

**RCW 46.09.485 Operating violations for wheeled all-terrain vehicles—Notice of infraction, issuance and procedure.**

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

(2) Any law enforcement officer may issue a notice of traffic infraction for a violation of subsection (1) of this section whether or not the infraction was committed in the officer's presence, as long as there is reasonable evidence presented that the operator of the wheeled all-terrain vehicle committed a violation of subsection (1) of this section. At a minimum, the evidence must include information relating to the time and location at which the violation occurred, and the wheeled all-terrain vehicle metal tag number or a description of the vehicle involved in the violation. If, after an investigation of a reported violation of subsection (1) of this section, the law enforcement officer is able to identify the operator and has probable cause to believe a violation of subsection (1) of this section has occurred, the law enforcement officer shall prepare a notice of traffic infraction and have it served upon the operator of the wheeled all-terrain vehicle. [2013 2nd sp.s. c 23 § 9.]

**Finding—Intent—2013 2nd sp.s. c 23:** See note following RCW 46.09.442.

**Effective date—2013 2nd sp.s. c 23:** See note following RCW 46.09.310.