

the attorney general or director acting in the name of the state may petition for the recovery of civil penalties.

In the enforcement of this chapter, the attorney general or director may accept an assurance of discontinuance with the provisions of this chapter from any person deemed by the attorney general or director in violation hereof. Any such assurance shall be in writing, shall state that the person giving such assurance does not admit to any violation of this chapter or to any facts alleged by the attorney general or director, and shall be filed with and subject to the approval of the superior court of the county in which the alleged violator resides or has his principal place of business, or in Thurston county. Proof of failure to comply with the assurance of discontinuance shall be prima facie evidence of a violation of this chapter.

(3) Any person who wilfully violates any provision of this chapter or who wilfully violates any rule adopted or order issued under this chapter shall upon conviction be fined not more than five thousand dollars or imprisoned for not more than ten years or both, but no person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order. No indictment or information may be returned under this chapter more than five years after the alleged violation.

(4) Nothing in this chapter limits the power of the state to punish any person for any conduct which constitutes a crime by statute or at common law.

Passed the House February 20, 1980.

Passed the Senate February 18, 1980.

Approved by the Governor March 3, 1980.

Filed in Office of Secretary of State March 3, 1980.

CHAPTER 64

[Substitute House Bill No. 1558]

FIRE FIGHTING APPARATUS—RESIDENTIAL ROADWAY ACCESS—LOCAL CONTROL

AN ACT Relating to building codes; amending section 6, chapter 96, Laws of 1974 ex. sess. as amended by section 2, chapter 282, Laws of 1975 1st ex. sess. and RCW 19.27.060; and declaring an emergency.

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

Section 1. Section 6, chapter 96, Laws of 1974 ex. sess. as amended by section 2, chapter 282, Laws of 1975 1st ex. sess. and RCW 19.27.060 are each amended to read as follows:

(1) Except as permitted or provided otherwise under the provisions of RCW 19.27.040 and subsections (3) (~~and~~), (4), and (5) of this section, the state building code supersedes all county, city or town building regulations containing less than the minimum performance standards and objectives contained in the state building code.

(2) Except as permitted or provided otherwise under the provisions of RCW 19.27.040 and subsections (3) (~~and~~), (4), and (5) of this section, the state building code shall be applicable to all buildings and structures including those owned by the state or by any other governmental subdivision.

(3) The governing body of each city, town or county may limit the application of any rule or regulation or portion of the state building code to include or exclude specified classes or types of buildings or structures, according to use, occupancy, or such other distinctions as may make differentiation or separate classification or regulation necessary, proper, or desirable: PROVIDED, That in no event shall fruits or vegetables of the tree or vine stored in buildings or warehouses, constitute combustible stock for the purposes of application of the uniform fire code.

(4) The provisions of this chapter shall not apply to any building four or more stories high with an F occupancy as defined by the uniform building code, chapter 6, 1973 edition, and with a fire insurance classification rating of 1, 2, or 3 as defined by a recognized fire rating bureau or organization.

(5) The provisions of the uniform fire code concerning access roadways for fire department apparatus applying to dwellings which are classified as group R, division 3 occupancies or group M occupancies in the 1976 edition of the uniform building code, shall be applied at the discretion of the governing body of each city, town or county.

NEW SECTION. Sec. 2. 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.

Passed the House February 20, 1980.

Passed the Senate February 18, 1980.

Approved by the Governor March 3, 1980.

Filed in Office of Secretary of State March 3, 1980.

CHAPTER 65

[House Bill No. 1593]

MODEL TRAFFIC ORDINANCE

AN ACT Relating to the Model Traffic Ordinance; amending section 34, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.200; amending section 50, chapter 54, Laws of 1975 1st ex. sess. as amended by section 1, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.300; amending section 64, chapter 54, Laws of 1975 1st ex. sess. as amended by section 2, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.406; amending section 71, chapter 54, Laws of 1975 1st ex. sess. as amended by section 4, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.427; amending section 83, chapter 54, Laws of 1975 1st ex. sess. as amended by section 5, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.463; amending section 89, chapter 54, Laws of 1975 1st ex. sess. and RCW 46.90.481; amending section 111, chapter 54, Laws of 1975 1st ex. sess. as amended by section 6, chapter 60, Laws of 1977 ex. sess. and RCW 46.90.700; adding a new section to chapter 54, Laws of 1975 1st ex.