

---

SENATE BILL 5112

---

State of Washington

52nd Legislature

1992 Regular Session

By Senator Madsen

Read first time 01/21/91. Referred to Committee on Environment & Natural Resources.

1 AN ACT Relating to fisheries patrol officers; and amending RCW  
2 75.10.010.

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

4 **Sec. 1.** RCW 75.10.010 and 1985 c 155 s 1 are each amended to read  
5 as follows:

6 (1) Fisheries patrol officers and ex officio fisheries patrol  
7 officers within their respective jurisdictions, shall enforce this  
8 title, rules of the director, and other statutes as prescribed by the  
9 legislature.

10 (2) When acting within the scope of subsection (1) of this section  
11 and when an offense occurs in the presence of the fisheries patrol  
12 officer who is not an ex officio fisheries patrol officer, the  
13 fisheries patrol officer may enforce all criminal laws of the state.  
14 The fisheries patrol officer must have successfully completed the basic

1 law enforcement academy course sponsored by the criminal justice  
2 training commission, or a supplemental course in criminal law  
3 enforcement as approved by the department and the criminal justice  
4 training commission and provided by the department or the criminal  
5 justice training commission, prior to enforcing the criminal laws of  
6 the state.

7 (3) Fisheries patrol officers and ex officio fisheries patrol  
8 officers may not enforce this title or rules of the director that apply  
9 to recreational fishing unless the officers are wearing official  
10 uniforms that are clearly and conspicuously marked to indicate to the  
11 public their official capacity. Watercraft used to enforce recreational  
12 fishing statutes or rules of the director shall be clearly and  
13 conspicuously marked to indicate that they are official patrol boats.

14 (4) Any liability or claim of liability which arises out of the  
15 exercise or alleged exercise of authority by a fisheries patrol officer  
16 rests with the department of fisheries unless the fisheries patrol  
17 officer acts under the direction and control of another agency or  
18 unless the liability is otherwise assumed under a written agreement  
19 between the department of fisheries and another agency.

20 ((+4)) (5) Fisheries patrol officers may serve and execute  
21 warrants and processes issued by the courts.