

and RCW 91.04.520;

(144) Section 40, chapter 8, Laws of 1909 ex. sess., section 41, chapter 11, Laws of 1911 and RCW 91.04.530;

(145) Section 41, chapter 8, Laws of 1909 ex. sess., section 42, chapter 11, Laws of 1911, and RCW 91.04.540;

(146) Section 42, chapter 8, Laws of 1909 ex. sess., section 43, chapter 11, Laws of 1911, and RCW 91.04.543 and 91.04.280;

(147) Section 43, chapter 8, Laws of 1909 ex. sess., section 44, chapter 11, Laws of 1911, and RCW 91.04.545 and 91.04.180;

(148) Section 44, chapter 8, Laws of 1909 ex. sess., section 45, chapter 11, Laws of 1911, and RCW 91.04.547 and 91.04.430;

(149) Section 45, chapter 8, Laws of 1909 ex. sess., section 46, chapter 11, Laws of 1911, and RCW 91.04.550;

(150) Section 46, chapter 8, Laws of 1909 ex. sess., section 47, chapter 11, Laws of 1911, and RCW 91.04.555 and 91.04.190;

(151) Section 47, chapter 8, Laws of 1909 ex. sess., section 48, chapter 11, Laws of 1911, and RCW 91.04.560;

(152) Section 49, chapter 11, Laws of 1911 and RCW 91.04.565;
and

(153) Section 50, chapter 11, Laws of 1911 and RCW 91.04.900.

Passed the House March 1, 1971.

Passed the Senate March 10, 1971.

Approved by the Governor March 23, 1971.

Filed in Office of Secretary of State March 23, 1971.

CHAPTER 77

[Engrossed House Bill No. 298]

MOTOR VEHICLES--

TIRE STANDARDS

AN ACT Relating to motor vehicles; adding new sections to chapter 46.37 RCW; defining crimes and providing penalties; and making an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

No person, firm or corporation shall sell or offer for sale for use on the public highways of this state any new pneumatic passenger car tire which does not meet the standards established by federal motor vehicle safety standard No. 109, as promulgated by the United States department of transportation under authority of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719,728; 15 U.S.C. 1392,1407).

The applicable standard shall be the version of standard No. 109 in effect at the time of manufacture of the tire.

Any person, firm or corporation who shall sell or offer for sale any new pneumatic passenger car tire which does not meet the standards prescribed in this section shall be guilty of a misdemeanor unless such tires are sold for off-highway use, as evidenced by a statement signed by the purchaser at the time of sale certifying that he is not purchasing such tires for use on the public highways of this state.

NEW SECTION. Sec. 2. There is added to chapter 46.37 RCW a new section to read as follows:

No person, firm or corporation shall sell or offer for sale any regrooved tire or shall regroove any tire for use on the public highways of this state which does not meet the standard established by federal motor vehicle standard part 369 - regrooved tires, as promulgated by the United States department of transportation under authority of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 719, 728; 15 U.S.C. 1392, 1407).

The applicable standard shall be the version of the federal regrooved tire standard in effect at the time of regrooving.

Any person, firm or corporation who shall sell or offer for sale any regrooved tire or shall regroove any tire which does not meet the standards prescribed in this section shall be guilty of a misdemeanor unless such tires are sold or regrooved for off-highway use, as evidenced by a statement signed by the purchaser or regroover at the time of sale or regrooving certifying that he is not purchasing or regrooving such tires for use on the public highways of this state.

NEW SECTION. Sec. 3. There is added to chapter 46.37 RCW a new section to read as follows:

No person shall drive or move or cause to be driven or moved any vehicle, the tires of which have contact with the driving surface of the road, subject to registration in this state, upon the public highways of this state unless such vehicle is equipped with tires in safe operating condition in accordance with requirements established by the state commission on equipment.

The state commission on equipment shall promulgate rules and regulations setting forth requirements of safe operating condition of tires capable of being employed by a law enforcement officer by visual inspection of tires mounted on vehicles including visual comparison with simple measuring gauges. These rules shall include effects of tread wear and depth of tread.

A tire shall be considered unsafe if it has:

- (1) Any ply or cord exposed; or
- (2) Any bump, bulge or knot, affecting the tire structure; or

(3) Any break repaired with a boot; or

(4) A tread depth of less than $2/32$ of an inch measured in any two major tread grooves at three locations equally spaced around the circumference of the tire, or for those tires with tread wear indicators, a tire shall be considered unsafe if it is worn to the point that the tread wear indicators contact the road in any two major tread grooves at three locations equally spaced around the circumference of the tire; or

(5) A legend which indicates the tire is not intended for use on public highways such as, "not for highway use", or "for racing purposes only"; or

(6) Such condition as may be reasonably demonstrated to render it unsafe.

No person, firm or corporation shall sell any vehicle for use on the public highways of this state unless the vehicle is equipped with tires that are in compliance with the provisions of this section. If the tires are found to be in violation of the provisions of this section, the person, firm or corporation selling the vehicle shall cause such tires to be removed from the vehicle and shall equip the vehicle with tires that are in compliance with the provisions of this section.

Any person operating a vehicle on the public highways of this state, or selling a vehicle for use on the public highways of this state, which is equipped with a tire or tires in violation of the provisions of this section or the rules and regulations promulgated by the state commission on equipment hereunder shall be guilty of a misdemeanor: PROVIDED, HOWEVER, That if the violation relates to items (1) to (6) inclusive of this section that the condition or defect must be such that it can be detected by a visual inspection of tires mounted on vehicles, including visual comparison with simple measuring gauges.

NEW SECTION. Sec. 4. The provisions of section 3 of this 1971 act shall have an effective date of January 1, 1972, but the state commission on equipment shall have the authority to proceed with the promulgation of the rules and regulations provided for in section 3 of this act so the rules and regulations may have an effective date of January 1, 1972.

Passed the House March 10, 1971.

Passed the Senate March 9, 1971.

Approved by the Governor March 23, 1971.

Filed in Office of Secretary of State March 23, 1971.