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**HOUSE BILL 1524**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Representatives Mosbrucker, Dent, Chase, Boehnke, Jacobsen, and Eslick

Read first time 02/11/21. Referred to Committee on Rural Development, Agriculture & Natural Resources.

1 AN ACT Relating to authorizing the use of electric-assisted  
2 bicycles on all trails managed by the department of natural resources  
3 and the department of fish and wildlife on which the use of bicycles  
4 is authorized; amending RCW 79.10.500; and adding a new section to  
5 chapter 77.12 RCW.

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

7 **Sec. 1.** RCW 79.10.500 and 2014 c 114 s 2 are each amended to  
8 read as follows:

9 (1) The department must develop and implement, through an  
10 inclusive stakeholder process managed by the department, an official  
11 recreational trail policy that is consistent with this section and  
12 the management mandate of the department.

13 (2)(a) The recreational trail policy developed by the department  
14 under this section must provide that recreational trails be developed  
15 and managed in a manner that ensures the following principles are  
16 satisfied:

17 (i) Causing the least impact to the land;

18 (ii) Providing environmental and water quality protection; and

19 (iii) Maintaining the lowest construction and maintenance costs  
20 that are reasonable.

1 (b) The department should use trail standards developed by the  
2 United States forest service as primary guidelines for trail  
3 construction and maintenance. However, the department must develop  
4 its own construction standards and best management practices when the  
5 primary guidelines are deemed insufficient or inapplicable.

6 (c) Trails developed or maintained consistent with a recreational  
7 trail policy developed under this section must comply with (~~Title 79~~  
8 ~~RCW~~) this title and all applicable state laws and rules, including  
9 those administered by the department of ecology.

10 (d) After developing the recreational trail policy required in  
11 this section, and when developing or assessing recreational trail  
12 systems, the department should evaluate existing nondesignated trails  
13 for compliance with trail standards and incorporate those trails,  
14 when compliant and consistent with the standards, into comprehensive  
15 recreational management plans.

16 (3) When appropriate, the department should incorporate public  
17 input on new and existing trail systems, and if deemed appropriate,  
18 the department should support formal or informal public forums to  
19 allow members of the local community to share concerns and ideas or  
20 organize themselves for volunteer trail maintenance.

21 (4)(a) A recreational trail policy developed by the department  
22 under this section must provide for the department to enter into a  
23 hold harmless agreement with all volunteers coordinating with the  
24 department under the policy or enter into other agreements that limit  
25 the department's liability from the actions of volunteers.

26 (b) Whenever volunteers or volunteer organizations are authorized  
27 to perform activities or carry out projects under this subsection,  
28 the volunteers or members of the organizations may not be considered  
29 employees or agents of the department and the department is not  
30 subject to any liability whatsoever arising out of volunteer  
31 activities or projects. The liability of the department to volunteers  
32 and members of the volunteer organizations is limited in the same  
33 manner as provided for in RCW 4.24.210.

34 (5) The recreational trail policy of the department must  
35 authorize the use of electric-assisted bicycles, as defined in RCW  
36 46.04.169, on all trails managed by the department on which the use  
37 of bicycles, as defined in RCW 46.04.071, is authorized.

38 NEW SECTION. Sec. 2. A new section is added to chapter 77.12  
39 RCW to read as follows:

1       The director shall authorize the use of electric-assisted  
2 bicycles, as defined in RCW 46.04.169, on all trails managed by the  
3 department on which the use of bicycles, as defined in RCW 46.04.071,  
4 is authorized.

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