

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2587

Chapter 286, Laws of 2020

66th Legislature
2020 Regular Session

SCENIC BIKEWAYS PROGRAM

EFFECTIVE DATE: June 11, 2020

Passed by the House March 9, 2020
Yeas 96 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 6, 2020
Yeas 46 Nays 2

CYRUS HABIB

President of the Senate

Approved April 2, 2020 2:33 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2587** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 3, 2020

**Secretary of State
State of Washington**

HOUSE BILL 2587

AS AMENDED BY THE SENATE

Passed Legislature - 2020 Regular Session

State of Washington

66th Legislature

2020 Regular Session

By Representatives Ramel, Shewmake, Duerr, Stonier, Dufault, Doglio, Mead, Thai, Lekanoff, Fitzgibbon, Pollet, Leavitt, and Davis

Read first time 01/15/20. Referred to Committee on Housing, Community Development & Veterans.

1 AN ACT Relating to establishing a program for the designation of
2 state scenic bikeways; and adding a new section to chapter 79A.05
3 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 79A.05
6 RCW to read as follows:

7 (1) In addition to its other powers, duties, and functions, the
8 commission must establish a scenic bikeways program for the
9 designation and promotion of bicycle routes of notable scenic,
10 recreational, cultural, or historic value.

11 (2) (a) Any person may propose the designation of a scenic bikeway
12 route by the commission. Prior to the designation of a scenic bike
13 route by the commission, the commission must provide an opportunity
14 for public comment.

15 (b) When proposing routes for commission approval, proponents are
16 encouraged to:

17 (i) Consider the criteria under this section by which the
18 commission will review and approve scenic bikeway designations,
19 including the criteria specified in subsections (4) and (6) of this
20 section; and

1 (ii) Locate routes in such a way as to encourage local economic
2 development in proximity to designated scenic bikeways, including
3 opportunities for bicycle repairs, food, lodging, camping,
4 recreation, and other tourist activities.

5 (3)(a) Scenic bikeways may be comprised of bicycle paths,
6 multiple-use trails, highways, or trail facilities managed by the
7 commission.

8 (b)(i) Scenic bikeways may be located over public lands with the
9 consent of each federal, state, or local governmental entity that has
10 jurisdiction over the public lands or through which a proposed route
11 passes.

12 (ii) Scenic bikeways may be located over privately owned lands
13 with the consent of the private landowner.

14 (4) Prior to designating a scenic bikeway, the commission must
15 review the proposed designation in consultation with the department
16 of transportation and confirm the designated bicycle route:

17 (a) Is of notable scenic, recreational, cultural, or historic
18 value, or some combination thereof;

19 (b) Is consented to as required under subsection (3) of this
20 section; and

21 (c) To the extent feasible and consistent with the goals of this
22 section:

23 (i) Is not located on heavily trafficked roads when less-
24 trafficked roads are available as a suitable alternative;

25 (ii) Is not located on highways without shoulders or bike lanes
26 when highways with shoulders or bike lanes are available as a
27 suitable alternative;

28 (iii) Avoids complex intersections or other locations that would
29 reduce the ease of use of the scenic bikeway by users;

30 (iv) Is colocated with locally developed bicycle-supportive
31 infrastructure, including bike lanes, multiuse trails, greenways, or
32 other designated bicycle routes; and

33 (v) Is designed to minimize adverse effects on adjacent
34 landowners.

35 (5) Prior to designating a scenic bikeway, the commission must
36 consult with a local government legislative authority if the scenic
37 bikeway will be located within the local government's jurisdiction.

38 (6) To the extent that funds available for the development of
39 scenic bikeways limit the number of designated scenic bikeways that
40 the commission is able to approve and implement each biennium, the

1 commission must give priority to the designation and implementation
2 of scenic bikeways that will add variety to the geographic location,
3 topography, route length and difficulty, and cultural, historic,
4 scenic, and recreational value of the statewide scenic bikeway system
5 or that will complete existing bicycling networks.

6 (7) The commission must periodically review designated scenic
7 bikeways to ensure that routes continue to meet the criteria of
8 subsection (4) of this section. Upon review, the commission may alter
9 the route or revoke the designation of a scenic bikeway.

10 (8) (a) In consultation with the department of transportation, the
11 commission must develop signage to be placed along the routes of each
12 designated scenic bikeway.

13 (b) On the commission's web site, the commission must promote the
14 use of designated scenic bikeways.

15 (c) The commission may develop promotional materials, including
16 maps or telecommunications applications for purposes of facilitating
17 public use of designed scenic bikeways. Promotional materials created
18 by the commission must indicate whether the bikeway is paved or
19 gravel and any other conditions of the bikeway that affect the safety
20 of users. Consistent with the standards of RCW 79A.05.087, the
21 commission may encourage local economic development in proximity to
22 designated scenic bikeways in the promotional materials by noting
23 opportunities for bicycle repair, food, lodging, camping, recreation,
24 and other tourist activities.

25 (d) The commission must evaluate each designated scenic bikeway
26 to determine whether the bikeway, or a portion thereof, is suitable
27 for the use of electric bicycles and tricycles. If the commission
28 determines that a designated scenic bikeway, or a portion thereof, is
29 suitable for the use of electric bicycles and tricycles, the
30 commission must allow their use on those bikeways or portions of
31 bikeways.

32 (9) A recreational access pass issued under chapter 79A.80 RCW is
33 not required in order to use a designated scenic bikeway, except that
34 the access pass requirements of chapter 79A.80 RCW apply to motor
35 vehicles used to park or operate on any portion of a scenic bikeway
36 located on a recreational site or lands, as that term is defined in
37 RCW 79A.80.010.

38 (10) The designation of a facility or roadway as a scenic bikeway
39 by the commission does not change the liability of the commission or
40 any other state or local government entity with respect to

1 unintentional injury sustained by a user of a scenic bikeway. Nothing
2 in this subsection applies or limits the applicability of the
3 provisions of RCW 4.24.210 to roads or facilities designated as
4 scenic bikeways.

5 (11) Nothing in this section authorizes the commission to acquire
6 property or property rights solely for purposes of development of a
7 scenic bikeway.

8 (12) The commission may enter into sponsorship agreements with
9 nonprofit entities or private businesses or entities for sponsorship
10 signs to be displayed on designated scenic bikeways or portions of
11 designated scenic bikeways. The commission may establish the cost for
12 entering into a sponsor agreement. Sponsorship agreements must comply
13 with (a) through (d) of this subsection.

14 (a) Space for a sponsorship sign may be provided by the
15 commission on a designated scenic bikeway.

16 (b) Signage erected pursuant to a sponsorship agreement must be
17 consistent with criteria established by the commission relating to
18 size, materials, colors, wording, and location.

19 (c) The nonprofit entity or private business or entity must pay
20 all costs of a display, including development, construction,
21 installation, operation, maintenance, and removal costs.

22 (d) Proceeds from the sponsorship agreements must be used to fund
23 commission activities related to the scenic bikeways program. Any
24 surplus funds resulting from sponsorship agreements must be deposited
25 into the state parks renewal and stewardship account under RCW
26 79A.05.215.

27 (13) The commission may adopt rules to administer the scenic
28 bikeways program.

Passed by the House March 9, 2020.
Passed by the Senate March 6, 2020.
Approved by the Governor April 2, 2020.
Filed in Office of Secretary of State April 3, 2020.

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