

The director shall promulgate such rules and regulations as he or she deems necessary to carry into effect this section.

Any unauthorized use of ~~((such distinguishing))~~ the special card ((and)), the decal, or the special license plate shall constitute a gross misdemeanor.

Sec. 2. Section 2, chapter 128, Laws of 1961 as last amended by section 2, chapter 102, Laws of 1975-'76 2nd ex. sess. and RCW 46.61.580 are each amended to read as follows:

Any person who has lost both of his or her lower extremities, or who has lost the normal or full use thereof, or who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair, or who has lost both hands, shall be allowed to park a vehicle being used to transport such person for unlimited periods of time in parking zones or areas which are otherwise restricted as to the length of time parking is permitted. This section shall have no application to those zones or areas in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles. Such a person shall not be permitted the foregoing privilege unless he or she obtains and displays a ~~((distinguishing))~~ special card ((or)), a decal, or a special license plate attached to the vehicle, as provided in RCW 46.16.380 as now or hereafter amended.

Passed the Senate April 16, 1979.

Passed the House April 11, 1979.

Approved by the Governor April 23, 1979.

Filed in Office of Secretary of State April 23, 1979.

CHAPTER 28

[Substitute House Bill No. 22]

POLICE OFFICERS—POWER OF ARREST WITHOUT WARRANT—TRAFFIC AND OTHER LAWS

AN ACT Relating to powers of arrest; amending section 1, chapter 198, Laws of 1969 ex. sess. and RCW 10.31.100; amending section 46.64.015, chapter 12, Laws of 1961 as last amended by section 2, chapter 95, Laws of 1975-'76 2nd ex. sess. and RCW 46.64.015; amending section 46.64.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 56, Laws of 1975 and RCW 46.64.030; and repealing section 3, chapter 56, Laws of 1975 and RCW 46.64.017.

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

Section 1. Section 1, chapter 198, Laws of 1969 ex. sess. and RCW 10-31.100 are each amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when

the offense is committed in the presence of the officer, except as provided in subsections (1) through (3) of this section.

(1) Any police officer having ~~((information to support a reasonable belief))~~ probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest ~~((said))~~ the person~~((: PROVIDED, That nothing herein shall extend or otherwise affect the powers of arrest prescribed in chapter 46 RCW))~~.

(2) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.506, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.525, relating to operating a motor vehicle in a negligent manner.

(3) 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 any traffic law or regulation.

(4) Except as specifically provided in subsections (2) and (3) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

Sec. 2. Section 46.64.015, chapter 12, Laws of 1961 as last amended by section 2, chapter 95, Laws of 1975-'76 2nd ex. sess. 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 or by imposition of a fine, 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 or violation 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))~~ may not serve or issue any traffic citation or notice for any offense or violation except either when ~~((said))~~ the offense or violation is committed in his presence or when ~~((the citation and notice may be issued or served pursuant to RCW 46.64.017))~~ a person may be arrested pursuant to RCW 10.31.100, as now or hereafter amended. The detention arising from an arrest under this section may not be for a period of time longer than is reasonably necessary to issue and serve a citation and notice, except that the time limitation does not apply under any of the following circumstances:

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

(2) Where the arresting officer has probable cause to believe that the arrested person has committed any of the offenses enumerated in RCW 10.31.100(2), as now or hereafter amended.

Sec. 3. Section 46.64.030, chapter 12, Laws of 1961 as last amended by section 2, chapter 56, Laws of 1975 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 RCW ~~((46.64.017))~~ 10.31.100, 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. 4. Section 3, chapter 56, Laws of 1975 and RCW 46.64.017 are each repealed.

Passed the House March 29, 1979.

Passed the Senate April 11, 1979.

Approved by the Governor April 23, 1979.

Filed in the Office of Secretary of State April 23, 1979.

CHAPTER 29

[House Bill No. 58]

MOTION PICTURE FILMS—EXHIBITION RIGHTS—BIDDING AND NEGOTIATION PROCEDURES