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**SUBSTITUTE HOUSE BILL 2652**

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**State of Washington**                      **65th Legislature**                      **2018 Regular Session**

**By** House Environment (originally sponsored by Representatives Fitzgibbon, Jinkins, and Hudgins)

READ FIRST TIME 01/29/18.

1            AN ACT Relating to the initial implementation of recommendations  
2 from the collaborative process carried out to implement the state  
3 parks operating budget proviso on recreational access fee systems;  
4 and amending RCW 79A.80.060, 79A.80.080, 79A.05.065, 79A.80.020, and  
5 79A.80.050.

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

7            **Sec. 1.** RCW 79A.80.060 and 2011 c 320 s 7 are each amended to  
8 read as follows:

9            The discover pass or the day-use permit are not required, for  
10 persons who have a valid sno-park seasonal or daily permit issued by  
11 the state parks and recreation commission, at designated sno-parks  
12 between November 1st through March 31st.

13            **Sec. 2.** RCW 79A.80.080 and 2013 2nd sp.s. c 15 s 3 are each  
14 amended to read as follows:

15            (1) A discover pass, vehicle access pass, lifetime veteran's  
16 disability access pass issued pursuant to RCW 79A.05.065(11), or day-  
17 use permit must be visibly displayed in the front windshield, or  
18 otherwise in a prominent location for motor vehicles without a  
19 windshield, of any motor vehicle:

20            (a) Operating on any recreation site or lands; or

1 (b) Parking at any recreation site or lands.

2 (2) The discover pass, the vehicle access pass, the lifetime  
3 veteran's disability access pass issued pursuant to RCW  
4 79A.05.065(11), or the day-use permit is not required:

5 (a) On private lands, state-owned aquatic lands other than water  
6 access areas, or at agency offices, hatcheries, or other facilities  
7 where public business is conducted;

8 (b) For persons who use, possess, or enter lands owned or managed  
9 by the agencies for nonrecreational purposes consistent with a  
10 written authorization from the agency, including but not limited to  
11 leases, contracts, and easements;

12 (c) On department of fish and wildlife lands only, for persons  
13 possessing a current vehicle access pass pursuant to RCW 79A.80.040;  
14 ((~~or~~))

15 (d) When operating on a road managed by the department of natural  
16 resources or the department of fish and wildlife, including a forest  
17 or land management road, that is not blocked by a gate; or

18 (e) For motor vehicles used for off-road recreation that have  
19 been transported to a recreation site or lands managed for off-road  
20 recreation by another motor vehicle that: (i) Remains parked at the  
21 recreation site or lands; and (ii) displays a pass or permit  
22 consistent with the requirements of this chapter.

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

28 (b) Special events and group activities are core recreational  
29 activities and major public service opportunities within state parks.  
30 When waiving the requirements of this section for special events, the  
31 state parks and recreation commission must consider the direct and  
32 indirect costs and benefits to the state, local market rental rates,  
33 the public service functions of the event sponsor, and other public  
34 interest factors when setting appropriate fees for each event or  
35 activity.

36 (4) Failure to comply with subsection (1) of this section is a  
37 natural resource infraction under chapter 7.84 RCW. An agency is  
38 authorized to issue a notice of infraction to any person who fails to  
39 comply with subsection (1)(a) of this section or to any motor vehicle  
40 that fails to comply with subsection (1)(b) of this section.

1 (5) The penalty for failure to comply with the requirements of  
2 this section is ninety-nine dollars. This penalty must be reduced to  
3 fifty-nine dollars if an individual provides, within fifteen days  
4 after the issuance of the notice of violation, proof of purchase of a  
5 discover pass to the court (~~(within fifteen days after the issuance~~  
6 ~~of the notice of violation)) or evidence that the individual has  
7 obtained a pass under RCW 79A.05.065(11).~~

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

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

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

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

20 (ii) The person is a domiciliary of the state of Washington and  
21 meets reasonable residency requirements prescribed by the commission;  
22 and

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

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

34 (d) A holder of a senior citizen's pass shall surrender the pass  
35 upon request of a commission employee when the employee has reason to  
36 believe the holder fails to meet the criteria in (b) of this  
37 subsection. The holder shall have the pass returned upon providing  
38 proof to the satisfaction of the director that the holder meets the  
39 eligibility criteria for obtaining the senior citizen's pass.

1 (2)(a) Any resident of Washington who is disabled as defined by  
2 the social security administration and who receives social security  
3 benefits for that disability, or any other benefits for that  
4 disability from any other governmental or nongovernmental source, or  
5 who is entitled to benefits for permanent disability under RCW  
6 71A.10.020(~~((3))~~) (5) due to unemployability full time at the minimum  
7 wage, or who is legally blind or profoundly deaf, or who has been  
8 issued a card, decal, or special license plate for a permanent  
9 disability under RCW 46.19.010 shall be entitled to receive,  
10 regardless of age and upon making application therefor, a disability  
11 pass at no cost to the holder. The pass shall: (i) Entitle such a  
12 person, and members of his or her camping unit, to a fifty percent  
13 reduction in the campsite rental fee prescribed by the commission;  
14 and (ii) entitle such a person to free admission to any state park.

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

21 (3) Any resident of Washington who is a veteran and has a  
22 service-connected disability of at least thirty percent shall be  
23 entitled to receive a lifetime veteran's disability pass at no cost  
24 to the holder. The pass shall: (a) Entitle such a person, and members  
25 of his or her camping unit, to free use of any campsite within any  
26 state park; and (b) entitle such a person to free admission to any  
27 state (~~(park; and (c) entitle such a person to an exemption from any~~  
28 ~~reservation fees)) recreation site or lands, as defined in RCW  
29 79A.80.010, consistent with subsection (11) of this section and the  
30 requirements established in RCW 79A.80.020(7).~~

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

34 (b) An applicant for a foster home pass must request a pass in  
35 the manner required by the commission. Upon receipt of a properly  
36 submitted request, the commission shall verify with the department of  
37 social and health services that the applicant qualifies under (a) of  
38 this subsection. Once issued, a foster home pass is valid for the  
39 period, which may not be less than one year, designated by the  
40 commission.

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

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

7 (i) "Out-of-home care" means placement in a foster-family home or  
8 with a person related to the child under the authority of chapter  
9 13.32A, 13.34, or 74.13 RCW;

10 (ii) "Foster-family home" has the same meaning as defined in RCW  
11 74.15.020; and

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

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

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

23 (7) The commission may deny or revoke any Washington state park  
24 pass issued under this section at any time for cause, including but  
25 not limited to the following:

26 (a) Residency outside the state of Washington;

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

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

31 (d) Fraudulent use of a pass;

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

34 (f) Refusing to display or show the pass to park employees when  
35 requested; or

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

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

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

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

12 (11) The commission shall develop an access pass, to be displayed  
13 in lieu of a discover pass, to be issued to the recipient of a  
14 lifetime veteran's disability pass under subsection (3) of this  
15 section. Such an access pass entitles the holder to all of the  
16 benefits of a discover pass under chapter 79A.80 RCW.

17 **Sec. 4.** RCW 79A.80.020 and 2017 c 121 s 1 are each amended to  
18 read as follows:

19 (1) Except as otherwise provided in this chapter, a discover pass  
20 is required for any motor vehicle to:

21 (a) Park at any recreation site or lands; or

22 (b) Operate on any recreation site or lands.

23 (2) Except as provided in RCW 79A.80.110, the cost of a discover  
24 pass is thirty dollars. Every four years the office of financial  
25 management must review the cost of the discover pass and, if  
26 necessary, recommend to the legislature an adjustment to the cost of  
27 the discover pass to account for inflation.

28 (3) A discover pass is valid for one year beginning from the date  
29 that the discover pass is marked for activation. The activation date  
30 may differ from the purchase date pursuant to any policies developed  
31 by the agencies.

32 (4) Sales of discover passes must be consistent with RCW  
33 79A.80.100.

34 (5) The discover pass must contain space for two motor vehicle  
35 license plate numbers. A discover pass is valid only for those  
36 vehicle license plate numbers written on the pass. However, the  
37 agencies may offer for sale a family discover pass that is fully  
38 transferable among vehicles and does not require the placement of a  
39 license plate number on the pass to be valid. The agencies must

1 collectively set a price for the sale of a family discover pass that  
2 is no more than fifty dollars. A discover pass is valid only for use  
3 with one motor vehicle at any one time.

4 (6)(a) One complimentary discover pass must be provided to a  
5 volunteer who performed twenty-four hours of service on agency-  
6 sanctioned volunteer projects in a year. The agency must provide  
7 vouchers to volunteers identifying the number of volunteer hours they  
8 have provided for each project. The vouchers may be brought to an  
9 agency to be redeemed for a discover pass.

10 (b) Married spouses under chapter 26.04 RCW may present an agency  
11 with combined vouchers demonstrating the collective performance of  
12 twenty-four hours of service on agency-sanctioned volunteer projects  
13 in a year to be redeemed for a single complimentary discover pass.

14 (7) An access pass issued pursuant to RCW 79A.05.065(11) to the  
15 holder of a lifetime veteran's disability pass is the equivalent of a  
16 discover pass for purposes of this chapter, as long as the person to  
17 whom the pass was issued is a driver or passenger in the vehicle when  
18 accessing a site or lands.

19 **Sec. 5.** RCW 79A.80.050 and 2012 c 261 s 6 are each amended to  
20 read as follows:

21 (1) A discover pass or a day-use permit are not required within a  
22 state park for persons who have a valid camper registration, or  
23 annual natural investment permit, issued by the state parks and  
24 recreation commission.

25 (2) In consultation with the director of the department of fish  
26 and wildlife and the commissioner of public lands, the director of  
27 the state parks and recreation commission must (~~provide up to twelve~~  
28 days~~a~~) designate up to twelve days per calendar year where entry to  
29 state (~~parks~~) recreation lands is free. At least three of those  
30 days must be on weekends. When practicable, the free access days  
31 should be timed to correspond with any similar free access days  
32 planned by the national park service for national parks located in  
33 the general region of high volume state parks and family fishing days  
34 planned by the Washington department of fish and wildlife under RCW  
35 77.32.025.

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