

SENATE BILL REPORT

SB 6128

As of January 25, 2018

Title: An act relating to the initial implementation of recommendations from the collaborative process carried out to implement the state parks operating budget proviso on recreational access fee systems.

Brief Description: Concerning the initial implementation of recommendations from the collaborative process carried out to implement the state parks operating budget proviso on recreational access fee systems.

Sponsors: Senator Van De Wege.

Brief History:

Committee Activity: Agriculture, Water, Natural Resources & Parks: 1/23/18.

Brief Summary of Bill

- Modifies a Lifetime Veteran's Disability Pass to expand access to various recreation lands and eliminates the reservation fee exemption.
- Requires the State Parks & Recreation Commission (Commission) to develop a new access pass for lifetime veteran's disability pass holders to display in lieu of a Discover Pass.
- Exempts off-road vehicles (ORVs) operating on recreation lands from Discover Pass requirements.
- Requires the Commission to consult with the Department of Natural Resources (DNR) and Washington Department of Fish and Wildlife (DFW) to designate 12 free-access days.
- Exempts one-day Sno-park permit holders from Discover Pass requirements.

SENATE COMMITTEE ON AGRICULTURE, WATER, NATURAL RESOURCES & 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.

Background: Commission Passes. The Commission grants the following passes to individuals that meet certain requirements:

- limited-income senior citizen's pass;
- disability pass;
- lifetime veteran's access pass; and
- foster home pass.

All of these passes issued by the Commission provide free admission to any state park. Senior citizen's pass and disability pass holders are also entitled to reduced campsite rental fees. A lifetime veteran's access pass holder is also entitled to free use of any campsite within any state park and an exemption from any reservation fees. A foster home pass holder is also entitled to free use of any campsite within any state park.

Discover Pass Program. In 2011, the Legislature established the Discover Pass program. Motor vehicles accessing recreational lands managed by the Commission, DNR, and DFW are required to display an annual Discover Pass or a day-use permit.

ORV. An ORV operating on any recreation site or lands is required to display a Discover Pass or day-use permit. ORV means a nonstreet registered vehicle when used for recreational purposes on nonhighway roads, trails, or a variety of other natural terrain.

Free Days. The Commission provides up to 12 days per year of free entry to state parks, three of which must be on weekends. When possible, the timing of the free access days should coincide with any free access days scheduled by the National Park Service for national parks located near highly frequented state parks. A Discover Pass is still required on DNR and DFW-managed lands on the free access days. DNR and WDFW are not required to provide free access days.

Sno-Parks. Sno-parks are parking areas cleared of snow near groomed and backcountry trails managed by the Winter Recreation Program. A Sno-park permit is required to access these parking areas from November 1 to March 31 for winter recreation activities. A Discover Pass or day-use permit are not required for persons that have a valid Sno-park seasonal permit. However, a Discover Pass or day-use permit is required for persons with a one-day Sno-park permit.

Penalty Reduction. The penalty for failure to display the required recreation access pass or permit is \$99. The penalty is reduced to \$59 if an individual provides proof of a Discover Pass purchase to the court within 15 days of being notified of a violation.

William D. Ruckelshaus Center Report. In 2016, the Legislature directed State Parks, in partnership with DNR and DFW, to develop a process to analyze and make recommendations on how to improve consistency, equity, and simplicity in recreational access fee systems. A supplemental budget proviso appropriated funds for the Commission to contract with the William D. Ruckelshaus Center, or another neutral third party, to facilitate meetings and discussions with involved parties in the process and provide a report to the Legislature by December 2017.

The voting members of the leadership team, which included representatives from user groups, pass holders, veterans, social and environmental groups, and federal agencies, provided three packages in the report to the Legislature:

- a pass free access package—the preferred recommendation—that eliminated state passes for motor vehicle access and requires vehicle owners to pay a public land fee at the time of vehicle registration;
- a two-vehicle pass system building on success package that simplified and bundled existing passes; and
- a single-vehicle pass system with reduced fees package that changed the Discover Pass to a lower-priced, single-vehicle pass.

Summary of Bill: Commission Passes. *Lifetime Veteran's Disability Pass.* This pass is expanded to provide access to all recreation sites or lands managed by the Commission, DNR, and DFW. Pass holders are no longer entitled to an exemption from any reservation fees. The lifetime veteran's disability pass is equivalent to a Discover Pass, as long as the pass holder is a driver or passenger in the vehicle accessing the recreation site or lands.

The Commission must develop an access pass, to be displayed in lieu of a Discover Pass, for recipients of a lifetime veteran's disability pass. This access pass entitles the holder to all the benefits of a Discover Pass.

Recertification. Lifetime veteran's disability and limited-income senior citizen pass holders are required to be recertified every five years to ensure the recipient meets all eligibility criteria. If a person fails to recertify a pass, the pass will be invalid until the recertification process is complete. The Commission may deny or revoke any Washington State Park pass at any time for cause.

ORV. An ORV that has been transported to a recreation site managed for off-road recreation is exempt from Discover Pass requirements if the transporting vehicle:

- remains parked at the recreation site; and
- displays the required pass or permit to access the land.

Free Access. In consultation with the WDFW and DNR, the director of the Commission must designate up to 12 days per calendar year when entry to state recreation lands is free. In addition to timing the free access days with any similar free access days planned by the National Park Service, free access days should correspond, when practicable, with family fishing days planned by DFW.

Sno-Parks. A Discover Pass or day-use permit is not required to be used in conjunction with a one-day Sno-park permit to access designated sno-parks.

Penalty Reduction. A person may provide evidence that a lifetime veteran's disability pass was obtained in order to have the penalty reduced to \$59. The evidence must be provided within 15 days of being notified of a violation.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: This bill provides that lifetime veteran's disability access be provided for access to DNR land, allowing veterans to use trails in state parks that also extend to DNR land. This bill expands the 12 days that are designated as free access days to include DNR land. This bill takes some of the initial recommendations from the Recreation Access Fee process and moves them forward. Hikers are often frustrated with the current access fee system, but the funds generated from these passes help keep our recreational lands maintained and accessible. This bill will make meaningful changes that will lead to a larger change that will create a better recreational access fee system for the state. Anything that can be done to get veterans out into the fresh air and get some exercise is outstanding. Different rules for different agencies causes confusion when building trails. For disabled veterans, this bill provides for improved management of the program. This bill eliminates the need to possess a Discover Pass in addition to a one-day Sno-park pass, ending a source of confusion and frustration for folks in the winter recreation community. Expanding the free days to other state-managed lands ends an inconsistency and source of confusion for the public.

Persons Testifying: PRO: Senator Kevin Van De Wege, Prime Sponsor; Andrea Imler, Washington Trails Association; Ted Wicorek, Veterans Legislative Coalition; Joyce Willms, Backcountry Horsemen of Washington; Hall Baetz, citizen; Michael Racine, Big Tent Outdoor Recreation Coalition; Todd Tatum, Washington State Parks.

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