
SENATE BILL 6093

State of Washington

66th Legislature

2020 Regular Session

By Senators Schoesler, Becker, Braun, O'Ban, Holy, Zeiger, Fortunato, Ericksen, Warnick, Muzzall, Wilson, L., Sheldon, Rivers, Short, Hasegawa, Kuderer, and Wagoner

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1 AN ACT Relating to free public access to state parks and lands;
2 amending RCW 46.01.140, 46.01.370, 46.16A.090, 77.15.750, 79A.05.070,
3 79A.80.010, 79A.80.050, 79A.80.060, 79A.80.070, 79A.80.080,
4 79A.80.090, 79A.80.100, and 79A.80.110; creating a new section; and
5 repealing RCW 79A.80.020.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that as the
8 public enjoys open space and the natural beauty and recreational
9 opportunities of this state, state lands and parks are a public good
10 that should be available to all people, regardless of financial
11 means.

12 (2) The legislature also finds that while the economic
13 circumstances resulting from the great recession brought about user-
14 based, pay-to-play policies, such as the discover pass, for access to
15 state-owned lands, this policy has resulted in decreased attendance
16 and usage of our state parks and lands. A decline by an average of
17 seven million visits per year as compared to the visitation rates of
18 the two years prior to the enactment of the discover pass.

19 (3) For most of Washington's history, public access to state
20 parks and lands were free to all. It was a policy that served our
21 state well. It is the intent of the legislature to return to that

1 policy and repeal the requirement of having a discover pass to visit
2 any state-owned land. The lost revenues that would have otherwise
3 come from discover pass sales are intended to be replaced with state
4 general fund appropriation.

5 **Sec. 2.** RCW 46.01.140 and 2013 c 169 s 1 are each amended to
6 read as follows:

7 (1) **County auditor/agent duties.** A county auditor or other agent
8 appointed by the director must:

9 (a) Enter into a standard contract provided by the director;

10 (b) Provide all services authorized by the director for vehicle
11 certificates of title and vehicle registration applications and
12 issuance under the direction and supervision of the director
13 including, but not limited to:

14 (i) Processing reports of sale;

15 (ii) Processing transitional ownership transactions;

16 (iii) Processing mail-in vehicle registration renewals until
17 directed otherwise by legislative authority;

18 (iv) Issuing registrations and temporary ORV use permits for
19 off-road vehicles as required under chapter 46.09 RCW;

20 (v) Issuing registrations for snowmobiles as required under
21 chapter 46.10 RCW; and

22 (vi) Collecting fees and taxes as required(~~(~~

23 ~~(c) If authorized by the director, offer for sale discover passes~~
24 ~~as provided in chapter 79A.80 RCW)).~~

25 (2) **County auditor/agent assistants and subagents.** A county
26 auditor or other agent appointed by the director may, with approval
27 of the director:

28 (a) Appoint assistants as special deputies to accept applications
29 for vehicle certificates of title and to issue vehicle registrations;
30 and

31 (b) Recommend and request that the director appoint subagencies
32 within the county to accept applications for vehicle certificates of
33 title and vehicle registration application issuance.

34 (3) **Appointing subagents.** A county auditor or other agent
35 appointed by the director who requests a subagency must, with
36 approval of the director:

37 (a) Use an open competitive process including, but not limited
38 to, a written business proposal and oral interview to determine the
39 qualifications of all interested applicants; and

1 (b) Submit all proposals to the director with a recommendation
2 for appointment of one or more subagents who have applied through the
3 open competitive process. If a qualified successor who is an existing
4 subagent's sibling, spouse, or child, or a subagency employee has
5 applied, the county auditor must provide the name of the qualified
6 successor and the name of one other applicant who is qualified and
7 was chosen through the open competitive process.

8 (4) **Subagent duties.** A subagent appointed by the director must:

9 (a) Enter into a standard contract with the county auditor or
10 agent provided by the director; and

11 (b) Provide all services authorized by the director for vehicle
12 certificates of title and vehicle registration applications and
13 issuance under the direction and supervision of the county auditor or
14 agent and the director including, but not limited to:

15 (i) Processing reports of sale;

16 (ii) Processing transitional ownership transactions;

17 (iii) Mailing out vehicle registrations and replacement plates to
18 internet payment option customers until directed otherwise by
19 legislative authority;

20 (iv) Issuing registrations and temporary ORV use permits for
21 off-road vehicles as required under chapter 46.09 RCW;

22 (v) Issuing registrations for snowmobiles as required under
23 chapter 46.10 RCW; and

24 (vi) Collecting fees and taxes as required (~~and~~

25 ~~(c) If authorized by the director, offer for sale discover passes~~
26 ~~as provided in chapter 79A.80 RCW)).~~

27 (5) **Subagent successorship.** A subagent appointed by the director
28 who no longer wants his or her appointment may recommend a successor
29 who is the subagent's sibling, spouse, or child, or a subagency
30 employee. The recommended successor must participate in the open
31 competitive process used to select an applicant. In making successor
32 recommendations and appointment determinations, the following
33 provisions apply:

34 (a) If a subagency is held by a partnership or corporate entity,
35 the nomination must be submitted on behalf of, and agreed to by, all
36 partners or corporate officers;

37 (b) A subagent may not receive any direct or indirect
38 compensation or remuneration from any party or entity in recognition
39 of a successor nomination. A subagent may not receive any financial
40 benefit from the transfer or termination of an appointment;

1 (c) The appointment of a successor is intended to assist in the
2 efficient transfer of appointments to minimize public inconvenience.
3 The appointment of a successor does not create a proprietary or
4 property interest in the appointment;

5 (d) A subagent appointee who is planning to retire within twelve
6 months may recommend a successor without resigning his or her
7 appointment by submitting a letter of intent to retire with a
8 successor recommendation to the county auditor or other agent
9 appointed by the director. The county auditor or other agent
10 appointed by the director shall, within sixty days, respond in
11 writing to the subagent appointee indicating if the recommended
12 successor would be considered in the open competitive process. If
13 there are negative factors or deficiencies pertaining to the
14 subagency operation or the recommended successor, the county auditor
15 or other agent appointed by the director must state these factors in
16 writing to the subagent appointee. The subagent appointee may
17 withdraw the letter of intent to retire any time prior to the start
18 of the open competitive process by writing to the county auditor or
19 other agent appointed by the director and filing a copy with the
20 director;

21 (e) A subagent appointee may name a recommended successor at any
22 time during his or her appointment by notifying the county auditor or
23 other agent appointed by the director in writing and filing a copy
24 with the director. The purpose of this recommendation is for the
25 county auditor or other agent appointed by the director to know the
26 wishes of the subagent appointee in the event of the death or
27 incapacitation of a sole subagent appointee or last remaining
28 subagent appointee that could lead to the inability of the subagent
29 to continue to fulfill the obligations of the appointment; and

30 (f) If the county auditor or other agent appointed by the
31 director does not select the recommended successor for appointment as
32 a result of the open competitive process, the county auditor or other
33 agent appointed by the director must contact the subagent appointee
34 by letter and explain the decision. The subagent appointee must be
35 provided an opportunity to respond in writing. Any response by the
36 subagent appointee must be included in the open competitive process
37 materials submitted to the department.

38 (6) **Standard contracts.** The standard contracts provided by the
39 director in this section may include provisions that the director
40 deems necessary to ensure that readily accessible and acceptable

1 service is provided to the citizens of the state, including the full
2 collection of fees and taxes. The standard contracts must include
3 provisions that:

4 (a) Describe responsibilities and liabilities of each party
5 related to service expectations and levels;

6 (b) Describe the equipment to be supplied by the department and
7 equipment maintenance;

8 (c) Require specific types of insurance or bonds, or both, to
9 protect the state against any loss of collected revenue or loss of
10 equipment;

11 (d) Specify the amount of training that will be provided by each
12 of the parties;

13 (e) Describe allowable costs that may be charged for vehicle
14 registration activities as described in subsection (7) of this
15 section; and

16 (f) Describe causes and procedures for termination of the
17 contract, which may include mediation and binding arbitration.

18 (7) **County auditor/agent cost reimbursement.** A county auditor or
19 other agent appointed by the director who does not cover expenses for
20 services provided by the standard contract may submit to the
21 department a request for cost-coverage moneys. The request must be
22 submitted on a form developed by the department. The department must
23 develop procedures to standardize and identify allowable costs and to
24 verify whether a request is reasonable. Payment must be made on those
25 requests found to be allowable from the licensing services account.

26 (8) **County auditor/agent revenue disbursement.** County revenues
27 that exceed the cost of providing services described in the standard
28 contract, calculated in accordance with the procedures in subsection
29 (7) of this section, must be expended as determined by the county
30 legislative authority during the process established by law for
31 adoption of county budgets.

32 (9) **Appointment authority.** The director has final appointment
33 authority for county auditors or other agents or subagents.

34 (10) **Rules.** The director may adopt rules to implement this
35 section.

36 **Sec. 3.** RCW 46.01.370 and 2012 c 261 s 11 are each amended to
37 read as follows:

38 The department may, in coordination with the state parks and
39 recreation commission, offer for sale and distribute ((discover

1 ~~passes and~~) day-use permits, as provided in chapter 79A.80 RCW, at
2 the department's drivers' licenses offices. Any amounts collected by
3 the department through the sales of (~~discover passes and~~) day-use
4 permits must be deposited in the recreation access pass account
5 created in RCW 79A.80.090.

6 **Sec. 4.** RCW 46.16A.090 and 2012 c 261 s 9 are each amended to
7 read as follows:

8 (1) The department, county auditor or other agent, or subagent
9 appointed by the director must provide an opportunity for a vehicle
10 owner to make a voluntary donation as provided in this section when
11 applying for an initial or renewal vehicle registration.

12 (2)(a) A vehicle owner who registers a vehicle under this chapter
13 may donate one dollar or more to the organ and tissue donation
14 awareness account to promote the donation of organs and tissues under
15 the uniform anatomical gift act as described in chapter 68.64 RCW.
16 The donation of one or more dollars is voluntary and may be refused
17 by the vehicle owner.

18 (b) The department, county auditor or other agent, or subagent
19 appointed by the director must:

20 (i) Ask a vehicle owner applying for a vehicle registration if
21 the owner would like to donate one dollar or more;

22 (ii) Inform a vehicle owner of the option for organ and tissue
23 donations as required under RCW 46.20.113; and

24 (iii) Make information booklets or other informational material
25 available regarding the importance of organ and tissue donations to
26 vehicle owners.

27 (c) All reasonable costs associated with the creation of the
28 donation program created under this section must be paid
29 proportionally or by another agreement by a participating Washington
30 state organ procurement organization established for organ and tissue
31 donation awareness purposes by the Washington state organ procurement
32 organizations. For the purposes of this section, "reasonable costs"
33 and "Washington state organ procurement organization" have the same
34 meaning as in RCW 68.64.010.

35 (3) The department must collect from a vehicle owner who pays a
36 vehicle license fee under RCW 46.17.350(1) (a), (d) through (l), (n),
37 (o), or (q) or who registers a vehicle under RCW 46.16A.455 with a
38 declared gross weight of twelve thousand pounds or less a voluntary
39 donation of five dollars. The donation may not be collected from any

1 vehicle owner actively opting not to participate in the donation
2 program. The department must ensure that the opt-out donation under
3 this section is clear, visible, and prominently displayed in both
4 paper and online vehicle registration renewals. Notification of
5 intent to not participate in the donation program must be provided
6 annually at the time of vehicle registration renewal. The donation
7 must be deposited in the state parks renewal and stewardship account
8 established in RCW 79A.05.215 to be used for the operation and
9 maintenance of state parks.

10 ~~((4) A vehicle owner who registers a vehicle under this chapter
11 may purchase a discover pass for the price amount established in RCW
12 79A.80.020. Purchase of a discover pass is voluntary by the vehicle
13 owner. The discover pass fee must be deposited in the recreation
14 access pass account created in RCW 79A.80.090. The department, county
15 auditor, or other agent or subagent appointed by the director is not
16 responsible for delivering a purchased discover pass to a motor
17 vehicle owner. The agencies, as defined in RCW 79A.80.010, must
18 deliver the purchased discover pass to a motor vehicle owner.))~~

19 **Sec. 5.** RCW 77.15.750 and 2011 c 320 s 20 are each amended to
20 read as follows:

21 (1) A person is guilty of unlawful use of a department permit if
22 the person:

23 (a) Violates any terms or conditions of the permit issued by the
24 department or the director; or

25 (b) Violates any rule of the commission or the director
26 applicable to the requirement for, issuance of, or use of the permit.

27 (2)(a) Permits covered under subsection (1) of this section
28 include, but are not limited to, master hunter permits, crab pot
29 removal permits and shellfish pot removal permits under RCW
30 77.70.500, depredation permits, landowner hunting permits, commercial
31 carp license permits, permits to possess or dispense beer or malt
32 liquor pursuant to RCW 66.28.210, and permits to hold, sponsor, or
33 attend an event requiring a banquet permit from the state liquor
34 ~~(control)~~ and cannabis board.

35 (b) Permits excluded from subsection (1) of this section include
36 ~~((the discover pass created in RCW 79A.80.020,))~~ the vehicle access
37 pass created in RCW 79A.80.040, the day-use permit created in RCW
38 79A.80.030, commercial use or activity permits, noncommercial use or

1 activity permits, parking permits, experimental fishery permits,
2 trial commercial fishery permits, and scientific collection permits.

3 (3) Unlawful use of a department permit is a misdemeanor.

4 (4) A person is guilty of unlawful use of an experimental fishery
5 permit or a trial commercial fishery permit if the person:

6 (a) Violates any terms or conditions of the permit issued by the
7 department or the director; or

8 (b) Violates any rule of the commission or the director
9 applicable to the issuance or use of the permit.

10 (5) Unlawful use of an experimental fishery permit or a trial
11 commercial fishery permit is a gross misdemeanor.

12 (6) The definitions in this subsection apply throughout this
13 section unless the context clearly requires otherwise.

14 (a) "Experimental fishery permit" means a permit issued by the
15 director for either:

16 (i) An "emerging commercial fishery," defined as a fishery for a
17 newly classified species for which the department has determined that
18 there is a need to limit participation; or

19 (ii) An "expanding commercial fishery," defined as a fishery for
20 a previously classified species in a new area, by a new method, or at
21 a new effort level, for which the department has determined that
22 there is a need to limit participation.

23 (b) "Trial commercial fishery permit" means a permit issued by
24 the department for trial harvest of a newly classified species or
25 harvest of a previously classified species in a new area or by a new
26 means.

27 **Sec. 6.** RCW 79A.05.070 and 2012 c 261 s 8 are each amended to
28 read as follows:

29 The commission may:

30 (1) Make rules and regulations for the proper administration of
31 its duties;

32 (2) Accept any grants of funds made with or without a matching
33 requirement by the United States, or any agency thereof, for purposes
34 in keeping with the purposes of this chapter; accept gifts, bequests,
35 devises and endowments for purposes in keeping with such purposes;
36 enter into cooperative agreements with and provide for private
37 nonprofit groups to use state park property and facilities to raise
38 money to contribute gifts, grants, and support to the commission for
39 the purposes of this chapter. The commission may assist the nonprofit

1 group in a cooperative effort by providing necessary agency personnel
2 and services, if available. However, none of the moneys raised may
3 inure to the benefit of the nonprofit group, except in furtherance of
4 its purposes to benefit the commission as provided in this chapter.
5 The agency and the private nonprofit group must agree on the nature
6 of any project to be supported by such gift or grant prior to the use
7 of any agency property or facilities for raising money. Any such
8 gifts may be in the form of recreational facilities developed or
9 built in part or in whole for public use on agency property, provided
10 that the facility is consistent with the purposes of the agency;

11 (3) Require certification by the commission of all parks and
12 recreation workers employed in state aided or state controlled
13 programs;

14 (4) Act jointly, when advisable, with the United States, any
15 other state agencies, institutions, departments, boards, or
16 commissions in order to carry out the objectives and responsibilities
17 of this chapter;

18 (5) Grant franchises and easements for any legitimate purpose on
19 parks or parkways, for such terms and subject to such conditions and
20 considerations as the commission shall specify;

21 (6) Charge fees for services, utilities, and use of facilities as
22 the commission shall deem proper. The commission may utilize
23 unstaffed collection stations to collect any fees or distribute any
24 permits necessary for access to state parks, including ~~((discover~~
25 ~~passes and))~~ day-use permits as ~~((those terms are))~~ that term is
26 defined in RCW 79A.80.010;

27 (7) Enter into agreements whereby individuals or companies may
28 rent undeveloped parks or parkway land for grazing, agricultural, or
29 mineral development purposes upon such terms and conditions as the
30 commission shall deem proper, for a term not to exceed forty years;

31 (8) Determine the qualifications of and employ a director of
32 parks and recreation who must receive a salary as fixed by the
33 governor in accordance with the provisions of RCW 43.03.040 and
34 determine the qualifications and salary of and employ such other
35 persons as may be needed to carry out the provisions hereof; and

36 (9) Utilize such other powers as in the judgment of a majority of
37 its members are deemed necessary to effectuate the purposes of this
38 chapter. However, the commission does not have power to supervise
39 directly any local park or recreation district, and no funds shall be
40 made available for such purpose.

1 **Sec. 7.** RCW 79A.80.010 and 2019 c 175 s 3 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Agency" or "agencies" means the department of fish and
6 wildlife, the department of natural resources, and the parks and
7 recreation commission.

8 (2) "Annual natural investment permit" means the annual permit
9 issued by the parks and recreation commission for the purpose of
10 launching boats from the designated state parks boat launch sites.

11 (3) "Camper registration" means proof of payment of a camping fee
12 on recreational lands managed by the parks and recreation commission.

13 (4) "Day-use permit" means the permit created in RCW 79A.80.030.

14 (5) (~~"Discover pass" means the annual pass created in RCW~~
15 ~~79A.80.020.~~

16 ~~(6))~~ "Motor vehicle" has the same meaning as defined in RCW
17 46.04.320 and which are required to be registered under chapter
18 46.16A RCW. "Motor vehicle" does not include those motor vehicles
19 exempt from registration under RCW 46.16A.080, wheeled all-terrain
20 vehicles registered for use under RCW 46.09.442, and state and
21 publicly owned motor vehicles as provided in RCW 46.16A.170.

22 (~~(7))~~ (6) "Recreation site or lands" means a state park, state
23 lands and state forestlands as those terms are defined in RCW
24 79.02.010, natural resources conservation areas as that term is
25 defined in RCW 79.71.030, natural area preserves as that term is
26 defined in RCW 79.70.020, and fish and wildlife conservation sites
27 including water access areas, boat ramps, wildlife areas, parking
28 areas, roads, and trailheads.

29 (~~(8))~~ (7) "Sno-park permit" means the permit issued by the
30 parks and recreation commission for providing access to winter
31 recreational facilities for the period of November 1st through March
32 31st.

33 (~~(9))~~ (8) "Vehicle access pass" means the pass created in RCW
34 79A.80.040.

35 **Sec. 8.** RCW 79A.80.050 and 2012 c 261 s 6 are each amended to
36 read as follows:

37 (1) A (~~discover pass or a~~) day-use permit (~~are~~) is not
38 required within a state park for persons who have a valid camper

1 registration, or annual natural investment permit, issued by the
2 state parks and recreation commission.

3 (2) The state parks and recreation commission must provide up to
4 twelve days a year where entry to state parks is free. At least three
5 of those days must be on weekends. When practicable, the free access
6 days should be timed to correspond with any similar free access days
7 planned by the national park service for national parks located in
8 the general region of high volume state parks.

9 **Sec. 9.** RCW 79A.80.060 and 2019 c 175 s 2 are each amended to
10 read as follows:

11 The ~~((discover pass or the))~~ day-use permit ~~((are))~~ is not
12 required, for persons who have a valid sno-park permit issued by the
13 state parks and recreation commission, at designated sno-parks
14 between November 1st through March 31st.

15 **Sec. 10.** RCW 79A.80.070 and 2011 c 320 s 8 are each amended to
16 read as follows:

17 Each agency, where applicable, must designate short-term parking
18 not to exceed thirty minutes where the ~~((discover pass or))~~ day-use
19 permit ~~((are))~~ is not required at recreation sites or lands.

20 **Sec. 11.** RCW 79A.80.080 and 2013 2nd sp.s. c 15 s 3 are each
21 amended to read as follows:

22 (1) A ~~((discover pass,))~~ vehicle access pass~~((,))~~ or day-use
23 permit must be visibly displayed in the front windshield, or
24 otherwise in a prominent location for motor vehicles without a
25 windshield, of any motor vehicle:

26 (a) Operating on any recreation site or lands; or

27 (b) Parking at any recreation site or lands.

28 (2) The ~~((discover pass, the))~~ vehicle access pass~~((,))~~ or the
29 day-use permit is not required:

30 (a) On private lands, state-owned aquatic lands other than water
31 access areas, or at agency offices, hatcheries, or other facilities
32 where public business is conducted;

33 (b) For persons who use, possess, or enter lands owned or managed
34 by the agencies for nonrecreational purposes consistent with a
35 written authorization from the agency, including but not limited to
36 leases, contracts, and easements;

1 (c) On department of fish and wildlife lands only, for persons
2 possessing a current vehicle access pass pursuant to RCW 79A.80.040;
3 or

4 (d) When operating on a road managed by the department of natural
5 resources or the department of fish and wildlife, including a forest
6 or land management road, that is not blocked by a gate.

7 (3) (a) An agency may waive the requirements of this section for
8 any person who has secured the ability to access specific
9 recreational land through the provision of monetary consideration to
10 the agency or for any person attending an event or function that
11 required the provision of monetary compensation to the agency.

12 (b) Special events and group activities are core recreational
13 activities and major public service opportunities within state parks.
14 When waiving the requirements of this section for special events, the
15 state parks and recreation commission must consider the direct and
16 indirect costs and benefits to the state, local market rental rates,
17 the public service functions of the event sponsor, and other public
18 interest factors when setting appropriate fees for each event or
19 activity.

20 (4) Failure to comply with subsection (1) of this section is a
21 natural resource infraction under chapter 7.84 RCW. An agency is
22 authorized to issue a notice of infraction to any person who fails to
23 comply with subsection (1) (a) of this section or to any motor vehicle
24 that fails to comply with subsection (1) (b) of this section.

25 (5) The penalty for failure to comply with the requirements of
26 this section is ninety-nine dollars. (~~This penalty must be reduced
27 to fifty-nine dollars if an individual provides proof of purchase of
28 a discover pass to the court within fifteen days after the issuance
29 of the notice of violation.~~)

30 **Sec. 12.** RCW 79A.80.090 and 2017 3rd sp.s. c 1 s 988 are each
31 amended to read as follows:

32 (1) The recreation access pass account is created in the state
33 treasury. All moneys received from the sale of (~~discover passes
34 and~~) day-use permits must be deposited into the account.

35 (2) Each fiscal biennium, the first seventy-one million dollars
36 in revenue must be distributed to the agencies in the following
37 manner:

38 (a) Eight percent to the department of fish and wildlife and
39 deposited into the state wildlife account created in RCW 77.12.170;

1 (b) Eight percent to the department of natural resources and
2 deposited into the parkland trust revolving fund created in RCW
3 43.30.385;

4 (c) Eighty-four percent to the state parks and recreation
5 commission and deposited into the state parks renewal and stewardship
6 account created in RCW 79A.05.215;

7 (d) During the 2015-2017 fiscal biennium, expenditures from the
8 recreation access pass account may be used for Skamania county court
9 costs. During the 2015-2017 and 2017-2019 fiscal biennia,
10 expenditures from the recreation access pass account may be used for
11 the state parks and recreation commission, in partnership with the
12 departments of fish and wildlife and natural resources, to develop
13 options and recommendations to improve recreational access fee
14 systems.

15 (3) Each fiscal biennium, revenues in excess of seventy-one
16 million dollars must be distributed equally among the agencies to the
17 accounts identified in subsection (2) of this section.

18 **Sec. 13.** RCW 79A.80.100 and 2012 c 261 s 4 are each amended to
19 read as follows:

20 (~~((1) Discover passes and~~)) Day-use permits may be made available
21 for purchase:

22 (~~((a))~~) (1) Through vendors under contract with one or more of
23 the agencies. The agencies may provide vendors with (~~(discover passes~~
24 ~~and~~)) day-use permits at the sales price established under RCW
25 (~~(79A.80.020 and~~)) 79A.80.030 to sell at retail;

26 (~~((b))~~) (2) Directly from the state parks and recreation
27 commission, both through that agency's parks reservation system,
28 directly from agency employees or volunteers at staffed state parks,
29 or as otherwise provided in RCW 79A.05.070;

30 (~~((e))~~) (3) From the department of licensing as provided in RCW
31 46.16A.090 and 46.01.370;

32 (~~((d))~~) (4) From other outlets authorized by law to sell state
33 licenses, permits, or passes; and

34 (~~((e))~~) (5) Consistent with RCW 77.32.050, through the department
35 of fish and wildlife's automated licensing system.

36 (~~((2) The agencies must maintain a policy to address conditions~~
37 ~~related to return, replacements, and for providing the full year of~~
38 ~~recreational lands access that the discover pass provides to~~
39 ~~individuals who are required by the department of licensing to change~~

1 ~~license plate numbers during the effective dates of a discover pass~~
2 ~~tied to the affected vehicle.~~

3 ~~(3) For discover passes and day-use permits purchased through the~~
4 ~~department of licensing, county auditors, or other agents or~~
5 ~~subagents appointed by the director of the department of licensing,~~
6 ~~the selling entity is not responsible for delivering the purchased~~
7 ~~discover pass to the purchaser. The responsibility for delivering the~~
8 ~~discover pass belongs to the agencies.)~~

9 **Sec. 14.** RCW 79A.80.110 and 2013 2nd sp.s. c 15 s 4 are each
10 amended to read as follows:

11 (1) By mutual agreement, the agencies may sell discounted
12 ~~((discover passes at a rate below that established under RCW~~
13 ~~79A.80.020 or discounted))~~ day-use permits at a rate below that
14 established under RCW 79A.80.030 for purposes of bulk sales to
15 retailers, agency license and permit product bundling, and
16 partnership opportunities to expand accessibility and visibility of
17 the ~~((discover pass and))~~ recreational opportunities on agency-
18 managed lands.

19 (2) In exercising this authority, the agencies must prioritize
20 opportunities for discounted sales that result in a net revenue gain.

21 NEW SECTION. **Sec. 15.** RCW 79A.80.020 (Discover pass) and 2017 c
22 121 s 1, 2013 2nd sp.s. c 15 s 1, 2012 c 261 s 2, & 2011 c 320 s 3
23 are each repealed.

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