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## Transportation Committee

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### HB 2934

**Brief Description:** Concerning the use of wheeled all-terrain vehicles on state routes.

**Sponsors:** Representatives Orcutt and Shea.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Allows the operation of certain wheeled all-terrain vehicles (WATVs) on state routes with a speed limit of 35 miles per hour or less in unincorporated county territory.</li></ul>
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**Hearing Date:** 2/5/18

**Staff:** Mark Matteson (786-7145).

**Background:**

A wheeled all-terrain vehicle (WATV) is a specific category of off-road vehicles, which are vehicles that may be used for recreational purposes on nonhighway roads, trails, and other natural terrain, and, under certain circumstances, on public roadways. There are two types of WATVs 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 WATV, 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 WATV may operate it on certain public roads under certain conditions. A person may operate an eligible WATV on a segment of a state highway, but only if the segment is within an incorporated jurisdiction and the speed limit of the segment is 35 miles per hour (mph) or less. In a county of 15,000 persons or more, or in any city, a person may

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operate an eligible WATV on roads under the government's jurisdiction with speed limits of 35 mph or less, but only if the government has approved such operation of eligible WATVs by ordinance. In counties of less than 15,000 persons, a person may operate an eligible WATV on any county road with a speed limit of 35 mph or less, unless the county has prohibited such operation by ordinance. The limitations for counties and cities do not apply with respect to any public roadway that was designated as either open or closed to WATV travel on January 1, 2013.

A person operating an eligible WATV 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 WATV on the state highway, county, city, or town road that intersects the higher-speed public road is approved or otherwise authorized for eligible WATV use. This authority does not extend to operators of eligible WATVs at uncontrolled intersections with state highways. A county, city, or town may prohibit such authority by ordinance.

The limitations on the operation of eligible WATVs on public roads do not apply if the WATV is used by an agency engaging in emergency management, search and rescue, or law enforcement. The use of an eligible WATV in violation of the operating limitations is a traffic infraction.

**Summary of Bill:**

The restriction on WATV operation on state routes with speed limit of 35 mph or less limited to only those segments within incorporated jurisdictions is removed, allowing operation on state route segments with a speed limit of 35 mph or less in unincorporated county territory, as well.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.