

the accuracy and validity of license and service claims, and records of familiarization trips of pilot candidates. Willful misrepresentation of such required information by a pilot candidate shall result in disqualification of the candidate.

Sec. 2. Section 9, chapter 337, Laws of 1977 ex. sess. and RCW 88-16.103 are each amended to read as follows:

(1) Pilots, after completion of an assignment or assignments which are seven hours or longer in duration, shall receive a mandatory rest period of seven hours.

(2) A pilot shall refuse a pilotage assignment if ~~((said))~~ the pilot is physically or mentally fatigued or if ~~((said))~~ the pilot has a reasonable belief that the assignment cannot be carried out in a competent and safe manner. Upon refusing an assignment as herein provided a pilot shall submit a written explanation to the board within forty-eight hours. If the board finds that the pilot's written explanation is without merit, or reasonable cause did not exist for the assignment refusal, such pilot may be subject to the provisions of RCW 88.16.100 ~~((as now existing or hereafter amended))~~.

(3) The board shall quarterly review the dispatch records of pilot organizations or pilot's quarterly reports to ensure the provisions of this section are enforced. The board may prescribe rules for rest periods pursuant to chapter 34.04 RCW.

NEW SECTION. Sec. 3. There is appropriated to the board of pilotage commissioners from the pilotage account of the general fund, for the biennium ending June 30, 1987, the sum of twenty thousand dollars, or so much thereof as may be necessary. This money may be used by the board only to pay costs of investigating vessel incidents or accidents where a state-licensed pilot was involved and legal fees of the board.

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## CHAPTER 123

[Engrossed House Bill No. 1763]

### STATE PATROL—VEHICLE INSPECTIONS

AN ACT Relating to motor vehicle inspection; amending RCW 46.32.010, 46.32.020, 46.32.040, 46.32.050, 46.32.060, and 46.32.070; and repealing RCW 46.32.030, 43.131.275, and 43.131.276.

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

Sec. 1. Section 46.32.010, chapter 12, Laws of 1961 as last amended by section 67, chapter 136, Laws of 1979 ex. sess. and RCW 46.32.010 are each amended to read as follows:

(1) ~~The chief of the Washington state patrol ((is hereby empowered to constitute, erect,))~~ may operate, ((and)) maintain, or designate, throughout the state of Washington, stations for the inspection of school buses and private carrier buses, with respect to vehicle equipment, drivers' qualifications, and hours of service and to set ~~((a date, at a))~~ reasonable times ~~((subsequent to the installation of such stations,))~~ when inspection of vehicles shall ~~((commence, and it shall be))~~ be performed.

(2) The inspection of private, common, and contract carriers with respect to vehicle equipment, drivers' qualifications, and hours of service shall be done in conjunction with weight enforcement under RCW 46.44.100.

(3) It is unlawful for any vehicle required to be inspected to be operated over the public highways of this state unless and until it has been approved periodically as to equipment. ~~((The chief of the Washington state patrol shall establish periods of vehicle equipment inspection. In the event of any such inspection, the same))~~

(4) Inspections shall be ((in charge of)) performed by a responsible employee of the chief of the Washington state patrol, who shall be duly authorized ~~((as a police officer))~~ and who shall have authority to secure and withhold, with written notice to the director of licensing, the certificate of license registration and license plates of any vehicle found to be defective in equipment so as to be unsafe or unfit to be operated upon the highways of this state, and it shall be unlawful for any person to operate such vehicle unless and until ~~((the same))~~ it has been placed in a condition satisfactory to pass a subsequent equipment inspection((:)). The police officer in charge of such vehicle equipment inspection ((station)) shall grant to the operator of such defective vehicle the privilege to move such vehicle to a place for repair under such restrictions as may be reasonably necessary.

(5) In the event any insignia, sticker, or other marker ~~((should be))~~ is adopted to be displayed upon vehicles in connection with the inspection of vehicle equipment, ~~((the same))~~ it shall be displayed as required by the rules ~~((and regulations))~~ of the chief of the Washington state patrol, and it is a traffic infraction for any person to mutilate, destroy, remove, or otherwise interfere with the display thereof.

(6) It is a traffic infraction for any person to refuse to have his motor vehicle examined as required by the chief of the Washington state patrol, or, after having had it examined, to refuse to place ~~((a certificate of approval, or a certificate of condemnation))~~ an insignia, sticker, or other marker, if issued, upon ((his windshield)) the vehicle, or ((to)) fraudulently to obtain ((a certificate of approval)) any such insignia, sticker, or other marker, or to refuse to place his motor vehicle in proper condition after having had ((the same)) it examined, or ((to;)) in any manner, to fail to conform to the provisions of this chapter.

(7) It is a traffic infraction for any person to perform false or improvised repairs, or repairs in any manner not in accordance with acceptable and customary repair practices, upon a motor vehicle.

Sec. 2. Section 46.32.020, chapter 12, Laws of 1961 and RCW 46.32-.020 are each amended to read as follows:

The chief of the Washington state patrol (~~(is empowered to provide)~~) may adopt reasonable rules (~~(and regulations)~~) regarding types of vehicles to be inspected, inspection criteria, times for the inspection of vehicle equipment, and all other matters with respect to the conduct of vehicle equipment inspections (~~(stations)~~).

~~((In the event that any municipality or other political subdivision of this state has installed and placed in operation any station for the inspection of vehicle equipment, the operation of such inspection station shall be in strict conformity with rules, regulations, procedure and standards of inspection prescribed by the chief of the Washington state patrol. The operation of such municipally owned vehicle inspection station shall be under the direction and supervision of the chief of the Washington state patrol and there shall be maintained and submitted as and when prescribed such records and reports as shall be required by the chief of the Washington state patrol.))~~

The chief of the Washington state patrol shall prepare and furnish such stickers, tags, record and report forms, stationery, and other supplies as shall be deemed necessary. The chief of the Washington state patrol is empowered to appoint and employ such assistants as he may consider necessary and to fix hours of employment and compensation.

Sec. 3. Section 46.32.040, chapter 12, Laws of 1961 and RCW 46.32-.040 are each amended to read as follows:

Vehicle equipment inspection shall be at such ~~((periodic))~~ intervals as ~~((shall be))~~ required by the chief of the Washington state patrol and shall be made without charge ~~((for such periodic inspection))~~.

Sec. 4. Section 46.32.050, chapter 12, Laws of 1961 as amended by section 68, chapter 136, Laws of 1979 ex. sess. and RCW 46.32.050 are each amended to read as follows:

It shall be unlawful for any person employed by the chief of the Washington state patrol ~~((or by any municipality or other political subdivision, in))~~ at any vehicle equipment inspection station, to ~~((directly or indirectly, or in any manner whatsoever;))~~ order, direct, recommend, or influence the correction of vehicle equipment defects by any person or persons whomsoever.

It shall be unlawful for any person employed by the chief of the Washington state patrol ~~((or by any municipality or other political subdivision;))~~ while in or about any vehicle equipment inspection station, to perform any repair or adjustment upon any vehicle or any equipment or appliance of any vehicle whatsoever.

It shall be unlawful for any person to solicit in any manner the repair to any vehicle or the adjustment of any equipment or appliance of any vehicle, upon the property of any vehicle equipment inspection station or upon any public highway adjacent thereto.

Violation of the provisions of this section is a traffic infraction.

Sec. 5. Section 46.32.060, chapter 12, Laws of 1961 and RCW 46.32-.060 are each amended to read as follows:

It shall be unlawful for any person to operate or move, or for any owner to cause or permit to be operated or moved upon any public highway, any vehicle or combination of vehicles, which is not at all times equipped in the manner required by this title, or the equipment of which is not in a proper condition and adjustment as required by this title or rules adopted by the chief of the Washington state patrol.

Any vehicle operating upon the public highways of this state and at any time found to be defective in equipment in such a manner that it may be considered unsafe shall be an unlawful vehicle and may be prevented from further operation until such equipment defect is corrected and any peace officer is empowered to impound such vehicle until the same has been placed in a condition satisfactory to vehicle inspection. The necessary cost of impounding any such unlawful vehicle and any cost for the storage and keeping thereof shall be paid by the owner thereof. The impounding of any such vehicle shall be in addition to any penalties for such unlawful operation.

The provisions of this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of equipment defect in the manner directed by any peace officer or representative of the state commission on equipment.

Sec. 6. Section 46.32.070, chapter 12, Laws of 1961 and RCW 46.32-.070 are each amended to read as follows:

~~((In the event that any vehicle shall))~~ If a vehicle required to be inspected becomes damaged or deteriorated in such a manner that such vehicle ~~((shall have))~~ has become unsafe for operation upon the public highways of this state, it ~~((shall be))~~ is unlawful for the owner or operator thereof to cause such vehicle to be operated upon a public highway upon its return to service unless such owner or operator ~~((shall have presented))~~ presents such vehicle for inspection of equipment within twenty-four hours after its return to service.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

- (1) Section 46.32.030, chapter 12, Laws of 1961 and RCW 46.32.030;
- (2) Section 11, chapter 197, Laws of 1983 and RCW 43.131.275; and

(3) Section 37, chapter 197, Laws of 1983 and RCW 43.131.276.

Passed the House March 8, 1986.

Passed the Senate March 6, 1986.

Approved by the Governor March 22, 1986.

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## CHAPTER 124

[Engrossed House Bill No. 1463]

### CONTROLLED SUBSTANCES—REVISIONS—PARENTS HAVE CAUSE OF ACTION WHEN CONTROLLED SUBSTANCES ARE TRANSFERRED TO MINORS

AN ACT Relating to controlled substances; amending RCW 69.50.101, 69.50.201, 69.50.204, 69.50.206, 69.50.208, 69.50.210, 69.50.212, 69.50.304, and 69.50.505; and creating a new section.

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

Sec. 1. Section 69.50.101, chapter 308, Laws of 1971 ex. sess. as last amended by section 18, chapter 153, Laws of 1984 and RCW 69.50.101 are each amended to read as follows:

As used in this chapter:

(a) "Administer" means the direct application of a controlled substance, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

(1) a practitioner, or

(2) the patient or research subject at the direction and in the presence of the practitioner.

(b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseman, or employee of the carrier or warehouseman.

(c) (~~"Bureau" means the Bureau of Narcotics and Dangerous Drugs.~~) "Drug enforcement administration" means the federal drug enforcement administration in the United States Department of Justice, or its successor agency.

(d) "Controlled substance" means a drug, substance, or immediate precursor in Schedules I through V of Article II.

(e) "Counterfeit substance" means a controlled substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person who in fact manufactured, distributed, or dispensed the substance.

(f) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.