
Transportation Committee

HB 1870

Brief Description: Concerning certain wheeled all-terrain vehicles.

Sponsors: Representatives Klicker, Walsh, Chambers, Eslick, Dent, Chase, Robertson, Riccelli and Graham.

Brief Summary of Bill

- Expands the class of vehicles that are regulated as wheeled all-terrain vehicles (WATVs) in the utility-type vehicle subclassification.
- Authorizes certain WATVs to be operated on county roads with a posted speed limit of 50 miles per hour in rural counties under certain conditions.

Hearing Date: 1/24/22

Staff: Mark Matteson (786-7145).

Background:

An off-road vehicle (ORV) is a vehicle that is used for recreational purposes on nonhighway roads, trails, and other natural terrain. Off-road vehicles include all-terrain vehicles, certain motorcycles, dune buggies, and certain four-wheel drive vehicles. Off-road vehicles are a subset of a broader category of vehicles regulated under state law called nonhighway vehicles, which includes any motorized vehicle, other than watercraft, snowmobiles, and certain agricultural and logging vehicles, when used for recreational purposes on nonhighway roads, trails, or other natural terrain.

A wheeled all-terrain vehicle (WATV) is a specific category of an ORV that is regulated separately from other ORVs, allowing the vehicle to be used on public roads under certain

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conditions. There are two subclassifications of WATVs that are regulated with respect to travel on public roads. One subclassification is a motorized nonhighway vehicle with certain specifications: handlebars of 50 inches or less in width; a seat with a height of at least 20 inches; a maximum weight of 1,500 pounds; and four tires with a maximum diameter of 30 inches. The other subclassification is a utility-type vehicle (UTV) designed for and capable of travel over designated roads with certain specifications: four or more low-pressure tires of 20 pounds per square inch or less; a maximum width of less than 74 inches; a maximum weight of less than 2,000 pounds; and a wheelbase of 110 inches or less. The latter class of WATV must satisfy one of three additional specifications: a minimum width of 50 inches; a minimum weight of 900 pounds; or a wheelbase of over 61 inches.

The operation of WATVs is allowed on public roadways with a posted speed limit of 35 miles per hour (mph) or less under certain conditions. Any city and any county of 15,000 persons or more must approve the operation of eligible WATVs 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. Eligible WATVs may be operated on segments of state highways with a posted speed limit of 35 mph or less within city limits or within unincorporated territory, if the county has approved such travel by ordinance. 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.

Summary of Bill:

The type of vehicle that is classified as a WATV within the UTV subclassification is expanded. The maximum allowable weight is increased from 2,000 pounds to 4,000 pounds. In addition, the limitation that the vehicle be equipped with four low-pressure tires is removed.

Certain qualifying WATVs may travel on county roads in rural counties with a posted speed limit of 50 mph or less, under certain conditions. For counties of 15,000 persons or more, the county must first authorize such travel. For counties of fewer than 15,000 persons, such travel is authorized unless the county designates a road or roads to be unsuitable for such travel. If the vehicle is not equipped with a roll cage, the operator must wear a helmet and operate the vehicle at no more than 45 mph.

To be eligible for travel on county roads at posted speeds of 50 mph or less, qualifying WATVs must have: tires approved by the United States Department of Transportation for on-road travel; hydraulic brakes supplied by the vehicle manufacturer; and, if the vehicle is in the UTV subclassification, a roll cage supplied by the vehicle manufacturer.

Appropriation: None.

Fiscal Note: Requested on January 19, 2022.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.