

CHAPTER 78

[Reengrossed Senate Bill No. 2171]

RAILROAD GRADE CROSSING—DUTY TO STOP—EXCEPTIONS

AN ACT Relating to motor vehicles; and amending section 48, chapter 155, Laws of 1965 ex. sess. as last amended by section 31, chapter 62, Laws of 1975 and RCW 46.61.350.

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

Section 1. Section 48, chapter 155, Laws of 1965 ex. sess. as last amended by section 31, chapter 62, Laws of 1975 and RCW 46.61.350 are each amended to read as follows:

(1) The driver of any motor vehicle carrying passengers for hire, other than a passenger car, or of any school bus or private carrier bus carrying any school child(;) or other passenger, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing, and the driver shall not shift gears while crossing the track or tracks.

(2) This section shall not apply at:

(a) Any railroad grade crossing at which traffic is controlled by a police officer or a duly authorized flagman;

(b) Any railroad grade crossing at which traffic is regulated by a traffic control signal;

(c) Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train;

(d) Any railroad grade crossing at which an official traffic control device as designated by the utilities and transportation commission pursuant to RCW 81.53-.060 gives notice that the stopping requirement imposed by this section does not apply.

Passed the Senate February 9, 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 79

[Engrossed Senate Bill No. 2083]

AUTOPSIES AND POST MORTEMS—CONSENT—CONFIDENTIALITY OF REPORTS AND RECORDS

AN ACT Relating to autopsies and post mortems; amending section 11, chapter 188, Laws of 1953 and RCW 68.08.101; and amending section 9, chapter 188, Laws of 1953 and RCW 68.08.105.

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

Section 1. Section 11, chapter 188, Laws of 1953 and RCW 68.08.101 are each amended to read as follows:

Autopsy or post mortem may be performed in any case (~~(in which the deceased's spouse, parent, child, brother or sister, or any other kin or person having the responsibility for burial may authorize the autopsy or post mortem to be performed)~~) where authorization has been given by a member of one of the following classes of persons in the following order of priority:

- (1) The surviving spouse;
- (2) Any child of the decedent who is eighteen years of age or older;
- (3) One of the parents of the decedent;
- (4) Any adult brother or sister of the decedent;
- (5) A person who was guardian of the decedent at the time of death;
- (6) Any other person or agency authorized or under an obligation to dispose of the remains of the decedent. The chief official of any such agency shall designate one or more persons to execute authorizations pursuant to the provisions of this section.

If the person seeking authority to perform an autopsy or post mortem makes reasonable efforts to locate and secure authorization from a competent person in the first or succeeding class and finds no such person available, authorization may be given by any person in the next class, in the order of descending priority. However, no person under this section shall have the power to authorize an autopsy or post mortem if a person of higher priority under this section has refused such authorization: PROVIDED, That this section shall not affect autopsies performed pursuant to RCW 68.08.010 or RCW 68.08.103.

Sec. 2. Section 9, chapter 188, Laws of 1953 and RCW 68.08.105 are each amended to read as follows:

Reports and records of autopsies or post mortems shall be confidential, except to the attending physician, the prosecuting attorney or law enforcement agencies having jurisdiction, public health officials, or to the department of labor and industries in cases in which it has ~~((requested the autopsy))~~ an interest under RCW 68.08.103.

The coroner, the medical examiner, or the attending physician shall, upon request, meet with the family of the decedent to discuss the findings of the autopsy or post mortem. For the purposes of this section, the term "family" means the surviving spouse, or any child, parent, brother, or sister of the decedent, or any person who was guardian of the decedent at the time of death.

Passed the Senate March 8, 1977.

Passed the House March 7, 1977.

Approved by the Governor March 30, 1977.

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