
HOUSE BILL 1188

State of Washington

66th Legislature

2019 Regular Session

By Representatives Dent, Blake, and Schmick

Read first time 01/16/19. Referred to Committee on Rural Development, Agriculture, & Natural Resources.

1 AN ACT Relating to rangeland fire protection associations;
2 amending RCW 43.30.111 and 52.12.160; adding a new section to chapter
3 43.30 RCW; and adding a new chapter to Title 24 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that ranchers,
6 farmers, rural property owners, and others who live and work in the
7 rural areas of our state that are most susceptible to the threat of
8 wildfire are uniquely situated, by virtue of their knowledge of the
9 land and proximity to wildfires, to provide critical initial attack
10 firefighting capabilities. Rangeland fire protection associations
11 offer a coordinated approach to wildland fire suppression, by taking
12 advantage of the quick initial attack capabilities of those already
13 out on the land, addressing the desire of those living and working in
14 wildland areas to be active participants in protecting the places
15 where they live and work, ensuring that all those engaged in the
16 wildland firefighting effort have the necessary training, equipment,
17 and communications capabilities, and supporting the state's efforts
18 to provide a complete, coordinated approach to wildland fire
19 prevention, detection, and suppression. The purpose of rangeland fire
20 protection associations is to augment, not supplant or displace,
21 existing wildland firefighting operational structures and

1 jurisdictions. In circumstances where the geographic range of a
2 rangeland fire protection association overlaps with the jurisdiction
3 of a fire protection service agency, or of a fire protection
4 jurisdiction, with responsibility for fire suppression on the land,
5 the fire protection service agency, or fire protection jurisdiction,
6 as appropriate, remains the lead fire protection entity for that
7 land.

8 NEW SECTION. **Sec. 2.** The definitions in this section apply
9 throughout this chapter unless the context clearly requires
10 otherwise.

11 (1) "Member" means an individual who has been appointed by a
12 rangeland fire protection association to perform fire detection,
13 prevention, and suppression services.

14 (2) "Rangeland fire protection association" means a nonprofit
15 corporation or nonprofit unincorporated association that has entered
16 into an agreement for the detection, prevention, or suppression of
17 wildfires with the state of Washington or any agency of the state of
18 Washington.

19 NEW SECTION. **Sec. 3.** (1) Persons engaged in the detection,
20 prevention, and suppression of wildfires outside of the boundaries of
21 a local, regional, or state fire protection agency may act together
22 for mutual benefit of the members and their communities in nonprofit
23 associations or unincorporated associations. Such an association
24 shall include in its name "rangeland fire protection association."
25 Such an association is authorized to enter into agreements with fire
26 protection service agencies, as defined in RCW 52.12.160, for the
27 detection, prevention, or suppression of wildfires.

28 (2) The rangeland fire protection association shall identify the
29 physical boundaries within which it will provide detection,
30 prevention, and suppression of wildfire services and resources.

31 (3) The rangeland fire protection association must have liability
32 insurance.

33 (4) The provisions of this chapter do not require a person or a
34 person's agent to be a member of a rangeland fire protection
35 association in order to suppress a fire occurring on the person's
36 property or fires that pose a threat to the person's property.

1 NEW SECTION. **Sec. 4.** (1) Rangeland fire protection association
2 members must:

3 (a) Be at least eighteen years of age;

4 (b) During all fire suppression activities, use and maintain
5 personal protective equipment that meets published standards of the
6 Washington state department of natural resources or United States
7 bureau of land management as appropriate during wildfire suppression
8 activities; and

9 (c) Have achieved a basic level of wildland fire training. The
10 recommended training for a rangeland fire protection association
11 member is training that achieves the level of wildland firefighter 2,
12 as specified in the published standards of the national wildfire
13 coordinating group.

14 (2) The provisions of RCW 76.04.770 apply to members of a
15 rangeland fire protection association.

16 **Sec. 5.** RCW 43.30.111 and 2017 c 104 s 2 are each amended to
17 read as follows:

18 (1) The commissioner must appoint a local wildland fire liaison
19 that reports directly to the commissioner or the supervisor and
20 generally represents the interests and concerns of landowners and the
21 general public during any fire suppression activities of the
22 department.

23 (2) The role of the local wildland fire liaison is to:

24 (a) Provide advice to the commissioner on issues such as access
25 to land during fire suppression activities, the availability of local
26 fire suppression assets, environmental concerns, and landowner
27 interests; (~~and~~)

28 (b) Provide information to a rangeland fire protection
29 association concerning the department's wildfire detection,
30 prevention, and suppression activities taking place within the
31 boundaries of the rangeland fire protection association; and

32 (c) Fulfill other duties as assigned by the commissioner or the
33 legislature, including the recruitment of local wildland fire
34 suppression contractors as provided in RCW 76.04.181.

35 (3) In appointing the local wildland fire liaison, the
36 commissioner must consult with county legislative authorities either
37 directly or through an organization that represents the interests of
38 county legislative authorities.

1 (4) All requirements in this section are subject to the
2 availability of amounts appropriated for the specific purposes
3 described.

4 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.30
5 RCW to read as follows:

6 (1)(a) The department may enter into agreements for the
7 detection, prevention, or suppression of fires with a rangeland fire
8 protection association established under Title 24 RCW.

9 (b) The department may negotiate the form and content of the
10 agreement, and may determine the safety, administrative, and training
11 requirements that must be met in order for the rangeland fire
12 protection association to enter into an agreement.

13 (2) The department shall assist, to the extent practicable, any
14 rangeland fire protection association with which it has signed an
15 agreement in procuring: Funding or equipment for the association to
16 carry out the duties of the association; training for the members of
17 the association; and personal protective equipment for the members of
18 the association.

19 (3) The department may develop and publish recommendations
20 concerning the formation, management, operation, and training of
21 members of a rangeland fire protection association established under
22 Title 24 RCW.

23 (4) Prior to entering into an agreement with a rangeland fire
24 protection association, and annually thereafter, the department shall
25 review and inspect the rangeland fire protection association for the
26 following:

27 (a) The governance and management structure of the rangeland fire
28 protection association;

29 (b) The adequacy of liability insurance; and

30 (c) The training of all rangeland fire protection association
31 personnel.

32 **Sec. 7.** RCW 52.12.160 and 2012 c 14 s 1 are each amended to read
33 as follows:

34 (1) The definitions in this section apply throughout this section
35 and RCW 4.24.780 unless the context clearly requires otherwise.

36 (a) "Fire protection service agency" or "agency" means any local,
37 state, or federal governmental entity responsible for the provision
38 of firefighting services, including fire protection districts,

1 regional fire protection service authorities, cities, towns, port
2 districts, the department of natural resources, and federal
3 reservations.

4 (b) "Fire protection jurisdiction" means an area or property
5 located within a fire protection district, a regional fire protection
6 service authority, a city, a town, a port district, lands protected
7 by the department of natural resources under chapter 76.04 RCW, or on
8 federal lands.

9 (c) "Firefighting services" means the provision of fire
10 prevention services, fire suppression services, emergency medical
11 services, and other services related to the protection of life and
12 property.

13 (d) "Improved property" means property upon which a structure is
14 located, including bridges and agricultural structures as defined in
15 RCW 19.27.015.

16 (e) "Property" means land, structures, or land and structures.

17 (f) "Unimproved property" has the same meaning as "unimproved
18 lands" in RCW 76.04.005.

19 (g) "Unprotected land" means improved property located outside a
20 fire protection jurisdiction.

21 (2)(a) In order to facilitate the provision of firefighting
22 services to unprotected lands, property owners of unprotected lands
23 are encouraged, to the extent practicable, to form or annex into a
24 fire protection jurisdiction or to enter into a written contractual
25 agreement with a fire protection service agency or agencies for the
26 provision of firefighting services. Any written contractual agreement
27 between a property owner and a fire protection service agency must
28 include, at minimum, a risk assessment of the property as well as a
29 capabilities assessment for the district.

30 (b) Property owners of unprotected land who choose not to form or
31 annex into a fire protection jurisdiction or to enter into a written
32 contractual agreement with a fire protection agency or agencies for
33 the provision of firefighting services, do so willingly and with full
34 knowledge that a fire protection service agency is not obligated to
35 provide firefighting services to unprotected land.

36 (3) In the absence of a written contractual agreement, a fire
37 protection service agency may initiate firefighting services on
38 unprotected land outside its fire protection jurisdiction in the
39 following instances: (a) Service was specifically requested by a
40 landowner or other fire service protection agency; (b) service could

1 reasonably be believed to prevent the spread of a fire onto lands
2 protected by the agency; or (c) service could reasonably be believed
3 to substantially mitigate the risk of harm to life or property by
4 preventing the spread of a fire onto other unprotected lands.

5 (4) (a) The property owner or owners shall reimburse an agency
6 initiating firefighting services on unprotected land outside its fire
7 protection jurisdiction for actual costs that are incurred that are
8 proportionate to the fire itself. Cost recovery is based upon the
9 Washington fire chiefs standardized fire service fee schedule.

10 (b) If a property owner fails to pay or defaults in payment to an
11 agency for services rendered, the agency is entitled to pursue
12 payment through the collections process outlined in RCW 19.16.500 or
13 through initiation of court action.

14 (5) A fire protection service agency may enter into agreements
15 for the detection, prevention, or suppression of fires with a
16 rangeland fire protection association established under Title 24 RCW.
17 The fire protection service agency may negotiate the form and content
18 of the agreement, and may determine the safety, administrative, and
19 training requirements that must be met in order for the rangeland
20 fire protection association to enter into an agreement. Agreements
21 may also include assistance with procuring equipment and training.

22 NEW SECTION. **Sec. 8.** Sections 1 through 4 of this act
23 constitute a new chapter in Title 24 RCW.

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