

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6528

59th Legislature
2006 Regular Session

Passed by the Senate March 7, 2006
YEAS 46 NAYS 0

President of the Senate

Passed by the House February 28, 2006
YEAS 97 NAYS 0

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6528** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6528

AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Mulliken, Kastama, Benson, Oke, Esser, Berkey and Sheldon; by request of Department of Transportation)

READ FIRST TIME 01/23/06.

1 AN ACT Relating to authorization for the department of
2 transportation to allow roadside tire chain installation and removal
3 businesses on state highway rights of way; amending RCW 47.32.120; and
4 adding a new section to chapter 47.04 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.04 RCW
7 to read as follows:

8 The department may issue written permits authorizing permittees to
9 install or remove tire chains on motor vehicles with the following
10 conditions:

11 (1) Chains may only be installed or removed at locations designated
12 in the permit;

13 (2) Permittees must comply with terms and conditions in the permit
14 relating to the safe and orderly movement of traffic; and

15 (3) Permittees may charge a fee to drivers for their services.

16 The department may issue sufficient permits for the installation or
17 removal of tire chains that it finds necessary or desirable to
18 accommodate the demand for those services consistent with the maximum
19 convenience and safety to traffic. In issuing the permits, the

1 department shall insure that the maximum practicable number of
2 different individuals and entities receive permits, and that no one
3 entity, to the extent practicable, is the sole permit holder for a
4 particular location. The department may charge a fee no greater than
5 fifty dollars to permittees for the issuance of permits. The
6 department, in issuing a permit for the installation or removal of tire
7 chains, assumes no responsibility for the actions, inactions,
8 competence, or reliability of the permittee in performing those
9 services and shall not be liable for the damages relating to acts or
10 omissions of the permittees. The department shall adopt rules to
11 implement this section, including requiring permittees to wear
12 reflective clothing and use appropriate signage.

13 **Sec. 2.** RCW 47.32.120 and 1984 c 7 s 183 are each amended to read
14 as follows:

15 Except as provided in section 1 of this act, it is unlawful for any
16 person to erect a structure or establishment or maintain a business,
17 the nature of which requires the use by patrons or customers of
18 property adjoining the structure or establishment unless the structure
19 or establishment is located at a distance from the right of way of any
20 state highway so that none of the right of way thereof is required for
21 the use of the patrons or customers of the establishment. Any such
22 structure erected or business maintained that makes use of or tends to
23 invite patrons to use the right of way or any portion thereof of any
24 state highway by occupying it while a patron is a public nuisance, and
25 the department may fence the right of way of the state highway to
26 prevent such unauthorized use thereof.

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