

RCW 77.15.160 Infractions—Penalties. The following acts are infractions and may be cited and civil penalties imposed as provided under chapter 7.84 RCW, to include detentions for a reasonable period and investigations as provided in RCW 7.84.030. The civil provisions of this section are cumulative and nonexclusive and do not affect any criminal prosecution or investigatory authority over criminal offenses:

(1) Fishing and shellfishing infractions:

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

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

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

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

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

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

(I) Salmon or steelhead;

(II) Sturgeon;

(III) Game fish;

(IV) Food fish;

(V) Shellfish;

(VI) Unclassified fish or shellfish;

(VII) Waste of food fish, game fish or shellfish.

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

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

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

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

(2) Small game hunting infractions:

(a) A person engages in an activity defined by chapter 77.32 RCW while not having in the person's possession or having failed to purchase the hunting license or tag required by that chapter, not including big game.

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

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

(i) Unclassified wildlife;

- (ii) Small game;
- (iii) Furbearers;
- (iv) Game birds;
- (v) Wild birds;
- (vi) Wild animals;
- (vii) Waste of small game.

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

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

- (i) Maintain records as required by department rule; or
- (ii) Report information from these records as required by department rule.

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

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

(5) (a) Invasive species management infractions:

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

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

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

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

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

(6) Big game hunting:

(a) A person hunts for big game while not having in the person's possession the hunting license or tag required under this title.

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

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

(7) General hunting:

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

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

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

(8) Hydraulic activities:

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

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

(9) Department licensed guides:

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

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

(10) Fishing guide or charter boat operator infractions:

(a) It is an infraction for a person who is licensed and acting as a fishing guide or charter boat operator to:

(i) Aid in the commission of any infraction under subsection (1) of this section by a client; or

(ii) Permit the commission of any infraction under subsection (1) of this section by a client that the fishing guide or charter boat operator knows or reasonably believes is being or will be committed without:

(A) Attempting to prevent the infraction, short of using force; and

(B) Reporting the infraction.

(b) A person acting as a fishing guide or charter boat operator may be found to have committed an infraction under (a)(i) or (ii) of this subsection regardless of whether the client was issued an infraction for the underlying violation.

(11) Other infractions:

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

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

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

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

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

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

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

(e) This subsection does not apply to discover pass, vehicle access pass, or day-use permit requirements or penalties pursuant to RCW 79A.80.080. [2025 c 76 s 2; 2020 c 38 s 3. Prior: 2017 3rd sp.s. c 17 s 303; 2017 3rd sp.s. c 8 s 42; prior: 2014 c 202 s 204; 2014 c 48 s 7; 2013 c 307 s 2; 2012 c 176 s 15; 2000 c 107 s 237; 1998 c 190 s 17.]

Finding—Intent—Effective date—2017 3rd sp.s. c 8: See notes following RCW 77.08.010.

Findings—2014 c 202: See note following RCW 77.135.010.