

SENATE BILL REPORT

2SHB 1698

As Reported By Senate Committee On:
Parks, Fish & Wildlife, March 31, 2003

Title: An act relating to outdoor recreation programs.

Brief Description: Concerning the distribution and use of funds provided to off-road vehicle and nonhighway road recreational activities.

Sponsors: House Committee on Capital Budget (originally sponsored by Representatives Cooper, Anderson, Wood, Jarrett, O'Brien, Murray, Upthegrove, Pflug and Dunshee).

Brief History:

Committee Activity: Parks, Fish & Wildlife: 3/25/03, 3/31/03 [DPA].

SENATE COMMITTEE ON PARKS, FISH & WILDLIFE

Majority Report: Do pass as amended.

Signed by Senators Oke, Chair; Sheahan, Vice Chair; Doumit, Esser, Spanel and Swecker.

Staff: Kari Guy (786-7437)

Background: The motor vehicle fuel tax paid on gasoline consumed on nonhighway roads is currently used to support nonhighway and off-road vehicle recreational facilities. The treasurer distributes 1 percent of the total fuel tax revenue, based on a fuel tax rate of 18 cents per gallon, by statutory formula as follows:

- 40 percent for the Department of Natural Resources (DNR) to maintain and manage off-road vehicle (ORV) and nonhighway road recreational facilities on DNR land. Of this amount, a minimum of 10 percent must be spent on ORV facilities.
- 3.5 percent to the Department of Fish and Wildlife for acquisition and management of nonhighway roads and recreation facilities;
- 2 percent to the State Parks and Recreation Commission for the maintenance and management of ORV facilities; and
- 54.5 percent for grants distributed by the Interagency for Outdoor Recreation (IAC) for the planning, maintenance and management of ORV and nonhighway road recreational facilities and programs.

The IAC grants must be distributed as follows:

- up to 20 percent for ORV education, information, and law enforcement;
- up to 60 percent for ORV recreation facilities; and
- up to 20 percent for nonhighway road recreation facilities.

A recent fuel use survey found that fuel is used on nonhighway roads for the following activities:

- 20 percent motorized recreation activities (riding motorbikes, ATVs, snowmobiles);
- 31 percent nonmotorized related activities (hiking, mountain biking, horseback riding); and
- 49 percent "other" (camping, sightseeing, hunting, fishing).

Some recreation groups suggest that the statutory distribution of fuel tax revenues should be revised to reflect actual fuel use as documented in the fuel use survey.

Summary of Amended Bill: The nonhighway and off-road vehicle advisory committee must include a proportional representation of persons with recreational experience in areas identified in the most recent fuel use study.

By January 1, 2004, the committee must review the existing distribution of nonhighway fuel tax revenues and make recommendations for statutory changes. For this review, the committee must also include representatives of county sheriffs, recreational land managers, and the chairs of the House and Senate standing committees with jurisdiction over this issue.

Amended Bill Compared to Second Substitute Bill: The striking amendment eliminates changes to the statutory distribution of funds. Instead, a committee is created to develop recommendations to the 2004 legislature.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Allocation of fuel tax funds should be in proportion to fuel use by nonhighway road recreationists. Hunters, fishers, campers, and other groups do not receive any funds through the IAC grant program, yet the study found they are responsible for most of the fuel. This bill corrects that oversight. The existing grant program requires hikers and campers to subsidize motorized programs. This bill will make the program more fair, better serve public needs, and yield higher quality projects.

Testimony Against: Motor sports need more miles than nonmotorized activities, and the facilities are more expensive to build. The demand and popularity of off-road activities is growing, and facilities and trails are decreasing due to government restrictions. The existing program reflects these needs, and was the deal agreed to by motorized recreationists when they gave up the option of fuel tax refunds. This is the only state program dedicated to motorized recreation; trail advocates can access other grant programs. The fuel study was skewed towards urban areas.

Testified: Ken Konigsmark, NOVA Hiking, Issaquah Alps Trails Club (pro); Fran Troje, NOVA Mountaineers (pro); Diane Nelson, tribal member (concerns); Jonathan Gotto, WA Trails Assn. (pro); Elizabeth Lunney, WA Trails Assn. (pro); Jennifer Leshner, Backcountry Bicycle Trails Club (pro); Chris Bell, hiker (pro); Eddie Armstrong, WA State Horse Council

(pro); Jim King, Citizens for Parks and Recreation (neutral); Bonnie Bunning, DNR (pro w/concerns); Jim Fox, IAC (neutral); Dave Bowers, NMA (con); Dale Cooper, SWWORRA (con); John Woodring, WA State Motorcycle Dealers Assn. (con); Arlene Brooks, Pacific NW Four Wheel Drive Assn. (con); Nina Carter, Audubon Society (pro).