
HOUSE BILL 1251

State of Washington 67th Legislature 2021 Regular Session

By Representatives Orcutt, Dent, Eslick, and Robertson

Read first time 01/18/21. Referred to Committee on Transportation.

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 if the county in which the segment
15 is located has adopted an ordinance approving the operation of
16 wheeled all-terrain vehicles on that segment, and the speed limit on
17 the segment is thirty-five miles per hour or less;

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

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

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

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

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

22 (ii) (~~The~~) Except as otherwise provided in (a) of this
23 subsection, the legislative body of a county with a population of
24 fewer than fifteen thousand may, by ordinance, designate roadways or
25 highways within its boundaries to be unsuitable for use by wheeled
26 all-terrain vehicles.

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

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

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

39 (ii) Any public roadways, not including nonhighway roads and
40 trails, authorized by a legislative body of a city or town under

1 (d)(i) of this subsection must be listed publicly and made accessible
2 from the main page of the city or town web site.

3 (iii) This subsection (1)(d) does not affect any roadway that was
4 designated as open or closed as of January 1, 2013;

5 (e) Any person who violates this subsection commits a traffic
6 infraction.

7 (2) Local authorities may not establish requirements for the
8 registration of wheeled all-terrain vehicles.

9 (3) A person may operate a wheeled all-terrain vehicle upon any
10 public roadway, trail, nonhighway road, or highway within the state
11 while being used under the authority or direction of an appropriate
12 agency that engages in emergency management, as defined in RCW
13 46.09.310, or search and rescue, as defined in RCW 38.52.010, or a
14 law enforcement agency, as defined in RCW 16.52.011, within the scope
15 of the agency's official duties.

16 (4) A wheeled all-terrain vehicle is an off-road vehicle for the
17 purposes of chapter 4.24 RCW.

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