
SENATE BILL 5630

State of Washington

52nd Legislature

1991 Regular Session

By Senators McCaslin, Madsen and Nelson; by request of Department of Wildlife.

Read first time February 12, 1991. Referred to Committee on Environment & Natural Resources.

1 AN ACT Relating to permits or licenses issued by the department of
2 wildlife, department of fisheries, or the state parks and recreation
3 commission; and amending RCW 4.24.210.

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

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

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

1 off-road vehicles, snowmobiles, and other vehicles, boating, nature
2 study, winter or water sports, viewing or enjoying historical,
3 archaeological, scenic, or scientific sites, without charging a fee of
4 any kind therefor, shall not be liable for unintentional injuries to
5 such users: PROVIDED, That any public or private landowner, or others
6 in lawful possession and control of the land, may charge an
7 administrative fee of up to ten dollars for the cutting, gathering, and
8 removing of firewood from the land: PROVIDED FURTHER, That nothing in
9 this section shall prevent the liability of such a landowner or others
10 in lawful possession and control for injuries sustained to users by
11 reason of a known dangerous artificial latent condition for which
12 warning signs have not been conspicuously posted: PROVIDED FURTHER,
13 That nothing in RCW 4.24.200 and 4.24.210 limits or expands in any way
14 the doctrine of attractive nuisance: AND PROVIDED FURTHER, That the
15 usage by members of the public is permissive and does not support any
16 claim of adverse possession.

17 (2) For purposes of this section, a license or permit issued for
18 state-wide use under authority of chapter 43.51 RCW, Title 75, or Title
19 77 RCW is not a fee.