

FINAL BILL REPORT

HB 2617

C 212 L 06

Synopsis as Enacted

Brief Description: Allowing local jurisdictions to allow off-road vehicles to operate on designated city or county roads.

Sponsors: By Representatives Kretz, Blake, Ahern, Schindler, Sump, Condotta, Holmquist, Kristiansen, Serben, Campbell, McDonald, Hinkle and Dunn.

House Committee on Transportation
Senate Committee on Transportation

Background:

Off-Road Vehicle Use

Off-road vehicles (ORVs) may operate on a nonhighway road if the state, federal, local, or private authority responsible for the management of the road has authorized the use of ORVs. For the purposes of the statutes regulating ORVs, nonhighway roads are defined as roads that are owned or managed by a public agency who has granted an easement for public use, and that do not receive funds from the Motor Vehicle Account. Highway roads are defined as public roads that are generally capable of travel by a conventional automobile.

A local jurisdiction or state agency may regulate the operation of ORVs on land and roads within its jurisdiction, provided such regulations are not less stringent than state statute.

The ORVs must have a use permit decal issued by the Department of Licensing, with certain exceptions. When operating on lands not owned by the ORV owner or operator, ORVs must meet certain equipment standards and operators must wear helmets, unless the ORV has a roll bar or an enclosed passenger compartment. Such ORVs are exempt from the licensing and equipment standards applied to highway vehicles.

Limited Liability for Recreational Use of Lands

Persons who allow their land to be used by the public for certain activities are not liable for unintentional injuries sustained on their property, under certain circumstances. This limited liability applies to persons who allow the following types of activities: outdoor recreation without charging a fee, fish and wildlife cooperative projects, litter cleanup, or firewood cutting and gathering for a fee of up to \$25.

Summary:

Off-Road Vehicle Use

The following cities or counties may allow the use of off-road vehicles on designated city or county roads, including highway roads: (1) cities with a population of less than 3,000; and (2)

counties, if the road or highway is a direct connection between a city with a population of less than 3,000 and an ORV recreation facility.

The ORVs operating on designated city or county roads are exempt from the licensing and equipment standards that apply to vehicles operating on highway roads. Such ORVs are not exempted from the use permit, equipment, and operating standards generally applied to ORV use.

Limited Liability for Recreational Use of Lands

Limited liability for unintentional injuries sustained on recreational lands is applied to certain publicly owned ORV sports parks and public facilities accessed by a highway, street, or road for the purposes of ORV use, where a fee of not more than \$20 is charged for access.

Votes on Final Passage:

House	84	11	
Senate	46	0	(Senate amended)
House	90	7	(House concurred)

Effective: June 7, 2006