

***\*NEW SECTION. Sec. 8. 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.***

**\*Sec. 8. was vetoed, see message at end of chapter.**

Passed the Senate April 29, 1977.

Passed the House April 28, 1977.

Approved by the Governor May 6, 1977 with the exception of section 8 which is vetoed.

Filed in Office of Secretary of State May 6, 1977.

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

"I am returning herewith, without my approval as to one section, Senate Bill No. 2325 entitled:

"AN ACT Relating to cities, towns, counties, and other units of local government; adding a new chapter to Title 43 RCW; and declaring an emergency."

Section 8 of the bill declares an emergency and provides for the act to take effect immediately. Under the Constitution, Article II, Sections 1(b) and 41, the use of an emergency clause does two things. First, it alters the time when a particular piece of legislation becomes effective, thereby eliminating what may be a desirable adjustment period for affected persons. Second, it excepts the legislation from the important referendum right reserved by the people. Because of these effects, the use of the clause should be restricted to those instances where the use is clearly warranted due to the urgency of the situation.

In this case, not only is the use of the clause unwarranted by the urgency of the situation, but the use also eliminates the adjustment period that would be helpful for affected units of local government. For these reasons, I have vetoed this section.

With the exception of section 8, which I have vetoed, the remainder of Senate Bill No. 2325 is approved."

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## CHAPTER 20

[Senate Bill No. 3060]

### MOTOR VEHICLES—HEADLAMP STANDARDS

AN ACT Relating to motor vehicle lighting devices; and amending section 46.37.320, chapter 12, Laws of 1961 and RCW 46.37.320.

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

Section 1. Section 46.37.320, chapter 12, Laws of 1961 and RCW 46.37.320 are each amended to read as follows:

(1) The state commission on equipment is hereby authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, and their installation, adjustment, and aiming, ((and adjustment)) when in use on motor vehicles. Such regulations shall correlate with and, so far as practicable, conform to the then current standards and specifications of the society of automotive engineers applicable to such equipment and to the headlamp standards established by the United Nations agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts done at Geneva on March 20, 1958, as amended and adopted by the Canadian standards association (CSA standard D106.2): PROVIDED, That the sale, installation, and use of any headlamp meeting the standards of either the society of automotive engineers or the United Nations agreement, as amended, shall be lawful in this state.

(2) The state commission on equipment is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this chapter, within a reasonable time after such device has been submitted.

(3) The state commission on equipment is further authorized to set up the procedure which shall be followed when any device is submitted for approval.

(4) The state commission on equipment upon approving any such lamp or device shall issue to the applicant a certificate of approval together with any instructions determined by it.

(5) The state commission on equipment shall publish lists of all lamps and devices by name and type which have been approved by it.

Passed the Senate April 28, 1977.

Passed the House April 29, 1977.

Approved by the Governor May 6, 1977.

Filed in Office of Secretary of State May 6, 1977.

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## CHAPTER 21

[Engrossed Senate Bill No. 2387]

### MOBILE HOME ETC., SAFETY AND CONSTRUCTION STANDARDS—INSPECTION—FEES

AN ACT Relating to the department of labor and industries; amending section 2, chapter 157, Laws of 1967 as amended by section 2, chapter 27, Laws of 1970 ex. sess. and RCW 43.22.350; adding new sections to chapter 43.22 RCW; creating a new section; and prescribing penalties.

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

NEW SECTION. Section 1. There is added to chapter 43.22 RCW a new section to read as follows:

The director of the department of labor and industries may enforce mobile home safety and construction standards adopted by the secretary of housing and urban development under the National Mobile Home Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401–5426). Furthermore, the director may make agreements with the United States government and private inspection organizations to implement the development and enforcement of applicable provisions of this chapter and the National Mobile Home Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401–5426).

NEW SECTION. Sec. 2. There is added to chapter 43.22 RCW a new section to read as follows:

The department may adopt all standards and regulations adopted by the secretary under the National Mobile Home Construction and Safety Standards Act of 1974 (800 Stat. 700; 42 U.S.C. Secs. 5401–5426) for mobile home construction and safety standards. If any deletions or amendments to the federal standards or regulations are thereafter made and notice thereof is given to the department, the standards or regulations shall be considered automatically adopted by the state under this chapter after the expiration of thirty days from publication in the federal register of a final order describing the deletions or amendments unless within that thirty day period the department objects to the deletion or amendment. In case of objection, the department shall proceed under the rule making procedure of chapter 34.04 RCW.