S-1303.1

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**SUBSTITUTE SENATE BILL 5471**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Cleveland, J. Wilson, Shewmake, Randall, Lovelett, Valdez, C. Wilson, Dhingra, Kuderer, Liias, and Van De Wege)

AN ACT Relating to the use of electric-assisted bicycles on certain trails and roads by persons with disabilities; amending RCW 79A.35.140; providing an effective date; and declaring an emergency.

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

**Sec.**  RCW 79A.35.140 and 2021 c 191 s 1 are each amended to read as follows:

(1)(a) The department of natural resources and the department of fish and wildlife shall each undergo a public process to collect information related to electric-assisted bicycle use on nonmotorized natural surface trails and closed roads open to bicycles to determine where such use may occur, and which classes of electric-assisted bicycles are acceptable on such trails and roads under the agencies' management. The public processes must also include a consideration of opportunities to improve awareness of applicable trail rules and trail etiquette among all classes of trail users.

((~~(2)~~)) (b) The public processes shall include, but not be limited to, input from tribes, individuals with disabilities, representatives of natural resource conservation organizations, and representatives of outdoor recreation interests representing horseback riding, traditional and electric-assisted mountain biking, hiking, and hunting. The department of natural resources and the department of fish and wildlife must report their findings to the appropriate committees of the legislature by September 30, 2022.

((~~(3)~~)) (2) Until June 30, ((~~2023~~)) 2025, or until ((~~legislation is enacted or rules are adopted~~)) an applicable local or regional planning process adopts policies or rules related to the use of electric-assisted bicycles on nonmotorized natural surface trails and closed roads on lands managed by the department of natural resources and by the department of fish and wildlife, whichever is earlier, the department of natural resources and the department of fish and wildlife must allow persons who possess a current parking placard for persons with disabilities, issued by the department of transportation pursuant to RCW 46.19.030, to use class 1 and class 2 electric-assisted bicycles, as defined in RCW 46.04.169, on all nonmotorized natural surface trails and closed roads on which bicycles are allowed.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2023.

**--- END ---**