

FILED
SUPREME COURT
STATE OF WASHINGTON
October 5, 2021
BY ERIN L. LENNON
CLERK

THE SUPREME COURT OF WASHINGTON

IN THE MATTER OF THE PROPOSED
AMENDMENTS TO IRLJ 6.2(d)—MONETARY
PENALTY SCHEDULE FOR INFRACTIONS

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ORDER

NO. 25700-A-1369

The Washington Department of Fish & Wildlife, having recommended the adoption of the proposed amendments to IRLJ 6.2(d)—Monetary Penalty Schedule for Infractions, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby


ORDERED:

- (a) That the proposed amendments as attached hereto are adopted.
- (b) That pursuant to the emergency provisions of GR 9(j)(1), the proposed amendments will be expeditiously published in the Washington Reports and will become effective upon publication.

ORDER

IN THE MATTER OF THE PROPOSED AMENDMENTS TO IRLJ 6.2(d)—MONETARY PENALTY SCHEDULE FOR INFRACTIONS

DATED at Olympia, Washington this 5th day of October, 2021.



Johnson, J.



González, C.J.



Gordon McCloud, J.



Madsen, J.




Yu, J.



Owens, J.



Montoya-Lewis, J.



Stephens, J.



Whitener, J.

IRLJ 6.2(d)
MONETARY PENALTY SCHEDULE FOR
INFRACTIONS

(a)-(c) [Unchanged.]

(d) Penalty Schedule. The following infractions shall have the penalty listed, not including statutory assessments.

| | Base Penalty |
|---|----------------------|
| (1)-(4) [Unchanged.] | |
| (5) Fish and Wildlife Infractions | |
| Fish for Personal Use—Barbed Hooks (RCW 77.15.160(1)(a)) | \$48 \$ <u>29</u> |
| Fail to Immediately Record Fish/Shellfish Catch (RCW 77.15.160(1)(b)) | \$48 \$ <u>29</u> |
| Fail to Return Catch Record Card (RCW 77.15.160(1)(c)) | \$39 \$ <u>29</u> |
| Recreational Fishing—License not with Person (RCW 77.15.160(1)(d)(i)) | \$73 \$ <u>48</u> |
| <u>Recreational Fishing—Rule Violation:</u> (RCW 77.15.160(1)(d)(ii)) | \$73 |
| <u>Involves Salmon or Steelhead (RCW 77.15.160(1)(d)(ii)(A))</u> | \$87 |
| <u>Involves Sturgeon (RCW 77.15.160(1)(d)(ii)(B))</u> | \$48 |
| <u>Involves Game Fish (RCW 77.15.160(1)(d)(ii)(C))</u> | \$48 |
| <u>Involves Food Fish (RCW 77.15.160(1)(d)(ii)(D))</u> | \$38 |
| <u>Involves Shellfish (RCW 77.15.160(1)(d)(ii)(E))</u> | \$38 |
| <u>Involves Unclassified Fish or Shellfish</u> <u>(RCW 77.15.160(i)(d)(ii)(F))</u> | \$28 |
| <u>Involves Waste of Food Fish, Game Fish or Shellfish</u> <u>(RCW 77.15.160(1)(d)(ii)(G))</u> | \$97 |

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|---|-------|-------------|
| Seaweed—License not with Person (<2x daily limit) (RCW 77.15.160(1)(e)(i)) | \$48 | <u>\$28</u> |
| Seaweed—Rule Violation (<2x daily limit) (RCW 77.15.160(1)(e)(ii)) | \$48 | <u>\$28</u> |
| <u>Hunting Wild Animals—Infraction no license on person except big game (RCW 77.15.160(2)(a))</u> | \$48 | |
| Harm Bird Eggs/Nests (not endangered/protected wild birds) (RCW 77.15.160(2)(b)) | \$97 | <u>\$73</u> |
| <u>Hunting Infractions for Wildlife, except big game:</u> | | |
| <u>Involves Unclassified Wildlife (RCW 77.15.160(2)(c)(i))</u> | \$48 | |
| <u>Involves Small Game (RCW 77.15.160(2)(c)(ii))</u> | \$73 | |
| <u>Involves Furbearers (RCW 77.15.160 (2)(c)(iii))</u> | \$73 | |
| <u>Involves Game Birds (RCW 77.15.160(2)(c)(iv))</u> | \$87 | |
| <u>Involves Wild birds (RCW 77.15.160(2)(c)(v))</u> | \$73 | |
| <u>Involves Wild Animals (RCW 77.15.160(2)(c)(vi))</u> | \$48 | |
| <u>Involves Waste of Small Game (RCW 77.15.160(2)(c)(vii))</u> | \$97 | |
| Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Maintain Records (RCW 77.15.160(3)(a)(i)) | \$122 | <u>\$73</u> |
| Taxidermist/Fur Dealer/Wildlife Meat Cutter—Fail to Report Information (RCW 77.15.160(3)(a)(ii)) | \$73 | <u>\$48</u> |
| Trapper—Fail to Report Trapping Activity (RCW 77.15.160(3)(b)) | \$73 | <u>\$48</u> |
| <u>Limited Fish Seller Infraction (RCW 77.15.160(4))</u> | \$73 | |
| <u>Invasive Species Infraction—No out-of-state certificate (RCW 77.15.160(5)(a)(i))</u> | \$43 | |
| <u>Invasive Species Infraction—Clean and Drain Requirements (RCW 77.15.160(5)(a)(ii))</u> | \$43 | |

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| <u>Invasive Species Infraction—Fail to Obey Clean and Drain Order (RCW 77.15.160(5)(a)(iii))</u> | <u>\$87</u> |
| <u>Invasive Species Infraction—Fail to Possess aquatic invasive species prevention permit (RCW 77.15.160(5)(a)(iv))</u> | <u>\$43</u> |
| <u>Other Infractions—Unlawfully Conducting or Holding a Fishing Contest or Field Trial (RCW 77.15.160(6)(a))</u> | <u>\$146</u> |
| <u>Other Infractions—Violate any other Department rule designated as an infraction (RCW 77.15.160(6)(b))</u> | <u>\$73</u> |
| <u>Other Infractions—Unlawfully posting signs (RCW 77.15.160(6)(c))</u> | <u>\$122</u> |
| <u>Department Permits—Violates any Terms or Conditions (RCW 77.15.160(6)(d)(i))</u> | <u>\$122</u> |
| <u>Department Permits—Violates any commercial use or active permits, noncommercial use or active permits, or parking permits issued by the Department (RCW 77.15.160(6)(d)(ii))</u> | <u>\$122</u> |
| Violate Distance/Feeding Prohibitions for Southern Resident Orca Whales (RCW 77.15.740) | <u>\$500</u> |
| Negligently Feed/Attempt to Feed Large Wild Carnivores (RCW 77.15.790) | <u>\$500</u> |