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**Transportation Committee**

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**HB 1029**

**Brief Description:** Regulating ATVs.

**Sponsors:** Representatives Simpson, Rodne, B. Sullivan and Anderson.

**Brief Summary of Bill**

- All-terrain vehicle (ATV) operators must have a safety certificate when driving on public lands.
- The Department of Licensing must create an ATV safety education training program.

**Hearing Date:** 2/28/05

**Staff:** Teresa Berntsen (786-7301).

**Background:**

Current law regulates certain aspects of the use and operation of off-road vehicles (ORVs), which include all-terrain vehicles (ATVs). These regulations include an operating permit requirement, certain equipment standards to lawfully operate on non-highway roads, and various restrictions on the manner and location in which an ORV may be operated.

Current law does not include safety education or training requirements for ORVs.

**Summary of Bill:**

- Defines an ATV as a motorized off-highway vehicle with three or four tires.
- Requires the Department of Licensing to create a comprehensive ATV safety education and training program. The program must provide for the hands-on training of ATV operators and for the issuance of safety certificates to those who successfully complete the training. Course content must be adopted from a curriculum developed by a nationally recognized safety organization.
- The DOL may charge \$10 for a safety certificate and an application fee of up to \$5. The fees must be deposited into the newly created "ATV Safety Training and Education Account."
- The DOL may authorize qualified providers to conduct classes and issue ATV safety certificates. The provider may charge a reasonable fee for the training course.
- Beginning July 1, 2006, a person must possess a safety certificate to operate an ATV on public land. The certificate may be issued by the DOL or an authorized provider, or by

another state or Canadian province. ATV operators who are at least 18 years old with at least five years operating experience may obtain a safety certificate without training. A nonresident who does not possess a safety certificate may operate an ATV on public land for five days in a calendar year.

- ATVs with engine capacity of seventy cubic centimeter displacement ("cc") to ninety cc may be operated on public land only by persons twelve years or older. ATVs with engine capacity greater than ninety cc may be operated on public land only by persons sixteen or older.
- Requires persons under sixteen to be under continuous adult supervision while operating an ATV on public land.
- Applies certain ORV operating requirements and violations specifically to ATVs.

**Appropriation:** None.

**Fiscal Note:** Available.

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