

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.

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 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.

(2) An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States, or of any territory or possession of the United States outside the boundaries thereof, or of any extraterritorial court of the United States.

Sec. 2. Section 3, page 363, Laws of 1854 as last amended by section 1, chapter 137, Laws of 1927 and RCW 4.16.040 are each amended to read as follows:

Within six years:

~~(1) ((An action upon a judgment or decree of any court of the United States, or of any state or territory within the United States, or of any territory or possession of the United States outside the boundaries thereof, or of any extraterritorial court of the United States.~~

~~(2))~~ An action upon a contract in writing, or liability express or implied arising out of a written agreement.

~~((3))~~ (2) An action for the rents and profits or for the use and occupation of real estate.

Sec. 3. Section 1, chapter 60, Laws of 1929 as amended by section 16, chapter 81, Laws of 1971 and RCW 4.56.190 are each amended to read as follows:

The real estate of any judgment debtor, and such as he may acquire, not exempt by law, shall be held and bound to satisfy any judgment of the district court of the United States rendered in this state, any judgment of the supreme court, court of appeals, or superior court of this state, and any judgment of any justice of the peace rendered in this state, and every such judgment shall be a lien thereupon to commence as hereinafter provided and to run for a period of not to exceed ~~((six))~~ ten years from the day on which such judgment was rendered~~((: PROVIDED, HOWEVER, That any such judgment rendered upon a contract made prior to the ninth day of June, 1897, any judgment upon, or reviving or continuing such judgment, and any revival thereof, shall cease to be a lien upon the real estate of the judgment debtor at the end of five years from the rendition thereof, and in case of an appeal from any such judgment of the superior court, the date of the final judgment in the supreme court or court of appeals shall be the time from which said five years shall commence to run))~~. Personal property of the judgment debtor shall be held only from the time it is actually levied upon.

Sec. 4. Section 2, chapter 25, Laws of 1929 as amended by section 26, chapter 81, Laws of 1971 and RCW 6.04.010 are each amended to read as follows:

The party in whose favor a judgment of a court of record of this state has been, or may hereafter be, rendered, or his assignee, may have an execution issued for the collection or enforcement of the same, at any time within ~~((six))~~ ten years from the rendition thereof~~((: PROVIDED, That no~~

~~execution shall issue on any judgment rendered upon a contract made prior to the ninth day of June, 1897, after the expiration of five years from the date of the rendition thereof, unless and until such judgment has been revived in the manner provided by law, except that in case of an appeal the date of the final judgment in the supreme court or the court of appeals shall be the time from which said period of five years shall commence to run).~~

Sec. 5. 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 are each amended to read as follows:

At any time within ((six)) ten years after entry of a judgment for the sum of twenty-five dollars or over upon application by the judgment creditor, such court or judge may, by an order, require the judgment debtor to appear at a specified time and place before the judge granting the order, or a referee appointed by him, to answer concerning the same; and the judge to whom application is made under this chapter may, if it is made to appear to him by the affidavit of the judgment creditor, his agent or attorney that there is danger of the debtor absconding, order the sheriff to arrest the debtor and bring him before the judge granting the order. Upon being brought before the judge he may be ordered to enter into a bond, with sufficient sureties, that he will attend from time to time before the judge or referee, as shall be directed, during the pendency of the proceedings and until the final termination thereof.

Sec. 6. Section 2, chapter 211, Laws of 1971 ex. sess. and RCW 6.32-.015 are each amended to read as follows:

At any time within ((six)) ten years, after entry of a judgment for a sum of twenty-five dollars or over, upon application by the judgment creditor, such court or judge may by order served on the judgment debtor require such debtor to answer written interrogatories, under oath, in such form as may be approved by the court. No such creditor shall be required to proceed under this section nor shall he waive his rights to proceed under RCW 6.32.010 by proceeding under this section.

NEW SECTION. Sec. 7. This act shall apply to all judgments which have not expired before the effective date of this act.

Passed the Senate February 22, 1980.

Passed the House February 19, 1980.

Approved by the Governor March 10, 1980.

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

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## CHAPTER 106

[Engrossed Senate Bill No. 3499]

### ALTERNATIVE MEDICAL SERVICE PROGRAM FOR MULTIPLY HANDICAPPED CHILDREN