
SUBSTITUTE HOUSE BILL 1177

State of Washington

65th Legislature

2018 Regular Session

By House Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Muri, Kilduff, Ryu, Smith, Shea, Bergquist, Stanford, Sells, Kretz, McDonald, Reeves, Irwin, and Tarleton)

1 AN ACT Relating to supporting access to state recreation lands by
2 disabled veterans; amending RCW 79A.80.080, 79A.05.065, and
3 79A.80.020; and providing an effective date.

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

5 **Sec. 1.** RCW 79A.80.080 and 2013 2nd sp.s. c 15 s 3 are each
6 amended to read as follows:

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

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

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

14 (2) The discover pass, the vehicle access pass, the lifetime
15 veteran's disability access pass issued pursuant to RCW
16 79A.05.065(11), or the day-use permit is not required:

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

20 (b) For persons who use, possess, or enter lands owned or managed
21 by the agencies for nonrecreational purposes consistent with a

1 written authorization from the agency, including but not limited to
2 leases, contracts, and easements;

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

6 (d) When operating on a road managed by the department of natural
7 resources or the department of fish and wildlife, including a forest
8 or land management road, that is not blocked by a gate.

9 (3)(a) An agency may waive the requirements of this section for
10 any person who has secured the ability to access specific
11 recreational land through the provision of monetary consideration to
12 the agency or for any person attending an event or function that
13 required the provision of monetary compensation to the agency.

14 (b) Special events and group activities are core recreational
15 activities and major public service opportunities within state parks.
16 When waiving the requirements of this section for special events, the
17 state parks and recreation commission must consider the direct and
18 indirect costs and benefits to the state, local market rental rates,
19 the public service functions of the event sponsor, and other public
20 interest factors when setting appropriate fees for each event or
21 activity.

22 (4) Failure to comply with subsection (1) of this section is a
23 natural resource infraction under chapter 7.84 RCW. An agency is
24 authorized to issue a notice of infraction to any person who fails to
25 comply with subsection (1)(a) of this section or to any motor vehicle
26 that fails to comply with subsection (1)(b) of this section.

27 (5) The penalty for failure to comply with the requirements of
28 this section is ninety-nine dollars. This penalty must be reduced to
29 fifty-nine dollars if an individual provides, within fifteen days
30 after the issuance of the notice of violation, proof of purchase of a
31 discover pass to the court ((within fifteen days after the issuance
32 of the notice of violation)) or evidence that the individual has
33 obtained a pass under RCW 79A.05.065(11).

34 **Sec. 2.** RCW 79A.05.065 and 2011 c 171 s 115 are each amended to
35 read as follows:

36 (1)(a) The commission shall grant to any person who meets the
37 eligibility requirements specified in this section a senior citizen's
38 pass which shall: (i) Entitle such a person, and members of his or
39 her camping unit, to a fifty percent reduction in the campsite rental

1 fee prescribed by the commission; and (ii) entitle such a person to
2 free admission to any state park.

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

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

7 (ii) The person is a domiciliary of the state of Washington and
8 meets reasonable residency requirements prescribed by the commission;
9 and

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

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

21 (d) A holder of a senior citizen's pass shall surrender the pass
22 upon request of a commission employee when the employee has reason to
23 believe the holder fails to meet the criteria in (b) of this
24 subsection. The holder shall have the pass returned upon providing
25 proof to the satisfaction of the director that the holder meets the
26 eligibility criteria for obtaining the senior citizen's pass.

27 (2)(a) Any resident of Washington who is disabled as defined by
28 the social security administration and who receives social security
29 benefits for that disability, or any other benefits for that
30 disability from any other governmental or nongovernmental source, or
31 who is entitled to benefits for permanent disability under RCW
32 71A.10.020(~~((3))~~) (5) due to unemployability full time at the minimum
33 wage, or who is legally blind or profoundly deaf, or who has been
34 issued a card, decal, or special license plate for a permanent
35 disability under RCW 46.19.010 shall be entitled to receive,
36 regardless of age and upon making application therefor, a disability
37 pass at no cost to the holder. The pass shall: (i) Entitle such a
38 person, and members of his or her camping unit, to a fifty percent
39 reduction in the campsite rental fee prescribed by the commission;
40 and (ii) entitle such a person to free admission to any state park.

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

7 (3) Any resident of Washington who is a veteran and has a
8 service-connected disability of at least thirty percent shall be
9 entitled to receive a lifetime veteran's disability pass at no cost
10 to the holder. The pass shall: (a) Entitle such a person, and members
11 of his or her camping unit, to free use of any campsite within any
12 state park; and (b) entitle such a person to free admission to any
13 state (~~park; and (c) entitle such a person to an exemption from any~~
14 ~~reservation fees~~) recreation site or lands, as defined in RCW
15 79A.80.010, consistent with subsection (11) of this section and the
16 requirements established in RCW 79A.80.020(7).

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

20 (b) An applicant for a foster home pass must request a pass in
21 the manner required by the commission. Upon receipt of a properly
22 submitted request, the commission shall verify with the department of
23 social and health services that the applicant qualifies under (a) of
24 this subsection. Once issued, a foster home pass is valid for the
25 period, which may not be less than one year, designated by the
26 commission.

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

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

33 (i) "Out-of-home care" means placement in a foster-family home or
34 with a person related to the child under the authority of chapter
35 13.32A, 13.34, or 74.13 RCW;

36 (ii) "Foster-family home" has the same meaning as defined in RCW
37 74.15.020; and

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

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

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

10 (7) For the senior citizen's pass under subsection (1) of this
11 section and the lifetime veteran's disability pass under subsection
12 (3) of this section, the commission shall require each recipient to
13 every five years recertify that the recipient meets all eligibility
14 criteria including, as applicable, residential status, income, or
15 disability. The pass of a recipient who fails to recertify as
16 required by the commission is invalid until such time as the
17 recipient recertifies with the commission. The commission may deny or
18 revoke any Washington state park pass issued under this section at
19 any time for cause, including but not limited to the following:

20 (a) Residency outside the state of Washington;

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

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

25 (d) Fraudulent use of a pass;

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

28 (f) Refusing to display or show the pass to park employees when
29 requested; or

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

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

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

38 (10) The commission shall adopt those rules as it finds
39 appropriate for the administration of this section. Among other
40 things, the rules shall prescribe a definition of "camping unit"

1 which will authorize a reasonable number of persons traveling with
2 the person having a pass to stay at the campsite rented by such a
3 person, a minimum Washington residency requirement for applicants for
4 a senior citizen's pass, and an application form to be completed by
5 applicants for a senior citizen's pass.

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

11 **Sec. 3.** RCW 79A.80.020 and 2017 c 121 s 1 are each amended to
12 read as follows:

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

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

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

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

22 (3) A discover pass is valid for one year beginning from the date
23 that the discover pass is marked for activation. The activation date
24 may differ from the purchase date pursuant to any policies developed
25 by the agencies.

26 (4) Sales of discover passes must be consistent with RCW
27 79A.80.100.

28 (5) The discover pass must contain space for two motor vehicle
29 license plate numbers. A discover pass is valid only for those
30 vehicle license plate numbers written on the pass. However, the
31 agencies may offer for sale a family discover pass that is fully
32 transferable among vehicles and does not require the placement of a
33 license plate number on the pass to be valid. The agencies must
34 collectively set a price for the sale of a family discover pass that
35 is no more than fifty dollars. A discover pass is valid only for use
36 with one motor vehicle at any one time.

37 (6)(a) One complimentary discover pass must be provided to a
38 volunteer who performed twenty-four hours of service on agency-
39 sanctioned volunteer projects in a year. The agency must provide

1 vouchers to volunteers identifying the number of volunteer hours they
2 have provided for each project. The vouchers may be brought to an
3 agency to be redeemed for a discover pass.

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

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

13 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2019.

--- END ---