
SUBSTITUTE HOUSE BILL 2459

State of Washington

63rd Legislature

2014 Regular Session

By House Agriculture & Natural Resources (originally sponsored by Representatives Blake, Buys, Lytton, Chandler, Takko, Wilcox, Nealey, Warnick, and Tharinger; by request of Department of Fish and Wildlife)

READ FIRST TIME 02/03/14.

1 AN ACT Relating to ensuring hunter safety; amending RCW 77.32.155,
2 77.32.010, and 77.12.184; adding a new section to chapter 77.15 RCW;
3 and prescribing penalties.

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

5 **Sec. 1.** RCW 77.32.155 and 2013 c 23 s 243 are each amended to read
6 as follows:

7 ~~(1)((a) When purchasing any hunting license, persons under the age~~
8 ~~of eighteen shall present certification of completion of a course of~~
9 ~~instruction of at least ten hours in the safe handling of firearms,~~
10 ~~safety, conservation, and sporting/hunting behavior. All persons~~
11 ~~purchasing any hunting license for the first time, if born after~~
12 ~~January 1, 1972, shall present such certification.~~

13 ~~(b)(i))~~ The ~~((director may establish))~~ department is authorized to
14 create and administer a program for training persons in the safe
15 handling of firearms, outdoor safety, wildlife conservation, and
16 ~~((sporting/))~~ ethical hunting behavior and shall prescribe the type of
17 instruction and the qualifications of the instructors. ~~((The director~~
18 ~~shall, as part of establishing the training program, exempt members of~~

1 ~~the United States military from the firearms skills portion of any~~
2 ~~instruction course completed over the internet.~~

3 ~~(ii) The director may cooperate with the national rifle~~
4 ~~association, organized sports/outdoor enthusiasts' groups, or other~~
5 ~~public or private organizations when establishing the training program.~~

6 ~~(c) Upon the successful completion of a course established under~~
7 ~~this section, the trainee shall receive a hunter education certificate~~
8 ~~signed by an authorized instructor. The certificate is evidence of~~
9 ~~compliance with this section.~~

10 ~~(d) The director may accept certificates from other states that~~
11 ~~persons have successfully completed firearm safety, hunter education,~~
12 ~~or similar courses as evidence of compliance with this section.)~~

13 (2) To purchase a Washington hunting license for the first time, a
14 person born after January 1, 1972, must present proof of successfully
15 passing a hunter education training course. Proof must be in the form
16 of either:

17 (a) A hunter education certificate of completion from a course
18 instructed by or being taught under a contract with the department in
19 the safe handling of firearms, outdoor safety, wildlife conservation,
20 and ethical hunting behavior; or

21 (b) A hunter education certificate from another state or country
22 whose course is department approved.

23 (3) No one under age eight is eligible to take a hunter education
24 training course in Washington.

25 (4) Active duty members of the United States military who are
26 residents of or stationed in Washington, or honorably discharged armed
27 service members who are residents of Washington, are exempt from the
28 firearms skills portion of any Washington hunter education training
29 course instructed by or being taught under a contract with the
30 department and completed over the internet.

31 (5) Beginning July 1, 2014, the department is authorized to charge
32 a registration fee of not more than twenty dollars for any hunter
33 education training course. This fee must be collected as program
34 income as defined in 50 C.F.R. Sec. 80.120 (2011).

35 (6) Upon the successful completion of a hunter education training
36 course instructed by or being taught under a contract with the
37 department in the safe handling of firearms, outdoor safety, wildlife

1 conservation, and ethical hunting behavior, the trainee must receive an
2 approved hunter education certificate.

3 (7) The department is authorized to collect an application fee, not
4 to exceed ten dollars, for providing a duplicate hunter education
5 certificate. This fee must be collected as program income as defined
6 in 50 C.F.R. Sec. 80.120 (2011).

7 (8)(a) The ((director)) department may authorize a once in a
8 lifetime, one license year deferral of hunter education training for
9 individuals who are accompanied ((by a nondeferred Washington licensed
10 hunter who has held a Washington hunting license for the prior three
11 years and is over eighteen years of age)), while hunting, by a hunter
12 currently licensed to hunt in Washington, age eighteen or older, and
13 whose Washington license is not a one-year deferral license. The
14 commission shall adopt rules for the administration of this subsection
15 to avoid potential fraud and abuse.

16 (b) The ((director)) department is authorized to collect an
17 application fee, not to exceed twenty dollars, for obtaining the once
18 in a lifetime, one license year deferral of hunter education training
19 from the department. This fee must be collected as program income as
20 defined in 50 C.F.R. Sec. 80.120 (2011), deposited into the fish and
21 wildlife enforcement reward account, and ((must be)) used exclusively
22 to administer the deferral program created in this subsection.

23 ((+e)) (9) For the purposes of this ((subsection)) section,
24 "accompanied" means to go along with another person while staying
25 within a range of the other person that permits continual unaided
26 visual and auditory communication.

27 ((+3)) (10)(a) To encourage the participation of an adequate
28 number of instructors for ((the)) hunter education training ((program))
29 courses, the commission shall develop nonmonetary incentives available
30 to individuals who commit to serving as an instructor. The incentives
31 may include additional hunting opportunities for instructors.

32 (b) The department may provide reimbursement for instructor
33 expenditures incurred in providing hunter education training courses.

34 (c) The commission shall adopt rules specifying the use of program
35 funds for reimbursing instructors. In no case may the total amount of
36 all reimbursements exceed annual program income generated by fees.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.15 RCW
2 to read as follows:

3 (1) All hunters under age fourteen must be accompanied, while
4 hunting:

5 (a) By a hunter:

6 (i) Who is currently licensed to hunt in Washington;

7 (ii) Whose Washington hunting license is not a one-year deferral
8 license; and

9 (iii) Who is age eighteen or older;

10 (b) By a person who is age eighteen or older who has successfully
11 completed a hunter education training course as described in RCW
12 77.32.155; or

13 (c) By a person who was born on or before January 1, 1972.

14 (2) However, a hunter under the age of fourteen is not required to
15 be accompanied if he or she is the immediate family member of a private
16 property owner or lessee and is hunting on property his or her family
17 owns or is leasing.

18 (3) For the purposes of this section, the term "accompanied" has
19 the same meaning as defined in RCW 77.32.155.

20 (4) A violation of this section is a natural resource infraction
21 subject to the provisions of chapter 7.84 RCW.

22 **Sec. 3.** RCW 77.32.010 and 2011 c 320 s 19 are each amended to read
23 as follows:

24 (1)(a) Except as otherwise provided in this chapter, a recreational
25 license issued by the (~~director~~) department is required to hunt for
26 or take wild animals or wild birds, fish for, take, or harvest fish,
27 shellfish, and seaweed. A recreational fishing or shellfish license is
28 not required for carp, smelt, and crawfish, and a hunting license is
29 not required for bullfrogs.

30 (b) A person must be at least eight years old and in compliance
31 with RCW 77.32.155 to be issued a hunting license, unless that person
32 has been issued a Washington hunter education certificate prior to the
33 effective date of this section.

34 (c) All hunters under the age of fourteen are required to hunt in
35 compliance with section 2 of this act.

36 (2) A pass or permit issued under RCW 79A.80.020, 79A.80.030, or

1 79A.80.040 is required to park or operate a motor vehicle on a
2 recreation site or lands, as defined in RCW 79A.80.010.

3 (3) During the 2009-2011 fiscal biennium to enable the
4 implementation of the pilot project established in section 307, chapter
5 329, Laws of 2008, a fishing permit issued to a nontribal member by the
6 Colville Tribes shall satisfy the license requirements in subsection
7 (1) of this section on the waters of Lake Rufus Woods and on the north
8 shore of Lake Rufus Woods, and a Colville Tribes tribal member
9 identification card shall satisfy the license requirements in
10 subsection (1) of this section on all waters of Lake Rufus Woods.

11 **Sec. 4.** RCW 77.12.184 and 2009 c 333 s 31 are each amended to read
12 as follows:

13 (1) The department shall deposit all moneys received from the
14 following activities into the state wildlife account created in RCW
15 77.12.170, except for moneys received for the purposes of providing the
16 hunter education program as described in RCW 77.32.155:

17 (a) The sale of interpretive, recreational, historical,
18 educational, and informational literature and materials;

19 (b) The sale of advertisements in regulation pamphlets and other
20 appropriate mediums; and

21 (c) Enrollment fees in department-sponsored educational training
22 events.

23 (2) Moneys collected under subsection (1) of this section shall be
24 spent primarily for producing regulation booklets for users and for the
25 development, production, reprinting, and distribution of informational
26 and educational materials. The department may also spend these moneys
27 for necessary expenses associated with training activities, and other
28 activities as determined by the (~~director~~) department.

29 (3) Regulation pamphlets may be subsidized through appropriate
30 advertising, but must be made available free of charge to the users.

31 (4) The (~~director~~) department may enter into joint ventures with
32 other agencies and organizations to generate revenue for providing
33 public information and education on wildlife and hunting and fishing
34 rules.

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