

**RCW 19.122.100 Violation of RCW 19.122.090—Affirmative defense.**

If charged with a violation of RCW 19.122.090, an equipment operator is deemed to have established an affirmative defense to such charges if:

- (1) The equipment operator was provided a valid excavation confirmation code;
  - (2) The excavation was performed in an emergency situation;
  - (3) The equipment operator was provided a false confirmation code by an identifiable third party; or
  - (4) Notice of the excavation was not required under this chapter.
- [2011 c 263 § 16; 2005 c 448 § 6.]

**Report—Effective date—2011 c 263:** See notes following RCW 19.122.010.