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SENATE BILL 5586

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State of Washington

61st Legislature

2009 Regular Session

By Senator Jacobsen

Read first time 01/27/09. Referred to Committee on Natural Resources,  
Ocean & Recreation.

1 AN ACT Relating to protecting public lands through off-road vehicle  
2 safety education and training; and adding new sections to chapter 46.09  
3 RCW.

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

5 NEW SECTION. **Sec. 1.** (1) The department shall adopt standards for  
6 and implement a comprehensive off-road vehicle safety education and  
7 training program. The training program must provide for the hands-on  
8 training of off-road vehicle operators and for the issuance of off-road  
9 vehicle safety certificates to operators who successfully complete the  
10 training program. Course content must be adopted from a curriculum  
11 developed by a nationally recognized safety organization and include  
12 content regarding protection of public lands and the environment.

13 (2) The department may authorize persons, clubs, associations,  
14 municipalities, or other political subdivisions of the state to conduct  
15 training programs and issue off-road vehicle safety certificates in the  
16 director's name. Any authorized person, club, association,  
17 municipality, or political subdivision may charge a reasonable fee,  
18 subject to department approval, for the training program.

1        NEW SECTION.    **Sec. 2.**    (1) Except as provided in subsection (3) of  
2 this section, all off-road vehicle operators seeking a safety  
3 certificate must successfully complete a training program required by  
4 section 1 of this act.

5        (2) Beginning July 1, 2010, to operate an off-road vehicle on  
6 public land a person must possess a safety certificate issued by the  
7 director or by another state or Canadian province. A nonresident who  
8 does not possess a safety certificate may operate an off-road vehicle  
9 on public land for five days in a calendar year.

10       (3) The director may issue an exceptional safety certificate to an  
11 applicant who is at least eighteen years of age upon a satisfactory  
12 showing by the applicant of at least five years of off-road vehicle  
13 operating experience.

14       (4) The director may collect a fee of ten dollars for the issuance  
15 of a safety certificate.

16       NEW SECTION.    **Sec. 3.**    (1) The director shall by rule establish a  
17 training program to certify off-road vehicle safety instructors, clubs,  
18 associations, municipalities, or political subdivisions to conduct a  
19 training program and to issue safety certificates in the director's  
20 name.

21       (2) Off-road vehicle safety instructors must meet the following  
22 minimum requirements to become certified:

23       (a) Possess a current off-road vehicle safety instructor  
24 certification or license issued by a recognized off-road vehicle safety  
25 organization;

26       (b) Be at least eighteen years of age;

27       (c) Have no convictions relating to or as a result of the use of  
28 alcohol or drugs during the immediately preceding two years; and

29       (d) Have no previous felony convictions.

30       NEW SECTION.    **Sec. 4.**    The off-road vehicle safety training and  
31 education account is created in the custody of the state treasurer.  
32 All receipts from section 2 of this act must be deposited into the  
33 account. Expenditures from the account may be used only to support the  
34 off-road vehicle safety program created in sections 1 through 5 of this  
35 act. Only the director of the department of licensing or the

1 director's designee may authorize expenditures from the account. The  
2 account is subject to allotment procedures under chapter 43.88 RCW, but  
3 an appropriation is not required for expenditures.

4 NEW SECTION. **Sec. 5.** The director may adopt rules as necessary to  
5 carry out and enforce sections 1 through 4 of this act.

6 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are each  
7 added to chapter 46.09 RCW.

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