

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6528**

Chapter 324, Laws of 2006

59th Legislature  
2006 Regular Session

TIRE CHAIN INSTALLATION AND REMOVAL BUSINESSES

EFFECTIVE DATE: 6/7/06

Passed by the Senate March 7, 2006  
YEAS 46 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House February 28, 2006  
YEAS 97 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved March 29, 2006.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6528** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

\_\_\_\_\_  
**Secretary**

FILED

March 29, 2006 - 4:36 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6528**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

**State of Washington                      59th Legislature                      2006 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Mulliken, Kastama, Benson, Oke, Esser, Berkey and Sheldon; by request of Department of Transportation)

READ FIRST TIME 01/23/06.

1            AN    ACT    Relating   to   authorization   for   the   department   of  
2   transportation   to   allow   roadside   tire   chain   installation   and   removal  
3   businesses   on   state   highway   rights   of   way;   amending   RCW   47.32.120;   and  
4   adding   a   new   section   to   chapter   47.04   RCW.

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

6            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 47.04 RCW  
7   to read as follows:

8            The department may issue written permits authorizing permittees to  
9   install or remove tire chains on motor vehicles with the following  
10   conditions:

11            (1) Chains may only be installed or removed at locations designated  
12   in the permit;

13            (2) Permittees must comply with terms and conditions in the permit  
14   relating to the safe and orderly movement of traffic; and

15            (3) Permittees may charge a fee to drivers for their services.

16            The department may issue sufficient permits for the installation or  
17   removal of tire chains that it finds necessary or desirable to  
18   accommodate the demand for those services consistent with the maximum  
19   convenience and safety to traffic.    In issuing the permits, the

1 department shall insure that the maximum practicable number of  
2 different individuals and entities receive permits, and that no one  
3 entity, to the extent practicable, is the sole permit holder for a  
4 particular location. The department may charge a fee no greater than  
5 fifty dollars to permittees for the issuance of permits. The  
6 department, in issuing a permit for the installation or removal of tire  
7 chains, assumes no responsibility for the actions, inactions,  
8 competence, or reliability of the permittee in performing those  
9 services and shall not be liable for the damages relating to acts or  
10 omissions of the permittees. The department shall adopt rules to  
11 implement this section, including requiring permittees to wear  
12 reflective clothing and use appropriate signage.

13 **Sec. 2.** RCW 47.32.120 and 1984 c 7 s 183 are each amended to read  
14 as follows:

15 Except as provided in section 1 of this act, it is unlawful for any  
16 person to erect a structure or establishment or maintain a business,  
17 the nature of which requires the use by patrons or customers of  
18 property adjoining the structure or establishment unless the structure  
19 or establishment is located at a distance from the right of way of any  
20 state highway so that none of the right of way thereof is required for  
21 the use of the patrons or customers of the establishment. Any such  
22 structure erected or business maintained that makes use of or tends to  
23 invite patrons to use the right of way or any portion thereof of any  
24 state highway by occupying it while a patron is a public nuisance, and  
25 the department may fence the right of way of the state highway to  
26 prevent such unauthorized use thereof.

Passed by the Senate March 7, 2006.

Passed by the House February 28, 2006.

Approved by the Governor March 29, 2006.

Filed in Office of Secretary of State March 29, 2006.