

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 2649**

Chapter 168, Laws of 2018

65th Legislature  
2018 Regular Session

DISABILITY--RECREATIONAL OPPORTUNITIES--FISH, SHELLFISH, AND WILDLIFE

EFFECTIVE DATE: June 7, 2018

Passed by the House February 8, 2018  
Yeas 97 Nays 0

FRANK CHOPP

**Speaker of the House of Representatives**

Passed by the Senate March 2, 2018  
Yeas 48 Nays 0

KAREN KEISER

**President of the Senate**

Approved March 22, 2018 10:49 AM

JAY INSLEE

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2649** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

March 26, 2018

**Secretary of State  
State of Washington**

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HOUSE BILL 2649

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Passed Legislature - 2018 Regular Session

State of Washington

65th Legislature

2018 Regular Session

By Representatives Barkis, Wilcox, Dolan, Doglio, Nealey, Tarleton, and McBride; by request of Department of Fish and Wildlife

Read first time 01/11/18. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to enhancing the fish, shellfish, and wildlife-  
2 related recreational opportunities for a person with a disability;  
3 amending RCW 77.15.460 and 77.32.237; and repealing RCW 77.32.238 and  
4 77.32.400.

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

6 **Sec. 1.** RCW 77.15.460 and 2014 c 48 s 18 are each amended to  
7 read as follows:

8 (1) A person is guilty of unlawful possession of a loaded rifle  
9 or shotgun in a motor vehicle, as defined in RCW 46.04.320, or upon  
10 an off-road vehicle, as defined in RCW 46.04.365, if:

11 (a) The person carries, transports, conveys, possesses, or  
12 controls a rifle or shotgun in a motor vehicle, or upon an off-road  
13 vehicle, except as allowed by department rule; and

14 (b) The rifle or shotgun contains shells or cartridges in the  
15 magazine or chamber, or is a muzzle-loading firearm that is loaded  
16 and capped or primed.

17 (2) A person is guilty of unlawful use of a loaded firearm if:

18 (a) The person negligently discharges a firearm from, across, or  
19 along the maintained portion of a public highway; or

20 (b) The person discharges a firearm from within a moving motor  
21 vehicle or from upon a moving off-road vehicle.

1 (3) Unlawful possession of a loaded rifle or shotgun in a motor  
2 vehicle or upon an off-road vehicle, and unlawful use of a loaded  
3 firearm are misdemeanors.

4 (4) This section does not apply if the person:

5 (a) Is a law enforcement officer who is authorized to carry a  
6 firearm and is on duty within the officer's respective jurisdiction;

7 (b) ~~((Possesses a disabled hunter's permit))~~ Has been granted a  
8 disability designation as provided by RCW 77.32.237 and complies with  
9 all rules of the department concerning hunting by persons with  
10 disabilities; or

11 (c) Discharges the rifle or shotgun from upon a nonmoving motor  
12 vehicle, as long as the engine is turned off and the motor vehicle is  
13 not parked on or beside the maintained portion of a public road,  
14 except as authorized by the commission by rule. This subsection  
15 (4)(c) does not apply to off-road vehicles, which are unlawful to use  
16 for hunting under RCW 46.09.480, unless the person has a department  
17 permit issued under RCW 77.32.237.

18 (5) For purposes of subsection (1) of this section, a rifle or  
19 shotgun shall not be considered loaded if the detachable clip or  
20 magazine is not inserted in or attached to the rifle or shotgun.

21 **Sec. 2.** RCW 77.32.237 and 2007 c 254 s 6 are each amended to  
22 read as follows:

23 The commission shall ~~((attempt to))~~ enhance the ~~((hunting))~~ fish,  
24 shellfish, and wildlife-related recreational opportunities for  
25 ~~((persons))~~ a person with a disability. The commission shall  
26 authorize the director to ~~((issue disabled hunter permits))~~ grant a  
27 disability designation to ~~((persons))~~ a person with a disability who  
28 meets eligibility criteria established by the commission by rule. The  
29 commission shall adopt rules defining who is a person with a  
30 disability for purposes of eligibility for disability designation. A  
31 person granted a disability designation is eligible for reasonable  
32 accommodations, determined by the director, to allow the person to  
33 participate in fish, shellfish, and wildlife-related recreational  
34 activities. The commission shall adopt rules governing the conduct of  
35 ~~((persons))~~ a person with a disability ~~((who hunt and their~~  
36 ~~designated licensed hunter))~~ participating in fish, shellfish, and  
37 wildlife-related recreational activities and the conduct of  
38 companions permitted, as a reasonable accommodation, to assist such a

1 person in fish, shellfish, and wildlife-related recreational  
2 opportunities.

3 NEW SECTION. **Sec. 3.** The following acts or parts of acts are  
4 each repealed:

5 (1) RCW 77.32.238 (Adoption of rules defining a person with a  
6 disability—Shooting from a motor vehicle—Assistance from licensed  
7 hunter) and 2007 c 254 s 5 & 1989 c 297 s 2; and

8 (2) RCW 77.32.400 (Persons with a disability—Designated harvester  
9 card—Fish and shellfish) and 2007 c 254 s 2 & 1998 c 191 s 1.

Passed by the House February 8, 2018.

Passed by the Senate March 2, 2018.

Approved by the Governor March 22, 2018.

Filed in Office of Secretary of State March 26, 2018.

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