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HOUSE BILL 1271

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Harmsworth, Muri, Bergquist, Stokesbary, and MacEwen

1 AN ACT Relating to creating a more equitable penalty for failure  
2 to comply with discover pass requirements by setting the penalty at a  
3 level equal to the sales price for a discover pass; and amending RCW  
4 79A.80.080.

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

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

8 (1) A discover pass, vehicle access pass, or day-use permit must  
9 be visibly displayed in the front windshield, or otherwise in a  
10 prominent location for motor vehicles without a windshield, of any  
11 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, or the day-use  
15 permit is not required:

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

19 (b) For persons who use, possess, or enter lands owned or managed  
20 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))~~ equal to the sales price for  
29 a discover pass as established under RCW 79A.80.020. This penalty  
30 must be ~~((reduced to fifty-nine dollars))~~ waived if ~~((an))~~ the cited  
31 individual provides proof of purchase of a discover pass to the court  
32 within fifteen days after the issuance of the notice of violation.

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