

# FINAL BILL REPORT

## E2SHB 2373

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Synopsis as Enacted

**Brief Description:** Concerning the state's management of its recreational resources.

**Sponsors:** House Committee on Ways & Means (originally sponsored by Representatives Van De Wege and Tharinger).

**House Committee on General Government Appropriations & Oversight**  
**House Committee on Ways & Means**

**Background:**

The Washington State Parks system, the fourth oldest in the nation, includes 116 developed parks on over 100,000 total acres. The system sees well over 40 million visitors each year, with many using one of the thousands of modern camping sites or other overnight accommodation options, holding events with use of group facilities, or using the parks for day-use recreating purposes.

The Washington Department of Fish and Wildlife (WDFW), the Washington State Department of Natural Resources (DNR), and the Washington State Parks and Recreation Commission (State Parks) are charged with managing the public lands of the state. The WDFW owns or manages nearly one million acres of public land for fish and wildlife, habitat conservation, and wildlife-related recreation. The DNR protects and manages 5.6 million acres of state-owned land.

Until July 1, 2011, there was no charge to the public for access to both the DNR or the State Parks land and recreation sites. The WDFW charged \$10 for the annual fish and wildlife lands vehicle use permit, or the permit was provided free of charge with all hunting and fishing licenses.

The State Parks have historically been funded at varying levels from the State General Fund. In response to reductions in State General Fund support and in an effort to make the State Parks self-supporting, agency request and subsequently enacted legislation in 2011 created the Discover Pass permit as a way to increase contributions from users. In 2009 legislation was enacted creating the opt-out donation program, a \$5 option made at the time an owner registers a vehicle with the Department of Licensing (DOL), and used to support the maintenance and operation of the State Parks.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

### Discover Pass Permit.

The Discover Pass allows for vehicle access in designated recreational areas located on much of the state lands owned or managed by the DNR, the WDFW, and the State Parks. The Discover Pass is the only pass needed to access recreational sites such as trailheads, parking areas, winter recreation areas, boat launches, and water trails. Visitors wishing to park on state recreational lands must obtain an annual Discover Pass or a day-use permit allowing vehicle access.

The Discover Pass permit is valid for one vehicle for 12 months from the point of purchase at a cost of \$30, while a day-use permit costs \$10. Every four years, the Office of Financial Management must review the cost of the permits and recommend to the Legislature any adjustment to account for inflation.

A Discover Pass permit can be purchased through the DOL at the time of vehicle registration, through the WDFW's automated licensing system, over the telephone, at nearly 600 retail sporting goods and recreational license dealers, at agency headquarters in Olympia, or at the actual park. Dealer and transaction fees apply in an effort to recover costs of marketing and processing permits at their full cost.

A Discover Pass or day-use permit must be visible in a vehicle. Failure to display the Discover Pass or the day-use permit is a natural resource infraction with a penalty of \$99. If an annual Discover Pass is purchased within 15 days after notice of an infraction, the penalty is reduced to \$59. The agencies are authorized to delegate and accept enforcement authority under the Interlocal Cooperation Act.

### Exemptions.

A Discover Pass or day-use permit is not required in the following circumstances:

- when camping at a state park;
- when parked in a designated 30-minute short-term parking area;
- for holders of certain hunting and fishing licenses on the WDFW recreation lands and water-access sites. For those individuals, a "vehicle access pass" is required for vehicle access to the WDFW lands and boat launches;
- portions of the DNR land considered not to be for recreational purposes; and
- persons or entities who use, possess, or enter lands owned or managed by the WDFW, the DNR, and the State Parks for purposes consistent with a written authorization from the respected agency, including but not limited to leases, contracts, and easements.

State parks may be made available for access without a Discover Pass or day-use permit for up to 12 days a year.

A complimentary Discover Pass must be provided to a volunteer who performs 24 hours of service on agency-sanctioned volunteer projects in a year.

The Annual Natural Investment Permit is allowed in lieu of the Discover Pass or day-use permit at the State Parks' designated boat launch sites. Similarly, the Sno-Park Seasonal

permit is allowed in lieu of the Discover Pass or day-use permit at designated Sno-Parks between November 1 and March 31 of each year.

Proceeds from Discover Pass.

Revenue from the Discover Pass and day-use permits is deposited into the Recreation Access Pass Account. The first \$71 million in revenue is distributed as follows:

- 8 percent is deposited into the State Wildlife Account (WDFW);
- 8 percent is deposited into the Park Land Trust Revolving Account (DNR); and
- 84 percent is deposited into the State Parks Renewal and Stewardship Account.

Revenue to the State Parks is intended to recover the loss of State General Fund support. Each agency is allowed broad uses for its portion of the overall revenue, with proceeds generally directed towards the maintenance and operations of its respective lands.

All revenues exceeding \$71 million each fiscal biennium are distributed equally amongst the agencies.

The Discover Pass and day-use permit are not considered a fee under the Recreational Immunity Statute for purposes of liability.

**Summary:**

The definition of what is considered recreation land is expanded to specifically include all state land and state forest lands, other than aquatic, managed by the Washington State Department of Natural Resources (DNR).

A Family Discover Pass is made available for \$50 and may be transferred to any vehicle.

The Discover Pass becomes valid for 12 months upon marking for activation, which may differ from when the Discover Pass is purchased. Each Discover Pass, in addition to a Vehicle Access Pass, is required to contain space for two vehicle license plate numbers to be written on the pass. No agency is permitted to refund money for either pass prior to the effective date.

Locations in which the Discover Pass and day-use permit are or may be currently available are codified, in addition to the Department of Licensing (DOL) service centers, county auditors, or other agents and subagents of the DOL. The State Parks is authorized to use unstaffed collection stations for fee collection. The DNR, the Washington Department of Fish and Wildlife (WDFW), and the State Parks have responsibility for delivering the Discover Pass to the purchaser.

The State Parks is required to provide 12 free access days each year and, when practicable, coordinate those days with National Park Service free days.

Several exemptions to the requirement for a Discover Pass or day-use permit are added, and include any person who has secured the authority to access specific recreation land through payment to the WDFW, the DNR, or the State Parks.

The \$5 opt-out donation to the State Parks included with annual vehicle registrations is expanded to include the following vehicle types: mopeds, off-road vehicles, private use single-axle trailers, snowmobiles, and on trucks, buses, and for-hire vehicles with a gross weight of less than 12,000 pounds.

**Votes on Final Passage:**

House	54	44	
Senate	30	17	(Senate amended)
House	60	37	(House concurred)

**Effective:** March 30, 2012