
HOUSE BILL 2626

State of Washington

57th Legislature

2002 Regular Session

By Representatives McIntire, Doumit, McDermott, Simpson, Linville, Benson, Kagi, Jarrett, Nixon, Edwards, Ogden and Rockefeller

Read first time 01/23/2002. Referred to Committee on Natural Resources.

1 AN ACT Relating to the creation of a state evergreen recreation
2 pass program; amending RCW 77.32.380; adding a new section to chapter
3 43.30 RCW; adding a new section to chapter 79A.05 RCW; adding a new
4 chapter to Title 79A RCW; and prescribing penalties.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the state parks
7 and recreation commission, the department of natural resources, and the
8 fish and wildlife commission have difficulty maintaining recreation
9 sites they own because of insufficient funds. These recreation sites
10 are enjoyed not only for family outings, but also by a wide variety of
11 groups including youth organizations, hunters, fishers, horsemen,
12 hikers, bikers, people who view wildlife, and other outdoor recreation
13 groups. The legislature finds that the lack of funds to maintain and
14 repair these recreation sites may result in the closure of some of
15 these sites to the public at a time when the demand for outdoor
16 recreation areas continues to increase.

17 The legislature recognizes that many state residents enjoy visiting
18 state-owned recreation sites throughout different parts of the state,
19 and that people will frequent lands owned by more than one state

1 agency. The legislature is aware that although the parks and
2 recreation commission and the department of natural resources currently
3 do not charge a day-use fee at their recreation sites, there is a
4 possibility that these fees may be imposed at some future date. The
5 legislature finds that any day-use permits or passes should be
6 coordinated between these agencies and the current vehicle use permit
7 required by the department of fish and wildlife so that people have the
8 opportunity to buy a single day-use recreation pass that will be
9 accepted at recreation sites owned by all three of these state
10 agencies. The legislature also finds that the creation of a single
11 renewable annual recreation pass may result in many more people
12 visiting a number of recreation sites within the state because of
13 better maintained facilities and increased awareness of recreation
14 opportunities. It is therefore the intent of the legislature to create
15 an evergreen recreation pass that will be available to serve as a
16 renewable annual recreation pass for state-owned recreation sites in
17 lieu of day-use fees, that this recreation pass will be widely
18 available, and that purchase of this pass is optional for members of
19 the general public.

20 NEW SECTION. **Sec. 2.** The definitions in this section apply
21 throughout this chapter unless the context clearly requires otherwise.

22 (1) "Agency" or "agencies" means the department of fish and
23 wildlife, the department of natural resources, and the parks and
24 recreation commission.

25 (2) "Pass" or "recreation pass" means the evergreen recreation pass
26 created under section 3 of this act.

27 (3) "Recreation site" means those areas designated by an agency for
28 which a day-use pass or permit is required for access.

29 NEW SECTION. **Sec. 3.** (1) The evergreen recreation pass is created
30 as a renewable annual pass that is valid at any recreation sites owned
31 by the department of fish and wildlife, the parks and recreation
32 commission, or the department of natural resources for which a day-use
33 pass or permit is required. The pass shall be in lieu of any other
34 day-use pass or permit required by these agencies, including the annual
35 fish and wildlife lands vehicle use permit issued by the department of
36 fish and wildlife pursuant to RCW 77.32.380. The cost of the pass may
37 not exceed fifteen dollars, except that the amount of the fee may be

1 adjusted for inflation by the office of financial management subject to
2 the limitation contained in RCW 43.135.055(1).

3 (2) The office of financial management must consult with the
4 department of fish and wildlife, the department of natural resources,
5 and the parks and recreation commission on the development and issuance
6 of the evergreen recreation pass. If more than one agency decides to
7 require a day-use pass or permit for access to its recreation sites,
8 then the office of financial management will require that the evergreen
9 recreation pass be available for purchase from those agencies within
10 ninety days after the decision is made to require day-use passes or
11 permits.

12 (3) Once the evergreen recreation pass becomes available for
13 purchase, a person has the option to either purchase the evergreen
14 recreation pass or to purchase the individual day-use passes or permits
15 from the agencies for access to their recreation sites. If a person
16 has already purchased an individual agency day-use pass or permit for
17 that year, they may exchange the individual agency day-use pass or
18 permit for an evergreen recreation pass upon payment of any difference
19 in the price of the pass.

20 (4)(a) The evergreen recreation pass must be made available for
21 purchase from each agency requiring a day-use pass or permit for access
22 to their recreation sites. The agency selling the recreation pass must
23 encourage the person purchasing the pass to answer optional questions
24 regarding how often they are likely to use the pass during the year,
25 and on which agency land they are likely to use the pass. Each agency
26 must aggregate the totals of the responses to these questions and
27 forward this information to the office of financial management for
28 purposes of section 5(1) of this act.

29 (b) The pass must also be available for purchase through the
30 department of licensing. The department of licensing must include a
31 notice of the availability of this pass, including the opportunity to
32 renew the pass, in each notice of license plate tab renewals. The
33 department of licensing must also encourage purchasers of the pass to
34 answer the optional questions under (a) of this subsection, and forward
35 the response totals to the office of financial management.

36 NEW SECTION. **Sec. 4.** (1) The evergreen recreation pass must be
37 displayed from the interior of the motor vehicle so that it is clearly
38 visible from outside of the motor vehicle before entering upon or using

1 the motor vehicle on a recreation site . The pass can be transferred
2 between two vehicles and must contain space for the vehicle license
3 numbers of each vehicle.

4 (2) Failure to display the evergreen recreation pass or the
5 equivalent agency day-use pass or permit in accordance with this
6 section is an infraction under chapter 7.84 RCW. Agency employees may
7 issue a notice of infraction to the registered owner of any motor
8 vehicle entering upon or using the motor vehicle without either the
9 evergreen recreation pass or the equivalent agency day-use pass or
10 permit. The penalty for failure to clearly display the required pass
11 or permit is sixty-six dollars. This penalty is reduced to thirty
12 dollars if the registered owner provides proof to the court that he or
13 she purchased either an evergreen recreation pass or the equivalent
14 agency day-use pass or permit within fifteen days after the issuance of
15 the notice of violation.

16 NEW SECTION. **Sec. 5.** (1) Revenues obtained from sales of the
17 evergreen recreation pass will be distributed to the agencies
18 participating in the evergreen recreation pass program in accordance
19 with a formula developed by the office of financial management. The
20 department of licensing will also be reimbursed for reasonable expenses
21 incurred for promoting and selling the evergreen recreation passes. In
22 developing the distribution formula, the office of financial management
23 must consider the information derived from purchasers of the pass
24 regarding use of the pass.

25 (2) At least seventy-five percent of the funds collected from sales
26 of the evergreen recreation pass must be used for maintenance, repair,
27 and equipment for these recreation sites. No more than twenty-five
28 percent of the funds collected from sales of the pass may be used for
29 the costs of collecting the fee.

30 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.30 RCW
31 to read as follows:

32 A person may purchase and display an evergreen recreation pass
33 created under section 2 of this act in lieu of any day-use pass or
34 permit required by the department of natural resources for access to
35 recreation sites owned by the department of natural resources. Nothing
36 in this section alters the authority of the department to determine the

1 recreation sites at which a day-use pass or permit will be required for
2 access.

3 NEW SECTION. **Sec. 7.** A new section is added to chapter 79A.05 RCW
4 to read as follows:

5 A person may purchase and display an evergreen recreation pass
6 created under section 2 of this act in lieu of any day-use pass or
7 permit required by the parks and recreation commission for access to
8 recreation sites owned by the parks and recreation commission. Nothing
9 in this section alters the authority of the commission to determine the
10 recreation sites at which a day-use pass or permit will be required for
11 access.

12 **Sec. 8.** RCW 77.32.380 and 2001 c 243 s 1 are each amended to read
13 as follows:

14 (1) Persons who enter upon or use clearly identified department
15 improved access facilities with a motor vehicle may be required to
16 display a current annual fish and wildlife lands vehicle use permit on
17 the motor vehicle while within or while using an improved access
18 facility. An "improved access facility" is a clearly identified area
19 specifically created for motor vehicle parking, and includes any boat
20 launch or boat ramp associated with the parking area, but does not
21 include the department parking facilities at the Gorge Concert Center
22 near George, Washington. One vehicle use permit shall be issued at no
23 charge with an initial purchase of either an annual saltwater,
24 freshwater, combination, small game hunting, big game hunting, or
25 trapping license issued by the department. The annual fee for a fish
26 and wildlife lands vehicle use permit, if purchased separately, is ten
27 dollars. A person to whom the department has issued a vehicle use
28 permit or who has purchased a vehicle use permit separately may
29 purchase additional vehicle use permits from the department at a cost
30 of five dollars per vehicle use permit. Revenue derived from the sale
31 of fish and wildlife lands vehicle use permits shall be used solely for
32 the stewardship and maintenance of department improved access
33 facilities.

34 Youth groups may use department improved access facilities without
35 possessing a vehicle use permit when accompanied by a vehicle use
36 permit holder.

1 The department may accept contributions into the state wildlife
2 fund for the sound stewardship of fish and wildlife. Contributors
3 shall be known as "conservation patrons" and, for contributions of
4 twenty dollars or more, shall receive a fish and wildlife lands vehicle
5 use permit free of charge.

6 (2) The vehicle use permit must be displayed from the interior of
7 the motor vehicle so that it is clearly visible from outside of the
8 motor vehicle before entering upon or using the motor vehicle on a
9 department improved access facility. The vehicle use permit can be
10 transferred between two vehicles and must contain space for the vehicle
11 license numbers of each vehicle.

12 (3) Failure to display the fish and wildlife lands vehicle use
13 permit if required by this section is an infraction under chapter 7.84
14 RCW, and department employees are authorized to issue a notice of
15 infraction to the registered owner of any motor vehicle entering upon
16 or using a department improved access facility without such a vehicle
17 use permit. The penalty for failure to clearly display the vehicle use
18 permit is sixty-six dollars. This penalty is reduced to thirty dollars
19 if the registered owner provides proof to the court that he or she
20 purchased a vehicle use permit within fifteen days after the issuance
21 of the notice of violation.

22 (4) In lieu of displaying the vehicle use permit required under
23 this section, persons who enter upon or use clearly identified
24 department improved access facilities may display the evergreen
25 recreation pass created under section 3 of this act. Nothing in this
26 section alters the authority of the department to determine the
27 recreation sites at which a day-use pass or permit will be required for
28 access.

29 NEW SECTION. Sec. 9. Sections 1 through 5 of this act constitute
30 a new chapter in Title 79A RCW.

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