

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2373**

Chapter 261, Laws of 2012

62nd Legislature  
2012 Regular Session

RECREATIONAL RESOURCES--STATE MANAGEMENT

EFFECTIVE DATE: 03/30/12

Passed by the House March 7, 2012  
Yeas 60 Nays 37

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate March 6, 2012  
Yeas 30 Nays 17

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved March 30, 2012, 1:50 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2373** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

\_\_\_\_\_  
**Chief Clerk**

FILED

March 30, 2012

**Secretary of State  
State of Washington**

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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2373

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AS AMENDED BY THE SENATE

Passed Legislature - 2012 Regular Session

State of Washington                      62nd Legislature                      2012 Regular Session

By House Ways & Means (originally sponsored by Representatives Van De Wege and Tharinger)

READ FIRST TIME 02/21/12.

1            AN ACT Relating to the state's management of its recreational  
2 resources; amending RCW 79A.80.010, 79A.80.020, 79A.80.030, 79A.80.040,  
3 79A.80.050, 79A.80.080, 79A.05.070, 46.16A.090, and 46.01.140; adding  
4 a new section to chapter 79A.80 RCW; adding a new section to chapter  
5 46.01 RCW; creating new sections; providing expiration dates; and  
6 declaring an emergency.

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

8            **Sec. 1.** RCW 79A.80.010 and 2011 c 320 s 2 are each amended to read  
9 as follows:

10            The definitions in this section apply throughout this chapter  
11 unless the context clearly requires otherwise.

12            (1) "Agency" or "agencies" means the department of fish and  
13 wildlife, the department of natural resources, and the parks and  
14 recreation commission.

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

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

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

2 (5) "Discover pass" means the annual pass created in RCW  
3 79A.80.020.

4 (6) "Motor vehicle" has the same meaning as defined in RCW  
5 46.04.320 and which are required to be registered under chapter 46.16A  
6 RCW. "Motor vehicle" does not include those motor vehicles exempt from  
7 registration under RCW 46.16A.080 and state and publicly owned motor  
8 vehicles as provided in RCW 46.16A.170.

9 (7) "Recreation site or lands" means a state park (~~(or)~~), state  
10 lands and state forest lands as those terms are defined in RCW  
11 79.02.010, natural resources conservation areas as that term is defined  
12 in RCW 79.71.030, natural area preserves as that term is defined in RCW  
13 79.70.020, and fish and wildlife conservation sites including water  
14 access areas, boat ramps, wildlife areas, parking areas, roads, and  
15 trailheads(~~(or department of natural resources developed or~~  
16 designated recreation areas, sites, trailheads, and parking areas)).

17 (8) "Sno-park seasonal permit" means the seasonal permit issued by  
18 the parks and recreation commission for providing access to winter  
19 recreational facilities for the period of November 1st through March  
20 31st.

21 (9) "Vehicle access pass" means the pass created in RCW 79A.80.040.

22 **Sec. 2.** RCW 79A.80.020 and 2011 c 320 s 3 are each amended to read  
23 as follows:

24 (1) Except as otherwise provided in RCW 79A.80.050, 79A.80.060, and  
25 79A.80.070, a discover pass is required for any motor vehicle to park  
26 or operate on any recreation site or lands, except for short-term  
27 parking as may be authorized under RCW 79A.80.070.

28 (2) The cost of (~~the~~) a discover pass is thirty dollars (~~per~~  
29 motor vehicle)). Every four years the office of financial management  
30 must review the cost of the discover pass and, if necessary, recommend  
31 to the legislature an adjustment to the cost of the discover pass to  
32 account for inflation.

33 (3) (~~The~~) A discover pass is valid for one year (~~from the date~~  
34 of issuance)) beginning from the date that the discover pass is marked  
35 for activation. The activation date may differ from the purchase date  
36 pursuant to any policies developed by the agencies.

1           (4) ~~((The discover pass must be made available for purchase~~  
2 ~~throughout the year through the department of fish and wildlife's~~  
3 ~~automated licensing system consistent with RCW 77.32.050.~~

4           ~~(5) The~~) Sales of discover ~~((pass))~~ passes must be ~~((made~~  
5 ~~available for purchase through the department of licensing as provided~~  
6 ~~in RCW 46.16A.090. The department of licensing, county auditor, or~~  
7 ~~other agent or subagent appointed by the director, is not responsible~~  
8 ~~for delivering a purchased discover pass to a motor vehicle owner. The~~  
9 ~~agencies must deliver the purchased discover pass to a motor vehicle~~  
10 ~~owner.~~

11           ~~(6) The state parks and recreation commission may make the discover~~  
12 ~~pass available for purchase through its reservation system and other~~  
13 ~~outlets authorized by law to sell licenses, permits, or passes))~~  
14 consistent with section 4 of this act.

15           ~~((7))~~ (5) The discover pass must contain space for ((the)) two  
16 motor vehicle license plate numbers. A discover pass is valid only for  
17 those vehicle license plate numbers written on the pass. However, the  
18 agencies may offer for sale a family discover pass that is fully  
19 transferable among vehicles and does not require the placement of a  
20 license plate number on the pass to be valid. The agencies must  
21 collectively set a price for the sale of a family discover pass that is  
22 no more than fifty dollars. A discover pass is valid only for use with  
23 one motor vehicle at any one time.

24           ~~((8) A))~~ (6) One complimentary discover pass must be provided to  
25 a volunteer who performed twenty-four hours of service on agency-  
26 sanctioned volunteer projects in a year. The agency must provide  
27 vouchers to volunteers identifying the number of volunteer hours they  
28 have provided for each project. The vouchers may be brought to an  
29 agency to be redeemed for a discover pass.

30           **Sec. 3.** RCW 79A.80.030 and 2011 c 320 s 4 are each amended to read  
31 as follows:

32           (1) A person may purchase a day-use permit to meet the requirements  
33 of RCW 79A.80.080. ~~((The))~~ A day-use permit is ten dollars per day and  
34 must be available for purchase from each agency. ~~((The))~~ A day-use  
35 permit is valid for one calendar day.

36           (2) The agencies may provide short-term parking under RCW  
37 79A.80.070 where ~~((the))~~ a day-use permit is not required.

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

5 (4) Sales of day-use permits must be consistent with section 4 of  
6 this act.

7 NEW SECTION. Sec. 4. A new section is added to chapter 79A.80 RCW  
8 to read as follows:

9 (1) Discover passes and day-use permits may be made available for  
10 purchase:

11 (a) Through vendors under contract with one or more of the  
12 agencies. The agencies may provide vendors with discover passes and  
13 day-use permits at the sales price established under RCW 79A.80.020 and  
14 79A.80.030 to sell at retail;

15 (b) Directly from the state parks and recreation commission, both  
16 through that agency's parks reservation system, directly from agency  
17 employees or volunteers at staffed state parks, or as otherwise  
18 provided in RCW 79A.05.070;

19 (c) From the department of licensing as provided in RCW 46.16A.090  
20 and section 11 of this act;

21 (d) From other outlets authorized by law to sell state licenses,  
22 permits, or passes; and

23 (e) Consistent with RCW 77.32.050, through the department of fish  
24 and wildlife's automated licensing system.

25 (2) The agencies must maintain a policy to address conditions  
26 related to return, replacements, and for providing the full year of  
27 recreational lands access that the discover pass provides to  
28 individuals who are required by the department of licensing to change  
29 license plate numbers during the effective dates of a discover pass  
30 tied to the affected vehicle.

31 (3) For discover passes and day-use permits purchased through the  
32 department of licensing, county auditors, or other agents or subagents  
33 appointed by the director of the department of licensing, the selling  
34 entity is not responsible for delivering the purchased discover pass to  
35 the purchaser. The responsibility for delivering the discover pass  
36 belongs to the agencies.

1           **Sec. 5.** RCW 79A.80.040 and 2011 c 320 s 5 are each amended to read  
2 as follows:

3           (1) The vehicle access pass is created solely for access to the  
4 department of fish and wildlife recreation sites or lands. The vehicle  
5 access pass is only available to a person who purchases a current  
6 valid: Big game hunting license issued under RCW 77.32.450; small game  
7 hunting license issued under RCW 77.32.460; western Washington pheasant  
8 permit issued under RCW 77.32.575; trapping license issued under RCW  
9 77.65.450; watchable wildlife decal issued under RCW 77.32.560; or  
10 combination, saltwater, or freshwater personal use fishing license  
11 issued under RCW 77.32.470.

12           (2) One vehicle access pass must be issued per purchase pursuant to  
13 subsection (1) of this section.

14           (3) The vehicle access pass is valid for the license year of the  
15 license it is purchased with.

16           (4) The vehicle access pass must contain space for two motor  
17 vehicle license plate numbers. A vehicle access pass is only valid for  
18 those vehicle license plate numbers written on the pass.

19           **Sec. 6.** RCW 79A.80.050 and 2011 c 320 s 6 are each amended to read  
20 as follows:

21           (1) ~~((The))~~ A discover pass or ~~((the))~~ a day-use permit are not  
22 required within a state park for persons who have a valid camper  
23 registration, or annual natural investment permit, issued by the state  
24 parks and recreation commission.

25           (2) The state parks and recreation commission ~~((may))~~ must provide  
26 up to twelve days a year where entry to ~~((the))~~ state parks is free.  
27 At least three of those days must be on weekends. When practicable,  
28 the free access days should be timed to correspond with any similar  
29 free access days planned by the national park service for national  
30 parks located in the general region of high volume state parks.

31           **Sec. 7.** RCW 79A.80.080 and 2011 c 320 s 9 are each amended to read  
32 as follows:

33           (1) ~~((The))~~ A discover pass, ~~((the))~~ vehicle access pass, or  
34 ~~((the))~~ day-use permit must be visibly displayed in the front  
35 windshield of any motor vehicle or otherwise in a prominent location  
36 for vehicles without a windshield:

1 (a) Operating on a recreation site or lands; or

2 (b) Parking at a recreation site or lands.

3 (2) The discover pass, the vehicle access pass, or the day-use  
4 permit is not required on private lands, state-owned aquatic lands  
5 other than water access areas, or at agency offices, hatcheries, or  
6 other facilities where public business is conducted.

7 (3)~~((a))~~ The discover pass, the vehicle access pass, or the day-  
8 use permit is not required for:

9 (a) Persons who use, possess, or enter lands owned or managed by  
10 the agencies for nonrecreational purposes consistent with a written  
11 authorization from the agency, including but not limited to leases,  
12 contracts, and easements~~((-~~

13 ~~(b) The discover pass or the day-use permit is not required))~~; or

14 (b) On department of fish and wildlife lands only, for persons  
15 possessing a current vehicle access pass pursuant to RCW 79A.80.040.

16 (4)(a) An agency may waive the requirements of this section for any  
17 person who has secured the ability to access specific recreational land  
18 through the provision of monetary consideration to the agency or for  
19 any person attending an event or function that required the provision  
20 of monetary compensation to the agency.

21 (b) Special events and group activities are core recreational  
22 activities and major public service opportunities within state parks.  
23 When waiving the requirements of this section for special events, the  
24 state parks and recreation commission must consider the direct and  
25 indirect costs and benefits to the state, local market rental rates,  
26 the public service functions of the event sponsor, and other public  
27 interest factors when setting appropriate fees for each event or  
28 activity.

29 (5) Failure to comply with subsection (1) of this section is a  
30 natural resource infraction under chapter 7.84 RCW. An agency is  
31 authorized to issue a notice of infraction to any person who fails to  
32 comply with subsection (1)(a) of this section or to any motor vehicle  
33 that fails to comply with subsection (1)(b) of this section.

34 ~~((5))~~ (6) The penalty for failure to comply with the requirements  
35 of this section is ninety-nine dollars. This penalty ~~((is))~~ must be  
36 reduced to fifty-nine dollars if an individual provides proof of  
37 purchase of ~~((the))~~ a discover pass to the court within fifteen days  
38 after the issuance of the notice of violation.

1       **Sec. 8.** RCW 79A.05.070 and 2011 c 320 s 24 are each amended to  
2 read as follows:

3       The commission may:

4       (1) Make rules and regulations for the proper administration of its  
5 duties;

6       (2) Accept any grants of funds made with or without a matching  
7 requirement by the United States, or any agency thereof, for purposes  
8 in keeping with the purposes of this chapter; accept gifts, bequests,  
9 devises and endowments for purposes in keeping with such purposes;  
10 enter into cooperative agreements with and provide for private  
11 nonprofit groups to use state park property and facilities to raise  
12 money to contribute gifts, grants, and support to the commission for  
13 the purposes of this chapter. The commission may assist the nonprofit  
14 group in a cooperative effort by providing necessary agency personnel  
15 and services, if available. However, none of the moneys raised may  
16 inure to the benefit of the nonprofit group, except in furtherance of  
17 its purposes to benefit the commission as provided in this chapter.  
18 The agency and the private nonprofit group (~~shall~~) must agree on the  
19 nature of any project to be supported by such gift or grant prior to  
20 the use of any agency property or facilities for raising money. Any  
21 such gifts may be in the form of recreational facilities developed or  
22 built in part or in whole for public use on agency property, provided  
23 that the facility is consistent with the purposes of the agency;

24       (3) Require certification by the commission of all parks and  
25 recreation workers employed in state aided or state controlled  
26 programs;

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

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

33       (6) Charge (~~such~~) fees for services, utilities, and use of  
34 facilities as the commission shall deem proper. The commission may  
35 utilize unstaffed collection stations to collect any fees or distribute  
36 any permits necessary for access to state parks, including discover  
37 passes and day-use permits as those terms are defined in RCW  
38 79A.80.010;



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

5 (8) Determine the qualifications of and employ a director of parks  
6 and recreation who (~~shall~~) must receive a salary as fixed by the  
7 governor in accordance with the provisions of RCW 43.03.040 and  
8 determine the qualifications and salary of and employ such other  
9 persons as may be needed to carry out the provisions hereof; and

10 (9) (~~Without being limited to the powers hereinbefore enumerated,~~  
11 ~~the commission shall have~~) Utilize such other powers as in the  
12 judgment of a majority of its members are deemed necessary to  
13 effectuate the purposes of this chapter(~~PROVIDED, That~~). However,  
14 the commission (~~shall~~) does not have power to supervise directly any  
15 local park or recreation district, and no funds shall be made available  
16 for such purpose.

17 **Sec. 9.** RCW 46.16A.090 and 2011 c 320 s 12 are each amended to  
18 read as follows:

19 (1) The department, county auditor or other agent, or subagent  
20 appointed by the director (~~shall~~) must provide an opportunity for a  
21 vehicle owner to make a voluntary donation as provided in this section  
22 when applying for an initial or renewal vehicle registration.

23 (2)(a) A vehicle owner who registers a vehicle under this chapter  
24 may donate one dollar or more to the organ and tissue donation  
25 awareness account to promote the donation of organs and tissues under  
26 the uniform anatomical gift act as described in chapter 68.64 RCW. The  
27 donation of one or more dollars is voluntary and may be refused by the  
28 vehicle owner.

29 (b) The department, county auditor or other agent, or subagent  
30 appointed by the director (~~shall~~) must:

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

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

35 (iii) Make information booklets or other informational material  
36 available regarding the importance of organ and tissue donations to  
37 vehicle owners.

1 (c) All reasonable costs associated with the creation of the  
2 donation program created under this section must be paid proportionally  
3 or by another agreement by a participating Washington state organ  
4 procurement organization established for organ and tissue donation  
5 awareness purposes by the Washington state organ procurement  
6 organizations. For the purposes of this section, "reasonable costs"  
7 and "Washington state organ procurement organization" have the same  
8 meaning as in RCW 68.64.010.

9 (3) The department (~~shall~~) must collect from a vehicle owner who  
10 pays a vehicle license fee under RCW 46.17.350(1) (a), (d) through (l),  
11 (~~(e), (g), (h), (j),~~) (n), (o), or (q) or who registers a vehicle  
12 under RCW 46.16A.455 with a declared gross weight of (~~ten~~) twelve  
13 thousand pounds or less a voluntary donation of five dollars. The  
14 donation may not be collected from any vehicle owner actively opting  
15 not to participate in the donation program. The department (~~shall~~)  
16 must ensure that the opt-out donation under this section is clear,  
17 visible, and prominently displayed in both paper and online vehicle  
18 registration renewals. Notification of intent to not participate in  
19 the donation program must be provided annually at the time of vehicle  
20 registration renewal. The donation must be deposited in the state  
21 parks renewal and stewardship account established in RCW 79A.05.215 to  
22 be used for the operation and maintenance of state parks.

23 (4) (~~Beginning with vehicle license fees that are due or will~~  
24 ~~become due on or after October 1, 2011,~~) A vehicle owner who registers  
25 a vehicle under this chapter may purchase a discover pass for (~~a fee~~  
26 ~~of thirty dollars, as may be adjusted for inflation under~~) the price  
27 amount established in RCW 79A.80.020. Purchase of (~~the~~) a discover  
28 pass is voluntary by the vehicle owner. The discover pass fee must be  
29 deposited in the recreation access pass account created in RCW  
30 79A.80.090. The department, county auditor, or other agent or subagent  
31 appointed by the director is not responsible for delivering a purchased  
32 discover pass to a motor vehicle owner. The agencies, as defined in  
33 RCW 79A.80.010, must deliver the purchased discover pass to a motor  
34 vehicle owner.

35 **Sec. 10.** RCW 46.01.140 and 2011 c 171 s 11 are each amended to  
36 read as follows:

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

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

4 (b) Provide all services authorized by the director for vehicle  
5 certificates of title and vehicle registration applications and  
6 issuance under the direction and supervision of the director including,  
7 but not limited to:

8 (i) Processing reports of sale;

9 (ii) Processing transitional ownership transactions;

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

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

14 (v) Issuing registrations for snowmobiles as required under chapter  
15 46.10 RCW; and

16 (vi) Collecting fees and taxes as required;

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

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

22 (a) Appoint assistants as special deputies to accept applications  
23 for vehicle certificates of title and to issue vehicle registrations;  
24 and

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

28 (3) **Appointing subagents.** A county auditor or other agent  
29 appointed by the director who requests a subagency (~~shall~~) must, with  
30 approval of the director:

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

34 (b) Submit all proposals to the director with a recommendation for  
35 appointment of one or more subagents who have applied through the open  
36 competitive process. If a qualified successor who is an existing  
37 subagent's sibling, spouse, or child, or a subagency employee has

1 applied, the county auditor (~~shall~~) must provide the name of the  
2 qualified successor and the name of one other applicant who is  
3 qualified and was chosen through the open competitive process.

4 (4) **Subagent duties.** A subagent appointed by the director  
5 (~~shall~~) must:

6 (a) Enter into a standard contract with the county auditor or agent  
7 provided by the director; (~~and~~)

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

12 (i) Processing reports of sale;

13 (ii) Processing transitional ownership transactions;

14 (iii) Mailing out vehicle registrations and replacement plates to  
15 internet payment option customers until directed otherwise by  
16 legislative authority;

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

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

21 (vi) Collecting fees and taxes as required; and

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

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

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

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

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 (6) **Standard contracts.** The standard contracts provided by the  
6 director in this section may include provisions that the director deems  
7 necessary to ensure that readily accessible and acceptable service is  
8 provided to the citizens of the state, including the full collection of  
9 fees and taxes. The standard contracts must include provisions that:

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

12 (b) Describe the equipment to be supplied by the department and  
13 equipment maintenance;

14 (c) Require specific types of insurance or bonds, or both, to  
15 protect the state against any loss of collected revenue or loss of  
16 equipment;

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

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

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

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

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

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

3           (10) **Rules.** The director may adopt rules to implement this  
4 section.

5           NEW SECTION. **Sec. 11.** A new section is added to chapter 46.01 RCW  
6 to read as follows:

7           The department may, in coordination with the state parks and  
8 recreation commission, offer for sale and distribute discover passes  
9 and day-use permits, as provided in chapter 79A.80 RCW, at the  
10 department's drivers' licenses offices. Any amounts collected by the  
11 department through the sales of discover passes and day-use permits  
12 must be deposited in the recreation access pass account created in RCW  
13 79A.80.090.

14           NEW SECTION. **Sec. 12.** (1) A state agency may not refund money for  
15 a discover pass or vehicle access pass issued prior to the effective  
16 date of this section.

17           (2) Each discover pass or vehicle access pass issued prior to the  
18 effective date of this section is valid for two license plate numbers  
19 written on the pass.

20           (3) For the purposes of this section, the terms "discover pass" and  
21 "vehicle access pass" have the same meanings provided under RCW  
22 79A.80.010.

23           (4) This section expires December 31, 2013.

24           NEW SECTION. **Sec. 13.** (1) By December 31, 2013, the agencies  
25 responsible for implementing the discover pass requirements of chapter  
26 79A.80 RCW must prepare a report to the legislature, delivered  
27 consistent with RCW 43.01.036, that identifies opportunities for  
28 simplifying the administration and use of the discover pass and  
29 creating consistent recreational access policies across all lands that  
30 require a discover pass for lawful recreational access. The report  
31 must specifically address options for consistent boat launch policies  
32 among the agencies and, more generally, address how consistency can be  
33 developed for other inconsistent interagency access policies.

34           (2) To the degree the agencies have the authority to address  
35 inconsistent recreational access policies administratively, progress

1 towards this end should be included in the required report. If  
2 inconsistent recreational access polices are a result of statutory  
3 limits, then the report should identify those barriers to consist  
4 recreational access policies.

5 (3) This section expires July 30, 2014.

6 NEW SECTION. **Sec. 14.** This act is necessary for the immediate  
7 preservation of the public peace, health, or safety, or support of the  
8 state government and its existing public institutions, and takes effect  
9 immediately.

Passed by the House March 7, 2012.

Passed by the Senate March 6, 2012.

Approved by the Governor March 30, 2012.

Filed in Office of Secretary of State March 30, 2012.