

# SENATE BILL REPORT

## SB 5627

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As of February 2, 2016

**Title:** An act relating to an exemption from discover pass requirements for off-road vehicles.

**Brief Description:** Concerning an exemption from discover pass requirements for off-road vehicles.

**Sponsors:** Senators Bailey, Pearson and Warnick.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 2/04/15, 2/11/15 [DP-WM, DNP].  
Ways & Means: 2/02/16.

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** Do pass and be referred to Committee on Ways & Means.  
Signed by Senators Pearson, Chair; Dangel, Vice Chair; Hewitt, Warnick and Hatfield.

**Minority Report:** Do not pass.  
Signed by Senators Chase and McAuliffe.

**Staff:** Curt Gavigan (786-7437)

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Sherry McNamara (786-7402)

**Background:** Discover Pass Requirement. During the 2011 regular session, the Legislature passed 2SSB 5622 which generally requires an annual Discover Pass or day-use permit for motor vehicle access to recreation lands managed by the State Parks & Recreation Commission, the Department of Natural Resources (DNR), and the Department of Fish & Wildlife (DFW).

For purposes of the Discover Pass requirement, the term motor vehicle means those vehicles required to be registered with the Department of Licensing (DOL). The term does not include those motor vehicles exempt from the motor vehicle registration requirement, publicly owned vehicles, and registered wheeled all-terrain vehicles.

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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.*

Motor Vehicle Registration. A person may not operate a vehicle on a public highway without having a current and proper vehicle registration from DOL and displaying license plates under chapter 46.16A RCW. Registration as a motor vehicle is not required for off-road vehicles (ORVs) operated as allowed by certain small cities and counties and on nonhighway roads.

Off-road motorcycles may be operated on a public road with both the filing of a declaration with DOL as well as registration of the motorcycle as an ORV.

ORV Registration. Generally a person may not operate an ORV within the state unless it is registered with DOL as required under chapter 46.09 RCW. For purposes of transportation and licensing statutes, the term ORV means a non-street registered vehicle when used for recreational purposes on nonhighway roads, trails, or other natural terrain. This includes vehicles such as motorcycles, four-wheel drive vehicles, and dune buggies.

**Summary of Bill:** A vehicle that has a valid off-road vehicle permit and is located in an area where ORV activities are allowed is not considered a motor vehicle for purposes of the Discover Pass requirement. Therefore, a Discover Pass is not required in those circumstances.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony (Natural Resources & Parks):** PRO: This bill addresses concerns that some ORV users are double charged by paying for a Discover Pass in addition to ORV tags and a street use license.

OTHER: As a result of the bill, the Discover Pass agencies will expect to see a decrease in Discover Pass program revenue. The larger concern is the cumulative impact various proposed Discover Pass exemptions could have.

**Persons Testifying (Natural Resources & Parks):** PRO: Tod Petersen, NW Motorcycle Assn., WA Off Highway Vehicle Alliance.

OTHER: Katie Manning, State Parks and Recreation Commission; Melinda Posner, DFW.

**Staff Summary of Public Testimony (Ways & Means):** PRO: When the Discover Pass was being drafted the intent was not to double charge users. If you were a hunter or fisher you were exempt from the Discover Pass. If you camp in a State Park, you are exempt from purchasing a Discover Pass. This bill would clarify that same intent by not requiring a Discover Pass for vehicles with a valid off-road permit in areas where ORV activities are allowed.

**Persons Testifying (Ways & Means):** PRO: Tod Petersen, Northwest Motorcycle Association.

**Persons Signed In To Testify But Not Testifying:** No one.