H-4626.1

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**SUBSTITUTE HOUSE BILL 2723**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** House Transportation (originally sponsored by Representatives Shea, Eslick, and Condotta)

AN ACT Relating to modifying the types of off-road vehicles subject to local government regulation; and amending RCW 46.09.360.

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

**Sec.**  RCW 46.09.360 and 2013 2nd sp.s. c 23 s 11 are each amended to read as follows:

(1) Notwithstanding any of the provisions of this chapter, any city, town, county, or other political subdivision of this state, or any state agency, may regulate the operation of nonhighway 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 of its governing body, provided such regulations are not less stringent than the provisions of this chapter. However, the legislative body of a city or town with a population of less than three thousand persons may, by ordinance, designate a street or highway within its boundaries to be suitable for use by off-road vehicles. Except as provided in RCW 46.09.455(1)(c)(ii), 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.

(2) For purposes of this section, "off-road vehicles" ((~~does not~~)) includes wheeled all-terrain vehicles.

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