S-0150.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5016**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 67th Legislature 2021 Regular Session**

**By** Senators Warnick, Brown, and Van De Wege

AN ACT Relating to tracked and wheeled all-terrain vehicles; amending RCW 46.10.300; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.10 RCW; and adding a new section to chapter 46.09 RCW.

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

**Sec.**  RCW 46.10.300 and 2019 c 262 s 5 are each amended to read as follows:

The following definitions apply throughout this chapter unless the context clearly requires otherwise.

(1) "All-terrain vehicle" means any self-propelled vehicle other than a snowmobile, capable of cross-country travel on or immediately over land, water, snow, ice, marsh, swampland, and other natural terrain, including, but not limited to, four-wheel vehicles, amphibious vehicles, ground effect or air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind; except any vehicle designed primarily for travel on, over, or in the water, farm vehicles, or any military or law enforcement vehicles.

(2) "Commission" means the Washington state parks and recreation commission.

(3) "Committee" means the Washington state parks and recreation commission snowmobile advisory committee.

(4) "Dealer" means a person, partnership, association, or corporation engaged in the business of selling snowmobiles or all-terrain vehicles at wholesale or retail in this state.

(5) "Highway" means the entire width of the right-of-way of a primary and secondary state highway, including any portion of the interstate highway system.

(6) "Hunt" means any effort to kill, injure, capture, or disturb a wild animal or wild bird.

(7) "Public roadway" means the entire width of the right-of-way of any road or street designed and ordinarily used for travel or parking of motor vehicles, which is controlled by a public authority other than the Washington state department of transportation, and which is open as a matter of right to the general public for ordinary vehicular traffic.

(8) "Snowmobile" means ((~~both~~)) "snowmobile" as defined in RCW 46.04.546 ((~~and~~)), "snow bike" as defined in RCW 46.04.545, and "tracked all-terrain vehicle" as defined in section 2 of this act.

NEW SECTION. **Sec.**  A new section is added to chapter 46.04 RCW to read as follows:

"Tracked all-terrain vehicle" means any "wheeled all-terrain vehicle" as defined in RCW 46.09.310 and weighing less than two thousand pounds in stock configuration, with tracks or a combination of tracks and skis installed in place of the standard low-pressure tires.

NEW SECTION. **Sec.**  A new section is added to chapter 46.10 RCW to read as follows:

The owner of a wheeled all-terrain vehicle weighing less than two thousand pounds in stock configuration, when properly converted, as a tracked all-terrain vehicle, may apply for a snowmobile registration as provided in section 4 of this act and under the terms and for the purposes of this chapter.

NEW SECTION. **Sec.**  A new section is added to chapter 46.09 RCW to read as follows:

(1) It is the intent of the legislature to create a concurrent licensing process to allow the owner of a wheeled all-terrain vehicle to maintain concurrent but separate registrations for the vehicle, for use as a wheeled all-terrain vehicle and for use as a tracked all-terrain vehicle.

(2) The department shall allow the owner of a wheeled all-terrain vehicle to maintain concurrent licenses for the vehicle for use as a wheeled all-terrain vehicle and for use as a tracked all-terrain vehicle. When the vehicle is registered as a wheeled all-terrain vehicle, the terms of the registration are those under this chapter that apply to wheeled all-terrain vehicles, including applicable fees. When the vehicle is registered as a tracked all-terrain vehicle, the terms of the registration are those under chapter 46.10 RCW that apply to snowmobiles, including applicable fees.

(3) The department shall establish a declaration, which must be submitted by the wheeled all-terrain vehicle owner when initially applying for a snowmobile registration under chapter 46.10 RCW for the use of the converted wheeled all-terrain vehicle as a tracked all-terrain vehicle. The declaration must include a statement signed by the owner that a wheeled all-terrain vehicle that had been previously converted to a tracked all-terrain vehicle must conform with all applicable federal motor vehicle safety standards and state standards while in use as a wheeled all-terrain vehicle upon public roads, streets, or highways. Once submitted by the wheeled all-terrain vehicle owner, the declaration is valid until the vehicle is sold or the title is otherwise transferred.

(4) The department may adopt rules to implement this section.

**--- END ---**