

~~more interstate or intrastate common carriers))~~ for compensation over the public highways of the state of Washington as brokers or forwarders.

Sec. 2. Section 2, chapter 31, Laws of 1988 and RCW 81.80.430 are each amended to read as follows:

(1) Each broker or forwarder shall file with the commission and keep in effect, a surety bond or deposit of satisfactory security, in a sum to be determined by the commission, but not less than five thousand dollars, conditioned upon such broker or forwarder making compensation to shippers, consignees, and carriers for all moneys belonging to them and coming into the broker's or forwarder's possession in connection with the transportation service.

(2) It is unlawful for a broker or forwarder to conduct business as such in this state without first securing appropriate authority from the Interstate Commerce Commission, if such authority is required, and registering with the Washington utilities and transportation commission. The commission shall grant such registration without hearing, upon application and payment of the appropriate filing fee prescribed by this chapter for other applications for operating authority.

(3) Failure to file the bond or deposit the security is sufficient ~~((ground))~~ cause for refusal of the commission to grant the application for a permit or registration. Failure to ~~((promptly make the remittances provided for in this section and in rules of the commission))~~ maintain the bond or the deposit of security is sufficient cause for cancellation of a permit or registration.

Passed the House February 24, 1989.

Passed the Senate April 4, 1989.

Approved by the Governor April 19, 1989.

Filed in Office of Secretary of State April 19, 1989.

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## CHAPTER 61

[House Bill No. 1762]

### REAL ESTATE TRANSACTIONS—DISCRIMINATION AGAINST PERSONS USING GUIDE OR SERVICE DOGS PROHIBITED

AN ACT Relating to discrimination in real estate transactions against physically disabled persons who use guide dogs; and amending RCW 49.60.222.

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

Sec. 1. Section 4, chapter 167, Laws of 1969 ex. sess. as last amended by section 8, chapter 127, Laws of 1979 and RCW 49.60.222 are each amended to read as follows:

It is an unfair practice for any person, whether acting for himself or another, because of sex, marital status, race, creed, color, national origin, the presence of any sensory, mental, or physical handicap, or the use of a

trained guide dog or service dog (~~(guide)~~) by a blind (~~(or)~~), deaf, or physically disabled person:

- (1) To refuse to engage in a real estate transaction with a person;
- (2) To discriminate against a person in the terms, conditions, or privileges of a real estate transaction or in the furnishing of facilities or services in connection therewith;
- (3) To refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person;
- (4) To refuse to negotiate for a real estate transaction with a person;
- (5) To represent to a person that real property is not available for inspection, sale, rental, or lease when in fact it is so available, or to fail to bring a property listing to his attention, or to refuse to permit him to inspect real property;
- (6) To print, circulate, post, or mail, or cause to be so published a statement, advertisement, or sign, or to use a form of application for a real estate transaction, or to make a record or inquiry in connection with a prospective real estate transaction, which indicates, directly or indirectly, an intent to make a limitation, specification, or discrimination with respect thereto;
- (7) To offer, solicit, accept, use, or retain a listing of real property with the understanding that a person may be discriminated against in a real estate transaction or in the furnishing of facilities or services in connection therewith;
- (8) To expel a person from occupancy of real property;
- (9) To discriminate in the course of negotiating, executing, or financing a real estate transaction whether by mortgage, deed of trust, contract, or other instrument imposing a lien or other security in real property, or in negotiating or executing any item or service related thereto including issuance of title insurance, mortgage insurance, loan guarantee, or other aspect of the transaction. Nothing in this section shall limit the effect of RCW 49.60.176 relating to unfair practices in credit transactions; or
- (10) To attempt to do any of the unfair practices defined in this section.

Notwithstanding any other provision of law, it shall not be an unfair practice or a denial of civil rights for any public or private educational institution to separate the sexes or give preference to or limit use of dormitories, residence halls, or other student housing to persons of one sex or to make distinctions on the basis of marital or family status.

This section shall not be construed to require structural changes, modifications, or additions to make facilities accessible to a handicapped person except as otherwise required by law. Nothing in this section affects the

rights and responsibilities of landlords and tenants pursuant to chapter 59-18 RCW.

Passed the House March 14, 1989.

Passed the Senate April 5, 1989.

Approved by the Governor April 19, 1989.

Filed in Office of Secretary of State April 19, 1989.

## CHAPTER 62

[House Bill No. 1330]

### FERRIES—COUNTY OPERATED—RATES—STATE APPROVAL

AN ACT Relating to ferry operation; and amending RCW 47.04.140.

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

Sec. 1. Section 1, chapter 65, Laws of 1975-'76 2nd ex. sess. as amended by section 91, chapter 7, Laws of 1984 and RCW 47.04.140 are each amended to read as follows:

Whenever a county that operates or proposes to operate ferries obtains federal aid for the construction, reconstruction, or modification of any ferry boat or approaches thereto under Title 23, United States Code, the following provisions apply to the county's operation of its ferries:

(1) The county shall obtain from the department a franchise authorizing the ferry operations. The county's application for a franchise or amended franchise shall designate all ferry routes it proposes to operate. The department shall issue the franchise or amended franchise for the operation of each route that it finds is not otherwise served by adequate transportation facilities. A county may terminate any ferry route without approval of the department.

(2) At least ~~((thirty))~~ ninety days before applying for federal aid for the construction, reconstruction, or modification of any of its ferries or approaches thereto, and thereafter whenever new tolls or charges are proposed for use of its ferries, the county shall file with the department ~~((for its approval))~~, the current or proposed schedule of tolls and charges for use of its ferries. ~~((The department shall approve the schedule of tolls and charges))~~ Such tolls and charges shall be deemed approved by the department unless it finds that the aggregate revenues to be derived from the county's ferry operations will exceed the amount required to pay the actual and necessary costs of operation, maintenance, administration, and repair of the county's ferries and their appurtenances.

~~((3) The department shall adopt rules for the implementation of this section including provisions affording the right to a hearing to any county~~