
SENATE BILL 6537

State of Washington **53rd Legislature** **1994 Regular Session**

By Senators M. Rasmussen, Winsley, Erwin, Owen, Oke and Ludwig

Read first time 01/26/94. Referred to Committee on Natural Resources.

1 AN ACT Relating to limiting the liability of owners or others in
2 possession of land and water areas for injuries to outdoor recreation
3 users taking part in state-certified hunter or aquatic education
4 courses; and amending RCW 4.24.210.

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

6 **Sec. 1.** RCW 4.24.210 and 1992 c 52 s 1 are each amended to read as
7 follows:

8 (1) Except as otherwise provided in subsection (3) of this section,
9 any public or private landowners or others in lawful possession and
10 control of any lands whether designated resource, rural, or urban, or
11 water areas or channels and lands adjacent to such areas or channels,
12 who allow members of the public to use them for the purposes of outdoor
13 recreation, which term includes, but is not limited to, the cutting,
14 gathering, and removing of firewood by private persons for their
15 personal use without purchasing the firewood from the landowner,
16 hunting, fishing, camping, picnicking, swimming, hiking, bicycling, the
17 riding of horses or other animals, clam digging, pleasure driving of
18 off-road vehicles, snowmobiles, and other vehicles, boating, nature
19 study, winter or water sports, viewing or enjoying historical,

1 archaeological, scenic, or scientific sites, and the instruction of
2 state-certified hunter education or aquatic education courses, or both,
3 without charging a fee of any kind therefor, shall not be liable for
4 unintentional injuries to such users.

5 (2) Except as otherwise provided in subsection (3) of this section,
6 any public or private landowner or others in lawful possession and
7 control of any lands whether rural or urban, or water areas or channels
8 and lands adjacent to such areas or channels, who offer or allow such
9 land to be used for purposes of a fish or wildlife cooperative project,
10 or allow access to such land for cleanup of litter or other solid
11 waste, shall not be liable for unintentional injuries to any volunteer
12 group or to any other users.

13 (3) Any public or private landowner, or others in lawful possession
14 and control of the land, may charge an administrative fee of up to
15 twenty-five dollars for the cutting, gathering, and removing of
16 firewood from the land. Nothing in this section shall prevent the
17 liability of such a landowner or others in lawful possession and
18 control for injuries sustained to users by reason of a known dangerous
19 artificial latent condition for which warning signs have not been
20 conspicuously posted. Nothing in RCW 4.24.200 and 4.24.210 limits or
21 expands in any way the doctrine of attractive nuisance. Usage by
22 members of the public, volunteer groups, or other users is permissive
23 and does not support any claim of adverse possession.

24 (4) For purposes of this section, a license or permit issued for
25 state-wide use under authority of chapter 43.51 RCW, Title 75, or Title
26 77 RCW is not a fee.

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