
HOUSE BILL 2455

State of Washington

62nd Legislature

2012 Regular Session

By Representative Kagi

Read first time 01/13/12. Referred to Committee on Transportation.

1 AN ACT Relating to covering loads on public highways; amending RCW
2 46.61.655; and providing an effective date.

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

4 **Sec. 1.** RCW 46.61.655 and 2005 c 431 s 1 are each amended to read
5 as follows:

6 (1) No vehicle shall be driven or moved on any public highway
7 unless such vehicle is so constructed or loaded as to prevent any of
8 its load from dropping, sifting, leaking, or otherwise escaping
9 therefrom, except that sand may be dropped for the purpose of securing
10 traction.

11 (2) No person may operate on any public highway any vehicle with
12 any load unless the load and such covering as required thereon by
13 subsection (3) of this section is securely fastened to prevent the
14 covering or load from becoming loose, detached, or in any manner a
15 hazard to other users of the highway.

16 (3) Any vehicle operating on a paved public highway with a load of
17 dirt, sand, rocks, or gravel susceptible to being dropped, spilled,
18 leaked, or otherwise escaping therefrom shall be covered so as to

1 prevent spillage. (~~Covering of such loads is not required if six~~
2 ~~inches of freeboard is maintained within the bed.~~) A load of dirt,
3 sand, rocks, or gravel shall not exceed the freeboard within the bed.

4 (4)(a) Any person operating a vehicle from which any glass or
5 objects have fallen or escaped, which would constitute an obstruction
6 or injure a vehicle or otherwise endanger travel upon such public
7 highway shall immediately cause the public highway to be cleaned of all
8 such glass or objects and shall pay any costs therefor.

9 (b) Any vehicle with deposits of mud, rocks, or other debris on the
10 vehicle's body, fenders, frame, undercarriage, wheels, or tires shall
11 be cleaned of such material before the operation of the vehicle on a
12 paved public highway.

13 (5) The state patrol may make necessary rules to carry into effect
14 the provisions of this section, applying such provisions to specific
15 conditions and loads and prescribing means, methods, and practices to
16 effectuate such provisions.

17 (6) Nothing in this section may be construed to prohibit a public
18 maintenance vehicle from dropping sand on a highway to enhance
19 traction, or sprinkling water or other substances to clean or maintain
20 a highway.

21 (7)(a)(i) A person is guilty of failure to secure a load in the
22 first degree if he or she, with criminal negligence, fails to secure a
23 load or part of a load to his or her vehicle in compliance with
24 subsection (1), (2), or (3) of this section and causes substantial
25 bodily harm to another.

26 (ii) Failure to secure a load in the first degree is a gross
27 misdemeanor.

28 (b)(i) A person is guilty of failure to secure a load in the second
29 degree if he or she, with criminal negligence, fails to secure a load
30 or part of a load to his or her vehicle in compliance with subsection
31 (1) or (2) of this section and causes damage to property of another.

32 (ii) Failure to secure a load in the second degree is a
33 misdemeanor.

34 (c) A person who fails to secure a load or part of a load to his or
35 her vehicle in compliance with subsection (1), (2), or (3) of this
36 section is guilty of an infraction if such failure does not amount to

1 a violation of (a) or (b) of this subsection.

2 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2012.

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