Effective Date of Rule: Thirty-one days after filing.

Purpose: Amendments to WAC 220-500-140 clarifies the Washington department of fish and wildlife definition of recreational target shooting; distinguishes between department designated target shooting areas and dispersed target shooting; distinguishes between shooting single projectiles (i.e. rifle bullets and shotgun slugs) and shooting shot (i.e. bird shot); describes when a backstop is required when discharging specific types of firearms/implements; lists specific locations where recreational target shooting would be prohibited (e.g. from or across roads, designated trails, water body, etc. or w/in 500' of buildings, campgrounds, etc.); restricts allowable targets to those commercially or privately manufactured specifically for target shooting; restricts recreational target shooting to thirty minutes before sunrise until thirty minutes after sunset; and requires recreational target shooters to remove shell casings, shotgun hulls, ammunition packaging, targets, and target debris.

Citation of Rules Affected by this Order: Amending WAC 220-500-140 Firearm and target practicing.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.055, and 77.12.047.


Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: October 23, 2020.

Larry Carpenter
Chair

AMENDATORY SECTION (Amending WSR 17-05-112, filed 2/15/17, effective 3/18/17)

WAC 220-500-140 Firearms and target practicing. ((1)(a) It is unlawful to discharge tracer or incendiary ammunition on department lands.
(b) It is unlawful to discharge firearms in those portions of depart-
ment lands where or when such discharge is prohibited by depart-
ment posted notice or from or within five hundred feet of a department
designated campground. Violating this subsection is a gross misde-
menor if the violation creates a substantial risk of death or serious
physical injury to another person, pursuant to RCW 9A.36.050.

(c) It is unlawful to fail to remove expended shell casings, am-
munition packaging, or other related target debris, excluding clay pi-
geons, when target practicing on department lands at the conclusion of
the target practice session and prior to departure from the area.
Failure to remove debris constitutes littering.

(d) The use of glass, signs, appliances, mattresses, TVs, furni-
ture, and exploding items as targets in target practicing is prohibi-
ted.

(2) The department may designate locations and times for target
practicing consistent with resource management or public safety con-
cerns.)} (1) The department may designate or restrict locations,
times, and manner for recreational target shooting upon department
land, consistent with resource management concerns, management agree-
ments or requirements, recreational use compatibility, or public safe-
ty concerns.

(2) Persons must not recreationally target shoot on department
land except as provided by this section.

(3) Department land is open to recreational target shooting under
the conditions set forth in this section, unless closed or otherwise
restricted by this section or by any department-posted signage or no-
tice.

(a) Notwithstanding the allowances by this section, recreational
target shooting is only permitted where a reasonable person, in con-
sideration of all attendant circumstances, would believe the area be-
tween the person and the target, and the area beyond the target, is
free of risk to person, animals, or property.

(b) Unless otherwise posted, recreational target shooting is only
allowed one-half hour before sunrise to one-half hour after sunset.

(c) Recreational target shooting using:
• Firearms firing single projectile ammunition of .17 caliber or
greater or shot equal to or greater than BB; or
• Compressed gas or air guns capable of shooting any projectile
at over eight hundred feet per second, is permitted only:
  (i) On department-designated recreational target shooting areas
and in compliance with posted regulations; or
  (ii) In other areas containing an earthen backstop, as defined
(reference to definitions), which must be utilized while target shoot-
ing. A backstop is not required while using shotguns discharging shot
smaller than size BB. Targets must be placed in front of and within
eight feet of the backstop, and the person must be shooting at the
lower half of the backstop.

(d) Recreational target shooting using:
• Archery equipment, crossbows, air bows; or
• Shotguns discharging shot smaller than size BB, is permitted:
  (i) On department-designated recreational target shooting areas
and in compliance with posted regulations; or
  (ii) In other areas consistent with (a) of this subsection.

(e) Recreational target shooting is specifically prohibited:
(i) On, from, at, along, across, or down:
(A) Any department-designated or department-developed water ac-
cess site or boat launch, and associated parking area;
Any road as defined in WAC 220-500-020;
(C) Any utility line, utility poles, or light posts;
(D) Any department-designated trail;
(E) Any water body or stream.
(ii) Within five hundred feet of the following (when not utiliz-
ing a department-designated recreational target shooting area):
(A) Residences, businesses, and/or other buildings or structures, including port-a-potties, etc.;
(B) Power stations, cell phone towers, utility poles, light posts, wind turbines, or other public utility structures;
(C) Campgrounds;
(D) Viewing platforms or structures;
(iii) In other areas posted by the department as restricted from shooting.
(4) Authorized targets for use on department lands are restricted
to items, other than exploding targets, that are commercially manufac-
tured for the specific purpose of target shooting, or similar targets privately manufactured that are consistent with this section, and as
further restricted below.
(a) Steel targets that are manufactured for the specific purpose of target shooting are allowed subject to the following restrictions:
   (i) When used on a department-designated recreational target
   shooting area, steel targets that are manufactured for the specific
   purpose of target shooting are allowed year round.
   (ii) When used outside a department-designated recreational tar-
   get shooting area, steel targets that are manufactured for the specif-
   ic purpose of target shooting are allowed from October 1 to May 31,
   unless otherwise posted.
(b) Clay targets, when used, must be biodegradable clay targets.
(c) Items prohibited to be used as targets or to hold or post
   targets include, but are not limited to:
   (i) Buildings;
   (ii) Power stations, cell phone towers, utility poles, light
   posts, wind turbines, or other public utility structures;
   (iii) Gates, fence posts or rails;
   (iv) Vehicles, or parts thereof;
   (v) Machinery, or parts thereof;
   (vi) Signs, kiosks, or informational panels of any kind;
   (vii) Appliances or electronics;
   (viii) Furniture;
   (ix) Pallets;
   (x) Glass;
   (xi) Explosive and incendiary items, including binary exploding
   targets (i.e., Tannerite);
   (xii) Containers of liquids, chemicals, paints, or compressed
   gas;
   (xiii) Standing or moving water;
   (xiv) Live or dead trees or other vegetation;
   (xv) Animals or animal carcasses.
(5) The discharge of tracer bullets or shells or incendiary ammu-
nition is specifically prohibited on all department lands.
(6) At all times, it is unlawful for a person to discharge a
firearm, crossbow, bow, or any other projectile shooting implement on
department lands in a reckless or negligent manner. A violation of
this subsection may be punishable under RCW 77.15.230, 77.15.460,
9A.36.050, 9A.36.031, 9A.36.021, 9A.32.070, 9A.32.060, or other rele-
vant statute depending on the circumstances of the violation.
It is unlawful for persons recreationally target shooting to fail to remove and transport from department lands for proper disposal all shell casings, shotgun hulls, ammunition packaging, and targets or target debris. Failure to remove any such item is prohibited and constitutes littering.

Persons who recreationally target shoot are responsible for knowing other state, local, or federal laws that may govern their shooting activity, and compliance with this rule does not guarantee compliance with other applicable laws.

Definitions.

(a) "Backstop" means an unobstructed earthen mound or bank at least eight feet in height which must stop the progress of and contain all projectiles, fragments, and ricochets in a safe manner.

(b) "Biodegradable clay target" means any clay target labeled by the manufacturer as biodegradable.

(c) "Clay targets," for purposes of this chapter, refers to those targets that are commonly referred to as clay pigeons and often saucer-shaped, which are:

(i) Designed to be thrown by hand or machine, such as in skeet or trap shooting, but may also be used as stationary targets; and

(ii) Designed to be easily and permanently broken by projectiles.

(d) "Department-designated recreational target shooting area" means an area designated and posted by the department for the purpose of recreational target shooting.

(e) "Department-designated trail" means any trail designated and posted by the department.

(f) "Recreational target shooting" is defined for purposes of this chapter as the act of shooting projectiles for practice, sighting in, or other reasons, and involves the discharging of firearms, compressed gas or air guns, air bows, crossbows, or archery equipment. Recreational target shooting does not include the activity of lawful hunting or hunting dog training.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-500-140, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.210, 77.12.880. WSR 08-01-078 (Order 07-293), § 232-13-130, filed 12/17/07, effective 1/17/08.]