
SUBSTITUTE HOUSE BILL 2569

State of Washington **61st Legislature** **2010 Regular Session**

By House Agriculture & Natural Resources (originally sponsored by Representatives Dunshee, Blake, Hunt, Chase, and Ormsby)

READ FIRST TIME 01/29/10.

1 AN ACT Relating to accessing land for outdoor recreation; amending
2 RCW 77.32.380, 77.12.880, 77.32.010, and 3.62.090; and creating a new
3 section.

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

5 **Sec. 1.** RCW 77.32.380 and 2003 c 317 s 4 are each amended to read
6 as follows:

7 (1)(a) Persons who enter upon or use clearly identified department
8 improved access facilities with a motor vehicle may be required, while
9 within or while using an improved access facility, to display ((~~a~~
10 ~~current annual fish and wildlife lands vehicle use permit~~)) on the
11 motor vehicle ((~~while within or while using an improved access~~
12 ~~facility~~)) one of the following:

13 (i) A current annual fish and wildlife lands vehicle use permit as
14 provided in this section;

15 (ii) A wild on Washington, endangered wildlife, or Washington's
16 wildlife special license plate as authorized in chapter 46.16 RCW; or

17 (iii) A personalized license plate as defined in RCW 46.16.560.

18 ((~~An~~)) (b) As used in this section, "improved access facility"
19 ((~~is~~)) means a clearly identified area specifically created for motor

1 vehicle parking, and includes any boat launch or boat ramp associated
2 with the parking area, but does not include the department parking
3 facilities at the Gorge Concert Center near George, Washington.

4 (2)(a) One vehicle use permit shall be issued at no charge with an
5 initial purchase of either an annual saltwater, freshwater,
6 combination, small game hunting, big game hunting, or trapping license,
7 or a watchable wildlife decal, issued by the department.

8 (b) The annual fee for a fish and wildlife lands vehicle use
9 permit, if purchased separately, is ~~((ten dollars))~~:

10 (i) Twenty dollars beginning on the effective date of this section;

11 (ii) Twenty-five dollars beginning July 2, 2011; and

12 (iii) Thirty dollars beginning July 1, 2013.

13 (c) A person to whom the department has issued a vehicle use permit
14 or who has purchased a vehicle use permit separately may purchase
15 additional vehicle use permits from the department at a cost of
16 ~~((five))~~ ten dollars per vehicle use permit.

17 (d) Revenue derived from the sale of fish and wildlife lands
18 vehicle use permits shall be used solely for the following purposes:

19 (i) Stewardship and maintenance of department improved access
20 facilities; and

21 (ii) Maintenance and tangible physical improvements to land managed
22 by the department, such as fence construction and upkeep, weed control,
23 road maintenance, and restoration projects.

24 (e) The revenue collected under this section may not be used by the
25 department for administrative, scientific, or enforcement purposes.

26 (3) Youth groups may use department improved access facilities
27 without possessing a vehicle use permit when accompanied by a vehicle
28 use permit holder.

29 ~~((+2))~~ (4) The vehicle use permit must be displayed from the
30 interior of the motor vehicle so that it is clearly visible from
31 outside of the motor vehicle before entering upon or using the motor
32 vehicle on a department improved access facility. The vehicle use
33 permit can be transferred between two vehicles and must contain space
34 for the vehicle license numbers of each vehicle.

35 ~~((+3))~~ (5)(a) Failure to display the fish and wildlife lands
36 vehicle use permit or applicable license plate type, if required by
37 this section, is ~~((an))~~ a natural resources infraction under chapter
38 7.84 RCW ~~((, and department employees))~~. Fish and wildlife officers and

1 ex officio fish and wildlife officers are authorized to issue a notice
2 of infraction to the registered owner of any motor vehicle entering
3 upon or using a department improved access facility (~~((without such a~~
4 ~~vehicle use permit))~~) in violation of this section.

5 (b) The penalty for ((failure to clearly display the vehicle use
6 permit)) a violation of this section is sixty-six dollars. This
7 penalty ~~((is))~~ must be reduced to thirty dollars if the registered
8 owner provides proof to the court that he or she purchased a vehicle
9 use permit or an applicable license plate within fifteen days after the
10 issuance of the notice of violation.

11 (c) Any revenue from penalties assessed under this section must be
12 deposited as follows:

13 (i) Twenty-five percent must be remitted by the clerk of the
14 applicable district court for deposit in the appropriate county current
15 expense fund;

16 (ii) Twenty-five percent must be deposited into the fish and
17 wildlife enforcement reward account under RCW 77.15.425 and used for
18 the enforcement of this section; and

19 (iii) Fifty percent must be deposited into the state wildlife
20 account created in RCW 77.12.170 and used for maintenance and physical
21 improvements to land managed by the department, including but not
22 limited to fence construction and upkeep, weed control, road
23 maintenance, and restoration projects.

24 (d) A violation of this section is a parking infraction and is
25 exempt from the public safety and education assessments found in RCW
26 3.62.090.

27 **Sec. 2.** RCW 77.12.880 and 2003 c 153 s 3 are each amended to read
28 as follows:

29 (1) The department shall manage wildlife programs in a manner that
30 provides for public opportunities to view wildlife and supports nature-
31 based and wildlife viewing tourism without impairing the state's
32 wildlife resources.

33 (2)(a) The department may develop information accessible through
34 the department's internet web site that promotes outdoor recreational
35 and wildlife viewing opportunities. The web-based information may
36 include, but is not limited to, information about:

37 (i) The department's wildlife areas and access sites;

1 (ii) Public and private lands open to the public for recreational
2 access; and

3 (iii) Information promoting watchable wildlife and nature-based
4 tourism activities.

5 (b) The department may require, as a condition of accessing the
6 web-based information authorized in this section, the purchase of
7 certain recreational license documents provided for in chapter 77.32
8 RCW, including the fish and wildlife lands vehicle use permit issued
9 under RCW 77.32.380. The commission may identify by rule which
10 recreational license documents provide access to the web-based
11 information.

12 (c) Information relating to hunting and fishing regulations, as
13 well as general information pertaining to the department, must be
14 accessible to the general public without having to first purchase a
15 license from the department.

16 **Sec. 3.** RCW 77.32.010 and 2009 c 564 s 956 are each amended to
17 read as follows:

18 (1) Except as otherwise provided in this chapter, a recreational
19 license issued by the director is required to hunt for or take wild
20 animals or wild birds, fish for, take, or harvest fish, shellfish, and
21 seaweed. A recreational fishing or shellfish license is not required
22 for carp, smelt, and crawfish, and a hunting license is not required
23 for bullfrogs.

24 (2) A fish and wildlife lands vehicle use permit issued by the
25 department, or an applicable license plate type as provided in RCW
26 77.32.380, is required to park a motor vehicle upon improved department
27 access facilities.

28 (3) During the 2009-2011 fiscal biennium to enable the
29 implementation of the pilot project established in section 307, chapter
30 329, Laws of 2008, a fishing permit issued to a nontribal member by the
31 Colville Tribes shall satisfy the license requirements in subsection
32 (1) of this section on the waters of Lake Rufus Woods and on the north
33 shore of Lake Rufus Woods, and a Colville Tribes tribal member
34 identification card shall satisfy the license requirements in
35 subsection (1) of this section on all waters of Lake Rufus Woods.

1 **Sec. 4.** RCW 3.62.090 and 2004 c 15 s 5 are each amended to read as
2 follows:

3 (1) There shall be assessed and collected in addition to any fines,
4 forfeitures, or penalties assessed, other than for parking infractions,
5 by all courts organized under Title 3 or 35 RCW a public safety and
6 education assessment equal to seventy percent of such fines,
7 forfeitures, or penalties, which shall be remitted as provided in
8 chapters 3.46, 3.50, 3.62, and 35.20 RCW. The assessment required by
9 this section shall not be suspended or waived by the court.

10 (2) There shall be assessed and collected in addition to any fines,
11 forfeitures, or penalties assessed, other than for parking infractions
12 and for fines levied under RCW 46.61.5055, and in addition to the
13 public safety and education assessment required under subsection (1) of
14 this section, by all courts organized under Title 3 or 35 RCW, an
15 additional public safety and education assessment equal to fifty
16 percent of the public safety and education assessment required under
17 subsection (1) of this section, which shall be remitted to the state
18 treasurer and deposited as provided in RCW 43.08.250. The additional
19 assessment required by this subsection shall not be suspended or waived
20 by the court.

21 (3) This section does not apply to the fee imposed under RCW
22 46.63.110(7), the penalty imposed under RCW 46.63.110(8) or 77.32.380,
23 or the penalty assessment imposed under RCW 10.99.080.

24 NEW SECTION. **Sec. 5.** (1) This act applies prospectively only.
25 However, the department of fish and wildlife may limit web-based access
26 under section 2 of this act to information relating to outdoor
27 recreational and wildlife viewing opportunities collected prior to the
28 effective date of this section.

29 (2) The privilege of accessing information under section 2 of this
30 act applies only to the convenience of instantaneous access via the
31 department's internet web site. Nothing in this act is intended to
32 limit the public's ability to otherwise access information under
33 chapter 42.56 RCW.

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