

## CHAPTER 24.

[ H. B. 41. ]

## FOREST PROTECTION.

AN ACT relating to forest protection and amending section 76.04.140, RCW, as derived from chapter 43, Laws of 1925, Extraordinary Session; section 76.04.150, as derived from chapter 114, Laws of 1903, as amended; sections 76.04.250 and 76.04.270, RCW, as derived from chapter 125, Laws of 1911, as amended; section 76.04.300, RCW, as derived from chapter 184, Laws of 1923, as amended; repealing section 76.04.160, RCW, as derived from chapter 249, Laws of 1909, as amended; amending section 76.04.260, RCW; and adding one new section to chapter 76.04, RCW.

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

SECTION 1. Section 76.04.140, RCW, as derived from chapter 43, Laws of 1925, Extraordinary Session, is amended to read as follows: Amendment.

When, in the opinion of the director, any forest region is particularly exposed to fire danger, he may designate such region, defining the boundaries thereof by legal subdivisions or watercourses, watersheds, mountain ranges, or other natural monuments, as a region of extra fire hazard, and he shall promulgate rules and regulations for the protection thereof. All such rules and regulations shall be promulgated by publication in such newspapers of general circulation in the counties wherein such region is situated and for such length of time as the director may determine, and by posting copies thereof on roads and trails entering such region. The rules and regulations shall be in force from the time specified therein. This chapter shall not, however, authorize the director to prohibit the conduct of industrial operations, public work, or access of permanent residents to their own property: *Provided*, That no one legally entering the region of extra fire hazard will be permitted to use the area for recreational pur- Designation of extra-hazardous fire regions.

Rules and regulations.

Limitation on authority.

Use of area for recreation.

poses which are prohibited to the general public under the terms of this act.

Amendment.

SEC. 2. Section 76.04.150, RCW, as derived from chapter 114, Laws of 1903, as last amended by chapter 58, Laws of 1951, is amended to read as follows:

Burning inflammable material.

No one shall burn any inflammable material within any county in this state in which there is a warden or ranger during the period beginning the fifteenth day of March, and ending on the fifteenth day of October in each year in Western Washington, or between the fifteenth day of April and the fifteenth day of October in Eastern Washington, unless a different date for such beginning and ending is fixed by order of the supervisor of forestry, without first obtaining permission in writing from the supervisor, or a warden, or ranger, and afterwards complying with the terms of said permit. However, if such fire is contained in a suitable device sufficient, in the opinion of the supervisor to prevent the fire from spreading, said written permission will not be necessary. A person violating this section shall, upon conviction, be fined not less than twenty-five dollars nor more than five hundred dollars or be imprisoned in the county jail not exceeding thirty days. Permission for burning shall be given only upon compliance with such rules and regulations as the director shall prescribe, which shall be only such as the director deems necessary for the protection of life or property.

Permit.

Penalty.

Rules and regulations of director.

Revocation, etc., of permit.

The supervisor, any of his assistants, any warden or ranger, may refuse, revoke, or postpone the use of permits to burn when such act is clearly necessary for the safety of adjacent property.

Repealing clause.

SEC. 3. Section 76.04.160, RCW, as derived from chapter 249, Laws of 1909, as last amended by chapter 12, Laws of 1945, is hereby repealed.

SEC. 4. Section 76.04.250, RCW, as derived from chapter 125, Laws of 1911, as last amended by chapter 58, Laws of 1951, is amended to read as follows: Amendment.

It shall be unlawful for anyone to operate within one-eighth mile of any forest land between the fifteenth day of April and the fifteenth day of October, which period shall be designated as the closed season unless the designated season is extended by the supervisor due to dangerous fire conditions: Unlawful operations during closed seasons.

(1) Any woods operation or mill using spark emitting or electric engines unless provided with the following fire tools, or the serviceable equivalent thereof, at each landing, and/or yarding tree or mill: Conditions of operation; spark emitting or electric engines.

(a) For operations employing more than five men: Five men or more.

To be kept in a sealed tool box: Three axes, six shovels and six adze hoes; Equipment required.

To be kept adjacent to the tool box: Two bucking saws with handles, and one five-gallon pump can filled with water;

(b) For operations employing five men or less: Five men or less.

To be kept in a sealed tool box: Two axes, three shovels, and three adze hoes; Equipment required.

To be kept adjacent to the tool box: One bucking saw with handles, one hundred gallons of water and two buckets.

(2) Any gasoline, diesel, or electric yarding, skidding, or loading engine unless: Yarding, skidding or loading engine.

(a) Equipped with two chemical fire extinguishers of not less than one and one-half quart capacity; Equipment required.

(b) Exhaust is turned up perpendicular and is clear of all obstructions or is equipped with an adequate spark arrestor.

(3) Any tractor unless: Tractor.

(a) Equipped with one chemical fire extinguisher of not less than one quart capacity; Equipment required.

(b) It has exhaust turned up perpendicular or is equipped with an adequate spark arrestor.

Truck hauling forest products.

(4) Any truck hauling forest products from any forest area unless:

Equipment required.

(a) Equipped with a chemical fire extinguisher of at least one quart capacity;

(b) Equipped with one axe;

(c) Equipped with one shovel;

(d) Exhaust is turned up perpendicular or equipped with adequate spark arrestor or muffler.

Portable power saw.

(5) Any portable power saw unless the power saw operators keep in their immediate possession, a serviceable chemical fire extinguisher of at least eight ounce capacity, or a serviceable shovel, and the power saw is equipped with a muffler or other device adequate to prevent the emission of sparks.

Other gasoline or diesel engines. Equipment required.

(6) Any gasoline or diesel engine used in a mill or for uses not specifically mentioned above unless:

(a) Equipped with chemical fire extinguisher of at least one quart capacity;

(b) Exhaust is pointed up perpendicular and is clear of all obstructions or is equipped with an adequate spark arrestor;

(c) One hundred gallons of water and two buckets.

Amendment.

SEC. 5. Section 76.04.270, RCW, as derived from chapter 125, Laws of 1911, as last amended by chapter 58, Laws of 1951, is amended to read as follows:

Penalties.

Every person violating the provisions of RCW 76.04.250 and 76.04.260 shall upon conviction be punished by a fine of not less than twenty-five dollars nor more than seventy-five dollars. Such person upon the issuance and receipt of a written notice of violation by the supervisor or regularly employed wardens or rangers shall be prohibited from operating the train, railroad locomotive, logging locomotive, or other engine, power equipment or boiler until the requirements of such sections have been

complied with. The forest officer may specify in the notice of violation the special conditions and precautions under which the operation would be allowed to continue until the end of that work day.

SEC. 6. Section 76.04.300, RCW, as derived from chapter 184, Laws of 1923, as last amended by chapter 89, Laws of 1931, is amended to read as follows: Amendment.

It shall be unlawful during the closed season, from April fifteenth to October fifteenth, for any person to throw away any lighted tobacco, cigars, cigarettes, matches, fire crackers, or other lighted material in any forest, brush, range, or grain areas. Closed season; unlawful to throw away lighted material.

It shall also be unlawful for any individual to smoke when walking or traveling in areas of logging slash and areas of current logging operations, except on paved or surfaced roads. Smoking in slash or logging areas.

Every conveyance operated through or above forest, brush, range, or grain areas, shall be equipped in each compartment with a suitable receptacle, for the disposition of lighted tobacco, cigars, cigarettes, matches, fire crackers, or other inflammable material. Conveyances; receptacles.

Every person operating a public conveyance through or above forest, range, or grain areas, shall post a copy of this section in a conspicuous place within the smoking compartment of the conveyance; and every person operating a saw mill, or a logging camp in any such areas, shall post a copy of this section in a conspicuous place upon the ground or buildings of such milling or logging operation. Law to be posted.

Any person violating the provisions of this section shall be guilty of a misdemeanor. Penalty.

SEC. 7. Section 76.04.260, RCW, as derived from section 14, chapter 125, Laws of 1911, as last amended by section 5, chapter 58, Laws of 1951, is amended to read as follows: Amendment.

It shall be unlawful for anyone to operate within one-eighth mile of any forest land between the fifteenth day of April and the fifteenth day of October, Unlawful operations during closed seasons.

Conditions of operations; spark emitting railroad logging locomotive.

Equipment required.

which period shall be designated as the closed season unless the designated season is extended by the supervisor due to dangerous fire conditions:

(1) Any spark emitting railroad logging locomotive unless:

(a) Equipped with a safe and suitable device for arresting sparks;

(b) Equipped with a suitable power pump with a capacity of not less than twenty gallons per minute at pressures not less than forty pounds per square inch;

(c) Equipped with three hundred feet of hose not less than one inch in diameter equipped with a standard nozzle;

(d) Equipped with all the complement of hand tools listed under subdivision 1 (a) of RCW 76.04.250, kept in a sealed tool box on such locomotive ready for instant use;

(e) Equipped with a sprinkler system which can be capable of wetting the tracks and at least two feet on either side of each rail. Such sprinkler system shall be manually controlled from the cab. The water supply tank for such sprinkler shall be capable of carrying an adequate supply of water in direct relation to the mileage of track covered and the available water supply;

Follow-up patrol.

(f) During the closed season it is followed by a speeder or other patrol. Such patrol shall be equipped with two shovels, one axe, and one five-gallon pump can filled with water. When a logging train operates on a common carrier track the patrol will be regulated under laws pertaining to common carrier railroads.

Common carrier railroad train; conditions of operation.

(2) Any common carrier railroad trains operating through forest lands unless:

(a) Such trains are followed by a speeder patrol at such times and in such places as the supervisor may designate, each patrol to be equipped with a

five-gallon fire extinguisher, two shovels and one axe. In case a railroad company fails to provide patrol as required, the supervisor is hereby authorized to employ patrolmen for such purpose and the railroad company concerned shall be liable for the expense of the same to be collected in a civil suit brought by the state against said railroad company;

(b) At the request of the supervisor, such common carrier maintain pumping equipment and fire fighting tools specified by the supervisor but not to exceed those required of logging locomotives.

(3) Any steam logging engine or boiler unless:

(a) Being equipped with and using a safe and suitable device for arresting sparks;

(b) Equipped with a suitable power pump with a capacity of not less than twenty gallons per minute at pressures of not less than forty pounds per square inch;

(c) Equipped with three hundred feet of hose not less than one inch in diameter equipped with a standard nozzle.

(4) Any railroad locomotive, logging locomotive, logging or other engine or boiler unless equipped with an adequate device to prevent the escape of fire or live coals or other burning substance from all ash pans, and all fire boxes, except when ash pans or fire boxes are being cleaned when not in motion. Any donkey boiler, when equipped to operate without the use of exhaust steam within the stack, and without any artificial means of creating a forced draught, shall not require a spark arrestor.

(5) Any railroad speeder unless:

(a) Equipped with one No. 2 shovel round point;

(b) Exhaust is pointed up perpendicular and is cleared of all obstructions or is equipped with an adequate spark arrestor.

SEC. 8. There is added to chapter 76.04, RCW, a new section to read as follows:

Steam logging engines or boilers. Equipment required.

Locomotives, engines and boilers; ash pan and fire box devices.

New section.

Blasting fuse; closed season.

It shall be unlawful to use fuse for blasting on any area of logging slash or area of actual logging operation for the period of June fifteenth to October fifteenth. This period may be extended by the supervisor if hazardous weather conditions warrant. Any person violating the provisions of this section shall be guilty of a misdemeanor. Upon the issuance of a written permit by the supervisor or warden or ranger, fuse may be used during the closed season under the conditions specified in the permit.

Same; penalty.

Same; permit.

Passed the House February 3, 1953.

Passed the Senate February 14, 1953.

Approved by the Governor February 24, 1953.

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CHAPTER 25.

[ H. B. 5. ]

EMERGENCY PARTY LINE TELEPHONE CALLS.

AN ACT relating to telephone calls on party lines during emergencies; prescribing priority for such calls, and providing penalties.

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

"Party line."

SECTION 1. "Party Line" means a subscribers' line telephone circuit, consisting of two or more main telephone stations connected therewith, each station with a distinctive ring or telephone number.

"Emergency."

"Emergency" means a situation in which property or human life are in jeopardy and the prompt summoning of aid is essential.

Penalty; refusal to yield.

SEC. 2. Any person who shall wilfully refuse to yield or surrender the use of a party line to another person for the purpose of permitting such other person to report a fire or summon police, medical or other aid in case of emergency, shall be deemed guilty of a misdemeanor.