

~~((5))~~ (6) Any gift by a person designated in RCW 68.08.510(2), shall be made by a document signed by him or made by his telegraphic, recorded telephonic, or other recorded message.

Passed the House March 3, 1975.

Passed the Senate March 10, 1975.

Approved by the Governor March 31, 1975.

Filed in Office of Secretary of State March 31, 1975.

CHAPTER 55

[Senate Bill No. 2167]

FAIR TRADE ACT—REPEAL

AN ACT Relating to the Fair Trade Act; and repealing sections 1 through 6, chapter 176, Laws of 1937 and RCW 19.89.010 through 19.89.040, 19.89.900 and 19.89.910.

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

NEW SECTION. Section 1. Sections 1 through 6, chapter 176, Laws of 1937 and RCW 19.89.010 through 19.89.040, 19.89.900, and 19.89.910 are each repealed.

Passed the Senate February 17, 1975.

Passed the House March 6, 1975.

Approved by the Governor March 31, 1975.

Filed in Office of Secretary of State April 1, 1975.

CHAPTER 56

[Engrossed Senate Bill No. 2205]

MOTOR VEHICLE LAW ENFORCEMENT—

CITATIONS—ARREST—PROBABLE CAUSE—DETENTION

AN ACT Relating to motor vehicle law enforcement; amending section 46.64.015, chapter 12, Laws of 1961 as amended by section 70, chapter 32, Laws of 1967 and RCW 46.64.015; amending section 46.64.030, chapter 12, Laws of 1961 as amended by section 72, chapter 32, Laws of 1967 and RCW 46.64.030; adding a new section to chapter 32, Laws of 1967 and to chapter 46.64 RCW; and declaring an emergency.

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

Section 1. Section 46.64.015, chapter 12, Laws of 1961 as amended by section 70, chapter 32, Laws of 1967 and RCW 46.64.015 are each amended to read as follows:

Whenever any person is arrested for any violation of the traffic laws or regulations which is punishable as a misdemeanor, the arresting officer may serve upon him a traffic citation and notice to appear in court. Such citation and notice shall conform to the requirements of RCW 46.64.010, and in addition, shall include spaces for the name and address of the person arrested, the license number of the vehicle involved, the driver's license number of such person, if any, the offense charged, the time and place where such person shall appear in court, and a place where the person arrested may sign. Such spaces shall be filled with the appropriate information by the arresting officer. The arrested person, in order to secure release, and when permitted by the arresting officer, must give his written

promise to appear in court as required by the citation and notice by signing in the appropriate place the written citation and notice served by the arresting officer. Upon the arrested person's failing or refusing to sign such written promise, he may be taken into custody of such arresting officer and so remain or be placed in confinement: **PROVIDED**, That an officer shall not serve or issue any traffic citation or notice for any offense or violation except either when said offense or violation is committed in his presence or when the citation and notice may be issued or served pursuant to section 3 of this amendatory act.

Sec. 2. Section 46.64.030, chapter 12, Laws of 1961 as amended by section 72, chapter 32, Laws of 1967 and RCW 46.64.030 are each amended to read as follows:

The provisions of this title with regard to the apprehension and arrest of persons violating this title shall govern all police officers in making arrests without a warrant for violations of this title for offenses either committed in their presence or believed to have been committed based on probable cause stemming from investigation at the scenes of motor vehicle accidents pursuant to section 3 of this amendatory act, but the procedure prescribed herein shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for other like offenses.

NEW SECTION. Sec. 3. There is added to chapter 32, Laws of 1967 and to chapter 46.64 RCW a new section to read as follows:

A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of the traffic laws or regulations. The detention arising from any arrest under this section shall not be for a period of time longer than is reasonably necessary to issue and serve a citation and notice, except that such time limitation shall not apply under any of the following circumstances:

(1) Where the law enforcement officer has probable cause to believe that the arrested person had been driving the motor vehicle while under the influence of intoxicating liquor, controlled substance, or drugs in violation of state law or any county, city, or town ordinance; or

(2) Where the arrested person refuses to sign a written promise to appear in court as required by the citation and notice provisions of section 1 of this amendatory act.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 11, 1975.

Passed the House March 7, 1975.

Approved by the Governor March 31, 1975.

Filed in Office of Secretary of State April 1, 1975.