

government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 8, 1983.

Passed the House April 17, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

CHAPTER 134

[Engrossed Substitute Senate Bill No. 3251]

PORTABLE OIL-FUELED HEATERS—STANDARDS FOR SALE AND USE

AN ACT Relating to standards for portable oil heaters; adding a new subchapter to chapter 19.27 RCW; creating a new section; and prescribing penalties.

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

NEW SECTION. Sec. 1. It is hereby declared that modern, efficient, safety-tested portable oil-fueled heaters may be offered for sale, sold, and used in this state. However, fire hazards and other dangers to the health, safety, and welfare of the inhabitants of this state may exist absent legislation to provide reasonable assurances that portable oil-fueled heaters offered for sale to, sold to, and used by the inhabitants of this state are modern, efficient, and safety-tested. It is the intent of the legislature to set forth standards for the sale and use of approved portable oil-fueled heaters.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 2 through 6 of this act.

(1) "Portable oil-fueled heater" means any nonflue-connected, self-contained, self-supporting, oil-fueled, heating appliance equipped with an integral reservoir, designed to be carried from one location to another.

(2) "Oil" means any liquid fuel with a flash point of greater than one hundred degrees Fahrenheit, including but not limited to kerosene.

(3) "Listed" means any portable oil-fueled heater which has been evaluated in accordance with the Underwriters Laboratories, Inc. standard for portable oil-fueled heaters or an equivalent standard and with respect to reasonably foreseeable hazards to life and property by a nationally recognized testing or inspection agency, such as Underwriters Laboratories, Inc., and which has been authorized as being reasonably safe for its specific purpose and shown in a list published by such agency and/or bears the mark, name, and/or symbol of such agency as indication that it has been so authorized. Such evaluation shall include but not be limited to evaluation of the requirements hereinafter set forth.

(4) "Approved" means any listed portable oil-fueled heater which is deemed approved if it satisfies the requirements set forth herein or adopted

under sections 2 through 6 of this act and if the supplier certifies to the authority having jurisdiction over the sale and use of the heater that it is listed and in compliance with sections 2 through 6 of this act.

(5) "Structure" means any building or completed construction of any kind included in state building code groups M, R-1, R-3, B-4 and B-2 occupancies, except sleeping rooms and bathrooms: PROVIDED, HOWEVER, That in B-2 occupancies, approved portable oil-fueled heaters shall only be used under permit of the fire chief.

(6) "Supplier" means any party offering to sell to retailers or to the general public approved portable oil-fueled heaters.

NEW SECTION. Sec. 3. Notwithstanding any other section of the state building code, chapter 19.27 RCW, or any other code adopted by reference in chapter 19.27 RCW, approved portable oil-fueled heaters may be offered for sale, sold, and used as a supplemental heat source in structures in the state. Portable oil-fueled heaters which are not approved may not be offered for sale, sold, or used in this state. Any approved portable oil-fueled heater may be offered for sale, sold, and used in locations other than structures unless specifically prohibited by laws of this state.

NEW SECTION. Sec. 4. Approved portable oil-fueled heaters must adhere to the following requirements:

(1) Labeling must be affixed to the heater to caution and inform the user concerning:

(a) The necessity for an adequate source of ventilation when the heater is operating;

(b) The use of suitable fuel;

(c) The proper manner of refueling;

(d) The proper placement and handling of the heater when in operation; and

(e) The proper procedures for lighting, flame regulation, and extinguishing the heater.

(2) Packaging must include instructions that will inform the purchaser of proper maintenance and operation.

(3) Approved portable oil-fueled heaters must be constructed with a low center of gravity and minimum tipping angle of thirty-three degrees from the vertical with an empty reservoir.

(4) Approved portable oil-fueled heaters must have an automatic safety shut-off device or inherent design feature which eliminates fire hazards in the event of tipover and must otherwise conform with the standards set forth in National Fire Protection Association (NFPA) No. 31.

(5) Approved portable oil-fueled heaters must not produce carbon monoxide at rates creating a hazard when operated as intended and instructed.

NEW SECTION. Sec. 5. The state fire marshal is the only authority having jurisdiction over the approval of portable oil-fueled heaters. The sale

and use of portable oil-fueled heaters is governed exclusively by sections 2 through 6 of this act: PROVIDED, That cities and counties may adopt local standards as provided in RCW 19.27.040.

NEW SECTION. Sec. 6. The penalty for failure to comply with sections 2 through 6 of this act is a misdemeanor.

NEW SECTION. Sec. 7. Sections 2 through 6 of this act shall be added to chapter 19.27 RCW and codified with the subchapter heading of Portable Oil-Fueled Heater Standards.

Passed the Senate March 14, 1983.

Passed the House April 18, 1983.

Approved by the Governor April 23, 1983.

Filed in Office of Secretary of State April 23, 1983.

CHAPTER 135

[Engrossed Senate Bill No. 3252]

AIRCRAFT DEALER LICENSING

AN ACT Relating to aircraft dealers; amending section 2, chapter 150, Laws of 1955 and RCW 14.20.020; amending section 7, chapter 150, Laws of 1955 and RCW 14.20.070; and amending section 9, chapter 150, Laws of 1955 and RCW 14.20.090.

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

Sec. 1. Section 2, chapter 150, Laws of 1955 and RCW 14.20.020 are each amended to read as follows:

(1) It is unlawful for a person to act as an aircraft dealer without a currently valid aircraft dealer's license issued under this chapter.

(2) Any person (~~desiring to apply~~) applying for an aircraft dealer's license shall do so at the office of the director on a form provided for that purpose by (~~him~~) the director.

Sec. 2. Section 7, chapter 150, Laws of 1955 and RCW 14.20.070 are each amended to read as follows:

Before issuing an aircraft dealer license, the director shall require the applicant to file with (~~said~~) the director a surety bond in the amount of (~~four~~) twenty-five thousand dollars running to the state, and executed by a surety company authorized to do business in the state. (~~Such~~) The bond shall be approved by the attorney general as to form and conditioned that the dealer shall conduct his business in conformity with the provisions of this chapter, RCW (~~14.04.250~~) 47.68.250 and 82.48.100. Any person who (~~shall have~~) has suffered any loss or damage by reason of any act by a dealer which constitutes ground for refusal, suspension, or revocation of license under RCW 14.20.090 (~~shall have an~~) has a right of action against