SENATE BILL REPORT
SHB 1838

As Reported by Senate Committee On:
Transportation, March 28, 2017

Title: An act relating to the crossing of certain public roadways by wheeled all-terrain vehicles.

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

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

Brief History: Passed House: 3/01/17, 98-0.
   Committee Activity: Transportation: 3/20/17, 3/28/17 [DP, w/oRec].

Brief Summary of Bill

- Clarifies conditions required for a wheeled all terrain vehicle operator to cross public roadways with a speed limit in excess of 35 miles per hour (mph).

- Authorizes local governments to prohibit wheeled all terrain vehicles from crossing public roadways with a speed limit between 35 mph and 60 mph.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.
   Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Cleveland, Ericksen, Fortunato, Hawkins, O'Ban, Takko, Van De Wege and Wilson.

Minority Report: That it be referred without recommendation.
   Signed by Senators Liias, Assistant Ranking Minority Member; Saldaña.

Staff: Kim Johnson (786-7472)

Background: In 2013, the Legislature established a new classification of vehicles known as wheeled all-terrain vehicles (WATVs) and authorized their use on public roadways, subject to certain conditions. WATVs are motorized nonhighway vehicles and utility vehicles that meet certain height, width, weight, and wheel requirements.

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.

The WATV designation allows off-road and, in certain circumstances, on-road use. A person may operate a WATV on any public roadway, not including nonhighway roads and trails, with a speed of 35 mph or less subject to certain restrictions. A person generally may not operate a WATV on a state highway, unless the state highway is within the boundary of a city or town and has a speed limit of 35 mph or less.

A person using a WATV may not cross a public roadway with a speed in excess of 35 mph, unless the crossing begins and ends on a public roadway that has a speed limit of 35 mph or less, and the crossing occurs at an intersection of 90 degrees. However, a person using a WATV may not cross at an uncontrolled intersection of a numbered state highway.

A person also may not operate a WATV within the boundaries of a county with a population of 15,000 or more, unless the county adopted an ordinance approving the operation of WATVs on roadways. A person is further prohibited from operating a WATV within the boundary of a city or town unless the city or town approves operation of WATVs.

Generally, the use of a WATV in violation of specified conditions is a traffic infraction.

Summary of Bill: A person operating a WATV may cross a public road with a speed limit of 35 mph or less.

A person operating a WATV may cross a public road with a speed limit of between 60 mph and 35 mph, at an intersection of approximately 90 degrees, if the operation of a WATV on the road that intersects the higher-speed public road is approved or otherwise authorized for WATV use. This authority does not extend to operators of WATVs at uncontrolled intersections with numbered state highways.

A county, city, or town may by ordinance prohibit eligible WATVs from crossing public roads with speed limits between 35 mph and 60 mph.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This is a simple bill. It clarifies when a WATV may cross another road.

Persons Testifying: PRO: Representative Joe Schmick, Prime Sponsor.

Persons Signed In To Testify But Not Testifying: No one.