
SENATE BILL 6424

State of Washington

56th Legislature

2000 Regular Session

By Senators Jacobsen, T. Sheldon, Oke, Morton, Winsley, Haugen, Sellar, Rossi and Rasmussen

Read first time 01/17/2000. Referred to Committee on Natural Resources, Parks & Recreation.

1 AN ACT Relating to encouraging public and private landowners to
2 make land and water areas available to the public for recreational
3 purposes; amending RCW 4.24.210; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The purpose of this act is to encourage
6 owners of land to make available land and water areas to the public for
7 recreational purposes by limiting their liability toward persons
8 entering thereon who may be injured or otherwise damaged by the acts or
9 omissions of persons entering thereon.

10 **Sec. 2.** RCW 4.24.210 and 1997 c 26 s 1 are each amended to read as
11 follows:

12 (1) (~~Except as otherwise provided in subsection (3) of this~~
13 ~~section,~~) Any public or private landowners or others in lawful
14 possession and control of any lands whether designated resource, rural,
15 or urban, or water areas or channels and lands adjacent to such areas
16 or channels, who allow members of the public to use them for the
17 purposes of outdoor recreation, which term includes, but is not limited
18 to, the cutting, gathering, and removing of firewood by private persons

1 for their personal use without purchasing the firewood from the
2 landowner, hunting, fishing, camping, picnicking, swimming, hiking,
3 bicycling, skateboarding or other nonmotorized wheel-based activities,
4 hanggliding, paragliding, the riding of horses or other animals, clam
5 digging, pleasure driving of off-road vehicles, snowmobiles, and other
6 vehicles, boating, nature study, winter or water sports, viewing or
7 enjoying historical, archaeological, scenic, or scientific sites,
8 without charging a fee of any kind therefor, shall not be liable for
9 unintentional injuries to such users, nor shall they be liable for
10 injuries to third parties caused by such users.

11 ~~((Except as otherwise provided in subsection (3) of this~~
12 ~~section,))~~ Any public or private landowner or others in lawful
13 possession and control of any lands whether rural or urban, or water
14 areas or channels and lands adjacent to such areas or channels, who
15 offer or allow such land to be used for purposes of a fish or wildlife
16 cooperative project, or allow access to such land for cleanup of litter
17 or other solid waste, shall not be liable for unintentional injuries to
18 any volunteer group or to any other users, nor shall they be liable for
19 injuries to third parties caused by such users.

20 (3) Any public or private landowner, or others in lawful possession
21 and control of the land, may charge an administrative fee of up to
22 twenty-five dollars for the cutting, gathering, and removing of
23 firewood from the land. ~~((Nothing in this section shall prevent the~~
24 ~~liability of such a landowner or others in lawful possession and~~
25 ~~control for injuries sustained to users by reason of a known dangerous~~
26 ~~artificial latent condition for which warning signs have not been~~
27 ~~conspicuously posted.))~~ Nothing in RCW 4.24.200 and ~~((4.24.210))~~ this
28 section limits or expands in any way the doctrine of attractive
29 nuisance. Usage by members of the public, volunteer groups, or other
30 users is permissive and does not support any claim of adverse
31 possession, prescriptive easement, or other right to use or occupy such
32 property.

33 (4) For purposes of this section, a license or permit issued for
34 state-wide use under authority of chapter ~~((43.51))~~ 79A.05 RCW, Title
35 75, or Title 77 RCW is not a fee.

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