

# SENATE BILL REPORT

## SHB 2244

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As of March 2, 2020

**Title:** An act relating to the authorization of wheeled all-terrain vehicles on state highways.

**Brief Description:** Concerning the authorization of wheeled all-terrain vehicles on state highways.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Orcutt, Blake, Chapman, Eslick, Barkis, Goehner and Irwin).

**Brief History:** Passed House: 2/18/20, 96-0.

**Committee Activity:** Transportation: 2/26/20.

### Brief Summary of Bill

- Authorizes counties to adopt an ordinance allowing the operation of a wheeled all-terrain vehicle on a segment of a numbered state route having a speed limit of 35 mph or less located within the county.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Kim Johnson (786-7472)

**Background:** Wheeled All-Terrain Vehicle. A wheeled all-terrain vehicle (WATV) is a specific category of an off-road vehicle regulated separately under some aspects of a state law first enacted in 2013. There are two types of WATVs regulated with respect to travel on public roads. One is a motorized nonhighway vehicle which:

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

The second is a utility-type vehicle which:

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

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- has a wheelbase of 110 inches or less.

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

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

WATVs may operate on public roadways with a posted speed limit of 35 mph or less, under certain conditions. Any city and any county of 15,000 persons or more must approve the operation of eligible vehicles on roads under its jurisdiction before such travel is allowed. Operation of an eligible WATV is allowed in a county of less than 15,000 persons on public roadways, unless the county designates its roadways to be unsuitable for use by WATVs. Any county or city road which was designated as of January 1, 2013, as either open or closed for WATV use is unaffected by the requirements pertaining to eligible WATV use. Operation of an eligible WATV on a numbered state route is allowed only inside city or town limits where the posted speed limit is 35 mph or less.

**Summary of Bill:** A county, regardless of the size of population, may adopt an ordinance authorizing the operation of a WATV on a segment of a numbered state route having a speed limit of 35 mph or less.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill will allow WATV access to drive on state routes in unincorporated areas with a speed limit of 35 mph or less, subject to county approval. Rural economies will benefit from increased access to recreational opportunities. The ability of local businesses to invest is hard as we transition from a resource based economy. We need to take advantage of this opportunity to increase tourism to our area. The Department of Natural Resources has been an incredible partner and this will prove to be a shot in the arm for small communities.

**Persons Testifying:** PRO: Representative Ed Orcutt, Prime Sponsor; Grant Nelson, Washington ATV Access Coalition; Steven Madsen, Washington ATV Access Coalition.

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