

**HB 2587** - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

**ADOPTED 03/06/2020**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.05  
4 RCW to read as follows:

5 (1) In addition to its other powers, duties, and functions, the  
6 commission must establish a scenic bikeways program for the  
7 designation and promotion of bicycle routes of notable scenic,  
8 recreational, cultural, or historic value.

9 (2) (a) Any person may propose the designation of a scenic bikeway  
10 route by the commission. Prior to the designation of a scenic bike  
11 route by the commission, the commission must provide an opportunity  
12 for public comment.

13 (b) When proposing routes for commission approval, proponents are  
14 encouraged to:

15 (i) Consider the criteria under this section by which the  
16 commission will review and approve scenic bikeway designations,  
17 including the criteria specified in subsections (4) and (6) of this  
18 section; and

19 (ii) Locate routes in such a way as to encourage local economic  
20 development in proximity to designated scenic bikeways, including  
21 opportunities for bicycle repairs, food, lodging, camping,  
22 recreation, and other tourist activities.

23 (3) (a) Scenic bikeways may be comprised of bicycle paths,  
24 multiple-use trails, highways, or trail facilities managed by the  
25 commission.

26 (b) (i) Scenic bikeways may be located over public lands with the  
27 consent of each federal, state, or local governmental entity that has  
28 jurisdiction over the public lands or through which a proposed route  
29 passes.

30 (ii) Scenic bikeways may be located over privately owned lands  
31 with the consent of the private landowner.

1 (4) Prior to designating a scenic bikeway, the commission must  
2 review the proposed designation in consultation with the department  
3 of transportation and confirm the designated bicycle route:

4 (a) Is of notable scenic, recreational, cultural, or historic  
5 value, or some combination thereof;

6 (b) Is consented to as required under subsection (3) of this  
7 section; and

8 (c) To the extent feasible and consistent with the goals of this  
9 section:

10 (i) Is not located on heavily trafficked roads when less-  
11 trafficked roads are available as a suitable alternative;

12 (ii) Is not located on highways without shoulders or bike lanes  
13 when highways with shoulders or bike lanes are available as a  
14 suitable alternative;

15 (iii) Avoids complex intersections or other locations that would  
16 reduce the ease of use of the scenic bikeway by users;

17 (iv) Is colocated with locally developed bicycle-supportive  
18 infrastructure, including bike lanes, multiuse trails, greenways, or  
19 other designated bicycle routes; and

20 (v) Is designed to minimize adverse effects on adjacent  
21 landowners.

22 (5) Prior to designating a scenic bikeway, the commission must  
23 consult with a local government legislative authority if the scenic  
24 bikeway will be located within the local government's jurisdiction.

25 (6) To the extent that funds available for the development of  
26 scenic bikeways limit the number of designated scenic bikeways that  
27 the commission is able to approve and implement each biennium, the  
28 commission must give priority to the designation and implementation  
29 of scenic bikeways that will add variety to the geographic location,  
30 topography, route length and difficulty, and cultural, historic,  
31 scenic, and recreational value of the statewide scenic bikeway system  
32 or that will complete existing bicycling networks.

33 (7) The commission must periodically review designated scenic  
34 bikeways to ensure that routes continue to meet the criteria of  
35 subsection (4) of this section. Upon review, the commission may alter  
36 the route or revoke the designation of a scenic bikeway.

37 (8) (a) In consultation with the department of transportation, the  
38 commission must develop signage to be placed along the routes of each  
39 designated scenic bikeway.

1 (b) On the commission's web site, the commission must promote the  
2 use of designated scenic bikeways.

3 (c) The commission may develop promotional materials, including  
4 maps or telecommunications applications for purposes of facilitating  
5 public use of designed scenic bikeways. Promotional materials created  
6 by the commission must indicate whether the bikeway is paved or  
7 gravel and any other conditions of the bikeway that affect the safety  
8 of users. Consistent with the standards of RCW 79A.05.087, the  
9 commission may encourage local economic development in proximity to  
10 designated scenic bikeways in the promotional materials by noting  
11 opportunities for bicycle repair, food, lodging, camping, recreation,  
12 and other tourist activities.

13 (d) The commission must evaluate each designated scenic bikeway  
14 to determine whether the bikeway, or a portion thereof, is suitable  
15 for the use of electric bicycles and tricycles. If the commission  
16 determines that a designated scenic bikeway, or a portion thereof, is  
17 suitable for the use of electric bicycles and tricycles, the  
18 commission must allow their use on those bikeways or portions of  
19 bikeways.

20 (9) A recreational access pass issued under chapter 79A.80 RCW is  
21 not required in order to use a designated scenic bikeway, except that  
22 the access pass requirements of chapter 79A.80 RCW apply to motor  
23 vehicles used to park or operate on any portion of a scenic bikeway  
24 located on a recreational site or lands, as that term is defined in  
25 RCW 79A.80.010.

26 (10) The designation of a facility or roadway as a scenic bikeway  
27 by the commission does not change the liability of the commission or  
28 any other state or local government entity with respect to  
29 unintentional injury sustained by a user of a scenic bikeway. Nothing  
30 in this subsection applies or limits the applicability of the  
31 provisions of RCW 4.24.210 to roads or facilities designated as  
32 scenic bikeways.

33 (11) Nothing in this section authorizes the commission to acquire  
34 property or property rights solely for purposes of development of a  
35 scenic bikeway.

36 (12) The commission may enter into sponsorship agreements with  
37 nonprofit entities or private businesses or entities for sponsorship  
38 signs to be displayed on designated scenic bikeways or portions of  
39 designated scenic bikeways. The commission may establish the cost for

1 entering into a sponsor agreement. Sponsorship agreements must comply  
2 with (a) through (d) of this subsection.

3 (a) Space for a sponsorship sign may be provided by the  
4 commission on a designated scenic bikeway.

5 (b) Signage erected pursuant to a sponsorship agreement must be  
6 consistent with criteria established by the commission relating to  
7 size, materials, colors, wording, and location.

8 (c) The nonprofit entity or private business or entity must pay  
9 all costs of a display, including development, construction,  
10 installation, operation, maintenance, and removal costs.

11 (d) Proceeds from the sponsorship agreements must be used to fund  
12 commission activities related to the scenic bikeways program. Any  
13 surplus funds resulting from sponsorship agreements must be deposited  
14 into the state parks renewal and stewardship account under RCW  
15 79A.05.215.

16 (13) The commission may adopt rules to administer the scenic  
17 bikeways program."

**HB 2587** - S COMM AMD

By Committee on Agriculture, Water, Natural Resources & Parks

**ADOPTED 03/06/2020**

18 On page 1, line 2 of the title, after "bikeways;" strike the  
19 remainder of the title and insert "and adding a new section to  
20 chapter 79A.05 RCW."

EFFECT: Requires that, prior to designating a scenic bikeway, the  
commission consult with a local government legislative authority if  
the scenic bikeway will be located within the local government's  
jurisdiction.

--- END ---