

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1117

Chapter 96, Laws of 2005

(partial veto)

59th Legislature
2005 Regular Session

FARM EQUIPMENT--HIGHWAYS

EFFECTIVE DATE: 7/24/05

Passed by the House March 10, 2005
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 6, 2005
Yeas 47 Nays 0

BRAD OWEN

President of the Senate

Approved April 20, 2005, with the
exception of section 2, which is vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1117** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 20, 2005 - 3:25 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1117

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Ericksen, Linville, Newhouse, Buri, Strow and B. Sullivan)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to the highway weight limit for farm implements;
2 creating a new section; and declaring an emergency.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that the
5 farming industry of Washington is a vital state economic interest.
6 Over the past decade, the number of operating farms has decreased while
7 the average farm size has increased. With stricter regulations
8 regarding the management of livestock nutrients, advances in farming
9 and farm equipment technology, and larger distances between farms, the
10 demand to increase farm equipment carrying capacity has increased.

11 (2) The legislature directs the Washington state department of
12 transportation to study the issue of enabling Washington state farms to
13 operate in an economically feasible manner while following federal and
14 state laws, including laws regarding livestock nutrient management, and
15 protecting state roads and highways. The department shall work with
16 the United States department of transportation, local transportation
17 authorities, transportation agencies in other states, and legislative
18 members and/or staff. By December 1, 2005, the department shall report

1 its findings and recommendations to the transportation committees of
2 the legislature.

3 (3) Until such study and any subsequent law changes are completed,
4 farm implements transporting dairy nutrients in order to comply with
5 the dairy nutrient management act may travel on city and county roads,
6 under the following conditions:

7 (a) The total gross weight for the entire vehicle and load does not
8 exceed 105,500 pounds.

9 (b) The vehicle uses an axle configuration and low pressure tires
10 that maximize distribution of vehicle and load weight.

11 (c) A city or county road authority may place restrictions on the
12 weight of the load carried by the farm implement, the manner in which
13 the load is carried, the times of the year the farm implement may
14 travel, and the route or routes traveled in order to avoid reasonably
15 likely damage to city or county roads.

16 (4) Until the study referenced in subsection (2) of this section is
17 completed and any subsequent law changes take effect, the legislature
18 respectfully requests the United States department of transportation to
19 allow the vehicles described in subsection (3) of this section to
20 travel on Washington state highways, under rules or policies adopted by
21 the Washington state department of transportation that are designed to
22 allow necessary movement of farm implements to comply with the dairy
23 nutrient management act while mitigating risk of damage to state
24 highways.

25 ***NEW SECTION. Sec. 2. This act is necessary for the immediate**
26 **preservation of the public peace, health, or safety, or support of the**
27 **state government and its existing public institutions, and takes effect**
28 **immediately.**

**Sec. 2 was vetoed. See message at end of chapter.*

Passed by the House March 10, 2005.

Passed by the Senate April 6, 2005.

Approved by the Governor April 20, 2005, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State April 20, 2005.

Note: Governor's explanation of partial veto is as follows:

"I am returning, without my approval as to Section 2, Substitute
House Bill 1117 entitled:

"AN ACT Relating to the highway weight limit for farm implements;
creating an new section; declaring an emergency."

This legislation requires the Washington state Department of
Transportation to study the issue of enabling Washington state farms

to operate in an economically feasible manner while following federal and state laws and protecting state roads and highways.

The bill also permits overweight farm implements transporting dairy nutrients, in order to comply with the Dairy Nutrient Management Act, to travel over city and county roads. Cities and counties may enact restrictions on the movement of these farm implements.

Farming and the maintenance of our streets and roads are both vital economic interests in our state. I recognize that our farmers are faced with many challenges as they try to operate efficiently and profitably, while complying with environmental and transportation regulations. The economic impact of stricter transportation regulations on our farmers is an issue that needs to be resolved. I am vetoing, therefore, only the emergency clause in the bill (Section 2) to give our local jurisdictions time to take whatever actions they deem necessary to best protect their streets and roads. I view this legislation as a temporary solution. I fully expect the Department's study and subsequent recommendations to result in legislation next session that will resolve this issue for both our farmers and local jurisdictions.

We cannot afford to lose our farms; but we also cannot afford to damage our roads and streets in this time of very limited revenue.

For these reasons, I have signed Section 1 and vetoed Section 2 of Substitute House Bill 1117."