
SENATE BILL 6128

State of Washington

65th Legislature

2018 Regular Session

By Senator Van De Wege

Read first time 01/09/18. Referred to Committee on Agriculture, Water, Natural Resources & Parks.

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) For the senior citizen's pass under subsection (1) of this
24 section and the lifetime veteran's disability pass under subsection
25 (3) of this section, the commission shall require each recipient to
26 every five years recertify that the recipient meets all eligibility
27 criteria including, as applicable, residential status, income, or
28 disability. The pass of a recipient who fails to recertify as
29 required by the commission is invalid until such time as the
30 recipient recertifies with the commission. The commission may deny or
31 revoke any Washington state park pass issued under this section at
32 any time for cause, including but not limited to the following:

33 (a) Residency outside the state of Washington;

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

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

38 (d) Fraudulent use of a pass;

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

1 (f) Refusing to display or show the pass to park employees when
2 requested; or

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

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

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

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

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

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

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

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

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

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

35 (3) A discover pass is valid for one year beginning from the date
36 that the discover pass is marked for activation. The activation date
37 may differ from the purchase date pursuant to any policies developed
38 by the agencies.

1 (4) Sales of discover passes must be consistent with RCW
2 79A.80.100.

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

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

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

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

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

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

33 (2) In consultation with the director of the department of fish
34 and wildlife and the commissioner of public lands, the director of
35 the state parks and recreation commission must (~~provide up to twelve~~
36 days a)) designate up to twelve days per calendar year where entry to
37 state (~~parks~~) recreation lands is free. At least three of those
38 days must be on weekends. When practicable, the free access days
39 should be timed to correspond with any similar free access days

1 planned by the national park service for national parks located in
2 the general region of high volume state parks and family fishing days
3 planned by the Washington department of fish and wildlife under RCW
4 77.32.025.

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