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CHAPTER 134

[Engrossed House Bill No. 303]

FOREST PROTECTION--

SPARK EMITTING ENGINES, PROTECTIVE EQUIPMENT--

SEALED TOOL BOX, UNAUTHORIZED ENTRY--

DUMPING MILL WASTE

AN ACT Relating to forests; providing for forest protection; amending section 2, chapter 12, Laws of 1965 ex. sess. and RCW 76.04.251; adding new sections to chapter 76.04 RCW; and prescribing penalties.

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

Section 1. Section 2, chapter 12, Laws of 1965 ex. sess., and RCW 76.04.251 are each amended to read as follows:

It shall be unlawful for anyone to operate during the closed season as defined in RCW 76.04.252, any steam, internal combustion, or electric engines, or any other spark emitting equipment or devices on any forest land or in any place where, in the opinion of the ~~((supervisor))~~ department of natural resources, within reason, fire could be communicated to forest land, without first complying with the requirements for each situation and type of equipment listed in the following paragraphs:

(1) For operations employing more than five men:

(a) To be kept in a sealed tool box;

(i) Three double bitted axes having heads weighing not less than three pounds and not less than thirty-two inch handles;

(ii) Six long handle round point shovels or "D" handle round point shovels;

(iii) Six adze eye forestry fire fighting hoes;

(b) To be kept adjacent to the tool box;

(i) One five gallon back pack pump can filled with water;

(ii) One hundred gallons of water in two fifty-gallon containers.

(2) For operations employing five men or less:

(a) To be kept in a sealed tool box;

(i) Two double bitted axes having heads weighing not less than three pounds and thirty-two inch handles;

(ii) Three long handle round point shovels or "D" handle round point shovels;

(iii) Three adze eye forestry fire fighting hoes;

(h) To be kept adjacent to the tool box;
(i) One five gallon back pack pump can filled with water;
(ii) Fifty gallons of water;
(iii) Option--in lieu of (i) and (ii) above, two buckets and one hundred gallons of water.

(3) Any steam, internal combustion, or electric engine used for yarding, skidding, loading, or land clearing from a fixed position unless equipped with:

(a) Two chemical fire extinguishers, each rated by the Underwriters' Laboratories as not less than one B.C.;

(b) ~~((It has))~~ A suitable exhaust pipe extending up vertically a minimum of eighteen inches above the manifold and projects at least four inches above the cab or hood and is clear of all obstructions or is equipped with an adequate spark arrester of a type approved by the ~~((supervisor))~~ department of natural resources.

(4) Any tractor or other mobile yarding machine, unless equipped with:

(a) One chemical fire extinguisher, rated by the Underwriters' Laboratories as not less than one B.C.;

(b) A suitable exhaust pipe extending up vertically a minimum of eighteen inches in length above the manifold and projects at least four inches above the hood or is equipped with an adequate spark arrester of a type approved by the ~~((supervisor))~~ department of natural resources.

(5) Any truck or vehicle used for hauling forest products, rock, or minerals for commercial purposes in any forest area unless equipped with:

(a) One chemical fire extinguisher, rated by the Underwriters' Laboratories as not less than one B.C.;

(b) One long handle round point shovel or a "D" handle round point shovel;

(c) An exhaust pipe turned up vertically or equipped with an adequate spark arrester or muffler of a type approved by the ~~((supervisor))~~ department of natural resources.

(6) Any portable power saw unless the power saw is equipped with:

(a) A suitable chemical fire extinguisher of at least eight ounce capacity and a type approved by the ~~((supervisor))~~ department of natural resources, kept in the immediate possession of the operator;

(b) One long handle or "D" handle round point shovel, which shall be kept in the immediate proximity of the operator;

(c) A spark arrester having fire prevention features as to spark arresting efficiency, temperature, configuration, and placement

on the machine, as approved by the ((supervisor)) department of natural resources.

(7) Any steam, internal combustion, or electric engine used in a mill or other fixed position for uses not specifically mentioned above and any road construction or mining machines, or other devices used in a fixed position for any other purpose which, in the opinion of the ((supervisor)) department of natural resources, may cause a forest fire to start unless equipped with:

(a) One chemical fire extinguisher, rated by the Underwriters' Laboratories as not less than one B.C.;

(b) An exhaust turned up vertically and is clear of all obstructions or is equipped with an adequate spark arrester of a type approved by the ((supervisor)) department of natural resources;

(c) One hundred gallons of water and two buckets at the site of each fixed position engine.

(8) Any motorcycle or other motorized vehicle used on unsurfaced forest roads, range roads, trails, or across country where there is no trail or road, unless it is equipped with a spark arrester approved by the department of natural resources.

NEW SECTION. Sec. 2. There is added to chapter 76.04 RCW a new section to read as follows:

Any unauthorized entry into a sealed tool box shall constitute a gross misdemeanor.

NEW SECTION. Sec. 3. There is added to chapter 76.04 RCW a new section to read as follows:

No person shall dump mill waste from forest products or forest debris of any kind, in quantities that the department of natural resources declares to constitute a forest fire hazard, on or threatening forest lands located in this state, without first obtaining a written permit issued by the department of natural resources on such terms and conditions determined by the department pursuant to rules and regulations enacted to protect forest lands from fire. Said permit must be obtained in addition to any and all other permits required by law. Any person who dumps such mill waste, or forest debris without a required permit, or in violation of a permit shall be guilty of a gross misdemeanor and upon conviction shall be subject to a fine of not less than two hundred fifty dollars and not more than one thousand dollars, and may further be required to remove all materials dumped in violation of this act.

Passed the House May 6, 1971.

Passed the Senate May 4, 1971.

Approved by the Governor May 18, 1971.

Filed in Office of Secretary of State May 20, 1971.

CHAPTER 135

[Engrossed House Bill No. 727]

LIVESTOCK IDENTIFICATION

AN ACT Relating to livestock identification; amending section 2, chapter 54, Laws of 1959 as amended by section 1, chapter 56, Laws of 1965 and RCW 16.57.020; amending section 8, chapter 54, Laws of 1959 as last amended by section 3, chapter 66, Laws of 1965 and RCW 16.57.080; amending section 10, chapter 54, Laws of 1959 and RCW 16.57.100; amending section 16, chapter 54, Laws of 1959 and RCW 16.57.160; amending section 22, chapter 54, Laws of 1959 as amended by section 35, chapter 240, Laws of 1967 and RCW 16.57.220; adding a new section to chapter 54, Laws of 1959 and to chapter 16.57 RCW; repealing section 19, chapter 54, Laws of 1959 and RCW 16.57.190; and repealing section 25, chapter 54, Laws of 1959 and RCW 16.57.250.

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

Section 1. Section 2, chapter 54, Laws of 1959 as amended by section 1, chapter 66, Laws of 1965 and RCW 16.57.020 are each amended to read as follows:

The director shall be the recorder of livestock brands and such brands shall not be recorded elsewhere in this state. Any person desiring to register a livestock brand shall apply on a form prescribed by the director. Such application shall be accompanied by a facsimile of the brand applied for and ~~((an eight))~~ a twenty-five dollar recording fee. The director shall, upon his satisfaction that the application meets the requirements of this chapter and/or rules and regulations adopted hereunder, record such brand.

Sec. 2. Section 8, chapter 54, Laws of 1959 as last amended by section 3, chapter 66, Laws of 1965 and RCW 16.57.080 are each amended to read as follows:

The director shall, on or before the first day of September 1960, and every five years thereafter, notify by letter the owners of brands then of record, that on the payment of ~~((five))~~ ten dollars and application of renewal, the director shall issue a renewal receipt granting the brand owner exclusive ownership and use of such brand for another five year period. ~~((Failure of the registered owner to pay the renewal fee within six months shall cause the~~