
SUBSTITUTE HOUSE BILL 1028

State of Washington

66th Legislature

2019 Regular Session

By House Transportation (originally sponsored by Representatives Shea, Kraft, and Eslick)

READ FIRST TIME 01/29/19.

1 AN ACT Relating to modifying the types of off-road vehicles
2 subject to local government regulation; and amending RCW 46.09.360.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.09.360 and 2013 2nd sp.s. c 23 s 11 are each
5 amended to read as follows:

6 (1) Notwithstanding any of the provisions of this chapter, any
7 city, town, county, or other political subdivision of this state, or
8 any state agency, may regulate the operation of nonhighway vehicles
9 on public lands, waters, and other properties under its jurisdiction,
10 and on streets, roads, or highways within its boundaries by adopting
11 regulations or ordinances of its governing body, provided such
12 regulations are not less stringent than the provisions of this
13 chapter. However, the legislative body of a city or town with a
14 population of less than three thousand persons may, by ordinance,
15 designate a street or highway within its boundaries to be suitable
16 for use by off-road vehicles. Except as provided in RCW
17 46.09.455(1)(c)(ii), the legislative body of a county may, by
18 ordinance, designate a road or highway within its boundaries to be
19 suitable for use by off-road vehicles.

20 (2) For purposes of this section, "off-road vehicles" (~~does~~
21 ~~not~~) includes wheeled all-terrain vehicles, whether the wheeled all-

1 terrain vehicle is registered solely for off-road use or for both on-
2 road and off-road uses under RCW 46.09.442.

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