
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0022.1/25

ATTY/TYPIST: ML:jlb

BRIEF DESCRIPTION: Concerning renewal fees for personalized license plates.

1 AN ACT Relating to renewal fees for personalized license plates;
2 and amending RCW 46.17.210.

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

4 **Sec. 1.** RCW 46.17.210 and 2013 c 329 s 6 are each amended to
5 read as follows:

6 In addition to all fees and taxes required to be paid upon
7 application for a vehicle registration under chapter 46.16A RCW, the
8 holder of a personalized license plate shall pay an initial fee of
9 (~~fifty-two dollars~~) \$52 and (~~forty-two dollars~~) \$52 for each
10 renewal. The personalized license plate fee must be distributed as
11 provided in RCW 46.68.435.

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BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0021.1/25

ATTY/TYPIST: ML:jlb

BRIEF DESCRIPTION: Expanding enforcement options for certain fish and wildlife violations.

1 AN ACT Relating to expanding enforcement options for certain fish
2 and wildlife violations; amending RCW 77.08.010, 77.15.160,
3 77.15.260, 77.15.290, 77.15.410, and 77.15.460; adding a new section
4 to chapter 77.65 RCW; and prescribing penalties.

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

6 **Sec. 1.** RCW 77.08.010 and 2017 3rd sp.s. c 8 s 2 are each
7 amended to read as follows:

8 The definitions in this section apply throughout this title or
9 rules adopted under this title unless the context clearly requires
10 otherwise.

11 (1) "Angling gear" means a line attached to a rod and reel
12 capable of being held in hand while landing the fish or a handheld
13 line operated without rod or reel.

14 (2) "Bag limit" means the maximum number of game animals, game
15 birds, or game fish which may be taken, caught, killed, or possessed
16 by a person, as specified by rule of the commission for a particular
17 period of time, or as to size, sex, or species.

18 (3) "Building" means a private domicile, garage, barn, or public
19 or commercial building.

20 (4) "Closed area" means a place where the hunting of some or all
21 species of wild animals or wild birds is prohibited.

1 (5) "Closed season" means all times, manners of taking, and
2 places or waters other than those established by rule of the
3 commission as an open season. "Closed season" also means all hunting,
4 fishing, taking, or possession of game animals, game birds, game
5 fish, food fish, or shellfish that do not conform to the special
6 restrictions or physical descriptions established by rule of the
7 commission as an open season or that have not otherwise been deemed
8 legal to hunt, fish, take, harvest, or possess by rule of the
9 commission as an open season.

10 (6) "Closed waters" means all or part of a lake, river, stream,
11 or other body of water, where fishing or harvesting is prohibited.

12 (7) "Commercial" means related to or connected with buying,
13 selling, or bartering.

14 (8) "Commission" means the state fish and wildlife commission.

15 (9) "Concurrent waters of the Columbia river" means those waters
16 of the Columbia river that coincide with the Washington-Oregon state
17 boundary.

18 (10) "Contraband" means any property that is unlawful to produce
19 or possess.

20 (11) "Covered animal species" means any species of elephant,
21 rhinoceros, tiger, lion, leopard, cheetah, pangolin, marine turtle,
22 shark, or ray either: (a) Listed in appendix I or appendix II of the
23 convention on international trade in endangered species of wild flora
24 and fauna; or (b) listed as critically endangered, endangered, or
25 vulnerable on the international union for conservation of nature and
26 natural resources red list of threatened species.

27 (12) "Covered animal species part or product" means any item that
28 contains, or is wholly or partially made from, any covered animal
29 species.

30 (13) "Deleterious exotic wildlife" means species of the animal
31 kingdom not native to Washington and designated as dangerous to the
32 environment or wildlife of the state.

33 (14) "Department" means the department of fish and wildlife.

34 (15) "Director" means the director of fish and wildlife.

35 (16) "Distribute" or "distribution" means either a change in
36 possession for consideration or a change in legal ownership.

37 (17) "Endangered species" means wildlife designated by the
38 commission as seriously threatened with extinction.

39 (18) "Ex officio fish and wildlife officer" means:

1 (a) A commissioned officer of a municipal, county, or state
2 agency having as its primary function the enforcement of criminal
3 laws in general, while the officer is acting in the respective
4 jurisdiction of that agency;

5 (b) An officer or special agent commissioned by one of the
6 following: The national marine fisheries service; the Washington
7 state parks and recreation commission; the United States fish and
8 wildlife service; the Washington state department of natural
9 resources; the United States forest service; or the United States
10 parks service, if the agent or officer is in the respective
11 jurisdiction of the primary commissioning agency and is acting under
12 a mutual law enforcement assistance agreement between the department
13 and the primary commissioning agency;

14 (c) A commissioned fish and wildlife peace officer from another
15 state who meets the training standards set by the Washington state
16 criminal justice training commission pursuant to RCW 10.93.090,
17 43.101.080, and 43.101.200, and who is acting under a mutual law
18 enforcement assistance agreement between the department and the
19 primary commissioning agency; or

20 (d) A Washington state tribal police officer who successfully
21 completes the requirements set forth under RCW 43.101.157, is
22 employed by a tribal nation that has complied with RCW 10.92.020(2)
23 (a) and (b), and is acting under a mutual law enforcement assistance
24 agreement between the department and the tribal government.

25 (19) "Fish" includes all species classified as game fish or food
26 fish by statute or rule, as well as all finfish not currently
27 classified as food fish or game fish if such species exist in state
28 waters. The term "fish" includes all stages of development and the
29 bodily parts of fish species.

30 (20) "To fish" and its derivatives means an effort to kill,
31 injure, harass, harvest, or capture a fish or shellfish.

32 (21) "Fish and wildlife officer" means a person appointed and
33 commissioned by the director, with authority to enforce this title
34 and rules adopted pursuant to this title, and other statutes as
35 prescribed by the legislature. Fish and wildlife officer includes a
36 person commissioned before June 11, 1998, as a wildlife agent or a
37 fisheries patrol officer.

38 (22) "Fish broker" means a person who facilitates the sale or
39 purchase of raw or frozen fish or shellfish on a fee or commission
40 basis, without assuming title to the fish or shellfish.

1 (23) "Fish dealer" means a person who engages in any activity
2 that triggers the need to obtain a fish dealer license under RCW
3 77.65.280.

4 (24) "Fishery" means the taking of one or more particular species
5 of fish or shellfish with particular gear in a particular
6 geographical area.

7 (25) "Food, food waste, or other substance" includes human and
8 pet food or other waste or garbage that could attract large wild
9 carnivores.

10 (26) "Fresh water" means all waters not defined as salt water
11 including, but not limited to, rivers upstream of the river mouth,
12 lakes, ponds, and reservoirs.

13 (27) "Fur-bearing animals" means game animals that shall not be
14 trapped except as authorized by the commission.

15 (28) "Fur dealer" means a person who purchases, receives, or
16 resells raw furs for commercial purposes.

17 (29) "Game animals" means wild animals that shall not be hunted
18 except as authorized by the commission.

19 (30) "Game birds" means wild birds that shall not be hunted
20 except as authorized by the commission.

21 (31) "Game farm" means property on which wildlife is held,
22 confined, propagated, hatched, fed, or otherwise raised for
23 commercial purposes, trade, or gift. The term "game farm" does not
24 include publicly owned facilities.

25 (32) "Game reserve" means a closed area where hunting for all
26 wild animals and wild birds is prohibited.

27 (33) "To hunt" and its derivatives means an effort to kill,
28 injure, harass, harvest, or capture a wild animal or wild bird.

29 (34) "Illegal items" means those items unlawful to be possessed.

30 (35)(a) "Intentionally feed, attempt to feed, or attract" means
31 to purposefully or knowingly provide, leave, or place in, on, or
32 about any land or building any food, food waste, or other substance
33 that attracts or could attract large wild carnivores to that land or
34 building.

35 (b) "Intentionally feed, attempt to feed, or attract" does not
36 include keeping food, food waste, or other substance in an enclosed
37 garbage receptacle or other enclosed container unless specifically
38 directed by a fish and wildlife officer or animal control authority
39 to secure the receptacle or container in another manner.

40 (36) "Large wild carnivore" includes wild bear, cougar, and wolf.

1 (37) "License year" means the period of time for which a
2 recreational license is valid. The license year begins April 1st, and
3 ends March 31st.

4 (38) "Limited-entry license" means a license subject to a license
5 limitation program established in chapter 77.70 RCW.

6 (39) "Limited fish seller" means a licensed commercial fisher who
7 sells his or her fish or shellfish to anyone other than a wholesale
8 fish buyer thereby triggering the need to obtain a limited fish
9 seller endorsement under RCW 77.65.510.

10 (40) "Money" means all currency, script, personal checks, money
11 orders, or other negotiable instruments.

12 (41) "Natural person" means a human being.

13 (42)(a) "Negligently feed, attempt to feed, or attract" means to
14 provide, leave, or place in, on, or about any land or building any
15 food, food waste, or other substance that attracts or could attract
16 large wild carnivores to that land or building, without the awareness
17 that a reasonable person in the same situation would have with regard
18 to the likelihood that the food, food waste, or other substance could
19 attract large wild carnivores to the land or building.

20 (b) "Negligently feed, attempt to feed, or attract" does not
21 include keeping food, food waste, or other substance in an enclosed
22 garbage receptacle or other enclosed container unless specifically
23 directed by a fish and wildlife officer or animal control authority
24 to secure the receptacle or container in another manner.

25 (43) "Nonresident" means a person who has not fulfilled the
26 qualifications of a resident.

27 (44) "Offshore waters" means marine waters of the Pacific Ocean
28 outside the territorial boundaries of the state, including the marine
29 waters of other states and countries.

30 (45) "Open season" means those times, manners of taking, and
31 places or waters established by rule of the commission for the lawful
32 hunting, fishing, taking, or possession of game animals, game birds,
33 game fish, food fish, or shellfish that conform to the special
34 restrictions or physical descriptions established by rule of the
35 commission or that have otherwise been deemed legal to hunt, fish,
36 take, or possess by rule of the commission. "Open season" includes
37 the first and last days of the established time.

38 (46) "Owner" means the person in whom is vested the ownership
39 dominion, or title of the property.

1 (47) "Person" means and includes an individual; a corporation; a
2 public or private entity or organization; a local, state, or federal
3 agency; all business organizations, including corporations and
4 partnerships; or a group of two or more individuals acting with a
5 common purpose whether acting in an individual, representative, or
6 official capacity.

7 (48) "Personal property" or "property" includes both corporeal
8 and incorporeal personal property and includes, among other property,
9 contraband and money.

10 (49) "Personal use" means for the private use of the individual
11 taking the fish or shellfish and not for sale or barter.

12 (50) "Predatory birds" means wild birds that may be hunted
13 throughout the year as authorized by the commission.

14 (51) "To process" and its derivatives mean preparing or
15 preserving fish, wildlife, or shellfish.

16 (52) "Protected wildlife" means wildlife designated by the
17 commission that shall not be hunted or fished.

18 (53) "Raffle" means an activity in which tickets bearing an
19 individual number are sold for not more than twenty-five dollars each
20 and in which a permit or permits are awarded to hunt or for access to
21 hunt big game animals or wild turkeys on the basis of a drawing from
22 the tickets by the person or persons conducting the raffle.

23 (54) "Resident" has the same meaning as defined in RCW 77.08.075.

24 (55) "Salt water" means those marine waters seaward of river
25 mouths.

26 (56) "Seaweed" means marine aquatic plant species that are
27 dependent upon the marine aquatic or tidal environment, and exist in
28 either an attached or free floating form, and includes but is not
29 limited to marine aquatic plants in the classes Chlorophyta,
30 Phaeophyta, and Rhodophyta.

31 (57) "Senior" means a person seventy years old or older.

32 (58) "Shark fin" means a raw, dried, or otherwise processed
33 detached fin or tail of a shark.

34 (59)(a) "Shark fin derivative product" means any product intended
35 for use by humans or animals that is derived in whole or in part from
36 shark fins or shark fin cartilage.

37 (b) "Shark fin derivative product" does not include a drug
38 approved by the United States food and drug administration and
39 available by prescription only or medical device or vaccine approved
40 by the United States food and drug administration.

1 (60) "Shellfish" means those species of marine and freshwater
2 invertebrates that have been classified and that shall not be taken
3 or possessed except as authorized by rule of the commission. The term
4 "shellfish" includes all stages of development and the bodily parts
5 of shellfish species.

6 (61) "State waters" means all marine waters and fresh waters
7 within ordinary high water lines and within the territorial
8 boundaries of the state.

9 (62) "To take" and its derivatives means to kill, injure,
10 harvest, or capture a fish, shellfish, wild animal, bird, or seaweed.

11 (63) "Taxidermist" means a person who, for commercial purposes,
12 creates lifelike representations of fish and wildlife using fish and
13 wildlife parts and various supporting structures.

14 (64) "Trafficking" means offering, attempting to engage, or
15 engaging in sale, barter, or purchase of fish, shellfish, wildlife,
16 or deleterious exotic wildlife.

17 (65) "To trap" and its derivatives means a method of hunting
18 using devices to capture wild animals or wild birds.

19 (66) "Unclaimed" means that no owner of the property has been
20 identified or has requested, in writing, the release of the property
21 to themselves nor has the owner of the property designated an
22 individual to receive the property or paid the required postage to
23 effect delivery of the property.

24 (67) "Unclassified wildlife" means wildlife existing in
25 Washington in a wild state that have not been classified as big game,
26 game animals, game birds, predatory birds, protected wildlife,
27 endangered wildlife, or deleterious exotic wildlife.

28 (68) "To waste" or "to be wasted" means to allow any edible
29 portion of any game bird, food fish, game fish, shellfish, or big
30 game animal other than cougar to be rendered unfit for human
31 consumption, or to fail to retrieve edible portions of such a game
32 bird, food fish, game fish, shellfish, or big game animal other than
33 cougar from the field. For purposes of this chapter, edible portions
34 of game birds must include, at a minimum, the breast meat of those
35 birds. Entrails, including the heart and liver, of any wildlife
36 species are not considered edible.

37 (69) "Wholesale fish buyer" means a person who engages in any
38 fish buying or selling activity that triggers the need to obtain a
39 wholesale fish buyer endorsement under RCW 77.65.340.

1 (70) "Wild animals" means those species of the class Mammalia
2 whose members exist in Washington in a wild state. The term "wild
3 animal" does not include feral domestic mammals or old world rats and
4 mice of the family Muridae of the order Rodentia.

5 (71) "Wild birds" means those species of the class Aves whose
6 members exist in Washington in a wild state.

7 (72) "Wildlife" means all species of the animal kingdom whose
8 members exist in Washington in a wild state. This includes but is not
9 limited to mammals, birds, reptiles, amphibians, fish, and
10 invertebrates. The term "wildlife" does not include feral domestic
11 mammals, old world rats and mice of the family Muridae of the order
12 Rodentia, or those fish, shellfish, and marine invertebrates
13 classified as food fish or shellfish by the director. The term
14 "wildlife" includes all stages of development and the bodily parts of
15 wildlife members.

16 (73) "Wildlife meat cutter" means a person who packs, cuts,
17 processes, or stores wildlife for consumption for another for
18 commercial purposes.

19 (74) "Youth" means a person fifteen years old for fishing and
20 under sixteen years old for hunting.

21 (75) "Fishing guide" means a person who provides or offers to
22 provide sport fishing guide services to persons who are engaged in
23 personal use fisheries on or along state waters.

24 (76) "Sport fishing guide services" means an individual or
25 company providing assistance, for compensation or with the intent to
26 receive compensation, to a client to take or to attempt to take fish,
27 by either accompanying or physically directing the client, or both,
28 in personal use fishing activities during any part of a trip on or
29 along state waters.

30 **Sec. 2.** RCW 77.15.160 and 2020 c 38 s 3 are each amended to read
31 as follows:

32 The following acts are infractions and may be cited and civil
33 penalties imposed as provided under chapter 7.84 RCW, to include
34 detentions for a reasonable period and investigations as provided in
35 RCW 7.84.030. The civil provisions of this section are cumulative and
36 nonexclusive and do not affect any criminal prosecution or
37 investigatory authority over criminal offenses:

38 (1) Fishing and shellfishing infractions:

1 (a) Barbed hooks: Fishing for personal use with barbed hooks in
2 violation of any department rule.

3 (b) Catch recording: Failing to immediately record a catch of
4 fish or shellfish on a catch record card as required by RCW 77.32.430
5 or department rule.

6 (c) Catch reporting: Failing to return a catch record card to the
7 department as required by department rule.

8 (d) (i) Recreational fishing: Fishing for fish or shellfish and
9 the person:

10 ~~((+i))~~ (A) Fails to have in the person's possession the license
11 or the catch record card required by chapter 77.32 RCW for such an
12 activity; or

13 ~~((+ii))~~ (B) Violates any department rule regarding seasons,
14 closed areas, closed times, or any other rule addressing the manner
15 or method of fishing for fish or shellfish and the violation
16 involves:

17 ~~((+A))~~ (I) Salmon or steelhead;

18 ~~((+B))~~ (II) Sturgeon;

19 ~~((+C))~~ (III) Game fish;

20 ~~((+D))~~ (IV) Food fish;

21 ~~((+E))~~ (V) Shellfish;

22 ~~((+F))~~ (VI) Unclassified fish or shellfish;

23 ~~((+G))~~ (VII) Waste of food fish, game fish or shellfish. This
24 subsection (1)(d) ~~((+ii))~~ (i)(B) does not apply to use of a net to
25 take fish under RCW 77.15.580 or unlawful recreational fishing in the
26 first degree under RCW 77.15.370.

27 (ii) (d)(i)(B) of this subsection does not apply to use of a net
28 to take fish under RCW 77.15.580 or unlawful recreational fishing in
29 the first degree under RCW 77.15.370.

30 (e) Seaweed: Taking, possessing, or harvesting less than two
31 times the daily possession limit of seaweed:

32 (i) While the person is not in possession of the license required
33 by chapter 77.32 RCW; or

34 (ii) In violation of any rule of the department or the department
35 of natural resources regarding seasons, closed areas, closed times,
36 or any other rule addressing the manner or method of taking,
37 possessing, or harvesting of seaweed.

38 (2) ~~((+Hunting))~~ Small game hunting infractions:

39 (a) A person engages in an activity defined by chapter 77.32 RCW
40 while not having in the person's possession or having failed to

1 purchase the hunting license or tag required by that chapter, not
2 including big game.

3 (b) Eggs or nests: Maliciously, and without permit authorization,
4 destroying, taking, or harming the eggs or active nests of a wild
5 bird not classified as endangered or protected. For purposes of this
6 subsection, "active nests" means nests that contain eggs or
7 fledglings.

8 (c) Hunting for wildlife not classified as big game and the
9 person violates any department rule regarding seasons, closed areas,
10 closed times, or any other rule defining the method or manner of
11 hunting or taking wildlife and the violation involves:

12 (i) Unclassified wildlife;

13 (ii) Small game;

14 (iii) Furbearers;

15 (iv) Game birds;

16 (v) Wild birds;

17 (vi) Wild animals;

18 (vii) Waste of small game.

19 (3) Trapping, taxidermy, fur dealing, and wildlife meat cutting
20 infractions:

21 (a) Recordkeeping and reporting: If a person is a taxidermist,
22 fur dealer, or wildlife meat cutter who is processing, holding, or
23 storing wildlife for commercial purposes, failing to:

24 (i) Maintain records as required by department rule; or

25 (ii) Report information from these records as required by
26 department rule.

27 (b) Trapper's report: Failing to report trapping activity as
28 required by department rule.

29 (4) Limited fish seller infraction: Failure of a holder of a
30 limited fish seller endorsement to satisfy the food safety
31 requirements to consumers under RCW 77.65.510(2).

32 (5) (a) Invasive species management infractions:

33 (i) Out-of-state certification: Entering Washington in possession
34 of an aquatic conveyance that does not meet certificate of inspection
35 requirements as provided under RCW 77.135.100;

36 (ii) Clean and drain requirements: Possessing an aquatic
37 conveyance that does not meet clean and drain requirements under RCW
38 77.135.110;

1 (iii) Clean and drain orders: Possessing an aquatic conveyance
2 and failing to obey a clean and drain order under RCW 77.135.110 or
3 77.135.120; and

4 (iv) Aquatic invasive species prevention permit requirements:
5 Failing to possess a valid aquatic invasive species prevention permit
6 as required under RCW 77.135.210, 77.135.220, or 77.135.230.

7 (b) Unless the context clearly requires otherwise, the
8 definitions in both RCW 77.08.010 and 77.135.010 apply throughout
9 this subsection (5).

10 (6) Big game hunting:

11 (a) A person engages in an activity defined by chapter 77.32 RCW
12 while having purchased but not having in the person's possession the
13 hunting license or tag required by that chapter for big game.

14 (b) Hunting the big game species of deer, elk, bear, or cougar
15 and the person violates any department rule regarding seasons, closed
16 areas, closed times, or any other department rule defining the method
17 or manner of hunting or taking these big game species. This
18 subsection (6)(b) does not apply to protected, threatened, or
19 endangered big game as identified under RCW 77.12.020.

20 (c) A violation of this subsection carries a mandatory fine of
21 \$500, not including statutory assessments added pursuant to RCW
22 3.62.090.

23 (7) General hunting:

24 (a) A person carries, transports, conveys, possesses, or controls
25 a rifle or shotgun in a motor vehicle, except as allowed by
26 department rule, and the rifle or shotgun contains live shells or
27 cartridges in the attached or internal magazine.

28 (b) A person discharges a firearm from or across the maintained
29 portion of a public highway.

30 (c) A person fails to properly notch a transport tag as required
31 by department rule.

32 (8) Hydraulic activities:

33 (a) A person who operates a motor vehicle as defined in RCW
34 46.04.320 in the wetted portion of a streambed other than at an
35 established ford.

36 (b) A person who, in violation of a department rule, constructs
37 by hand, without the use of tools or equipment, a rock dam or similar
38 structure that could impede the movement of fish life, as defined by
39 department rule.

40 (9) Department licensed guides:

1 (a) Failing to display department registration stickers as
2 required by chapter 77.65 RCW or a department rule.

3 (b) Failing to initiate, complete, or submit guide logbooks as
4 required by department rule.

5 (10) Other infractions:

6 (a) Contests: Unlawfully conducting, holding, or sponsoring a
7 hunting contest, a fishing contest involving game fish, or a
8 competitive field trial using live wildlife.

9 (b) Other rules: Violating any other department rule that is
10 designated by rule as an infraction.

11 (c) Posting signs: Posting signs preventing hunting or fishing on
12 any land not owned or leased by the person doing the posting, or
13 without the permission of the person who owns, leases, or controls
14 the land posted.

15 (d) Department permits: Except as provided in RCW 77.15.750,
16 using a department permit issued by the department, and the person:

17 (i) Violates any terms or conditions of the permit;

18 (ii) Violates any department rule applicable to the issuance or
19 use of permits; or

20 (iii) Violates any commercial use or activity permits,
21 noncommercial use or activity permits, or parking permits.

22 (e) This subsection does not apply to discover pass, vehicle
23 access pass, or day-use permit requirements or penalties pursuant to
24 RCW 79A.80.080.

25 **Sec. 3.** RCW 77.15.260 and 2015 c 141 s 1 are each amended to
26 read as follows:

27 (1) A person is guilty of unlawful trafficking in fish,
28 shellfish, or wildlife in the second degree if the person traffics in
29 fish, shellfish, seaweed, or wildlife with a wholesale value of less
30 than (~~two hundred fifty dollars~~) \$250 and:

31 (a) The fish, shellfish, or wildlife is classified as game, food
32 fish, shellfish, game fish, or protected wildlife and the trafficking
33 is not authorized by statute or department rule; (~~or~~)

34 (b) The fish, shellfish, or wildlife is unclassified and the
35 trafficking violates any department rule; or

36 (c) The seaweed is trafficked in violation of any department
37 rule.

1 (2)(a) A person is guilty of unlawful trafficking in fish,
2 shellfish, or wildlife in the first degree if the person commits the
3 act described by subsection (1) of this section and:

4 (i) The fish, shellfish, or wildlife has a value of two hundred
5 fifty dollars or more; or

6 (ii) The fish, shellfish, or wildlife is designated as an
7 endangered species or deleterious exotic wildlife and such
8 trafficking is not authorized by any statute or department rule.

9 (b) For purposes of this subsection (2), whenever any series of
10 transactions that constitute unlawful trafficking would, when
11 considered separately, constitute unlawful trafficking in the second
12 degree due to the value of the fish, shellfish, or wildlife, and the
13 series of transactions are part of a common scheme or plan, then the
14 transactions may be aggregated in one count and the sum of the value
15 of all the transactions considered when determining the degree of
16 unlawful trafficking involved.

17 (3)(a) Unlawful trafficking in fish, shellfish, or wildlife in
18 the second degree is a class C felony.

19 (b) Unlawful trafficking in fish, shellfish, or wildlife in the
20 first degree is a class B felony.

21 **Sec. 4.** RCW 77.15.290 and 2014 c 202 s 304 are each amended to
22 read as follows:

23 (1) A person is guilty of unlawful transportation of fish or
24 wildlife in the second degree if the person:

25 (a) Knowingly imports, moves within the state, or exports fish,
26 shellfish, or wildlife in violation of any department rule governing
27 the transportation or movement of fish, shellfish, or wildlife and
28 the transportation does not involve big game, endangered fish or
29 wildlife, deleterious exotic wildlife, or fish, shellfish, or
30 wildlife having a value greater than (~~two hundred fifty dollars~~)
31 \$250; or

32 (b) Possesses but fails to affix (~~or~~) and notch a big game
33 transport tag as required by department rule.

34 (2) A person is guilty of unlawful transportation of fish or
35 wildlife in the first degree if the person:

36 (a) Knowingly imports, moves within the state, or exports fish,
37 shellfish, or wildlife in violation of any department rule governing
38 the transportation or movement of fish, shellfish, or wildlife and
39 the transportation involves big game, endangered fish or wildlife,

1 deleterious exotic wildlife, or fish, shellfish, or wildlife with a
2 value of (~~two hundred fifty dollars~~) \$250 or more; or

3 (b) Knowingly transports shellfish, shellstock, or equipment used
4 in commercial culturing, taking, handling, or processing shellfish
5 without a permit required by authority of this title.

6 (3) (a) Unlawful transportation of fish or wildlife in the second
7 degree is a misdemeanor.

8 (b) Unlawful transportation of fish or wildlife in the first
9 degree is a gross misdemeanor.

10 (4) This section does not apply to invasive species.

11 **Sec. 5.** RCW 77.15.410 and 2012 c 176 s 26 are each amended to
12 read as follows:

13 (1) (a) A person is guilty of unlawful hunting of big game in the
14 second degree if the person:

15 (~~(a)~~) (i) Hunts for (~~(, takes, or possesses big game and the~~
16 ~~person does not have and possess all licenses, tags, or permits~~
17 ~~required under this title; or~~

18 ~~(b) Violates~~) big game and, whether or not the person takes or
19 possesses big game, the person has not purchased the appropriate
20 license, permit, or tags required under this title;

21 (ii) Takes or possesses big game and owns, but does not have in
22 the person's possession, the licenses, tags, or permits required
23 under this title; or

24 (iii) Takes or possesses big game and violates any department
25 rule regarding seasons, bag or possession limits, closed areas
26 including game reserves, closed times, or any other rule governing
27 the hunting, taking, or possession of big game.

28 (b) The element of take or possession in (a) (ii) or (iii) of this
29 subsection is not required if:

30 (i) A person has been convicted of a violation related to big
31 game hunting under RCW 77.15.160 or a violation of this subsection
32 within the past two years of current offense; or

33 (ii) The violation involves a big game species other than deer,
34 elk, cougar, and black bear.

35 (2) A person is guilty of unlawful hunting of big game in the
36 first degree if the person commits the act described in subsection
37 (1) of this section and:

38 (a) The person hunts for, takes, or possesses three or more big
39 game animals within the same course of events; or

1 (b) The act occurs within five years of the date of a prior
2 conviction under this title involving unlawful hunting, killing,
3 possessing, or taking big game.

4 (3)(a) Unlawful hunting of big game in the second degree is a
5 gross misdemeanor. Upon conviction of an offense involving killing or
6 possession of big game taken during a closed season, closed area,
7 without the proper license, tag, or permit using an unlawful method,
8 or in excess of the bag or possession limit, the department shall
9 revoke all of the person's hunting licenses and tags and order a
10 suspension of the person's hunting privileges for two years. Courts
11 shall impose the mandatory penalty requirements of RCW 77.15.420.

12 (b) Unlawful hunting of big game in the first degree is a class C
13 felony. Upon conviction, the department shall revoke all of the
14 person's hunting licenses or tags and order the person's hunting
15 privileges suspended for ~~((ten))~~ 10 years. Courts shall impose the
16 mandatory penalty requirements of RCW 77.15.420.

17 (4) For the purposes of this section, "same course of events"
18 means within one ~~((twenty-four))~~ 72 hour period, or a ~~((pattern of~~
19 ~~conduct composed))~~ common scheme or plan of a series of acts that are
20 unlawful under subsection (1) of this section ~~((, over a period of~~
21 ~~time evidencing a continuity of purpose))~~.

22 **Sec. 6.** RCW 77.15.460 and 2018 c 168 s 1 are each amended to
23 read as follows:

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

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

30 (b) The rifle or shotgun contains ~~((shells or cartridges))~~ a
31 shell or cartridge in the ~~((magazine or))~~ chamber, or is a muzzle-
32 loading firearm that is loaded and capped or primed.

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

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

36 (b) The person discharges a firearm from within a moving motor
37 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) Has been granted a disability designation as provided by RCW
8 77.32.237 and complies with all rules of the department concerning
9 hunting by persons with disabilities; or

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

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

20 NEW SECTION. **Sec. 7.** A new section is added to chapter 77.65
21 RCW to read as follows:

22 Fish and wildlife officers may issue an infraction for the
23 corresponding violation to a person who is licensed as a fishing
24 guide or charter boat operator who:

25 (1) Knowingly commits or aids in the commission of any
26 recreational fishing department rule violation while engaged in
27 guiding or chartering activities that could be charged as an
28 infraction under RCW 77.15.160; or

29 (2) Permits the commission of any infraction under RCW 77.15.160
30 or corresponding recreational fishing department rule violation that
31 the person knows or reasonably believes is being or will be committed
32 without:

33 (a) Attempting to prevent it, short of using force; and

34 (b) Reporting the violation.

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