

# HOUSE BILL REPORT

## SB 5016

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**As Passed House:**

April 5, 2021

**Title:** An act relating to tracked and wheeled all-terrain vehicles.

**Brief Description:** Concerning tracked and wheeled all-terrain vehicles.

**Sponsors:** Senators Warnick, Brown and Van De Wege.

**Brief History:**

**Committee Activity:**

Transportation: 3/15/21, 3/16/21 [DP].

**Floor Activity:**

Passed House: 4/5/21, 97-0.

**Brief Summary of Bill**

- Directs the Department of Licensing to permit the owners of certain wheeled all-terrain vehicles (WATVs) to license the vehicle concurrently for use as a tracked all-terrain vehicle (TATV) and for off-road and/or on-road use.
- Requires a person who applies for a concurrent vehicle license for a WATV and TATV to submit a one-time declaration providing that, while in use upon public roads, the vehicle will conform with all federal and state motor vehicle safety standards.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 26 members: Representatives Fey, Chair; Wylie, 1st Vice Chair; Bronoske, 2nd Vice Chair; Ramos, 2nd Vice Chair; Barkis, Ranking Minority Member; Eslick, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Berry, Chapman,

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Dent, Duerr, Entenman, Goehner, Klicker, Lovick, Orcutt, Paul, Ramel, Riccelli, Slatter, Sutherland, Taylor, Valdez, Walsh and Wicks.

**Staff:** Mark Matteson (786-7145).

## **Background:**

### Off-Road Vehicles.

A wheeled all-terrain vehicle (WATV) is a specific category of off-road vehicle (ORV) that is regulated separately from other ORVs under some aspects of a state law first enacted in 2013 that allow the vehicle to be used for on-road use, as well. 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 (UTV) 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 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.

An owner of a WATV that wishes to operate the vehicle in the state must first register the vehicle with the Department of Licensing (DOL). Along with any applicable taxes, the owner must pay a fee of \$12 for off-road travel. If the vehicle is to be used for on-road travel, the vehicle must also satisfy certain equipment requirements, covering headlights, stop lamps, reflectors, and other items. The owner must then have the vehicle inspected by a licensed repair shop and have a declaration signed that certifies the vehicle is properly equipped. To receive on-road registration, the owner must submit the declaration and pay \$18 for on-road travel. Following the registration process, the DOL will issue a metal tag to the owner of the WATV. The metal tag serves the same function as a license plate for on-road vehicles within Washington and, for states that have reciprocal laws governing out-of-state ORVs, allows the owner to operate the vehicle in that state.

### Snowmobiles.

Snowmobiles are self-propelled vehicles capable of traveling over snow and ice. A snowmobile owner must register the vehicle with the DOL before operating it and pay a \$30 fee. Upon receipt of payment, the DOL will issue the applicant a decal, which must be affixed to the right or left side of the snowmobile below the windshield. The decal serves the same function as a license plate for on-road vehicles within Washington and, for states that have reciprocal laws governing out-of-state snowmobiles, allows the owner to operate the vehicle in that state.

### Dual-Use Vehicles.

State law provides that certain vehicles that are designed or modified for off-road or snowmobile use may be converted for the purposes of on-road travel. Off-road motorcycles, for one, may be converted for on-road travel by installing the correct equipment, having the motorcycle inspected by a licensed dealer or repair shop, and submitting a declaration to the DOL certifying that the motorcycle is properly equipped and that the equipment complies with state and federal requirements. In addition, an on-road motorcycle may be converted to a type of snowmobile called a snow bike. The owner may register the vehicle concurrently for both on-road use and snow bike use, if the owner submits a declaration providing that the equipment required for on-road use will be installed prior to on-road travel and that the vehicle conforms with all federal and state motor vehicle safety standards while used for on-road travel.

**Summary of Bill:**

The DOL must allow the owner of a WATV to maintain concurrent licenses for the vehicle for use as a WATV, either off-road, on-road, or both, and for use as a tracked all-terrain vehicle (TATV), provided that certain requirements are met. A "tracked all-terrain vehicle" is defined as a WATV that weighs less than 2,000 pounds in stock configuration and that has tracks or a combination of tracks and skis installed in place of the standard low-pressure tires.

Regarding the concurrent registration process, the terms of registration are the same as those for WATVs, including applicable fees, when the vehicle is registered as either an off-road or on-road WATV, or both. When the vehicle is registered as a TATV, the terms of registration are those that apply to snowmobiles, including applicable fees. When registering for a concurrent license for the first time, the owner must submit a declaration established by the DOL that includes a statement signed by the owner that, for any WATV that had been previously converted to a TATV, the vehicle must conform with all federal and state motor vehicle safety standards while in use as a WATV upon public roads.

**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) The changes will provide winter recreation access to families with children, persons with disabilities, and the elderly. The maximum weight restriction is appropriate, as this will protect the surface of the groomed trail, as well as the underlying road. These vehicles are compatible with snowmobiles.

(Opposed) None.

**Persons Testifying:** Pamela McConkey, Washington State Parks and Recreation.

**Persons Signed In To Testify But Not Testifying:** None.