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**SUBSTITUTE SENATE BILL 5289**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Natural Resources & Parks (originally sponsored by Senators Hargrove, Hatfield, Ranker, Hobbs, Sheldon, and Schoesler)

READ FIRST TIME 02/18/13.

1 AN ACT Relating to the discover pass; amending RCW 79A.80.020,  
2 79A.80.030, and 79A.80.080; and adding a new section to chapter 79A.80  
3 RCW.

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

5 **Sec. 1.** RCW 79A.80.020 and 2012 c 261 s 2 are each amended to read  
6 as follows:

7 (1) Except as otherwise provided in (~~RCW 79A.80.050, 79A.80.060,~~  
8 ~~and 79A.80.070~~) this chapter, a discover pass is required for any  
9 motor vehicle to:

10 (a) Park ((~~or operate on~~)) at any recreation site or lands((~~,~~  
11 ~~except for short term parking as may be authorized under RCW~~  
12 ~~79A.80.070))~~; or

13 (b) Operate on any recreation site or lands.

14 (2) Except as provided in section 4 of this act, the cost of a  
15 discover pass is thirty dollars. Every four years the office of  
16 financial management must review the cost of the discover pass and, if  
17 necessary, recommend to the legislature an adjustment to the cost of  
18 the discover pass to account for inflation.

1 (3) A discover pass is valid for one year beginning from the date  
2 that the discover pass is marked for activation. The activation date  
3 may differ from the purchase date pursuant to any policies developed by  
4 the agencies.

5 (4) Sales of discover passes must be consistent with RCW  
6 79A.80.100.

7 (5) The discover pass must contain space for two motor vehicle  
8 license plate numbers. A discover pass is valid only for those vehicle  
9 license plate numbers written on the pass. However, the agencies may  
10 offer for sale a family discover pass that is fully transferable among  
11 vehicles and does not require the placement of a license plate number  
12 on the pass to be valid. The agencies must collectively set a price  
13 for the sale of a family discover pass that is no more than fifty  
14 dollars. A discover pass is valid only for use with one motor vehicle  
15 at any one time.

16 (6) One complimentary discover pass must be provided to a volunteer  
17 who performed twenty-four hours of service on agency-sanctioned  
18 volunteer projects in a year. The agency must provide vouchers to  
19 volunteers identifying the number of volunteer hours they have provided  
20 for each project. The vouchers may be brought to an agency to be  
21 redeemed for a discover pass.

22 **Sec. 2.** RCW 79A.80.030 and 2012 c 261 s 3 are each amended to read  
23 as follows:

24 (1) A person may purchase a day-use permit to meet the requirements  
25 of RCW 79A.80.080. Except as provided in section 4 of this act, a day-  
26 use permit is ten dollars per day and must be available for purchase  
27 from each agency. A day-use permit is valid for one calendar day.

28 (2) The agencies may provide short-term parking under RCW  
29 79A.80.070 where a day-use permit is not required.

30 (3) Every four years the office of financial management must review  
31 the cost of the day-use permit and, if necessary, recommend to the  
32 legislature an adjustment to the cost of the day-use permit to account  
33 for inflation.

34 (4) Sales of day-use permits must be consistent with RCW  
35 79A.80.100.

1           **Sec. 3.** RCW 79A.80.080 and 2012 c 261 s 7 are each amended to read  
2 as follows:

3           (1) A discover pass, vehicle access pass, or day-use permit must be  
4 visibly displayed in the front windshield, or otherwise in a prominent  
5 location for motor vehicles without a windshield, of any motor vehicle  
6 (~~or otherwise in a prominent location for vehicles without a~~  
7 ~~windshield~~)):

8           (a) Operating on ~~((a))~~ any recreation site or lands; or

9           (b) Parking at ~~((a))~~ any recreation site or lands.

10           (2) The discover pass, the vehicle access pass, or the day-use  
11 permit is not required:

12           (a) On private lands, state-owned aquatic lands other than water  
13 access areas, or at agency offices, hatcheries, or other facilities  
14 where public business is conducted(~~(-~~

15 ~~(3) The discover pass, the vehicle access pass, or the day use~~  
16 ~~permit is not required for:~~

17 ~~(a))~~);

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

22 ~~(b))~~) (c) On department of fish and wildlife lands only, for  
23 persons possessing a current vehicle access pass pursuant to RCW  
24 79A.80.040; or

25           (d) When operating on an agency managed road, including a forest or  
26 land management road, that is not blocked by a gate. However, a  
27 discover pass or day-use permit is required for operation of any motor  
28 vehicle in a state park beyond a staffed entrance booth or otherwise at  
29 the entrance to a state park where staff is present for purposes of  
30 discover pass or day-use permit compliance.

31           ~~((4))~~ (3)(a) An agency may waive the requirements of this section  
32 for any person who has secured the ability to access specific  
33 recreational land through the provision of monetary consideration to  
34 the agency or for any person attending an event or function that  
35 required the provision of monetary compensation to the agency.

36           (b) Special events and group activities are core recreational  
37 activities and major public service opportunities within state parks.  
38 When waiving the requirements of this section for special events, the

1 state parks and recreation commission must consider the direct and  
2 indirect costs and benefits to the state, local market rental rates,  
3 the public service functions of the event sponsor, and other public  
4 interest factors when setting appropriate fees for each event or  
5 activity.

6 ~~((+5))~~ (4) Failure to comply with subsection (1) of this section  
7 is a natural resource infraction under chapter 7.84 RCW. An agency is  
8 authorized to issue a notice of infraction to any person who fails to  
9 comply with subsection (1)(a) of this section or to any motor vehicle  
10 that fails to comply with subsection (1)(b) of this section.

11 ~~((+6))~~ (5) The penalty for failure to comply with the requirements  
12 of this section is ninety-nine dollars. This penalty must be reduced  
13 to fifty-nine dollars if an individual provides proof of purchase of a  
14 discover pass to the court within fifteen days after the issuance of  
15 the notice of violation.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 79A.80 RCW  
17 to read as follows:

18 (1) By mutual agreement, the agencies may sell discounted discover  
19 passes at a rate below that established under RCW 79A.80.020 or  
20 discounted day-use permits at a rate below that established under RCW  
21 79A.80.030 for purposes of bulk sales to retailers, agency license and  
22 permit product bundling, and partnership opportunities to expand  
23 accessibility and visibility of the discover pass and recreational  
24 opportunities on agency-managed lands.

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

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