
SECOND SUBSTITUTE SENATE BILL 6255

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Rasmussen, Prentice, Morton, Franklin, Heavey, Brown and Goings)

Read first time 02/04/2000.

1 AN ACT Relating to anhydrous ammonia; adding a new chapter to Title
2 15 RCW; and prescribing penalties.

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

4 NEW SECTION. **Sec. 1.** A person is guilty of the crime of unlawful
5 possession of anhydrous ammonia if the person possesses anhydrous
6 ammonia with the intent to use such anhydrous ammonia in the
7 manufacture of a controlled substance as defined in chapter 69.50 RCW.
8 Violation of this section is a class C felony.

9 NEW SECTION. **Sec. 2.** A person is guilty of the crime of unlawful
10 storage of anhydrous ammonia if the person possesses anhydrous ammonia
11 in a container that is not approved for storage or transportation of
12 anhydrous ammonia by the state department of transportation or
13 otherwise improperly stores or transports anhydrous ammonia. Violation
14 of this section is a class C felony.

15 This section does not apply to public employees or private
16 contractors authorized to clean up and dispose of hazardous wastes or
17 toxic substances under chapter 70.105 or 70.105D RCW.

1 NEW SECTION. **Sec. 3.** The state department of transportation shall
2 develop and maintain a list of containers approved for the storage and
3 transportation of anhydrous ammonia.

4 NEW SECTION. **Sec. 4.** Any damages arising out of the unlawful
5 possession of, storage of, or tampering with anhydrous ammonia or
6 anhydrous ammonia equipment shall be the sole responsibility of the
7 unlawful possessor, storer, or tamperer. In no case shall liability
8 for damages arising out of the unlawful possession of, storage of, or
9 tampering with anhydrous ammonia or anhydrous ammonia equipment extend
10 to the lawful owner, installer, maintainer, designer, manufacturer,
11 possessor, or seller of the anhydrous ammonia or anhydrous ammonia
12 equipment, unless such damages arise out of the lawful owner's,
13 installer's, maintainer's, designer's, manufacturer's, possessor's, or
14 seller's acts or omissions that constitute negligent misconduct to
15 abide by the laws regarding anhydrous ammonia possession and storage.

16 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
17 a new chapter in Title 15 RCW.

18 NEW SECTION. **Sec. 6.** If any provision of this act or its
19 application to any person or circumstance is held invalid, the
20 remainder of the act or the application of the provision to other
21 persons or circumstances is not affected.

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