NEW SECTION. **Sec. 28.** Section 3 of this act takes effect July 1,  
23 2015.

24 NEW SECTION. **Sec. 29.** Section 24 of this act expires if the  
25 requirements set out in section 7, chapter 36, Laws of 2012 are met.

26 NEW SECTION. **Sec. 30.** Section 25 of this act takes effect if the  
27 requirements set out in section 7, chapter 36, Laws of 2012 are met."

28 Correct the title.

EFFECT: (1) Changes the distance for the direct supervision of an

unlicensed operator from one hundred fifty feet to within a reasonable distance.

(2) Authorizes the department of licensing to develop and implement an online training course for persons who register wheeled all-terrain vehicles and utility-type vehicles for use on a public roadway of this state.

(3) Changes the one handlebar mirror requirement on a wheeled all-terrain vehicle to having a mirror on either the right or left handlebar.

(4) Changes the penalty of up to five hundred dollars to a regular traffic infraction for a violation of riding on property not owned by the operator (a) in such a manner as to create erosion or destroy vegetation, (b) that is restricted to pedestrian or animal traffic, (c) in violation of rules of the property owner, or (d) inconsistent to the emergency exemption.

(5) Updates statutes to reflect amendments enacted during the 2013 regular legislative session. Provides effective dates for the underlying statutes that are consistent with the 2013 regular legislative session amendments.

(6) Expands the exemption from certain rules to vehicles used for emergency management purposes.

(7) Requires that when persons under 16 operate an off-road vehicle on or across a public road, that operation must be under the direct supervision of a person 18 years old or older with a valid license. Clarifies that a person under 16 may cross a highway only when signs indicate that wheeled all-terrain vehicles or off-road vehicles may be crossing.

(8) Standardizes effective dates for the act to take effect July 28, 2013.

(9) Provides that counties with a population of 15,000 or more must specifically authorize use of wheeled all-terrain vehicles on public roadways, and counties with a population less than 15,000 must specifically designate roads as unsuitable for use by wheeled all-terrain vehicles. All cities and towns must specifically authorize use of wheeled all-terrain vehicles by ordinance on roadways regardless of population.

--- END ---