

receipt. The record shall be legible and shall include the date of delivery, the license number of the vehicle delivering the products, and the harvesting permit number.

NEW SECTION. Sec. 12. There is added to chapter 47, Laws of 1967 ex. sess. and to chapter 76.48 RCW a new section to read as follows:

It shall be unlawful for any cedar processor to purchase cedar products subsequent to the harvest and prior to the retail sale of such products, unless the supplier of such products displays either a harvesting permit which appears to be valid or what appears to be a true copy of such a permit bearing an original signature of the permittee.

NEW SECTION. Sec. 13. There is added to chapter 47, Laws of 1967 ex. sess. and to chapter 76.48 RCW a new section to read as follows:

Every cedar processor shall prominently display a valid registration certificate obtained from the department of revenue pursuant to RCW 82.32.030 at each location where such processor receives cedar products.

Permittees shall sell cedar products only to processors displaying registration certificates which appear to be valid.

NEW SECTION. Sec. 14. There is added to chapter 47, Laws of 1967 ex. sess. and to chapter 76.48 RCW a new section to read as follows:

Following the stipulated use of a true copy of a harvesting permit, an agent of a permittee shall surrender said copy to the permittee. A wilful failure to surrender the same to the permittee is a gross misdemeanor and punishable as provided by law.

NEW SECTION. Sec. 15. There is added to chapter 47, Laws of 1967 ex. sess. and to chapter 76.48 RCW a new section to read as follows:

All fines collected for violations of any provision of this 1977 amendatory act shall be paid into the general fund of the county treasury of the county in which the violation occurred.

NEW SECTION. Sec. 16. 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 House April 14, 1977.

Passed the Senate May 24, 1977.

Approved by the Governor June 2, 1977.

Filed in Office of Secretary of State June 2, 1977.

CHAPTER 148

[House Bill No. 921]

FORK LIFTS—LICENSES—BRAKES

AN ACT Relating to fork lifts; amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 2, chapter 17, Laws of 1973 1st ex. sess. and RCW 46.16.010; and amending section 46.37.340, chapter 12, Laws of 1961 as last amended by section 49, chapter 170, Laws of 1965 ex. sess. and RCW 46.37.340.

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

Section 1. Section 46.16.010, chapter 12, Laws of 1961 as last amended by section 2, chapter 17, Laws of 1973 1st ex. sess. and RCW 46.16.010 are each amended to read as follows:

It shall be unlawful for a person to operate any vehicle over and along a public highway of this state without first having obtained and having in full force and effect a current and proper vehicle license and display vehicle license number plates therefor as by this chapter provided: PROVIDED, That these provisions shall not apply to farm vehicle as defined in RCW 46.04.181 if operated within a radius of fifteen miles of the farm where principally used or garaged, farm tractors and farm implements including trailers designed as cook or bunk houses used exclusively for animal herding temporarily operating or drawn upon the public highways, and trailers used exclusively to transport farm implements from one farm to another during the daylight hours or at night when such equipment has lights that comply with the law: PROVIDED FURTHER, That these provisions shall not apply to spray or fertilizer applicator rigs designed and used exclusively for spraying or fertilization in the conduct of agricultural operations and not primarily for the purpose of transportation, and nurse rigs or equipment auxiliary to the use of and designed or modified for the fueling, repairing or loading of spray and fertilizer applicator rigs and not used, designed or modified primarily for the purpose of transportation: PROVIDED FURTHER, That these provisions shall not apply to fork lifts operated during daylight hours on public highways adjacent to and within five hundred feet of the warehouses which they serve: PROVIDED FURTHER, That these provisions shall not apply to equipment defined as follows:

"Special highway construction equipment" is any vehicle which is designed and used primarily for grading of highways, paving of highways, earth moving, and other construction work on highways and which is not designed or used primarily for the transportation of persons or property on a public highway and which is only incidentally operated or moved over the highway. It includes, but is not limited to, road construction and maintenance machinery so designed and used such as portable air compressors, air drills, asphalt spreaders, bituminous mixers, bucket loaders, track laying tractors, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers, earth moving scrapers and carryalls, lighting plants, welders, pumps, power shovels and draglines, self-propelled and tractor-drawn earth moving equipment and machinery, including dump trucks and tractor-dump trailer combinations which either (1) are in excess of the legal width or (2) which, because of their length, height or unladen weight, may not be moved on a public highway without the permit specified in RCW 46.44.090 and which are not operated laden except within the boundaries of the project limits as defined by the contract, and other similar types of construction equipment, or (3) which are driven or moved upon a public highway only for the purpose of crossing such highway from one property to another, provided such movement does not exceed five hundred feet and the vehicle is equipped with wheels or pads which will not damage the roadway surface.

Exclusions:

"Special highway construction equipment" does not include any of the following:

Dump trucks originally designed to comply with the legal size and weight provisions of this code notwithstanding any subsequent modification which would require a permit, as specified in RCW 46.44.090, to operate such vehicles on a public highway, including trailers, truck-mounted transit mixers, cranes and shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Sec. 2. Section 46.37.340, chapter 12, Laws of 1961 as last amended by section 49, chapter 170, Laws of 1965 ex. sess. and RCW 46.37.340 are each amended to read as follows:

Every motor vehicle, trailer, semitrailer and pole trailer, and any combination of such vehicle operating upon a highway within this state shall be equipped with brakes in compliance with the requirements of this chapter.

(1) Service brakes—adequacy. Every such vehicle and combination of vehicles, except special mobile equipment as defined in RCW 46.04.552, shall be equipped with service brakes complying with the performance requirements of RCW 46.37.351 and adequate to control the movement of and to stop and hold such vehicle under all conditions of loading, and on any grade incident to its operation.

(2) Parking brakes—adequacy. Every such vehicle and combination of vehicles, except motorcycles and motor-driven cycles, shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading, on a surface free from snow, ice, or loose material. The parking brakes shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power provided that failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied in conformance with the foregoing requirements. The parking brakes shall be so designed that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes and lining assemblies, brake shoe anchors and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be so constructed that failure of any one part shall not leave the vehicle without operative brakes.

(3) Brakes on all wheels. Every vehicle shall be equipped with brakes acting on all wheels except:

(a) Trailers, semitrailers, or pole trailers of a gross weight not exceeding three thousand pounds, provided that:

(i) The total weight on and including the wheels of the trailer or trailers shall not exceed forty percent of the gross weight of the towing vehicle when connected to the trailer or trailers, and

(ii) The combination of vehicles consisting of the towing vehicle and its total towed load, is capable of complying with the performance requirements of RCW 46.37.351.

(b) Trailers, semitrailers, or pole trailers manufactured and assembled prior to July 1, 1965 shall not be required to be equipped with brakes when the total weight on and including the wheels of the trailer or trailers does not exceed two thousand pounds.

(c) Any vehicle being towed in driveway or towaway operations, provided the combination of vehicles is capable of complying with the performance requirements of RCW 46.37.351.

(d) Trucks and truck-tractors having three or more axles need not have brakes on the front wheels, except that when such vehicles are equipped with at least two steerable axles, the wheels of one steerable axle need not have brakes. However, such trucks and truck-tractors must be capable of complying with the performance requirements of RCW 46.37.351.

(e) Special mobile equipment as defined in RCW 46.04.552.

(f) The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, or the front wheel of a motor-driven cycle need not be equipped with brakes, provided that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of RCW 46.37.351.

(g) For a forklift manufactured after January 1, 1970, and being towed, wheels need not have brakes except for those on the rearmost axle so long as such brakes, together with the brakes on the towing vehicle, shall be adequate to stop the combination within the stopping distance requirements of RCW 46.37.351.

(4) Automatic trailer brake application upon breakaway. Every trailer, semitrailer, and pole trailer equipped with air or vacuum actuated brakes and every trailer, semitrailer, and pole trailer with a gross weight in excess of three thousand pounds, manufactured or assembled after January 1, 1964, shall be equipped with brakes acting on all wheels and of such character as to be applied automatically and promptly, and remain applied for at least fifteen minutes, upon breakaway from the towing vehicle.

(5) Tractor brakes protected. Every motor vehicle manufactured or assembled after January 1, 1964, and used to tow a trailer, semitrailer or pole trailer equipped with brakes, shall be equipped with means for providing that in case of breakaway of the towed vehicle, the towing vehicle will be capable of being stopped by the use of its service brakes.

(6) Trailer air reservoirs safeguarded. Air brake systems installed on trailers manufactured or assembled after January 1, 1964, shall be so designed that the supply reservoir used to provide air for the brakes shall be safeguarded against backflow of air from the reservoir through the supply line.

(7) Two means of emergency brake operation.

(a) Air brakes. After January 1, 1964, every towing vehicle, when used to tow another vehicle equipped with air controlled brakes, in other than driveway or towaway operations, shall be equipped with two means for emergency application of the trailer brakes. One of these means shall apply the brakes automatically in the event of a reduction of the towing vehicle air supply to a fixed pressure which shall be not lower than twenty pounds per square inch nor higher than forty-five pounds per square inch. The other means shall be a manually controlled device for

applying and releasing the brakes, readily operable by a person seated in the driving seat, and its emergency position or method of operation shall be clearly indicated. In no instance may the manual means be so arranged as to permit its use to prevent operation of the automatic means. The automatic and the manual means required by this section may be, but are not required to be, separate.

(b) Vacuum brakes. After January 1, 1964, every towing vehicle used to tow other vehicles equipped with vacuum brakes, in operations other than driveaway or towaway operations, shall have, in addition to the single control device required by subsection (8) of this section, a second control device which can be used to operate the brakes on towed vehicles in emergencies. The second control shall be independent of brake air, hydraulic and other pressure, and independent of other controls, unless the braking system be so arranged that failure of the pressure upon which the second control depends will cause the towed vehicle brakes to be applied automatically. The second control is not required to provide modulated braking.

(8) Single control to operate all brakes. After January 1, 1964, every motor vehicle, trailer, semitrailer and pole trailer, and every combination of such vehicles, except motorcycles and motor-driven cycles, equipped with brakes shall have the braking system so arranged that one control device can be used to operate all service brakes. This requirement does not prohibit vehicles from being equipped with an additional control device to be used to operate brakes on the towed vehicles. This regulation does not apply to driveaway or towaway operations unless the brakes on the individual vehicles are designed to be operated by a single control in the towing vehicle.

(9) Reservoir capacity and check valve.

(a) Air brakes. Every bus, truck or truck-tractor with air operated brakes shall be equipped with at least one reservoir sufficient to insure that, when fully charged to the maximum pressure as regulated by the air compressor governor cut-out setting, a full service brake application may be made without lowering such reservoir pressure by more than twenty percent. Each reservoir shall be provided with means for readily draining accumulated oil or water.

(b) Vacuum brakes. After January 1, 1964, every truck with three or more axles equipped with vacuum assist type brakes and every truck-tractor and truck used for towing a vehicle equipped with vacuum brakes shall be equipped with a reserve capacity or a vacuum reservoir sufficient to insure that, with the reserve capacity or reservoir fully charged and with the engine stopped, a full service brake application may be made without depleting the vacuum supply by more than forty percent.

(c) Reservoir safeguarded. All motor vehicles, trailers, semitrailers and pole trailers, when equipped with air or vacuum reservoirs or reserve capacity as required by this section, shall have such reservoirs or reserve capacity so safeguarded by a check valve or equivalent device that in the event of failure or leakage in its connection to the source of compressed air or vacuum, the stored air or vacuum shall not be depleted by the leak or failure.

(10) Warning devices.

(a) Air brakes. Every bus, truck or truck-tractor using compressed air for the operation of its own brakes or the brakes on any towed vehicle, shall be provided with a warning signal, other than a pressure gauge, readily audible or visible to the

driver, which will operate at any time the air reservoir pressure of the vehicle is below fifty percent of the air compressor governor cut-out pressure. In addition, each such vehicle shall be equipped with a pressure gauge visible to the driver, which indicates in pounds per square inch the pressure available for braking.

(b) Vacuum brakes. After January 1, 1964, every truck-tractor and truck used for towing a vehicle equipped with vacuum operated brakes and every truck with three or more axles using vacuum in the operation of its brakes, except those in driveaway or towaway operations, shall be equipped with a warning signal, other than a gauge indicating vacuum, readily audible or visible to the driver, which will operate at any time the vacuum in the vehicle's supply reservoir or reserve capacity is less than eight inches of mercury.

(c) Combination of warning devices. When a vehicle required to be equipped with a warning device is equipped with both air and vacuum power for the operation of its own brakes or the brakes on a towed vehicle, the warning devices may be, but are not required to be, combined into a single device which will serve both purposes. A gauge or gauges indicating pressure or vacuum shall not be deemed to be an adequate means of satisfying this requirement.

Passed the House April 13, 1977.

Passed the Senate May 24, 1977.

Approved by the Governor June 2, 1977.

Filed in Office of Secretary of State June 2, 1977.

CHAPTER 149

[Engrossed Substitute Senate Bill No. 2731]

JOURNEYMAN OR SPECIALTY PLUMBERS—CERTIFICATE OF COMPETENCY— FEES—PENALTIES

AN ACT Relating to plumbing; amending section 1, chapter 175, Laws of 1973 1st ex. sess. as amended by section 1, chapter 71, Laws of 1975 1st ex. sess. and RCW 18.106.010; amending section 2, chapter 175, Laws of 1973 1st ex. sess. as amended by section 2, chapter 71, Laws of 1975 1st ex. sess. and RCW 18.106.020; amending section 3, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.030; amending section 4, chapter 175, Laws of 1973 1st ex. sess. as amended by section 3, chapter 71, Laws of 1975 1st ex. sess. and RCW 18.106.040; amending section 5, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.050; amending section 6, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.060; amending section 7, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.070; amending section 9, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.090; amending section 10, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.100; amending section 16, chapter 175, Laws of 1973 1st ex. sess. and RCW 18.106.160; adding a new section to chapter 18.106 RCW; and prescribing penalties.

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

Section 1. Section 1, chapter 175, Laws of 1973 1st ex. sess. as amended by section 1, chapter 71, Laws of 1975 1st ex. sess. and RCW 18.106.010 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meaning:

- (1) "Advisory board" means the state advisory board of plumbers;
- (2) "Department" means the department of labor and industries;
- (3) "Director" means the director of department of labor and industries;