

Notwithstanding any other provisions of this chapter, toll bridge employees of the marine transportation division are subject to chapter 41.06 RCW.

Passed the House January 19, 1984.

Passed the Senate February 20, 1984.

Approved by the Governor February 29, 1984.

Filed in Office of Secretary of State February 29, 1984.

CHAPTER 49

[Engrossed Substitute House Bill No. 1302]

AGRICULTURAL LAND—BURGLARY AND TRESPASS

AN ACT Relating to burglary and trespass; and amending section 9A.52.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.010.

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

Sec. 1. Section 9A.52.010, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.52.010 are each amended to read as follows:

The following definitions apply in this chapter:

(1) "Premises" includes any building, dwelling, or any real property;

(2) "Enter". The word "enter" when constituting an element or part of a crime, shall include the entrance of the person, or the insertion of any part of his body, or any instrument or weapon held in his hand and used or intended to be used to threaten or intimidate a person or to detach or remove property;

(3) "Enters or remains unlawfully". A person "enters or remains unlawfully" in or upon premises when he is not then licensed, invited, or otherwise privileged to so enter or remain.

A license or privilege to enter or remain in a building which is only partly open to the public is not a license or privilege to enter or remain in that part of a building which is not open to the public. A person who enters or remains upon unimproved and apparently unused land, which is neither fenced nor otherwise enclosed in a manner designed to exclude intruders, does so with license and privilege unless notice against trespass is personally communicated to him by the owner of the land or some other authorized person, or unless notice is given by posting in a conspicuous manner. Land that is used for growing an agricultural crop or crops, other than timber, is not unimproved and apparently unused land if a crop or any other sign of cultivation is clearly visible. Similarly, a field fenced in any manner is not unimproved and apparently unused land.

Passed the House February 4, 1984.

Passed the Senate February 21, 1984.

Approved by the Governor February 29, 1984.

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