

(1) The director shall employ an economic and revenue forecast supervisor to supervise the preparation of all economic and revenue forecasts. As used in this section and RCW 82.01.125 and 82.01.130, "supervisor" means the economic and revenue forecast supervisor. Approval by an affirmative vote of at least five members of the economic and revenue forecast council is required for any decisions regarding employment of the supervisor. Employment of the supervisor shall terminate after each term of three years, unless the supervisor is reappointed by the director and approved by the economic and revenue forecast council for another three years. The supervisor shall employ staff sufficient to accomplish the purposes of this section.

(2) Four times each year the supervisor shall prepare, subject to the approval of the economic and revenue forecast council under RCW 82.01.130(2):

- (a) An official state economic and revenue forecast;
- (b) An unofficial state economic and revenue forecast based on optimistic economic and revenue projections; and
- (c) An unofficial state economic and revenue forecast based on pessimistic economic and revenue projections.

(3) The supervisor shall submit forecasts prepared under this section, along with any unofficial forecasts provided under RCW 82.01.130(3), to the governor and the legislature on or before (~~December~~) November 20th, February 20th in the even-numbered years, March 20th in the odd-numbered years, June 20th, and September 20th.

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## CHAPTER 113

[House Bill No. 1450]

### MOTOR VEHICLE EQUIPMENT STANDARDS—COMMISSION ON EQUIPMENT

AN ACT Relating to motor vehicle equipment standards; amending RCW 46.37.310, 46.37.380, 46.37.420, 46.37.430, 46.37.440, 46.37.510, 46.37.530, and 46.37.535; and reenacting and amending RCW 46.37.320.

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

Sec. 1. Section 46.37.310, chapter 12, Laws of 1961 and RCW 46.37.310 are each amended to read as follows:

(1) (~~On and after January 1, 1938;~~) No person (~~shall~~) may have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer, or use upon any such vehicle any head lamp, auxiliary(;) or fog lamp, rear lamp, signal lamp, or reflector, which reflector is required (~~hereunder~~) under this chapter, or parts of any of the foregoing which tend to change the original design or performance, unless

of a type which has been submitted to the state commission on equipment and ~~((approved))~~ conforming to rules adopted by it.

(2) No person ~~((shall))~~ may have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer any lamp or device mentioned in this section ~~((which has been approved))~~ conforming to rules adopted by the state commission on equipment unless such lamp or device bears thereon the trademark or name under which it is approved so as to be legible when installed.

(3) No person ~~((shall))~~ may use upon any motor vehicle, trailer, or semitrailer any lamps mentioned in this section unless ~~((said))~~ the lamps are mounted, adjusted, and aimed in accordance with instructions of the state commission on equipment.

Sec. 2. Section 46.37.320, chapter 12, Laws of 1961 as amended by section 1, chapter 20, Laws of 1977 ex. sess. and by section 25, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.320 are each reenacted and amended to read as follows:

(1) The state commission on equipment is hereby authorized to ~~((approve or disapprove any lighting devices and to issue))~~ adopt and enforce ~~((regulations))~~ rules establishing standards and specifications ~~((for the approval of such))~~ governing the performance of lighting devices~~((;))~~ and their installation, adjustment, and aiming, when in use on motor vehicles, and other safety equipment, components, or assemblies of a type for which regulation is required in this chapter or in rules adopted by the commission. Such ~~((regulations))~~ rules shall correlate with and, so far as practicable, conform to federal motor vehicle safety standards adopted pursuant to the national traffic and motor vehicle safety act of 1966 (15 U.S.C. sec. 1381 et seq.) covering the same aspect of performance, or in the absence of such federal standards, to the then current standards and specifications of the society of automotive engineers applicable to such equipment ~~((and to the headlamp standards established by the United Nations agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts done at Geneva on March 20, 1958, as amended and adopted by the Canadian standards association (CSA standard D106.2)))~~: PROVIDED, That the sale, installation, and use of any headlamp meeting the standards of either the society of automotive engineers or the United Nations agreement concerning motor vehicle equipment and parts done at Geneva on March 20, 1958, or as amended and adopted by the Canadian standards association (CSA standard D106.2), as amended, shall be lawful in this state.

(2) ~~((The state commission on equipment shall establish the procedure to be followed when request for approval of any lighting device or other safety equipment, component, or assembly is submitted under this chapter or in regulations issued by the state commission on equipment. The procedure may provide for submission of such device, component, or assembly to~~

~~any recognized organization or agency such as, but not limited to, the vehicle equipment safety commission, American national standards institute, society of automotive engineers, and the American association of motor vehicle administrators, as the agent of the state commission on equipment and for the issuance of an approval certificate by that recognized organization or agency in lieu of submission of the device, component, or assembly to the state commission on equipment.~~

~~(3) The state commission on equipment shall maintain and publish lists of all lamps, lighting devices, components, assemblies, or other safety equipment by name and type which have been approved by it.) Every manufacturer who sells or offers for sale lighting devices or other safety equipment subject to requirements established by the commission shall, if the lighting device or safety equipment is not in conformance with applicable federal motor vehicle safety standards, provide for submission of such lighting device or safety equipment to any recognized organization or agency such as, but not limited to, the American national standards institute, the society of automotive engineers, or the American association of motor vehicle administrators, as the agent of the commission. Issuance of a certificate of compliance for any lighting device or item of safety equipment by that agent is deemed to comply with the standards set forth by the commission on equipment. Such certificate shall be issued by the agent of the state before sale of the product within the state.~~

~~(3) The commission may at any time request from the manufacturer a copy of the test data showing proof of compliance of any device with the requirements established by the commission and additional evidence that due care was exercised in maintaining compliance during production. If the manufacturer fails to provide such proof of compliance within sixty days of notice from the commission, the commission may prohibit the sale of the device in this state until acceptable proof of compliance is received by the commission.~~

~~(4) The commission or its agent may purchase any lighting device or other safety equipment, component, or assembly subject to this chapter or rules adopted by the commission under this chapter, for purposes of testing or retesting the equipment as to its compliance with applicable standards or specifications.~~

Sec. 3. Section 46.37.380, chapter 12, Laws of 1961 as amended by section 32, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.380 are each amended to read as follows:

(1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no horn or other warning device ((shall)) may emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle

shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(2) No vehicle ~~((shall))~~ may be equipped with nor ~~((shall))~~ may any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section.

(3) It is permissible for any vehicle to be equipped with a theft alarm signal device so long as it is so arranged that it cannot be used by the driver as an ordinary warning signal. Such a theft alarm signal device may use a whistle, bell, horn, or other audible signal but shall not use a siren.

(4) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell(;) capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet and of a type ~~((approved))~~ conforming to rules adopted by the state commission on equipment, but ~~((such))~~ the siren shall not be used except when ~~((such))~~ the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which ~~((said))~~ latter events the driver of ~~((such))~~ the vehicle shall sound ~~((said))~~ the siren when reasonably necessary to warn pedestrians and other drivers of ~~((the))~~ its approach ~~((thereof))~~.

Sec. 4. Section 46.37.420, chapter 12, Laws of 1961 as last amended by section 50, chapter 7, Laws of 1984 and RCW 46.37.420 are each amended to read as follows:

(1) It is unlawful to operate a vehicle upon the public highways of this state unless it is completely equipped with pneumatic rubber tires.

(2) No tire on a vehicle moved on a highway may have on its periphery any block, flange, cleat, or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it is permissible to use farm machinery with tires having protuberances that will not injure the highway, and except also that it is permissible to use tire chains or metal studs imbedded within the tire of reasonable proportions and of a type ~~((approved))~~ conforming to rules adopted by the state commission on equipment, upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid. It is unlawful to use metal studs imbedded within the tire between April 1st and November 1st. The state department of transportation may, from time to time, determine additional periods in which the use of tires with metal studs imbedded therein is lawful.

(3) The state department of transportation and local authorities in their respective jurisdictions may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this section.

(4) Tires with metal studs imbedded therein may be used between November 1st and April 1st upon school buses and fire department vehicles, any law or regulation to the contrary notwithstanding.

Sec. 5. Section 46.37.430, chapter 12, Laws of 1961 as last amended by section 1, chapter 304, Laws of 1985 and RCW 46.37.430 are each amended to read as follows:

(1) ~~((On and after January 1, 1938;))~~ No person ~~((shall))~~ may sell any new motor vehicle as specified ~~((herein))~~ in this title, nor ~~((shall))~~ may any new motor vehicle as specified ~~((herein))~~ in this title be registered ~~((thereafter))~~ unless such vehicle is equipped with safety glazing material of a type approved by the state commission on equipment wherever glazing material is used in doors, windows, and windshields. The foregoing provisions ~~((shall))~~ apply to all passenger-type motor vehicles, including passenger buses and school buses, but in respect to trucks, including truck tractors, the requirements as to safety glazing material ~~((shall apply))~~ applies to all glazing material used in doors, windows, and windshields in the drivers' compartments of such vehicles except as provided by subsection (4) of this section.

(2) The term "safety glazing materials" means glazing materials so constructed, treated, or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

(3) ~~((The state commission on equipment shall compile and publish a list of types of glazing material by name approved by it as meeting the requirements of this section and))~~ The director of licensing shall not register ~~((after January 1, 1938;))~~ any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glazing material, and he shall ~~((thereafter))~~ suspend the registration of any motor vehicle so subject to this section which he finds is not so equipped until it is made to conform to the requirements of this section.

(4) No person ~~((shall))~~ may sell or offer for sale, nor ~~((shall))~~ may any person operate a motor vehicle registered in this state which is equipped with, any camper manufactured after May 23, 1969, unless such camper is equipped with safety glazing material of a type ~~((approved))~~ conforming to rules adopted by the state commission on equipment wherever glazing materials are used in outside windows and doors.

(5) No tinting or coloring material that reduces light transmittance to any degree, unless it meets standards for such material adopted by the state commission on equipment, ~~((shall))~~ may be applied to the surface of the safety glazing material in a motor vehicle in any of the following locations:

- (a) Windshields,
- (b) Windows to the immediate right and left of the driver including windwings or,

(c) Rearmost windows if used for driving visibility by means of an interior rear-view mirror.

The standards adopted by the commission shall permit a greater degree of light reduction on a vehicle operated by or carrying as a passenger a person who possesses written verification from a licensed physician that the operator or passenger must be protected from exposure to sunlight for physical or medical reasons.

Nothing in this subsection (~~shall~~) prohibits the use of shaded or heat-absorbing safety glazing material in which the shading or heat-absorbing characteristics have been applied at the time of manufacture of the safety glazing material and which meet the standards of the state commission on equipment for such safety glazing materials.

(6) The standards used for approval of safety glazing materials by the state commission on equipment shall conform as closely as possible to the standards for safety glazing materials for motor vehicles promulgated by the United States of America Standards Institute in effect at the time of manufacture of the safety glazing material.

Sec. 6. Section 46.37.440, chapter 12, Laws of 1961 as last amended by section 38, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.440 are each amended to read as follows:

(1) No person (~~shall~~) may operate any motor truck, passenger bus, truck tractor, motor home, or travel trailer over eighty inches in overall width upon any highway outside the corporate limits of municipalities at any time unless there (~~shall be~~) is carried in such vehicle the following equipment except as provided in subsection (2) of this section:

(a) At least three flares or three red electric lanterns or three portable red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of not less than six hundred feet under normal atmospheric conditions at nighttime.

No flare, fusee, electric lantern, or cloth warning flag (~~shall~~) may be used for the purpose of compliance with (~~the requirements of~~) this section unless such equipment is of a type which has been submitted to the state commission on equipment and (~~approved~~) conforms to rules adopted by it. No portable reflector unit (~~shall~~) may be used for the purpose of compliance with the requirements of this section unless it is so designed and constructed as to be capable of reflecting red light clearly visible from all distances within six hundred feet to one hundred feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps, and unless it is of a type which has been submitted to the state commission on equipment and (~~approved~~) conforms to rules adopted by it;

(b) At least three red-burning fusees unless red electric lanterns or red portable emergency reflectors are carried;

(c) At least two red-cloth flags, not less than twelve inches square, with standards to support such flags.

(2) No person (~~shall~~) may operate at the time and under conditions stated in subsection (1) of this section any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases or liquefied gases, or any motor vehicle using compressed gas as a fuel unless there (~~shall be~~) is carried in such vehicle three red electric lanterns or three portable red emergency reflectors meeting the requirements of subsection (1) of this section, and there shall not be carried in any said vehicle any flares, fuseses, or signal produced by flame.

Sec. 7. Section 1, chapter 117, Laws of 1963 as amended by section 42, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.510 are each amended to read as follows:

(1) No person (~~shall~~) may sell any automobile manufactured or assembled after January 1, 1964, nor (~~shall~~) may any owner cause such vehicle to be registered thereafter under the provisions of chapter 46.12 RCW unless such motor car or automobile is equipped with automobile seat belts installed for use on the front seats thereof which are of a type and installed in a manner (~~approved~~) conforming to rules adopted by the state commission on equipment. Where registration is for transfer from an out-of-state license, the applicant shall be informed of this section by the issuing agent and (~~have~~) has thirty days to comply. The state commission on equipment shall adopt and enforce standards as to what (~~shall~~) constitutes adequate and safe seat belts and for the fastening and installation (~~thereof~~) of them. Such standards shall not (~~to~~) be below those specified as minimum requirements by the Society of Automotive Engineers on June 13, 1963.

(2) Every passenger car manufactured or assembled after January 1, 1965, shall be equipped with at least two lap-type safety belt assemblies for use in the front seating positions.

(3) Every passenger car manufactured or assembled after January 1, 1968, shall be equipped with a lap-type safety belt assembly for each permanent passenger seating position. This requirement shall not apply to police vehicles.

(4) Every passenger car manufactured or assembled after January 1, 1968, shall be equipped with at least two shoulder harness-type safety belt assemblies for use in the front seating positions.

(5) The commission on equipment shall excuse specified types of motor vehicles or seating positions within any motor vehicle from the requirements imposed by subsections (1), (2), and (3) of this section when compliance would be impractical.

(6) No person (~~shall~~) may distribute, have for sale, offer for sale, or sell any safety belt or shoulder harness for use in motor vehicles unless it

meets current minimum standards and specifications ~~((approved))~~ conforming to rules adopted by the commission or the United States department of transportation.

Sec. 8. Section 4, chapter 232, Laws of 1967 as last amended by section 7, chapter 77, Laws of 1982 and RCW 46.37.530 are each amended to read as follows:

(1) It is unlawful:

(a) For any person to operate a motorcycle or motor-driven cycle not equipped with mirrors on the left and right sides of the motorcycle which shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle or motor-driven cycle: **PROVIDED**, That mirrors shall not be required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show, or other such assemblage: **PROVIDED FURTHER**, That no mirror ~~((shall be))~~ is required on any motorcycle manufactured prior to January 1, 1931;

(b) For any person to operate a motorcycle or motor-driven cycle which does not have a windshield unless wearing glasses, goggles, or a face shield of a type ~~((approved))~~ conforming to rules adopted by the state commission on equipment;

(c) For any person to sell or offer for sale a motorcycle helmet which does not meet the requirements established by the state commission on equipment.

(2) The state commission on equipment is hereby authorized and empowered to adopt and amend ~~((regulations))~~ rules, pursuant to the administrative procedure act, concerning the standards and procedures for ~~((approval of))~~ conformance of rules adopted for glasses, goggles, face shields, and protective helmets. ~~((The state commission on equipment shall maintain and publish a list of those devices which the commission on equipment has approved:))~~

Sec. 9. Section 10, chapter 232, Laws of 1967 as amended by section 56, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.535 are each amended to read as follows:

It is unlawful for any person to rent out motorcycles unless he ~~((shall))~~ also ~~((have))~~ has on hand for rent helmets of a type ~~((approved))~~ conforming to rules adopted by the commission on equipment.

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