

# SENATE BILL REPORT

## SB 5215

---

---

As Reported by Senate Committee On:  
Transportation, January 30, 2025

**Title:** An act relating to debris escaping from vehicles on public highways.

**Brief Description:** Concerning debris escaping from vehicles on public highways.

**Sponsors:** Senators Shewmake, Wellman, Bateman, Trudeau, Valdez, Chapman, Saldaña, Stanford, Orwall, Dhingra, Cleveland, Frame, Hasegawa, Nobles and Wilson, C..

**Brief History:**

**Committee Activity:** Transportation: 1/20/25, 1/30/25 [DPS, w/oRec].

**Brief Summary of First Substitute Bill**

- Requires any vehicle operating on a paved public highway and carrying a load of dirt, sand, pebbles, cobbles, gravel, or any aggregate material to use a cover, if the vehicle is so equipped, until January 1, 2028.
- Requires vehicles operating on a paved public highway and carrying a load of dirt, sand, pebbles, cobbles, gravel, or any aggregate material to be covered beginning January 1, 2028.

---

### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5215 be substituted therefor, and the substitute bill do pass.

Signed by Senators Lias, Chair; Lovick, Vice Chair; Ramos, Vice Chair; King, Ranking Member; Alvarado, Chapman, Cortes, Fortunato, Harris, Krishnadasan, Nobles and Shewmake.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Goehner, Assistant Ranking Member; Christian, Holy, MacEwen

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

and Wilson, J..

**Staff:** Kelly Simpson (786-7403)

**Background:** No vehicle may be driven on a public highway unless it is constructed or loaded to prevent any of its load from escaping. No person may operate a vehicle on a public highway with any load, unless the load and the covering is securely fastened to prevent the covering or load from coming loose or detached in a manner creating a hazard to other highway users.

Any vehicle carrying dirt, sand, or gravel susceptible to being dropped or escaping, must be covered, unless six inches of freeboard is maintained within the bed.

Any person operating a vehicle from which objects have fallen, which would be an obstruction or endanger travel on the highway, must immediately cause the highway to be cleaned and pay any costs. Any vehicle with mud or debris on the vehicle must be cleaned of the debris before operation.

Public maintenance vehicles are not prohibited from dropping sand for traction, or sprinkling water for cleaning or maintenance purposes.

**Summary of Bill (First Substitute):** Until January 1, 2028, any vehicle operating on a paved public highway and carrying a load of dirt, sand, pebbles, cobbles, gravel, or any aggregate materials susceptible to escaping from the vehicle must use a cover if the vehicle is so equipped.

Beginning January 1, 2028, vehicles operating on a paved public highway and carrying a load of dirt, sand, pebbles, cobbles, gravel, or any aggregate materials susceptible to escaping from the vehicle must be covered to prevent spillage and hazards to other users of the highway.

The Washington State Department of Transportation, cities, counties, public utility districts, and the contractors working for such public entities are exempt from these requirements if the vehicle is:

- responding to or preparing for inclement weather or any other emergency when the work must be performed immediately to ensure the safety of the public;
- performing maintenance and preservation operations; or
- performing operations within work zones where roads or sections of roads are closed to the public.

**EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (First Substitute):**

- Restores the current law language around cleaning the public highway of all fallen

- glass or objects, such as no duty to remain at the scene.
- Restores the current law penalty language, for example, fallen dirt, sand, gravel, and such, resulting in property damage is not a misdemeanor, but stays as a traffic infraction.
  - Provides that penalties from failing to secure a load are not applicable when the materials spilled are forage feed crops.
  - Requires coverings to be secured to prevent the coverings from becoming damaged.
  - Broadens the maintenance work exceptions for governments and government contractors.
  - Limits the emergency maintenance work exception to when the work must be performed immediately to ensure the safety of the public.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on October 1, 2025.

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: The six-inch freeboard exception is a loophole allowing dirt and gravel to fly off and crack windshields. This is happening frequently on our highways. This bill will reduce costs to vehicle owners, including their insurance costs.

OTHER: We are not opposed to the general concept in the bill, but rather concerned with the fiscal impacts to counties to equip vehicle fleets with the mandatory coverings. Counties would like to offer suggested amendatory language to broaden the maintenance exceptions. Truckers do everything possible to limit debris falling off trucks. Clarifying language regarding the word hazard would be helpful regarding the duty to prevent spillage or any hazard to highway users. Associated General Contractors believes in traffic safety and members doing the right thing, but are concerned with eliminating the six-inch freeboard exception and with drivers staying on the scene to clean up fallen debris.

**Persons Testifying:** PRO: Senator Sharon Shewmake, Prime Sponsor; Rory Paine-Donovan, Office of the Insurance Commissioner.

OTHER: Axel Swanson, Washington State Association of County Engineers; Jeff DeVere, Washington Trucking Associations; Jerry VanderWood, AGC.

**Persons Signed In To Testify But Not Testifying:** No one.