

- (13) Section 43.07.080, chapter 8, Laws of 1965 and RCW 43.07.080;
- (14) Section 43.92.030, chapter 8, Laws of 1965 and RCW 43.92.030;
- (15) Section 15, chapter 96, Laws of 1961 and RCW 47.42.150;
- (16) Section 47.56.350, chapter 13, Laws of 1961 and RCW 47.56.350;
- (17) Section 6, chapter 82, Laws of 1967 and RCW 70.83.060;
- (18) Section 5, chapter 188, Laws of 1961 and RCW 70.94.340;
- (19) Section 72.16.090, chapter 28, Laws of 1959 and RCW 72.16.090;
- (20) Section 74.09.140, chapter 26, Laws of 1959 and RCW 74.09.140;
- (21) Section 8, chapter 154, Laws of 1923 and RCW 76.12.150;
- (22) Section 84.08.090, chapter 15, Laws of 1961, section 153, chapter 278, Laws of 1975 1st ex. sess. and RCW 84.08.090;
- (23) Section 84.08.100, chapter 15, Laws of 1961 and RCW 84.08.100;
- (24) Section 24, chapter 200, Laws of 1907 and RCW 88.04.270; and
- (25) Section 2, chapter 284, Laws of 1969 ex. sess. and RCW 90.48.295.

Passed the Senate March 8, 1977.

Passed the House March 4, 1977.

Approved by the Governor March 30, 1977, with the exception of section 35 which is vetoed.

Filed in Office of Secretary of State March 30, 1977.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval of one section, Senate Bill No. 2133 entitled:

"AN ACT Relating to state government reports and publications."

The specific section I have vetoed is New Section 35 at page 40, lines 15 through 25, which requires each state and local agency to purge its mailing lists each year of all persons not responding positively to inquiries on whether they wish to remain on such lists. The scope of this section is unnecessarily broad, and would, for example, require some agencies which mail valuable but unsolicited information to large segments of the population to curtail such activities. In many cases such mailings are required by law. Furthermore, section 35 would severely restrict the ability of our state institutions of higher learning to regularly solicit donations from their alumni or to keep their large constituencies informed of continuing educational opportunities. Even members of the legislature and other state and local elected officials would have to curtail their mailings.

For the reasons stated above, and because I am confident that the legislature will pass appropriate legislation to deal with the problem of unnecessary mailing expenses because of the use of stale mailing lists, I have vetoed section 35 of Senate Bill No. 2133. The remainder of the bill is approved."

CHAPTER 76

[Senate Bill No. 2067]

TRAFFIC SAFETY EDUCATION PROGRAM—COURSES—INSTRUCTORS—FISCAL SUPPORT

AN ACT Relating to traffic safety education courses; amending section 2, chapter 39, Laws of 1963 as amended by section 1, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.010; amending section 3, chapter 39, Laws of 1963 as amended by section 2, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.020; amending section 8, chapter 39, Laws of 1963 as last amended by section 6, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.070; creating new sections; and adding a new section to chapter 46.81 RCW.

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

NEW SECTION. Section 1. There is added to chapter 46.81 RCW a new section to read as follows:

It is the purpose of this 1977 amendatory act to provide the students of the state with an improved quality traffic safety education program and to develop in the youth of this state a knowledge of the motor vehicle laws, an acceptance of personal responsibility on the public highways, an understanding of the causes and consequences of traffic accidents, and to provide training in the skills necessary for the safe operation of motor vehicles; to provide financial assistance to the various school districts while permitting them to achieve economies through options in the choice of course content and methods of instructions by adopting in whole or with modifications, a program prepared by the office of the superintendent of public instruction, and keeping to a minimum the amount of estimating, bookkeeping and reporting required of said school districts for financial reimbursement for such traffic safety education programs.

Sec. 2. Section 2, chapter 39, Laws of 1963 as amended by section 1, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.010 are each amended to read as follows:

The following words and phrases whenever used in chapter 46.81 RCW shall have the following meaning:

(1) "Superintendent" or "state superintendent" shall mean the superintendent of public instruction.

(2) "Traffic safety education course" shall mean an accredited course of instruction in traffic safety education which shall consist of ~~((three parts:))~~ two phases, classroom instruction, and laboratory experience~~((; and observation time))~~. "Laboratory experience" shall include on-street, driving range, or simulator experience or some combination thereof. Each ~~((of said parts))~~ phase shall meet basic course requirements which shall be established by the superintendent of public instruction and each part of said course shall be taught by a qualified teacher of traffic safety education. Any portions of the course may be taught after regular school hours or on Saturdays as well as on regular school days or as a summer school course, at the option of the local school districts.

(3) "Qualified teacher of traffic safety education" shall mean an instructor certificated under the provisions of chapter 28A.70 RCW and certificated by the superintendent of public instruction to teach either the classroom ~~((part))~~ phase or the laboratory ~~((part))~~ phase of the traffic safety education course, or both, under regulations promulgated by the superintendent: PROVIDED, That the laboratory experience phase of the traffic safety education course may be taught by instructors certificated under rules promulgated by the superintendent of public instruction, exclusive of any requirement that the instructor be certificated under the provisions of chapter 28A.70 RCW. Professional instructors certificated under the provisions of chapter 46.82 RCW, and participating in this program, shall be subject to reasonable qualification requirements jointly adopted by the superintendent of public instruction and the director of the department of motor vehicles.

(4) "Realistic level of effort" for the purpose of this 1977 amendatory act means the classroom and laboratory student learning experiences considered acceptable to the superintendent of public instruction that must be satisfactorily accomplished by the student in order to successfully complete the traffic safety education course.

Sec. 3. Section 3, chapter 39, Laws of 1963 as amended by section 2, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.020 are each amended to read as follows:

(1) The superintendent of public instruction is authorized to establish a section of traffic safety education, ~~((under the division of curriculum and instruction))~~ and through such section shall: Define a "realistic level of effort" required to provide an effective traffic safety education course, establish a level of driving competency required of each student to successfully complete the course, and ensure that an effective state-wide program is implemented and sustained, administer, supervise, and develop the traffic safety education program and shall assist local school districts in the conduct of their traffic safety education programs. The superintendent shall adopt necessary rules and regulations governing the operation and scope of the traffic safety education program; and each school district shall submit ((an annual)) a report to the superintendent on the ((financial)) condition of its traffic safety education program: PROVIDED, That the superintendent shall ((conduct audits or such other examination of the records and accounts of said school districts and shall require their reporting of such information as the superintendent deems necessary to adequately)) monitor the quality of the program and ((to)) carry out the purposes of this chapter((, and in order to make regular reports to the legislature)).

(2) The board of directors of any school district maintaining a secondary school which includes any of the grades 10 to 12, inclusive, may establish and maintain a traffic safety education course. If a school district elects to offer a traffic safety education course and has within its boundaries a private accredited secondary school which includes any of the grades 10 to 12, inclusive, at least one class in traffic safety education shall be given at times other than regular school hours if there is sufficient demand therefor.

(3) ~~((Subject to the rules and regulations adopted by the superintendent of public instruction,))~~ The board of directors of a school district, or combination of school districts, may contract with any drivers' school licensed under the provisions of chapter 46.82 RCW to teach the laboratory ((part)) phase of the traffic safety education ((program)) course. Instructors provided by any such contracting drivers' school must be ((certificated as)) properly qualified teachers of traffic safety education under the joint qualification requirements adopted by the superintendent of public instruction and the director of the department of motor vehicles.

Sec. 4. Section 8, chapter 39, Laws of 1963 as last amended by section 6, chapter 218, Laws of 1969 ex. sess. and RCW 46.81.070 are each amended to read as follows:

(1) ~~((Each school district offering a course in traffic safety education shall, in such manner as the superintendent of public instruction may direct, keep accurate records of the cost thereof.))~~ Subject to RCW 46.81.060 each school district shall be reimbursed from the traffic safety education account: PROVIDED, That the

state superintendent shall determine the ~~((approximate))~~ per pupil ~~((cost-of))~~ reimbursement amount for the traffic safety education ~~((and may reimburse up to seventy-five percent of the estimated per pupil cost of traffic safety education))~~ course to be funded by the state. Each school district offering an approved standard traffic safety education course shall be reimbursed or granted an amount up to the level established by the superintendent of public instruction as may be provided from the traffic safety education account. ~~((Per pupil cost of traffic safety education shall include the per pupil cost of vehicles used exclusively in traffic safety education programs and simulators used in such programs amortized by school districts over a sixty-month period.))~~

~~A simulator is any automobile driver training device approved by the superintendent of public instruction to be used for purposes of traffic safety education instruction under simulated driving conditions.))~~

(2) The board of directors of any school district or combination of school districts ~~((shall))~~ may establish a traffic safety education fee, which fee when imposed shall be required to be paid by any duly enrolled student in any such school district prior to ~~((the enrollment))~~ or while enrolled in a traffic safety education course. Traffic safety education fees collected by a school district shall be deposited with the county treasurer to the credit of such school district, to be used to pay costs of the traffic safety education course.

NEW SECTION. Sec. 5. If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the Senate February 15, 1977.

Passed the House March 7, 1977.

Approved by the Governor March 30, 1977.

Filed in Office of Secretary of State March 30, 1977.

CHAPTER 77

[Engrossed Senate Bill No. 2385]

LIMITED ACCESS HIGHWAYS—PLANS

AN ACT Relating to limited access facilities; amending section 3, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.135; amending section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180; adding a new section to chapter 47.52 RCW; and declaring an emergency.

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

NEW SECTION. Section 1. There is added to chapter 47.52 RCW a new section to read as follows:

Whenever after the final adoption of a plan for a limited access highway by the highway commission, an additional design public hearing with respect to the facility or any portion thereof is conducted pursuant to federal law resulting in a revision of the design of the limited access plan, the highway commission may modify the previously adopted limited access plan to conform to the revised design without further public hearings providing the following conditions are met:

(1) As compared with the previously adopted limited access plan, the revised plan will not require additional or different right of way with respect to that section