

is caused by or made possible by contraband that would have been discovered sooner but for the delay caused by having to seek a search warrant under RCW 10.79.080 or sections 2 through 5 of this act.

Sec. 7. Section 6, chapter 42, Laws of 1983 1st ex. sess. and RCW 10.79.110 are each amended to read as follows:

(1) A person who suffers damage or harm as a result of a violation of RCW 10.79.080, 10.79.090, ~~((or))~~ 10.79.100, or sections 2 through 6 of this 1986 act may bring a civil action to recover actual damages sustained by him or her. The court may, in its discretion, award injunctive and declaratory relief as it deems necessary.

(2) RCW 10.79.080, 10.79.090, ~~((and))~~ 10.79.100, and sections 2 through 6 of this 1986 act shall not be construed as limiting any constitutional, common law, or statutory right of any person regarding any action for damages or injunctive relief, or as precluding the prosecution under another provision of law of any law enforcement officer or other person who has violated RCW 10.79.080, 10.79.090, ~~((or))~~ 10.79.100, or sections 2 through 6 of this 1986 act.

NEW SECTION. Sec. 8. Sections 1 through 6 of this act are added to chapter 10.79 RCW.

Passed the House February 13, 1986.

Passed the Senate March 7, 1986.

Approved by the Governor March 19, 1986.

Filed in Office of Secretary of State March 19, 1986.

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## CHAPTER 89

[Substitute House Bill No. 1363]

### COVERED LOADS—DEBRIS—MOTOR VEHICLES

AN ACT Relating to motor vehicles; and amending RCW 46.61.655.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 46.56.135, chapter 12, Laws of 1961 as last amended by section 22, chapter 307, Laws of 1971 ex. sess. and RCW 46.61.655 are each amended to read as follows:

(1) No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction(~~((or water or other substance may be sprinkled on a roadway in the cleaning or maintaining of such roadway by public authority having jurisdiction))~~). Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger

travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects and shall pay any costs therefor.

(2) No person may operate on any public highway any vehicle with any load unless the load and such covering as required thereon be [by] subsection (3) of this 1986 act is securely fastened to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.

(3) Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall be covered so as to prevent spillage. Covering of such loads is not required if six inches of freeboard is maintained within the bed.

(4) Any vehicle with deposits of mud, rocks, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires shall be cleaned of such material before the operation of the vehicle on a paved public highway.

(5) The legislative transportation committee shall monitor the effects of subsections (2) through (4) of this section after the effective date of this act, until January 1, 1987, to determine if modifications to this section are necessary.

(6) The commission on equipment may make necessary rules to carry into effect the provisions of this section, applying such provisions to specific conditions and loads and prescribing means, methods, and practices to effectuate such provisions.

(7) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction, or sprinkling water or other substances to clean or maintain a highway.

Passed the House March 8, 1986.

Passed the Senate March 5, 1986.

Approved by the Governor March 19, 1986.

Filed in Office of Secretary of State March 19, 1986.

## CHAPTER 90

[Substitute House Bill No. 205]

### SECURITIES—LIMITED OFFERING EXEMPTION

AN ACT Relating to the securities act of Washington; amending RCW 21.20.320 and 21.20.340; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 32, chapter 282, Laws of 1959 as last amended by section 6, chapter 272, Laws of 1981 and RCW 21.20.320 are each amended to read as follows: