

**RCW 46.61.705 Off-road motorcycles.** (1) A person may operate an off-road motorcycle upon a public road, street, or highway of this state if the person:

(a) Files a motorcycle highway use declaration, as provided under RCW 46.16A.435, with the department certifying conformance with all applicable federal motor vehicle safety standards and state standards;

(b) Obtains and has in full force and effect a current and proper ORV registration or temporary ORV use permit under chapter 46.09 RCW; and

(c) Obtains a valid driver's license and motorcycle endorsement issued to Washington residents in compliance with chapter 46.20 RCW for a motorcycle.

(2) Any off-road motorcycle operated under this section must have:

(a) A head lamp meeting the requirements of RCW 46.37.523 and 46.37.524, and used in accordance with RCW 46.37.522;

(b) A tail lamp meeting the requirements of RCW 46.37.525;

(c) A stop lamp meeting the requirements of RCW 46.37.525;

(d) Reflectors meeting the requirements of RCW 46.37.525;

(e) Brakes meeting the requirements of RCW 46.37.527, 46.37.528, and 46.37.529;

(f) A mirror on both the left and right handlebar meeting the requirements of RCW 46.37.530;

(g) A windshield meeting the requirements of RCW 46.37.530, unless the driver wears glasses, goggles, or a face shield while operating the motorcycle, of a type conforming to rules adopted by the state patrol;

(h) A horn or warning device meeting the requirements of RCW 46.37.380;

(i) Tires meeting the requirements of RCW 46.37.420 and 46.37.425;

(j) Turn signals meeting the requirements of RCW 46.37.200; and

(k) Fenders adequate for minimizing the spray or splash of water, rocks, or mud from the roadway. Fenders must be as wide as the tires behind which they are mounted and extend downward at least half way to the center of the axle.

(3) Every person operating an off-road motorcycle under this section is granted all rights and is subject to all duties applicable to the driver of a motorcycle under RCW 46.37.530 and chapter 46.61 RCW.

(4) Any person who violates this section commits a traffic infraction.

(5) Accidents must be recorded and tracked in compliance with chapter 46.52 RCW. An accident report must indicate and be tracked separately when any of the vehicles involved are an off-road motorcycle. [2011 c 121 § 2.]

**Effective date—2011 c 121:** See note following RCW 46.04.363.