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**SUBSTITUTE SENATE BILL 5666**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Sheldon, Fortunato, Warnick, Becker, Short, Takko, Van De Wege, and Wilson, L.)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to modifying the types of off-road vehicles  
2 subject to local government regulation; and amending RCW 46.09.360.

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

4 **Sec. 1.** RCW 46.09.360 and 2013 2nd sp.s. c 23 s 11 are each  
5 amended to read as follows:

6 (1) Notwithstanding any of the provisions of this chapter, any  
7 city, town, county, or other political subdivision of this state, or  
8 any state agency, may regulate the operation of nonhighway vehicles  
9 on public lands, waters, and other properties under its jurisdiction,  
10 and on streets, roads, or highways within its boundaries by adopting  
11 regulations or ordinances of its governing body, provided such  
12 regulations are not less stringent than the provisions of this  
13 chapter. However, the legislative body of a city or town with a  
14 population of less than three thousand persons may, by ordinance,  
15 designate a street or highway within its boundaries to be suitable  
16 for use by off-road vehicles. Except as provided in RCW  
17 46.09.455(1)(c)(ii), the legislative body of a county may, by  
18 ordinance, designate a road or highway within its boundaries to be  
19 suitable for use by off-road vehicles.

20 (2) For purposes of this section, "off-road vehicles" (~~does~~  
21 ~~not~~) includes wheeled all-terrain vehicles, whether the wheeled all-

1 terrain vehicle is registered solely for off-road use or for both on-  
2 road and off-road uses under RCW 46.09.442.

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