

SENATE BILL 5015

State of Washington

52nd Legislature

1991 Regular Session

By Senators Metcalf, Oke and Thorsness.

Read first time January 14, 1991. Referred to Committee on Environment & Natural Resources.

1 AN ACT Relating to volunteer cooperative projects; and amending RCW
2 4.24.210.

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

4 **Sec. 1.** RCW 4.24.210 and 1980 c 111 s 1 are each amended to read
5 as follows:

6 (1) Except as otherwise provided in subsection (3) of this section,
7 any public or private landowners or others in lawful possession and
8 control of any lands whether rural or urban, or water areas or channels
9 and lands adjacent to such areas or channels, who allow members of the
10 public to use them for the purposes of outdoor recreation, which term
11 includes, but is not limited to, the cutting, gathering, and removing
12 of firewood by private persons for their personal use without
13 purchasing the firewood from the landowner, hunting, fishing, camping,
14 picnicking, swimming, hiking, bicycling, the riding of horses or other

1 animals, clam digging, pleasure driving of off-road vehicles,
2 snowmobiles, and other vehicles, boating, nature study, winter or water
3 sports, viewing or enjoying historical, archaeological, scenic, or
4 scientific sites, without charging a fee of any kind therefor, shall
5 not be liable for unintentional injuries to such users(~~(:—PROVIDED,~~
6 ~~That))~~).

7 (2) Except as otherwise provided in subsection (3) of this section,
8 any public or private landowner or others in lawful possession and
9 control of any lands whether rural or urban, or water areas or channels
10 and lands adjacent to such areas or channels, who offer or allow such
11 land to be used for purposes of a fish or wildlife cooperative project,
12 or allow access to such land for cleanup of litter or other solid
13 waste, shall not be liable for unintentional injuries to any volunteer
14 group or to any other users.

15 (3) Any public or private landowner, or others in lawful possession
16 and control of the land, may charge an administrative fee of up to ten
17 dollars for the cutting, gathering, and removing of firewood from the
18 land(~~(:—PROVIDED FURTHER, That))~~). Nothing in this section shall
19 prevent the liability of such a landowner or others in lawful
20 possession and control for injuries sustained to users by reason of a
21 known dangerous artificial latent condition for which warning signs
22 have not been conspicuously posted(~~(:—PROVIDED FURTHER, That))~~).
23 Nothing in RCW 4.24.200 and 4.24.210 limits or expands in any way the
24 doctrine of attractive nuisance(~~(:—AND PROVIDED FURTHER, That the))~~).
25 Usage by members of the public, volunteer groups, or other users is
26 permissive and does not support any claim of adverse possession.