
HOUSE BILL 2244

State of Washington

66th Legislature

2020 Regular Session

By Representatives Orcutt, Blake, Chapman, Eslick, Barkis, Goehner, and Irwin

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1 AN ACT Relating to the authorization of wheeled all-terrain
2 vehicles on state highways; and amending RCW 46.09.455.

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

4 **Sec. 1.** RCW 46.09.455 and 2017 c 26 s 1 are each amended to read
5 as follows:

6 (1) A person may operate a wheeled all-terrain vehicle upon any
7 public roadway of this state, not including nonhighway roads and
8 trails, having a speed limit of thirty-five miles per hour or less
9 subject to the following restrictions and requirements:

10 (a) A person may not operate a wheeled all-terrain vehicle upon
11 state highways that are listed in chapter 47.17 RCW; however, a
12 person may operate a wheeled all-terrain vehicle upon a segment of a
13 state highway listed in chapter 47.17 RCW, if the segment is within
14 the limits of a city or town or is within the unincorporated areas of
15 a rural county as defined in RCW 82.14.370, and the speed limit on
16 the segment is thirty-five miles per hour or less;

17 (b) (i) A person operating a wheeled all-terrain vehicle may not
18 cross a public roadway, not including nonhighway roads and trails,
19 with a speed limit in excess of thirty-five miles per hour, except as
20 follows: A person operating a wheeled all-terrain vehicle may cross a
21 public roadway with a speed limit of sixty miles per hour or less,

1 but more than thirty-five miles per hour, at an intersection of
2 approximately ninety degrees if the roadway that intersects the
3 public roadway with a speed limit of sixty miles per hour or less,
4 but more than thirty-five miles per hour, is a roadway upon which the
5 operation of wheeled all-terrain vehicles has been approved or is
6 otherwise allowed under this section.

7 (ii) A county, city, or town may by ordinance prohibit a person
8 operating a wheeled all-terrain vehicle from crossing a public
9 roadway with a speed limit of sixty miles per hour or less, but more
10 than thirty-five miles per hour, at specific intersections or along
11 the entirety of the route within the jurisdiction.

12 (iii) The operator of a wheeled all-terrain vehicle may not cross
13 at an uncontrolled intersection of a public highway listed under
14 chapter 47.17 RCW;

15 (c)(i) A person may not operate a wheeled all-terrain vehicle on
16 a public roadway within the boundaries of a county, not including
17 nonhighway roads and trails, with a population of fifteen thousand or
18 more unless the county by ordinance has approved the operation of
19 wheeled all-terrain vehicles on county roadways, not including
20 nonhighway roads and trails.

21 (ii) The legislative body of a county with a population of fewer
22 than fifteen thousand may, by ordinance, designate roadways or
23 highways within its boundaries to be unsuitable for use by wheeled
24 all-terrain vehicles.

25 (iii) Any public roadways, not including nonhighway roads and
26 trails, authorized by a legislative body of a county under (c)(i) of
27 this subsection or designated as unsuitable under (c)(ii) of this
28 subsection must be listed publicly and made accessible from the main
29 page of the county web site.

30 (iv) This subsection (1)(c) does not affect any roadway that was
31 designated as open or closed as of January 1, 2013;

32 (d)(i) A person may not operate a wheeled all-terrain vehicle on
33 a public roadway within the boundaries of a city or town, not
34 including nonhighway roads and trails, unless the city or town by
35 ordinance has approved the operation of wheeled all-terrain vehicles
36 on city or town roadways, not including nonhighway roads and trails.

37 (ii) Any public roadways, not including nonhighway roads and
38 trails, authorized by a legislative body of a city or town under
39 (d)(i) of this subsection must be listed publicly and made accessible
40 from the main page of the city or town web site.

1 (iii) This subsection (1)(d) does not affect any roadway that was
2 designated as open or closed as of January 1, 2013;
3 (e) Any person who violates this subsection commits a traffic
4 infraction.
5 (2) Local authorities may not establish requirements for the
6 registration of wheeled all-terrain vehicles.
7 (3) A person may operate a wheeled all-terrain vehicle upon any
8 public roadway, trail, nonhighway road, or highway within the state
9 while being used under the authority or direction of an appropriate
10 agency that engages in emergency management, as defined in RCW
11 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a
12 law enforcement agency, as defined in RCW 16.52.011, within the scope
13 of the agency's official duties.
14 (4) A wheeled all-terrain vehicle is an off-road vehicle for the
15 purposes of chapter 4.24 RCW.

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