
SENATE BILL 5859

State of Washington

61st Legislature

2009 Regular Session

By Senators Tom and Jarrett

Read first time 02/04/09. Referred to Committee on Transportation.

1 AN ACT Relating to recovery of costs of studded tire damage to
2 highways; amending RCW 46.37.420; creating a new section; and
3 prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that substantial
6 pavement damage is caused by studded tire use. Wisconsin and Minnesota
7 are among the states that have prohibited the use of studded tires for
8 this reason. Therefore, to offset pavement maintenance and
9 preservation costs, an annual fee is established to recognize and
10 recover the cost of studded tire damage to the roadways.

11 **Sec. 2.** RCW 46.37.420 and 2007 c 140 s 2 are each amended to read
12 as follows:

13 (1) It is unlawful to operate a vehicle upon the public highways of
14 this state unless it is completely equipped with pneumatic rubber tires
15 except vehicles equipped with temporary-use spare tires that meet
16 federal standards that are installed and used in accordance with the
17 manufacturer's instructions.

1 (2) No tire on a vehicle moved on a highway may have on its
2 periphery any block, flange, cleat, or spike or any other protuberance
3 of any material other than rubber which projects beyond the tread of
4 the traction surface of the tire, except that it is permissible to use
5 farm machinery equipped with pneumatic tires or solid rubber tracks
6 having protuberances that will not injure the highway, and except also
7 that it is permissible to use tire chains or metal studs imbedded
8 within the tire of reasonable proportions and of a type conforming to
9 rules adopted by the state patrol, upon any vehicle when required for
10 safety because of snow, ice, or other conditions tending to cause a
11 vehicle to skid. It is unlawful to use metal studs imbedded within the
12 tire between April 1st and November 1st, or at any time without a
13 permit, except that a vehicle may be equipped year-round with tires
14 that have retractable studs if: (a) The studs retract pneumatically or
15 mechanically to below the wear bar of the tire when not in use; and (b)
16 the retractable studs are engaged only between November 1st and April
17 1st. Retractable studs may be made of metal or other material and are
18 not subject to the lightweight stud weight requirements under RCW
19 46.04.272. The state department of transportation may, from time to
20 time, determine additional periods in which the use of tires with metal
21 studs imbedded therein is lawful.

22 (3) It is a traffic infraction to use metal studs imbedded within
23 the tire at any time without a permit. Upon the payment of an
24 additional fee of one hundred dollars at the time of initial vehicle
25 licensing or vehicle license renewal, the department of licensing shall
26 issue a permit for the use of studded tires on a particular vehicle for
27 the following year. In addition to any applicable penalties, a person
28 who violates this subsection must pay the one hundred-dollar permit
29 fee.

30 (4) The state department of transportation and local authorities in
31 their respective jurisdictions may issue special permits authorizing
32 the operation upon a highway of traction engines or tractors having
33 movable tracks with transverse corrugations upon the periphery of the
34 movable tracks or farm tractors or other farm machinery, the operation
35 of which upon a highway would otherwise be prohibited under this
36 section.

37 ((+4)) (5) Tires with metal studs imbedded therein may be used

1 between November 1st and April 1st upon school buses and fire
2 department vehicles, any law or regulation to the contrary
3 notwithstanding.

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