

management advisory board, if warranted by increases in purchasing costs due to inflationary trends;

(3) Purchases which are clearly and legitimately limited to a single source of supply and purchases involving special facilities, services, or market conditions, in which instances the purchase price may be best established by direct negotiation;

(4) Purchases of insurance and bonds by the risk management office under RCW 43.19.1935 as now or hereafter amended; ((and))

(5) Purchases and contracts for vocational rehabilitation clients of the department of social and health services: PROVIDED, That this exemption shall be effective only when the state purchasing and material control director, after consultation with the director of the division of vocational rehabilitation and appropriate department of social and health services procurement personnel, declares that such purchases may be best executed through direct negotiation with one or more suppliers in order to expeditiously meet the special needs of the state's vocational rehabilitation clients; and

(6) Purchases by universities for hospital operation made by participating in contracts for materials, supplies, and equipment entered into by cooperative hospital service organizations as defined in section 501(e) of the Internal Revenue Code, or its successor.

NEW SECTION. Sec. 3. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate February 22, 1980.

Passed the House February 18, 1980.

Approved by the Governor March 10, 1980.

Filed in Office of Secretary of State March 10, 1980.

CHAPTER 104

[Engrossed Senate Bill No. 3331]

MOTOR VEHICLE—OPERATION VIOLATIONS—PENALTIES

AN ACT Relating to motor vehicles; amending section 46.48.175, chapter 12, Laws of 1961 and RCW 46.48.175; amending section 1, chapter 69, Laws of 1969 ex. sess. as amended by section 1, chapter 148, Laws of 1971 ex. sess. and RCW 46.44.120; amending section 2, chapter 69, Laws of 1969 ex. sess. and RCW 46.16.500; amending section 3, chapter 69, Laws of 1969 ex. sess. and RCW 46.37.600; amending section 81.04.390, chapter 14, Laws of 1961 and RCW 81.04.390; and prescribing penalties.

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

Section 1. Section 46.48.175, chapter 12, Laws of 1961 and RCW 46.48.175 are each amended to read as follows:

Each violation of any rules and/or regulations made pursuant to RCW 46.48.170 or 81.80.290 pertaining to vehicle equipment on motor carriers transporting hazardous material shall be a misdemeanor.

Bail for such a violation shall be set at a minimum of one hundred dollars. The fine for such a violation shall be not less than two hundred dollars nor more than five hundred dollars. Compliance with the provisions of this chapter is the primary responsibility of the owner or lessee of the vehicle or any vehicle used in combination that is cited in the violation.

Sec. 2. Section 1, chapter 69, Laws of 1969 ex. sess. as amended by section 1, chapter 148, Laws of 1971 ex. sess. and RCW 46.44.120 are each amended to read as follows:

Whenever an act or omission is declared to be unlawful in chapter 46.44 RCW, the owner or lessee of any motor vehicle involved in such act or omission (~~((shall be))~~) is responsible therefor. Any person (~~((operating such vehicle, and any persons))~~) knowingly and intentionally participating in creating an unlawful condition of use, (~~((shall))~~) is also (~~((be))~~) subject to the penalties provided in this chapter for such unlawful act or omission.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee.

Sec. 3. Section 2, chapter 69, Laws of 1969 ex. sess. and RCW 46.16-.500 are each amended to read as follows:

Whenever an act or omission is declared to be unlawful in chapter 46.16 RCW, if the operator of the vehicle is not the owner or lessee of such vehicle, but is so operating or moving the (~~((same))~~) vehicle with the express or implied permission of the owner or lessee, then the operator and/or owner (~~((shall))~~) or lessee are both (~~((be))~~) subject to the provisions of this chapter with the primary responsibility to be that of the owner or lessee.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee.

Sec. 4. Section 3, chapter 69, Laws of 1969 ex. sess. and RCW 46.37-.600 are each amended to read as follows:

Whenever an act or omission is declared to be unlawful in chapter 46.37 RCW, if the operator of the vehicle is not the owner or lessee of such vehicle, but is so operating or moving the (~~((same))~~) vehicle with the express or implied permission of the owner or lessee, then the operator and/or owner (~~((shall))~~) or lessee are both (~~((be))~~) subject to the provisions of this chapter with the primary responsibility to be that of the owner or lessee.

If the person operating the vehicle at the time of the unlawful act or omission is not the owner or lessee of the vehicle, such person is fully authorized to accept the citation and execute the promise to appear on behalf of the owner or lessee.

Sec. 5. Section 81.04.390, chapter 14, Laws of 1961 and RCW 81.04-.390 are each amended to read as follows:

Every person who, either individually, or acting as an officer or agent of a corporation other than a public service company, (~~shall~~) violates any provision of this title, or fails to observe, obey, or comply with any order made by the commission under this title, so long as the same (~~shall be~~) is or remains in force, or who (~~shall~~) procures, aids, or abets any such corporation in its violation of this title, or in its failure to obey, observe, or comply with any such order, (~~shall be~~) is guilty of a gross misdemeanor, except that a violation pertaining to equipment on motor carriers transporting hazardous material is a misdemeanor.

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CHAPTER 105

[Senate Bill No. 3334]

LIMITATION ON ACTIONS, JUDGMENT LIENS—DURATION

AN ACT Relating to civil procedure; amending section 2, page 363, Laws of 1854 as last amended by section 26, Code of 1881 and RCW 4.16.020; amending section 3, page 363, Laws of 1854 as last amended by section 1, chapter 137, Laws of 1927 and RCW 4.16-.040; amending section 1, chapter 60, Laws of 1929 as amended by section 16, chapter 81, Laws of 1971 and RCW 4.56.190; amending section 2, chapter 25, Laws of 1929 as amended by section 26, chapter 81, Laws of 1971 and RCW 6.04.010; amending section 1, chapter 133, Laws of 1893 as last amended by section 1, chapter 211, Laws of 1971 ex. sess. and RCW 6.32.010; amending section 2, chapter 211, Laws of 1971 ex. sess. and RCW 6.32.015; and creating a new section.

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

Section 1. Section 2, page 363, Laws of 1854 as last amended by section 26, Code of 1881 and RCW 4.16.020 are each amended to read as follows:

The period prescribed in RCW 4.16.010 for the commencement of actions shall be as follows:

Within ten years:

(1) Actions for the recovery of real property, or for the recovery of the possession thereof; and no action shall be maintained for such recovery unless it appears that the plaintiff, his ancestor, predecessor or grantor was seized or possessed of the premises in question within ten years before the commencement of the action.