

# SENATE BILL REPORT

## SB 5166

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As Reported by Senate Committee On:  
Transportation, February 2, 2011

**Title:** An act relating to allowing off-road vehicles on public highways in certain areas.

**Brief Description:** Allowing off-road vehicles on public highways in certain areas.

**Sponsors:** Senators Schoesler, King, Hatfield, Morton, Honeyford, Hewitt and Roach.

**Brief History:**

**Committee Activity:** Transportation: 1/26/11, 2/02/11 [DP].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Haugen, Chair; White, Vice Chair; King, Ranking Minority Member; Fain, Assistant Ranking Minority Member; Delvin, Ericksen, Hill, Hobbs, Litzow, Nelson, Ranker and Swecker.

**Staff:** Katherine Taylor (786-7434)

**Background:** Currently, any city, county, other political subdivision of this state, or any state agency, may regulate the operation of non-highway vehicles on public lands, waters, and other properties under its jurisdiction; and on streets, roads, or highways within its boundaries by adopting regulations or ordinances, provided such regulations are not less stringent than the provisions of current law.

Further, a legislative body of a city with a population of less than 3000 persons, may by ordinance, designate a street or highway within its boundaries to be suitable for use by off-road vehicles. Additionally, the legislative body of a county may, by ordinance, designate a road or highway within its boundaries to be suitable for use by off-road vehicles if the road or highway is a direct connection between a city with a population of less than 3000 persons and an off-road vehicle recreation facility.

**Summary of Bill:** The legislative body of a county with a population of no more than 5000 persons may designate by ordinance a street, road, or highway within its boundaries to be suitable for use by off-road vehicles.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Additionally, the legislative body of a county with a population of more than 5000 persons may designate by ordinance a road or highway within its boundaries to be suitable for use by off-road vehicles if the road or highway is a direct connection between a city with a population of fewer than 3000 persons and an off-road vehicle recreation facility.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Supports active off-road vehicle communities, small towns, and off-road vehicle dealerships. Licensing off-road vehicles helps with enforcement.

CON: Off-road vehicle riders are irresponsible. Wilderness will be damaged, wildlife will be hurt, people are injured when riding all-terrain vehicles; hunters and bird watchers are negatively impacted. This will increase illegal trespass, and be hard for law enforcement to enforce.

**Persons Testifying:** PRO: Senator Schoesler prime sponsor; Pat Halstead, WA State Motorsports Dealers Assoc., NW Motor Assoc.

CON: Seth Cool, Conservation NW; Greg Bufundo, Trout Unlimited.