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**SENATE BILL 5016**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** Senator Warnick

Prefiled 12/14/20.

1 AN ACT Relating to tracked and wheeled all-terrain vehicles;  
2 amending RCW 46.10.300; adding a new section to chapter 46.04 RCW;  
3 adding a new section to chapter 46.10 RCW; and adding a new section  
4 to chapter 46.09 RCW.

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

6 **Sec. 1.** RCW 46.10.300 and 2019 c 262 s 5 are each amended to  
7 read as follows:

8 The following definitions apply throughout this chapter unless  
9 the context clearly requires otherwise.

10 (1) "All-terrain vehicle" means any self-propelled vehicle other  
11 than a snowmobile, capable of cross-country travel on or immediately  
12 over land, water, snow, ice, marsh, swampland, and other natural  
13 terrain, including, but not limited to, four-wheel vehicles,  
14 amphibious vehicles, ground effect or air cushion vehicles, and any  
15 other means of land transportation deriving motive power from any  
16 source other than muscle or wind; except any vehicle designed  
17 primarily for travel on, over, or in the water, farm vehicles, or any  
18 military or law enforcement vehicles.

19 (2) "Commission" means the Washington state parks and recreation  
20 commission.

1 (3) "Committee" means the Washington state parks and recreation  
2 commission snowmobile advisory committee.

3 (4) "Dealer" means a person, partnership, association, or  
4 corporation engaged in the business of selling snowmobiles or all-  
5 terrain vehicles at wholesale or retail in this state.

6 (5) "Highway" means the entire width of the right-of-way of a  
7 primary and secondary state highway, including any portion of the  
8 interstate highway system.

9 (6) "Hunt" means any effort to kill, injure, capture, or disturb  
10 a wild animal or wild bird.

11 (7) "Public roadway" means the entire width of the right-of-way  
12 of any road or street designed and ordinarily used for travel or  
13 parking of motor vehicles, which is controlled by a public authority  
14 other than the Washington state department of transportation, and  
15 which is open as a matter of right to the general public for ordinary  
16 vehicular traffic.

17 (8) "Snowmobile" means (~~both~~) "snowmobile" as defined in RCW  
18 46.04.546 (~~and~~), "snow bike" as defined in RCW 46.04.545, and  
19 "tracked all-terrain vehicle" as defined in section 2 of this act.

20 NEW SECTION. Sec. 2. A new section is added to chapter 46.04  
21 RCW to read as follows:

22 "Tracked all-terrain vehicle" means any "wheeled all-terrain  
23 vehicle" as defined in RCW 46.09.310 and weighing less than two  
24 thousand pounds in stock configuration, with tracks or a combination  
25 of tracks and skis installed in place of the standard low-pressure  
26 tires.

27 NEW SECTION. Sec. 3. A new section is added to chapter 46.10  
28 RCW to read as follows:

29 The owner of a wheeled all-terrain vehicle weighing less than two  
30 thousand pounds in stock configuration, when properly converted, as a  
31 tracked all-terrain vehicle, may apply for a snowmobile registration  
32 as provided in section 4 of this act and under the terms and for the  
33 purposes of this chapter.

34 NEW SECTION. Sec. 4. A new section is added to chapter 46.09  
35 RCW to read as follows:

36 (1) It is the intent of the legislature to create a concurrent  
37 licensing process to allow the owner of a wheeled all-terrain vehicle

1 to maintain concurrent but separate registrations for the vehicle,  
2 for use as a wheeled all-terrain vehicle and for use as a tracked  
3 all-terrain vehicle.

4 (2) The department shall allow the owner of a wheeled all-terrain  
5 vehicle to maintain concurrent licenses for the vehicle for use as a  
6 wheeled all-terrain vehicle and for use as a tracked all-terrain  
7 vehicle. When the vehicle is registered as a wheeled all-terrain  
8 vehicle, the terms of the registration are those under this chapter  
9 that apply to wheeled all-terrain vehicles, including applicable  
10 fees. When the vehicle is registered as a tracked all-terrain  
11 vehicle, the terms of the registration are those under chapter 46.10  
12 RCW that apply to snowmobiles, including applicable fees.

13 (3) The department shall establish a declaration, which must be  
14 submitted by the wheeled all-terrain vehicle owner when initially  
15 applying for a snowmobile registration under chapter 46.10 RCW for  
16 the use of the converted wheeled all-terrain vehicle as a tracked  
17 all-terrain vehicle. The declaration must include a statement signed  
18 by the owner that a wheeled all-terrain vehicle that had been  
19 previously converted to a tracked all-terrain vehicle must conform  
20 with all applicable federal motor vehicle safety standards and state  
21 standards while in use as a wheeled all-terrain vehicle upon public  
22 roads, streets, or highways. Once submitted by the wheeled all-  
23 terrain vehicle owner, the declaration is valid until the vehicle is  
24 sold or the title is otherwise transferred.

25 (4) The department may adopt rules to implement this section.

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