

(5) Any vehicle eighty inches or more in over-all width, if not otherwise required by RCW 46.37.090, may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted as specified in RCW 46.37.090(6).

(6)(a) Every motor vehicle, trailer, semitrailer, truck tractor, and pole trailer used in the state of Washington may be equipped with an auxiliary lighting system consisting of:

(i) One green light to be activated when the accelerator of the motor vehicle is depressed;

(ii) Not more than two amber lights to be activated when the motor vehicle is moving forward, or standing and idling, but is not under the power of the engine;

(b) Such auxiliary system shall not interfere with the operation of vehicle stop lamps or turn signals, as required by RCW 46.37.070. Such system, however, may operate in conjunction with such stop lamps or turn signals;

(c) Only one color of the system may be illuminated at any one time, and at all times either the green light, or amber light or lights shall be illuminated when the stop lamps of the vehicle are not illuminated;

(d) The green light, and the amber light or lights, when illuminated shall be plainly visible at a distance of one thousand feet to the rear;

(e) Only one such system may be mounted on a motor vehicle, trailer, semitrailer, truck tractor, or pole trailer; and such system shall be rear mounted in a horizontal fashion, at a height of not more than 72", nor less than 20", as provided by RCW 46.37.050;

(f) On a combination of vehicles, only the lights of the rearmost vehicle need actually be seen and distinguished as provided in subparagraph (d) of this subsection; and

(g) Each manufacturers model of such a system as described in this subsection shall be approved by the commission on equipment as provided for in RCW 46.37.005 and 46.37.320, before it may be sold or offered for sale in the state of Washington.

Passed the Senate April 21, 1975.

Passed the House June 7, 1975.

Approved by the Governor June 26, 1975.

Filed in Office of Secretary of State June 27, 1975.

CHAPTER 243

[Engrossed Senate Bill No. 2346]

SCHOOL DISTRICTS—

SALES OF REAL PROPERTY

AN ACT Relating to school district real property; amending section 28A.58.045, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.045; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW; and repealing section 4, chapter 142, Laws of 1972 ex. sess. and RCW 28A.58.046.

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

Section 1. Section 28A.58.045, chapter 223, Laws of 1969 ex. sess. and RCW 28A.58.045 are each amended to read as follows:

The board of directors of any school district of this state may:

(1) Sell for cash, at public or private sale, and convey by deed all interest of the district in or to any of the real property of the district which is no longer required for school purposes if the value thereof is thirty-five thousand dollars or less; and

(2) Purchase real property for the purpose of locating thereon and affixing thereto any house or houses and appurtenant buildings removed from school sites owned by the district and sell for cash, at public or private sale, and convey by deed all interest of the district in or to such acquired and improved real property if the value of any single parcel thereof is thirty-five thousand dollars or less (~~and is at least equal in funds received to ninety percent of the relocated value thereof. PROVIDED, HOWEVER, That prior to selling any of such real property of the district the board of directors shall appoint three licensed real estate brokers who shall appraise the real property to be sold, and such real property shall not be sold for less than ninety percent of the appraised value thereof~~).

Any sale of school district real property authorized pursuant to this section shall be preceded by a market value appraisal by three licensed real estate brokers selected by the board of directors and no sale shall take place if the sale price would be less than ninety percent of such appraised market value: PROVIDED, That if the property has been on the market for three years or more the property may be sold for not less than seventy-five percent of the appraised value with the unanimous consent of the board.

If the appraised value of any ((such)) parcel of real property considered for sale is found by the board of directors to be greater than thirty-five thousand dollars, the question of the sale thereof shall be submitted to a vote of the voters of the district, either at a general or special election called for that purpose. If a majority of the votes cast thereat favor the sale of such real property the board may make the sale. The sale ((must)) may be made at public auction ((for cash and good title shall be conveyed by deed of the school district, executed by the president or the vice president and the secretary of the board)) or by other means consistent with realizing the highest sale price.

If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through use of the services of licensed real estate brokers, a contract for such services may be negotiated and concluded: PROVIDED, That the fee or commissions charged for any broker services shall not exceed seven percent of the resulting sale value for a single parcel: PROVIDED FURTHER, That any licensed real estate broker selected by the board to appraise the market value of a parcel of property to be sold may not be a party to any contract with the school district to sell such parcel of property for a period of three years after the appraisal.

If in the judgment of the board of directors of any district the sale of real property of the district not needed for school purposes would be facilitated and greater value realized through sale on contract terms, a real estate sales contract may be executed between the district and buyer: PROVIDED, That the terms

and conditions of any such sales contract must comply with rules and regulations of the state board of education, herein authorized, governing school district real property contract sales.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

The proceeds from any sale of school district real property by a board of directors shall be used solely for the purposes of school district bond retirement, real property improvements, and the equipping or furnishing of school district buildings or grounds.

NEW SECTION. Sec. 3. Section 4, chapter 142, Laws of 1972 ex. sess. and RCW 28A.58.046 are each repealed.

Passed the Senate June 9, 1975.

Passed the House June 9, 1975.

Approved by the Governor June 26, 1975.

Filed in Office of Secretary of State June 27, 1975.

CHAPTER 244

[Engrossed Senate Bill No. 2613]

COURTS OF LIMITED JURISDICTION— DEFERRED PROSECUTION PROGRAM

AN ACT Relating to criminal procedure; and adding a new chapter to Title 10 RCW.

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

NEW SECTION. Section 1. Upon arraignment in a court of limited jurisdiction a person charged with a misdemeanor or gross misdemeanor may petition the court to be considered for a deferred prosecution program.

NEW SECTION. Sec. 2. The petition shall allege that the wrongful conduct charged is the result of or caused by alcohol problems, drug problems, or mental problems for which the person is in need of treatment and unless treated the probability of future reoccurrence is great, along with a statement that the person agrees to pay the cost of a diagnosis of the alleged problem or problems if financially able to do so. The petition shall also contain a case history of the person supporting the allegations.

NEW SECTION. Sec. 3. The arraigning judge upon consideration of the petition and with the concurrence of the prosecuting attorney may continue the arraignment and refer such person for a diagnostic investigation and evaluation to an approved alcoholism treatment facility as designated in chapter 70.96A RCW, if the petition alleges an alcohol problem, an approved drug treatment center as designated in chapter 71.24 RCW, if the petition alleges a drug problem, or to an approved mental health center, if the petition alleges a mental problem.

NEW SECTION. Sec. 4. The facility or center to which such person is referred shall conduct an investigation and examination to determine:

- (1) Whether the person suffers from the problem alleged;
- (2) Whether the problem is such that if not treated there is a probability that similar misconduct will occur in the future;