

SENATE BILL 5206

State of Washington

52nd Legislature

1991 Regular Session

By Senators Matson, Vognild and Amondson.

Read first time January 24, 1991. Referred to Committee on Environment & Natural Resources.

1 AN ACT Relating to funding search and rescue activities; amending
2 RCW 46.09.030, 46.09.070, and 46.09.110; and adding new sections to
3 chapter 43.63A RCW.

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

5 NEW SECTION. **Sec. 1.** The citizens of Washington state have
6 historically enjoyed the benefits of a state where year round outdoor
7 recreation is easily available. There are eight thousand active
8 volunteers in Washington state who spend their own time, use their own
9 equipment, and sometimes place their lives at risk to search for and
10 rescue outdoor enthusiasts and others who find themselves in
11 difficulty.

12 It is the purpose of sections 1 through 6 of this act to recognize
13 the contribution of these volunteers; enhance the training provided to
14 them; continue to reimburse them for out-of-pocket expenses, including
15 costs of damaged, lost, or destroyed equipment used in organized,

1 official search and rescue missions; continue to recompense them for
2 medical costs incurred by participation in official search and rescue
3 missions, including training missions; and assist them in providing
4 training to the public and ongoing training to the volunteers in search
5 and rescue technique and theory.

6 NEW SECTION. **Sec. 2.** As used in sections 1 through 6 of this
7 act:

8 "Volunteer" means a person who is registered as an emergency worker
9 as defined in RCW 38.52.010.

10 "Emergency management," "emergency worker," "local organization for
11 emergency services or management," and "search and rescue" have the
12 same meaning as in chapter 38.52 RCW.

13 "Search and rescue worker" means an emergency worker who is engaged
14 in a search and rescue mission.

15 "Official search and rescue mission" means an operation initiated
16 by the chief law enforcement official of any state jurisdiction under
17 chapter 38.52 RCW that has acquired authorization through the
18 assignment of a mission number from the department of community
19 development.

20 NEW SECTION. **Sec. 3.** The department may use funds from the
21 search and rescue fund established in section 6 of this act to
22 reimburse and compensate search and rescue workers in accordance with
23 chapter 38.52 RCW.

24 NEW SECTION. **Sec. 4.** The department may use funds from the
25 search and rescue fund established in section 6 of this act to develop
26 and administer search and rescue programs to train and support search
27 and rescue volunteers and the local officials who manage search and

1 rescue operations. In developing these programs, the department shall
2 consult and work with the Washington state search and rescue advisory
3 council and an organization composed of representatives of local
4 entities responsible for coordinating search and rescue activities.
5 Training programs and materials must be approved by the Washington
6 state criminal justice training commission. The agency sponsoring the
7 program is responsible for hiring trainers.

8 NEW SECTION. **Sec. 5.** (1) The search and rescue grant program is
9 established within the department to provide grants for training.
10 Training grants may be used for:

11 (a) Costs and reimbursement for volunteers attending search and
12 rescue training provided by the department or by local jurisdictions,
13 search and rescue councils, or other organizations.

14 (b) Grants for new search and rescue and preventive search and
15 rescue training courses and materials not available from the
16 department. Local jurisdictions, search and rescue councils, and other
17 organizations may compete for grants to cover costs incurred in
18 developing and providing training and materials.

19 (2) All grants authorized by this section must be matched dollar
20 for dollar. In-kind match is eligible.

21 Application periods, criteria, eligibility and other regulations
22 for administration of the grants established by this section shall be
23 established by the department in consultation with the state search and
24 rescue advisory council and an organization composed of representatives
25 of local entities responsible for coordinating search and rescue
26 activities.

27 Grantee approval shall be made by the department in consultation
28 with the state search and rescue advisory council and an organization

1 composed of representatives of local entities responsible for
2 coordinating search and rescue activities.

3 NEW SECTION. **Sec. 6.** The search and rescue fund is hereby
4 established in the custody of the state treasurer. The department of
5 community development shall deposit in the fund all moneys received
6 from a surcharge on off-road vehicle use permits. Moneys in the fund
7 shall be spent only for activities authorized under section 3, 4, or 5
8 of this act. Disbursements from the fund shall be on authorization of
9 the director of community development or the director's designee. The
10 fund is subject to the allotment procedure provided under chapter 43.88
11 RCW, but no appropriation is required for disbursements.

12 **Sec. 7.** RCW 46.09.030 and 1990 c 250 s 23 are each amended to read
13 as follows:

14 The department shall provide for the issuance of use permits for
15 off-road vehicles and may appoint agents for collecting fees,
16 surcharges, and issuing permits. The department shall charge each
17 applicant for registration the actual cost of the decal. The
18 department shall make available replacement decals for a fee equivalent
19 to the actual cost of the decals. The provisions of RCW 46.01.130 and
20 46.01.140 apply to the issuance of use permits for off-road vehicles as
21 they do to the issuance of vehicle licenses, the appointment of agents
22 and the collection of application fees and surcharges.

23 **Sec. 8.** RCW 46.09.070 and 1986 c 206 s 4 are each amended to read
24 as follows:

25 (1) Application for annual or temporary ORV use permits shall be
26 made to the department or its authorized agent in such manner and upon

1 such forms as the department shall prescribe and shall state the name
2 and address of each owner of the off-road vehicle.

3 (2) An application for an annual permit shall be signed by at least
4 one owner, and shall be accompanied by a fee of five dollars and a
5 surcharge of five dollars. Upon receipt of the annual permit
6 application and the application fee, the off-road vehicle shall be
7 assigned a use permit number tag or decal, which shall be affixed to
8 the off-road vehicle in a manner prescribed by the department. The
9 annual permit is valid for a period of one year and is renewable each
10 year in such manner as the department may prescribe for an additional
11 period of one year upon payment of a renewal fee of five dollars.

12 Any person acquiring an off-road vehicle for which an annual permit
13 has been issued who desires to continue to use the permit must, within
14 fifteen days of the acquisition of the off-road vehicle, make
15 application to the department or its authorized agent for transfer of
16 the permit, and the application shall be accompanied by a transfer fee
17 of one dollar.

18 (3) A temporary use permit is valid for sixty days. Application
19 for a temporary permit shall be accompanied by a fee of two dollars.
20 The permit shall be carried on the vehicle at all times during its
21 operation in the state.

22 (4) Except as provided in RCW 46.09.050, any out-of-state operator
23 of an off-road vehicle shall, when operating in this state, comply with
24 this chapter, and if an ORV use permit is required under this chapter,
25 the operator shall obtain an annual or temporary permit and tag.

26 **Sec. 9.** RCW 46.09.110 and 1986 c 206 s 6 are each amended to read
27 as follows:

1 The moneys collected by the department under this chapter shall be
2 distributed from time to time but at least once a year in the following
3 manner:

4 The department shall retain enough money to cover expenses incurred
5 in the administration of this chapter: PROVIDED, That such retention
6 shall never exceed eighteen percent of fees collected.

7 The remaining moneys, except the surcharge authorized under RCW
8 46.09.070, shall be distributed by the interagency committee for
9 outdoor recreation in accordance with RCW 46.09.170(1)(d).

10 The ORV use permit surcharge shall be deposited in the search and
11 rescue fund created in section 6 of this act.

12 NEW SECTION. Sec. 10. Sections 1 through 6 of this act are
13 each added to chapter 43.63A RCW.