

FINAL BILL REPORT

SHB 1838

C 26 L 17
Synopsis as Enacted

Brief Description: Concerning the crossing of certain public roadways by wheeled all-terrain vehicles.

Sponsors: House Committee on Transportation (originally sponsored by Representative Schmick).

House Committee on Transportation
Senate Committee on Transportation

Background:

A wheeled all-terrain vehicle (ATV) is a specific type of off-road vehicle. There are two types of ATVs that are eligible for travel on public roads under certain conditions. One is a motorized nonhighway vehicle that has handlebars that are 50 inches or less in width, has a seat height of at least 20 inches, weighs less than 1,500 pounds, and has four tires having a diameter of 30 inches or less. The second is a utility-type vehicle designed for and capable of travel over designated roads that travels on four or more low-pressure tires of 20 pounds per square inch or less, has a maximum width less than 74 inches, has a maximum weight less than 2,000 pounds, and has a wheelbase of 110 inches or less. In addition, the latter category of ATV, to be eligible for travel on public roads, must have a minimum width of 50 inches, have a minimum weight of at least 900 pounds, or have a wheelbase of over 61 inches.

A person who operates an eligible ATV may operate it on certain public roads under certain conditions. A person may operate an eligible ATV on portions of a state highway, but only if the portion is within an incorporated jurisdiction and the speed limit of the portion is 35 miles per hour (mph) or less. A person operating an eligible ATV may cross a public road, but only if: the crossing begins and ends on a public roadway with a speed limit of 35 mph or less; the intersection is approximately at a 90-degree angle; and, with respect to state highways, the intersection is a controlled intersection. In counties of 15,000 persons or more, a person may operate an eligible ATV on county roads with speed limits of 35 mph or less only if the county has approved such operation of eligible ATVs by ordinance. In counties of less than 15,000 persons, a person may operate an eligible ATV on any county road with a speed limit of 35 mph or less, unless the county has prohibited such operation by ordinance. In cities and towns, a person may operate an eligible ATV on city or town roads with speed limits of

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.

35 mph or less only if the city or town has approved such operation of eligible ATVs by ordinance. The restrictions for eligible ATVs with respect to travel on public roads do not apply if the ATV is used by an agency engaging in emergency management, search and rescue, or law enforcement.

The use of an eligible ATV in violation of the specified conditions is a traffic infraction.

Summary:

A person operating an eligible ATV may cross a public road with a speed limit of 60 mph or less, but greater than 35 mph, at an intersection of approximately 90 degrees, if the operation of the eligible ATV on the state highway, county, city, or town road that intersects the higher-speed public road is approved or otherwise authorized for eligible ATV use. This authority does not extend to operators of eligible ATVs at uncontrolled intersections with state highways, and a county, city, or town may prohibit such authority by ordinance.

Votes on Final Passage:

House	98	0
Senate	48	1

Effective: July 23, 2017