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SENATE BILL 6066

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State of Washington                      61st Legislature                      2009 Regular Session

By Senators Marr, Ranker, Jarrett, and Brown

Read first time 02/20/09. Referred to Committee on Transportation.

1            AN ACT Relating to studded tires; amending RCW 46.37.420 and  
2 46.37.4216; reenacting and amending RCW 47.36.250; adding new sections  
3 to chapter 47.01 RCW; repealing RCW 46.37.4215 and 46.04.272; and  
4 providing effective dates.

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

6            **Sec. 1.** RCW 47.36.250 and 2003 c 356 s 1 and 2003 c 53 s 259 are  
7 each reenacted and amended to read as follows:

8            (1) If the department or its delegate determines at any time for  
9 any part of the public highway system that the unsafe conditions of the  
10 roadway require particular tires, tire chains, or traction equipment in  
11 addition to or beyond the ordinary pneumatic rubber tires, the  
12 department may establish the following recommendations or requirements  
13 with respect to the use of such equipment for all persons using such  
14 public highway:

15            (a) Traction advisory - oversize vehicles prohibited.

16            (b) Traction advisory - oversize vehicles prohibited. Vehicles  
17 over 10,000 GVW - chains required.

18            (c) Traction advisory - oversize vehicles prohibited. All vehicles  
19 - chains required, except all wheel drive.

1 (2) Any equipment that may be required by this section shall be  
2 approved by the state patrol as authorized under RCW 46.37.420.

3 (3) The department shall place and maintain signs and other traffic  
4 control devices on the public highways that indicate the tire, tire  
5 chain, or traction equipment recommendation or requirement determined  
6 under this section. (~~Such signs or traffic control devices shall in  
7 no event prohibit the use of studded tires from November 1st to April  
8 1st, but when the department determines that chains are required and  
9 that no other traction equipment will suffice, the requirement is  
10 applicable to all types of tires including studded tires.~~) The  
11 Washington state patrol or the department may specify different  
12 recommendations or requirements for four wheel drive vehicles in gear.

13 (4) Failure to obey a requirement indicated under this section is  
14 a traffic infraction under chapter 46.63 RCW subject to a penalty of  
15 five hundred dollars including all statutory assessments.

16 **Sec. 2.** RCW 46.37.420 and 2007 c 140 s 2 are each amended to read  
17 as follows:

18 (1) It is unlawful to operate a vehicle upon the public highways of  
19 this state unless it is completely equipped with pneumatic rubber tires  
20 except vehicles equipped with temporary-use spare tires that meet  
21 federal standards that are installed and used in accordance with the  
22 manufacturer's instructions.

23 (2) No tire on a vehicle moved on a highway may have on its  
24 periphery any block, flange, cleat, or spike or any other protuberance  
25 of any material other than rubber which projects beyond the tread of  
26 the traction surface of the tire, except that it is permissible to (a)  
27 use farm machinery equipped with pneumatic tires or solid rubber tracks  
28 having protuberances that will not injure the highway(~~, and except  
29 also that it is permissible to~~) and (b) use tire chains (~~or metal  
30 studs imbedded within the tire of reasonable proportions and of a type  
31 conforming to rules adopted by the state patrol,~~) upon any vehicle  
32 when required for safety because of snow, ice, or other conditions  
33 tending to cause a vehicle to skid. (~~It is unlawful to use metal  
34 studs imbedded within the tire between April 1st and November 1st,  
35 except that a vehicle may be equipped year round with tires that have  
36 retractable studs if: (a) The studs retract pneumatically or  
37 mechanically to below the wear bar of the tire when not in use; and (b)~~

1 ~~the retractable studs are engaged only between November 1st and April~~  
2 ~~1st. Retractable studs may be made of metal or other material and are~~  
3 ~~not subject to the lightweight stud weight requirements under RCW~~  
4 ~~46.04.272. The state department of transportation may, from time to~~  
5 ~~time, determine additional periods in which the use of tires with metal~~  
6 ~~studs imbedded therein is lawful.))~~

7 (3) The state department of transportation and local authorities in  
8 their respective jurisdictions may issue special permits authorizing  
9 the operation upon a highway of traction engines or tractors having  
10 movable tracks with transverse corrugations upon the periphery of the  
11 movable tracks or farm tractors or other farm machinery, the operation  
12 of which upon a highway would otherwise be prohibited under this  
13 section.

14 ~~((4) Tires with metal studs imbedded therein may be used between~~  
15 ~~November 1st and April 1st upon school buses and fire department~~  
16 ~~vehicles, any law or regulation to the contrary notwithstanding.))~~

17 **Sec. 3.** RCW 46.37.4216 and 2007 c 140 s 4 are each amended to read  
18 as follows:

19 ~~((Beginning July 1, 2001,))~~ A person may not sell a studded tire or  
20 sell a stud for installation in a tire ~~((unless the stud qualifies as~~  
21 ~~a: (1) Lightweight stud under RCW 46.04.272; or (2) retractable stud~~  
22 ~~that is exempt from the requirements of RCW 46.04.272)).~~

23 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.01 RCW  
24 to read as follows:

25 The pavement account is created in the state treasury. On August  
26 1, 2014, the state treasurer shall transfer ten million dollars from  
27 the motor vehicle account to the pavement account. On August 1st of  
28 each even-numbered year thereafter, the state treasurer shall transfer  
29 an amount equal to ten million dollars, adjusted for inflation  
30 according to the construction cost index as calculated for the previous  
31 fiscal year, from the motor vehicle account to the pavement account.  
32 Moneys in the account may be spent only after appropriation.  
33 Expenditures from the account may be used only for the purposes  
34 specified in section 5 of this act.

1        NEW SECTION.   **Sec. 5.**   A new section is added to chapter 47.01 RCW  
2   to read as follows:

3        (1) The department shall establish a studded tire pavement repair  
4   grant program.   The purpose of the grant program is to aid counties in  
5   funding pavement repairs necessitated primarily by damage caused from  
6   studded tires.   The department shall submit a prioritized list of all  
7   projects requesting funding to the legislature by September 15th of  
8   each even-numbered year beginning in 2014.

9        (2) The department must report annually to the transportation  
10   committees of the legislature on the status of any grants projects  
11   funded by the program created under this section.

12        NEW SECTION.   **Sec. 6.**   RCW 46.37.4215 (Lightweight and retractable  
13   studs--Certification by sellers) and 2007 c 140 s 3 & 1999 c 219 s 2  
14   are each repealed.

15        NEW SECTION.   **Sec. 7.**   RCW 46.04.272 (Lightweight stud) and 2007 c  
16   140 s 1 & 1999 c 219 s 1 are each repealed.

17        NEW SECTION.   **Sec. 8.**   Sections 3 and 6 of this act take effect  
18   January 1, 2010.

19        NEW SECTION.   **Sec. 9.**   Sections 1, 2, 4, 5, and 7 of this act take  
20   effect January 1, 2014.

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