

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2457

52nd Legislature  
1992 Regular Session

Passed by the House March 7, 1992  
Yeas 94 Nays 2

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**Speaker of the  
House of Representatives**

Passed by the Senate March 3, 1992  
Yeas 44 Nays 1

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 2457 as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2457**

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AS AMENDED BY THE SENATE

Passed Legislature - 1992 Regular Session

**State of Washington                      52nd Legislature                      1992 Regular Session**

**By** House Committee on Agriculture & Rural Development (originally sponsored by Representatives Chandler, Rayburn, McLean, Rasmussen, Neher, Nealey, Hochstatter, Lisk, Morton, D. Sommers, Kremen, Ballard, Van Luven, Prentice, R. Johnson, Edmondson and Bray)

Read first time 02/07/92.

1            AN ACT Relating to agricultural nuisances; and amending RCW  
2 7.48.305 and 46.61.655.

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

4            **Sec. 1.** RCW 7.48.305 and 1979 c 122 s 2 are each amended to read  
5 as follows:

6            Notwithstanding any other provision of this chapter, agricultural  
7 activities conducted on farmland, if consistent with good agricultural  
8 practices and established prior to surrounding nonagricultural  
9 activities, are presumed to be reasonable and ~~((do))~~ shall not be  
10 found to constitute a nuisance unless the activity has a substantial  
11 adverse effect on the public health and safety.

12            If that agricultural activity is undertaken in conformity with  
13 federal, state, and local laws and regulations, it is presumed to be  
14 good agricultural practice and not adversely affecting the public

1 health and safety. An agricultural activity that is in conformity with  
2 such laws and rules shall not be restricted as to the hours of the day  
3 or day or days of the week during which it may be conducted.

4 Nothing in this section shall affect or impair any right to sue for  
5 damages.

6 **Sec. 2.** RCW 46.61.655 and 1990 c 250 s 56 are each amended to read  
7 as follows:

8 (1) No vehicle shall be driven or moved on any public highway  
9 unless such vehicle is so constructed or loaded as to prevent any of  
10 its load from dropping, sifting, leaking, or otherwise escaping  
11 therefrom, except that sand may be dropped for the purpose of securing  
12 traction. Any person operating a vehicle from which any glass or  
13 objects have fallen or escaped, which would constitute an obstruction  
14 or injure a vehicle or otherwise endanger travel upon such public  
15 highway shall immediately cause the public highway to be cleaned of all  
16 such glass or objects and shall pay any costs therefor.

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

22 (3) Any vehicle operating on a paved public highway with a load of  
23 dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or  
24 otherwise escaping therefrom shall be covered so as to prevent  
25 spillage. Covering of such loads is not required if six inches of  
26 freeboard is maintained within the bed.

27 (4) Any vehicle with deposits of mud, rocks, or other debris on the  
28 vehicle's body, fenders, frame, undercarriage, wheels, or tires shall

1 be cleaned of such material before the operation of the vehicle on a  
2 paved public highway.

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

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

11 (7) This section does not apply to waste products falling from  
12 vehicles hauling live farm animals when crossing a ferry capable only  
13 of transporting fewer than twenty-five vehicles.