

RCW 79A.05.225 Winter recreational facilities—Commission duties

—Liability. (1) In addition to its other powers, duties, and functions the commission may:

(a) Plan, construct, and maintain suitable facilities for winter recreational activities on lands administered or acquired by the commission or as authorized on lands administered by other public agencies or private landowners by agreement;

(b) Provide and issue upon payment of the proper fee, under RCW 79A.05.230, 79A.05.240, and 46.61.585, with the assistance of such authorized agents as may be necessary for the convenience of the public, special permits to park in designated winter recreational area parking spaces;

(c) Administer the snow removal operations for all designated winter recreational area parking spaces; and

(d) Compile, publish, and distribute maps indicating such parking spaces, adjacent trails, and areas and facilities suitable for winter recreational activities.

(2) The commission must require the winter recreation program and its services to be self-supported solely through permit fees, gifts, grants, donations, and other revenues dedicated to the winter recreational program account in RCW 79A.05.235 and the snowmobile account in *RCW 46.10.075.

(3) The commission may contract with any public or private agency for the actual conduct of such duties, but shall remain responsible for the proper administration thereof. The commission is not liable for unintentional injuries to users of lands administered for winter recreation purposes under this section or under RCW 46.10.370, whether the lands are administered by the commission, by other public agencies, or by private landowners through agreement with the commission. Nothing in this section prevents the liability of the commission for injuries sustained by a user by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted. A road covered with snow and groomed for the purposes of winter recreation consistent with this chapter and chapter 46.10 RCW shall not be presumed to be a known dangerous artificial latent condition for the purposes of this chapter. [2011 c 320 s 25; 2011 c 171 s 116; 1999 c 249 s 1401. Prior: 1990 c 136 s 2; 1990 c 49 s 2; 1982 c 11 s 1; 1975 1st ex.s. c 209 s 1. Formerly RCW 43.51.290.]

Reviser's note: *(1) RCW 46.10.075 was recodified as RCW 46.68.350 pursuant to 2010 c 161 s 1230, effective July 1, 2011.

(2) This section was amended by 2011 c 171 s 116 and by 2011 c 320 s 25, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2011 c 320: See note following RCW 79A.80.005.

Findings—Intent—2011 c 320: See RCW 79A.80.005.

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Severability—1999 c 249: See note following RCW 79A.05.010.

Severability—1975 1st ex.s. c 209: "If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1975 1st ex.s. c 209 s 9.]