

CHAPTER 160

[Senate Bill No. 5368]

URBAN ARTERIALS—PRIORITY PROJECTS—SELECTION CONSIDERATIONS—
MOVEMENT OF PERSONS

AN ACT Relating to urban arterials; and amending RCW 47.26.220.

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

Sec. 1. Section 28, chapter 83, Laws of 1967 ex. sess. as amended by section 23, chapter 167, Laws of 1988 and RCW 47.26.220 are each amended to read as follows:

Counties and cities, in preparing their respective six year programs relating to urban arterial improvements to be funded by the urban arterial trust account, shall select specific priority improvement projects for each functional class of arterial based on the rating of each arterial section proposed to be improved in relation to other arterial sections within the same functional class, taking into account the following:

- (1) Its structural ability to carry loads imposed upon it;
- (2) Its capacity to move traffic and persons at reasonable speeds without undue congestion;
- (3) Its adequacy of alignment and related geometrics;
- (4) Its accident experience; and
- (5) Its fatal accident experience.

The six year construction programs shall remain flexible and subject to annual revision as provided in RCW 36.81.121 and 35.77.010.

Passed the Senate February 13, 1989.

Passed the House April 12, 1989.

Approved by the Governor April 22, 1989.

Filed in Office of Secretary of State April 22, 1989.

CHAPTER 161

[Substitute Senate Bill No. 5486]

REAL ESTATE BROKERS AND SALESPERSONS—LICENSES

AN ACT Relating to licenses for real estate brokers and salespersons; amending RCW 18.85.110, 18.85.140, and 18.85.190; and providing an effective date.

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

Sec. 1. Section 3, chapter 252, Laws of 1941 as last amended by section 20, chapter 240, Laws of 1988 and RCW 18.85.110 are each amended to read as follows:

This chapter shall not apply to (1) any person who purchases property and/or a business opportunity for his own account, or that of a group of which he is a member, or who, as the owner or part owner of property,

and/or a business opportunity, in any way disposes of the same; nor, (2) any duly authorized attorney in fact acting without compensation, or an attorney at law in the performance of his duties; nor, (3) any receiver, trustee in bankruptcy, executor, administrator, guardian, or any person acting under the order of any court, or selling under a deed of trust; nor, (4) any secretary, bookkeeper, accountant, or other office personnel who does not engage in any conduct or activity specified in any of the definitions under RCW 18.85.010; nor, (5) any owner of rental or lease property, members of the owner's family whether or not residing on such property, or a resident manager of a complex of residential dwelling units wherein such manager resides; nor, (6) any person who manages residential dwelling units on an incidental basis and not as his principal source of income so long as that person does not advertise or hold himself out to the public by any oral or printed solicitation or representation that he is so engaged; nor, (7) only with respect to the rental or lease of individual storage space, any person who owns or manages a self-service storage facility as defined under chapter 19.150 RCW.

Sec. 2. Section 2, chapter 25, Laws of 1979 as amended by section 5, chapter 332, Laws of 1987 and RCW 18.85.140 are each amended to read as follows:

Before receiving his or her license every real estate broker, every associate real estate broker, and every real estate salesperson must pay a license fee as prescribed by the director by rule. Every license issued under the provisions of this chapter expires on the applicant's second birthday following issuance of the license (~~((which date will henceforth be the renewal date))~~). Licenses issued to partnerships expire on a date prescribed by the director by rule(~~((which date will henceforth be their renewal date))~~). Licenses issued to corporations expire on a date prescribed by the director by rule, (~~((which date will henceforth be their renewal date;))~~) except that if the corporation registration or certificate of authority filed with the secretary of state expires, the real estate broker's license issued to the corporation shall expire on that date. Licenses must be renewed every two years on or before the ((renewal)) date ((an annual)) established under this section and a biennial renewal license fee as prescribed by the director by rule must be paid.

If the application for a renewal license is not received by the director on or before the renewal date, a penalty fee as prescribed by the director by rule shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

The license of any person whose license renewal fee is not received within one year from the date of expiration shall be canceled. This person may obtain a new license by satisfying the procedures and qualifications for initial licensing, including the successful completion of any applicable examinations.

The director shall issue to each active licensee a license and a pocket identification card in such form and size as he or she shall prescribe.

Sec. 3. Section 42, chapter 52, Laws of 1957 as last amended by section 6, chapter 332, Laws of 1987 and RCW 18.85.190 are each amended to read as follows:

A real estate broker may apply to the director for authority to establish one or more branch offices under the same name as the main office upon the payment of a fee as prescribed by the director by rule. The director shall issue a duplicate license for each of the branch offices showing the location of the main office and the particular branch. Each duplicate license shall be prominently displayed in the office for which it is issued. Each branch office shall be required to have a branch manager who shall be an associate broker authorized by the designated broker to perform the duties of a branch manager.

A branch office license shall not be required where real estate sales activity is conducted on and, limited to a particular subdivision or tract, if a licensed office or branch office is located within thirty-five miles of the subdivision or tract. ~~((A real estate broker shall apply for a branch office license if real estate sales activity on the particular subdivision or tract is five days or more per week.))~~

NEW SECTION. Sec. 4. Section 2 of this act shall take effect January 1, 1991.

Passed the Senate March 3, 1989.

Passed the House April 12, 1989.

Approved by the Governor April 22, 1989.

Filed in Office of Secretary of State April 22, 1989.

CHAPTER 162

[Substitute Senate Bill No. 5469]

ALCOHOLISM TREATMENT FACILITY RECORDS—RELEASE

AN ACT Relating to alcoholism treatment facility patient records; and amending RCW 70.96A.150.

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

Sec. 1. Section 15, chapter 122, Laws of 1972 ex. sess. and RCW 70.96A.150 are each amended to read as follows:

(1) The registration and other records of treatment facilities shall remain confidential ~~((and are privileged to the patient))~~. Records may be disclosed (a) in accordance with the prior written consent of the patient with respect to whom such record is maintained, (b) if authorized by an appropriate order of a court of competent jurisdiction granted after application showing good cause, (c) to comply with state laws mandating the reporting