

## CHAPTER 215

[Engrossed Senate Bill No. 3203]

## CHILD RESTRAINTS IN MOTOR VEHICLES

AN ACT Relating to motor vehicles; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.61 RCW; and prescribing penalties.

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

NEW SECTION. Sec. 1. There is added to chapter 46.37 RCW a new section to read as follows:

By October 1, 1983, the state commission on equipment shall adopt standards for the performance, design, and installation of passenger restraint systems for children less than five years old and shall approve those systems which meet its standards.

NEW SECTION. Sec. 2. There is added to chapter 46.61 RCW a new section to read as follows:

(1) After December 31, 1983, the parent or legal guardian of a child less than five years old, when the parent or legal guardian is operating anywhere in the state his or her own motor vehicle registered under chapter 46.16 RCW, in which the child is a passenger, shall have the child properly secured in a manner approved by the state commission on equipment. Even though a separate child passenger restraint device is considered the ideal method of protection, a properly adjusted and fastened, federally approved seat belt is deemed sufficient to meet the requirements of this section for children one through four years of age.

(2) During the period from January 1, 1984, to July 1, 1984, a person violating subsection (1) of this section may be issued a written warning of the violation. After July 1, 1984, a person violating subsection (1) of this section may be issued a notice of traffic infraction under chapter 46.63 RCW. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system within seven days to the jurisdiction issuing the notice, the jurisdiction shall dismiss the notice of traffic infraction. If the person fails to present proof of acquisition within the time required, he or she is subject to a penalty assessment of not less than thirty dollars.

(3) Failure to comply with the requirements of this section shall not constitute negligence by a parent or legal guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action.

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 April 23, 1983.

Passed the House April 14, 1983.

Approved by the Governor May 16, 1983.

Filed in Office of Secretary of State May 16, 1983.

## CHAPTER 216

[Engrossed Senate Bill No. 3224]

### MUNICIPALITIES—AUTHORIZED TO ESTABLISH HEATING SYSTEMS AND PROVIDE HEATING SERVICES—CHARGES—FINANCING

AN ACT Relating to heating systems and services; and adding a new chapter to Title 35 RCW.

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

**NEW SECTION.** Sec. 1. Counties, cities, towns, irrigation districts which distribute electricity, sewer, water, and port districts are authorized pursuant to this chapter to establish heating systems and provide heating services from heat sources including, but not limited to, geothermal heat, steam or water heated by a biomass energy system, waste heat, and energy from a cogeneration facility.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Biomass energy system" means a system that provides for the production or collection of organic materials that are primarily waste materials and the conversion or use of that material for the production of energy or substitute fuels through several processes including, but not limited to, burning, pyrolysis, distillation, or anaerobic digestion.

(2) "Cogeneration" means the sequential generation of two or more forms of energy from a common fuel or energy source.

(3) "Cogeneration facility" means any machinery, equipment, structure, process, or property or any part thereof, installed or acquired for the primary purpose of cogeneration by a person or corporation.

(4) "Geothermal heat" means the natural thermal energy of the earth.

(5) "Waste heat" means the thermal energy released to the environment from an industrial process, electric generation, or other process.

(6) "Heat" means thermal energy.

(7) "Heat source" includes but is not limited to any integral part or process of an industrial facility, cogeneration facility, electric power generation facility, geothermal well or spring, biomass energy system, solar collection facility, or energy extraction process.

(8) "Municipality" means a county, city, town, sewer district, water district, port district, or irrigation district which distributes electricity.