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**HOUSE BILL 2587**

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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.

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