

2356-S

Sponsor(s): House Committee on Fisheries, Ecology & Parks  
(originally sponsored by Representatives Hinkle, Buck, Condotta,  
O'Brien, Pearson and Shabro)

Brief Description: Allowing off-road vehicles on nonhighway roads.

**HB 2356-S.E - DIGEST**

(AS OF HOUSE 2ND READING 2/13/04)

Finds that local, state, and federal jurisdictions should be given the flexibility to allow ORV use on nonhighway roads they own and manage or for which they are authorized to allow public ORV use under an easement granted by the owner.

Declares it is a traffic infraction for any person to operate any nonhighway vehicle on a nonhighway road without wearing upon his or her head a motorcycle helmet fastened securely while in motion.

Declares that it is lawful to operate an off-road vehicle upon a nonhighway road and in parking areas serving designated off-road vehicle areas unless the responsible governing body, including state, federal, or local authorities, prohibits the use of off-road vehicles.

Declares that an off-road vehicle operated on a nonhighway road under chapter 46.09 RCW is exempt from licensing requirements of RCW 46.16.010 and vehicle lighting and equipment requirements of chapter 46.37 RCW.

Provides that, except as specified in this act, no person under sixteen years of age may operate an off-road vehicle on or across a highway or nonhighway road in this state.

Authorizes persons under sixteen years of age to operate an off-road vehicle on a nonhighway road designated for off-road vehicle use under the direct supervision of a person eighteen years of age or older possessing a valid license to operate a motor vehicle under chapter 46.20 RCW.

Provides that an off-road vehicle operated on a nonhighway road under this section is exempt from licensing requirements of RCW 46.16.010 and vehicle lighting and equipment requirements of chapter 46.37 RCW.