
HOUSE BILL 2733

State of Washington

65th Legislature

2018 Regular Session

By Representatives Orcutt, Chapman, Maycumber, Tharinger, Dent, Kretz, Blake, Fitzgibbon, and Muri

Read first time 01/15/18. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to establishing a prescribed burn certification
2 program at the department of natural resources; and adding a new
3 section to chapter 76.04 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 76.04
6 RCW to read as follows:

7 (1) The department must create a prescribed burn manager
8 certification program for those who practice prescribed burning in
9 the state. The certification program must include training on all
10 relevant aspects of prescribed fire in Washington including, but not
11 limited to, the following: Legal requirements; safety; weather; fire
12 behavior; smoke management; prescribed fire techniques; public
13 relations; planning; and contingencies.

14 (2) The department may not require certification under the
15 program created under subsection (1) of this section for burn permit
16 approval under this chapter. Nothing in this section may be construed
17 as creating a mandatory prescribed burn manager certification
18 requirement to conduct prescribed burning in Washington.

19 (3) No civil or criminal liability may be imposed by any court,
20 the state, or its officers and employees, or a prescribed burn
21 manager certified under the program created under subsection (1) of

1 this section, for any direct or proximate adverse impacts resulting
2 from a prescribed fire conducted under the provisions of this chapter
3 except upon proof of gross negligence or willful or wanton
4 misconduct.

5 (4) The department may adopt rules to create the prescribed burn
6 manager certification program and to set periodic renewal criteria.
7 The rules should be developed in consultation with prescribed burn
8 programs in other states. The department may also adopt rules to
9 establish a decertification process for certified prescribed burn
10 managers who commit a violation under this chapter or rules adopted
11 under this chapter. The department may, in its own discretion,
12 develop an equivalency test for experienced prescribed burn managers.

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