
SENATE BILL 5319

State of Washington

63rd Legislature

2013 Regular Session

By Senators Bailey, Padden, Becker, and Honeyford

Read first time 01/25/13. Referred to Committee on Natural Resources & Parks.

1 AN ACT Relating to access to state recreation lands by disabled
2 veterans; and amending RCW 79A.80.020, 79A.80.080, and 79A.05.065.

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

4 **Sec. 1.** RCW 79A.80.020 and 2012 c 261 s 2 are each amended to read
5 as follows:

6 (1) Except as otherwise provided in RCW 79A.80.050, 79A.80.060, and
7 79A.80.070, a discover pass is required for any motor vehicle to park
8 or operate on any recreation site or lands, except for short-term
9 parking as may be authorized under RCW 79A.80.070.

10 (2) The cost of a discover pass is thirty dollars. Every four
11 years the office of financial management must review the cost of the
12 discover pass and, if necessary, recommend to the legislature an
13 adjustment to the cost of the discover pass to account for inflation.

14 (3) A discover pass is valid for one year beginning from the date
15 that the discover pass is marked for activation. The activation date
16 may differ from the purchase date pursuant to any policies developed by
17 the agencies.

18 (4) Sales of discover passes must be consistent with RCW
19 79A.80.100.

1 (5) The discover pass must contain space for two motor vehicle
2 license plate numbers. A discover pass is valid only for those vehicle
3 license plate numbers written on the pass. However, the agencies may
4 offer for sale a family discover pass that is fully transferable among
5 vehicles and does not require the placement of a license plate number
6 on the pass to be valid. The agencies must collectively set a price
7 for the sale of a family discover pass that is no more than fifty
8 dollars. A discover pass is valid only for use with one motor vehicle
9 at any one time.

10 (6)(a) One complimentary discover pass must be provided to ~~((a))~~:

11 (i) A person who has been provided with a lifetime veteran's
12 disability pass from the state parks and recreation commission under
13 RCW 79A.05.065; and

14 (ii) A volunteer who performed twenty-four hours of service on
15 agency-sanctioned volunteer projects in a year. The agency must
16 provide vouchers to volunteers identifying the number of volunteer
17 hours they have provided for each project.

18 ~~((The))~~ (b) Volunteer vouchers or lifetime veteran's disability
19 passes may be brought to an agency ~~((to be redeemed))~~ for the receipt
20 of a discover pass.

21 **Sec. 2.** RCW 79A.80.080 and 2012 c 261 s 7 are each amended to read
22 as follows:

23 (1) A discover pass, vehicle access pass, or day-use permit must be
24 visibly displayed in the front windshield of any motor vehicle or
25 otherwise in a prominent location for vehicles without a windshield:

26 (a) Operating on a recreation site or lands; or

27 (b) Parking at a recreation site or lands.

28 (2) The discover pass, the vehicle access pass, or the day-use
29 permit is not required on private lands, state-owned aquatic lands
30 other than water access areas, or at agency offices, hatcheries, or
31 other facilities where public business is conducted.

32 (3) The discover pass, the vehicle access pass, or the day-use
33 permit is not required for:

34 (a) Persons who use, possess, or enter lands owned or managed by
35 the agencies for nonrecreational purposes consistent with a written
36 authorization from the agency, including but not limited to leases,
37 contracts, and easements; or

1 (b) On department of fish and wildlife lands only, (~~for~~) persons
2 possessing a current vehicle access pass pursuant to RCW 79A.80.040.

3 (4)(a) An agency may waive the requirements of this section for any
4 person who has secured the ability to access specific recreational land
5 through the provision of monetary consideration to the agency or for
6 any person attending an event or function that required the provision
7 of monetary compensation to the agency.

8 (b) Special events and group activities are core recreational
9 activities and major public service opportunities within state parks.
10 When waiving the requirements of this section for special events, the
11 state parks and recreation commission must consider the direct and
12 indirect costs and benefits to the state, local market rental rates,
13 the public service functions of the event sponsor, and other public
14 interest factors when setting appropriate fees for each event or
15 activity.

16 (5) Failure to comply with subsection (1) of this section is a
17 natural resource infraction under chapter 7.84 RCW. An agency is
18 authorized to issue a notice of infraction to any person who fails to
19 comply with subsection (1)(a) of this section or to any motor vehicle
20 that fails to comply with subsection (1)(b) of this section.

21 (6) The penalty for failure to comply with the requirements of this
22 section is ninety-nine dollars. This penalty must be:

23 (a) Reduced to fifty-nine dollars if an individual provides proof
24 of purchase of a discover pass to the court within fifteen days after
25 the issuance of the notice of violation; and

26 (b) Waived entirely if an individual shows that he or she either
27 has a lifetime veteran's disability pass from the state parks and
28 recreation commission under RCW 79A.05.065 or is eligible for a
29 lifetime veteran's disability pass.

30 **Sec. 3.** RCW 79A.05.065 and 2011 c 171 s 115 are each amended to
31 read as follows:

32 (1)(a) The commission shall grant to any person who meets the
33 eligibility requirements specified in this section a senior citizen's
34 pass which shall: (i) Entitle such a person, and members of his or her
35 camping unit, to a fifty percent reduction in the campsite rental fee
36 prescribed by the commission; and (ii) entitle such a person to free
37 admission to any state park.

1 (b) The commission shall grant a senior citizen's pass to any
2 person who applies for the senior citizen's pass and who meets the
3 following requirements:

4 (i) The person is at least sixty-two years of age;

5 (ii) The person is a domiciliary of the state of Washington and
6 meets reasonable residency requirements prescribed by the commission;
7 and

8 (iii) The person and his or her spouse have a combined income that
9 would qualify the person for a property tax exemption pursuant to RCW
10 84.36.381. The financial eligibility requirements of this subsection
11 (1)(b)(iii) apply regardless of whether the applicant for a senior
12 citizen's pass owns taxable property or has obtained or applied for
13 such property tax exemption.

14 (c) Each senior citizen's pass granted pursuant to this section is
15 valid as long as the senior citizen meets the requirements of (b)(ii)
16 of this subsection. A senior citizen meeting the eligibility
17 requirements of this section may make a voluntary donation for the
18 upkeep and maintenance of state parks.

19 (d) A holder of a senior citizen's pass shall surrender the pass
20 upon request of a commission employee when the employee has reason to
21 believe the holder fails to meet the criteria in (b) of this
22 subsection. The holder shall have the pass returned upon providing
23 proof to the satisfaction of the director that the holder meets the
24 eligibility criteria for obtaining the senior citizen's pass.

25 (2)(a) Any resident of Washington who is disabled as defined by the
26 social security administration and who receives social security
27 benefits for that disability, or any other benefits for that disability
28 from any other governmental or nongovernmental source, or who is
29 entitled to benefits for permanent disability under RCW
30 71A.10.020(~~((+3))~~) (4) due to unemployability full time at the minimum
31 wage, or who is legally blind or profoundly deaf, or who has been
32 issued a card, decal, or special license plate for a permanent
33 disability under RCW 46.19.010 shall be entitled to receive, regardless
34 of age and upon making application therefor, a disability pass at no
35 cost to the holder. The pass shall: (i) Entitle such a person, and
36 members of his or her camping unit, to a fifty percent reduction in the
37 campsite rental fee prescribed by the commission; and (ii) entitle such
38 a person to free admission to any state park.

1 (b) A card, decal, or special license plate issued for a permanent
2 disability under RCW 46.19.010 may serve as a pass for the holder to
3 entitle that person and members of the person's camping unit to a fifty
4 percent reduction in the campsite rental fee prescribed by the
5 commission, and to allow the holder free admission to state parks.

6 (3) Any resident of Washington who is a veteran and has a service-
7 connected disability of at least thirty percent shall be entitled to
8 receive a lifetime veteran's disability pass at no cost to the holder.
9 The pass shall: (a) Entitle such a person, and members of his or her
10 camping unit, to free use of any campsite within any state park; (b)
11 entitle such a person to free admission to any state park; (~~and~~) (c)
12 entitle such a person to an exemption from any reservation fees; and
13 (d) entitle such a person to a complimentary discover pass consistent
14 with the provisions of RCW 79A.80.020.

15 (4)(a) Any Washington state resident who provides out-of-home care
16 to a child, as either a licensed foster-family home or a person related
17 to the child, is entitled to a foster home pass.

18 (b) An applicant for a foster home pass must request a pass in the
19 manner required by the commission. Upon receipt of a properly
20 submitted request, the commission shall verify with the department of
21 social and health services that the applicant qualifies under (a) of
22 this subsection. Once issued, a foster home pass is valid for the
23 period, which may not be less than one year, designated by the
24 commission.

25 (c) When accompanied by a child receiving out-of-home care from the
26 pass holder, a foster home pass: (i) Entitles such a person, and
27 members of his or her camping unit, to free use of any campsite within
28 any state park; and (ii) entitles such a person to free admission to
29 any state park.

30 (d) For the purposes of this subsection (4):

31 (i) "Out-of-home care" means placement in a foster-family home or
32 with a person related to the child under the authority of chapter
33 13.32A, 13.34, or 74.13 RCW;

34 (ii) "Foster-family home" has the same meaning as defined in RCW
35 74.15.020; and

36 (iii) "Person related to the child" means those persons referred to
37 in RCW 74.15.020(2)(a) (i) through (vi).

1 (5) All passes issued pursuant to this section are valid at all
2 parks any time during the year. However, the pass is not valid for
3 admission to concessionaire operated facilities.

4 (6) The commission shall negotiate payment and costs, to allow
5 holders of a foster home pass free access and usage of park campsites,
6 with the following nonoperated, nonstate-owned parks: Central Ferry,
7 Chief Timothy, Crow Butte, and Lyons Ferry. The commission shall seek
8 state general fund reimbursement on a biennial basis.

9 (7) The commission may deny or revoke any Washington state park
10 pass issued under this section for cause, including but not limited to
11 the following:

12 (a) Residency outside the state of Washington;

13 (b) Violation of laws or state park rules resulting in eviction
14 from a state park;

15 (c) Intimidating, obstructing, or assaulting a park employee or
16 park volunteer who is engaged in the performance of official duties;

17 (d) Fraudulent use of a pass;

18 (e) Providing false information or documentation in the application
19 for a state parks pass;

20 (f) Refusing to display or show the pass to park employees when
21 requested; or

22 (g) Failing to provide current eligibility information upon request
23 by the agency or when eligibility ceases or changes.

24 (8) This section shall not affect or otherwise impair the power of
25 the commission to continue or discontinue any other programs it has
26 adopted for senior citizens.

27 (9) The commission may engage in a mutually agreed upon reciprocal
28 or discounted program for all or specific pass programs with other
29 outdoor recreation agencies.

30 (10) The commission shall adopt those rules as it finds appropriate
31 for the administration of this section. Among other things, the rules
32 shall prescribe a definition of "camping unit" which will authorize a
33 reasonable number of persons traveling with the person having a pass to
34 stay at the campsite rented by such a person, a minimum Washington
35 residency requirement for applicants for a senior citizen's pass, and
36 an application form to be completed by applicants for a senior

1 citizen's pass.

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