

HOUSE BILL REPORT

SHB 2244

As Passed House:
February 18, 2020

Title: An act relating to the authorization of wheeled all-terrain vehicles on state highways.

Brief Description: Concerning the authorization of wheeled all-terrain vehicles on state highways.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Orcutt, Blake, Chapman, Eslick, Barkis, Goehner and Irwin).

Brief History:

Committee Activity:

Transportation: 1/23/20, 2/11/20 [DPS].

Floor Activity:

Passed House: 2/18/20, 96-0.

Brief Summary of Substitute Bill

- Expands the locations where a person may be potentially authorized to operate a wheeled all-terrain vehicle (WATV) on state highways to unincorporated areas with a posted speed limit of 35 miles per hour or less.
- Makes the operation of a WATV upon a state highway contingent upon the passage of an ordinance approving such operation by the legislative authority of the county or city in which the state highway segment is located.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Barkis, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Doglio, Duerr, Dufault, Entenman, Eslick, Goehner, Gregerson, Irwin, Kloba, Lovick, McCaslin, Mead, Orcutt, Ortiz-Self, Paul, Ramos, Riccelli, Shewmake, Van Werven and Volz.

Staff: Mark Matteson (786-7145).

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.

Background:

A wheeled all-terrain vehicle (WATV) is a specific category of off-road vehicle (ORV) that is regulated separately from other ORVs under a state law first enacted in 2013. There are two types of WATVs that are regulated with respect to travel on public roads. One is a motorized nonhighway vehicle with certain specifications: handlebars of 50 inches or less in width; a seat with a height of at least 20 inches; a maximum weight of 1,500 pounds; and four tires with a maximum diameter of 30 inches. The second is a utility-type vehicle designed for and capable of travel over designated roads with certain specifications: four or more low-pressure tires of 20 pounds per square inch or less; a maximum width of less than 74 inches; a maximum weight of less than 2,000 pounds; and a wheelbase of 110 inches or less. The latter category of a WATV must satisfy one of three additional specifications: a minimum width of 50 inches; a minimum weight of 900 pounds; or a wheelbase of over 61 inches.

The operation of regulated WATVs is allowed on public roadways with a posted speed limit of 35 miles per hour (mph) or less under certain conditions. Any city and any county of 15,000 persons or more must approve the operation of eligible vehicles on roads under its jurisdiction before such travel is allowed. Operation of an eligible WATV is allowed in a county of less than 15,000 persons on public roadways, unless the county designates its roadways to be unsuitable for use by WATVs. Any county or city road which was designated as of January 1, 2013, as either open or closed for WATV use is unaffected by the requirements pertaining to eligible WATV use. Operation of an eligible WATV on a state route is allowed only inside city limits.

Summary of Substitute Bill:

Contingent on local authorization, a person operating a WATV may travel on a state highway with a posted speed limit of 35 mph or less in an unincorporated area of the state. The authorization for a person to operate a WATV on any state highway, whether in incorporated or unincorporated areas, is contingent on the county, city, or town in which the segment of state highway is located first adopting an ordinance approving such travel.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill is important to the community of Cougar. This is the gateway to Mount Saint Helens and is in unincorporated territory. When the WATV legislation was first passed, the Legislature authorized these vehicles on state highways within cities and towns. Cougar has only one way in and one way out, and it is the State Route 503 extension. Being able to use this extension, in which the speed limit has been reduced to 25 mph, is very important to the area for recreational purposes. There are state lands on either side of the Cougar community that would become much more accessible if this bill passes.

Wheeled all-terrain vehicles that are operated on public roads must have certain equipment installed for safety purposes. These vehicles allow older people who cannot ride motorcycles or horses to recreate. The state highways of concern are already limited to 35 mph or less.

Cougar is not unique—there are other similar communities with connectivity issues. There are many roads that are open to WATV users who are unable to get to them easily. This bill would address this and promote tourism as well.

(Opposed) None.

Persons Testifying: Representative Orcutt, prime sponsor; Grant Nelson, Wheeled All-Terrain Vehicle Access Coalition; Mike Richart, Cougar Area Trail Seekers; and Ted Jackson, Wheeled All-Terrain Vehicle Access Coalition and Washington All-Terrain Vehicle Association.

Persons Signed In To Testify But Not Testifying: None.