

(a) New motor vehicles whose equitable or legal title has never been transferred to a person who in good faith purchases the vehicle for purposes other than resale;

(b) Motor vehicles fifteen years old or older;

(c) Motor vehicles that use propulsion units powered exclusively by electricity;

(d) Motor vehicles fueled exclusively by propane, compressed natural gas, or liquid petroleum gas, unless it is determined that federal sanctions will be imposed as a result of this exemption;

(e) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles as defined in RCW 46.04.332;

~~((e))~~ (f) Motor vehicles powered by diesel engines;

~~((f))~~ (g) Farm vehicles as defined in RCW 46.04.181; or

~~((g))~~ (h) Motor vehicles exempted by the director of the department of ecology.

The provisions of subparagraph (a) of this subsection may not be construed as exempting from the provisions of subsection (1) of this section applications for the renewal of licenses for motor vehicles that are or have been leased.

(3) The department of licensing shall mail to each owner of a vehicle registered within an emission contributing area a notice regarding the boundaries of the area and restrictions established under this section that apply to vehicles registered in such areas. The information for the notice shall be supplied to the department of licensing by the department of ecology. Such a notice shall be mailed to the owner ninety days prior to the expiration date of the owner's motor vehicle license.

Passed the Senate April 23, 1983.

Passed the House April 15, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

CHAPTER 238

[Senate Bill No. 3857]

MOTOR VEHICLE EMISSION CONTROL INSPECTIONS—CERTAIN USED VEHICLES EXEMPT

AN ACT Relating to emission control inspections for used cars; amending section 11, chapter 163, Laws of 1979 ex. sess. as amended by section 1, chapter 176, Laws of 1980 and RCW 46.16.015; repealing section 9, chapter 163, Laws of 1979 ex. sess. and RCW 70.120.090; and declaring an emergency.

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

*Sec. 1. Section 11, chapter 163, Laws of 1979 ex. sess. as amended by section 1, chapter 176, Laws of 1980 and RCW 46.16.015 are each amended to read as follows:

(1) Neither the department of licensing nor its agents may issue or renew a motor vehicle license for any vehicle registered in an emission contributing area, as that area is established under RCW 70.120.040, unless the application for issuance or renewal is: (a) Accompanied by a valid certificate of compliance issued pursuant to RCW 70.120.060, 70.120.080, or 70.120.090 or a valid certificate of acceptance issued pursuant to RCW 70.120.070; or (b) exempted from this requirement pursuant to subsection (2) of this section. The certificates must have a date of validation which is within ninety days of the date of application for the vehicle license or license renewal. Certificates for fleet vehicles may have a date of validation which is within twelve months of the assigned license renewal date.

(2) Subsection (1) of this section does not apply to the following vehicles:

(a) New motor vehicles whose equitable or legal title has never been transferred to a person who in good faith purchases the vehicle for purposes other than resale;

(b) Motor vehicles fifteen years old or older;

(c) Motor vehicles that use propulsion units powered exclusively by electricity;

(d) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles as defined in RCW 46.04.332;

(e) Motor vehicles fueled exclusively by propane, compressed natural gas, liquid petroleum gas, or other gaseous fuels, unless it is determined that federal sanctions will be imposed as a result of this exemption;

~~((e))~~ (f) Motor vehicles powered by diesel engines;

~~((f))~~ (g) Farm vehicles as defined in RCW 46.04.181; ~~((or))~~

~~((g))~~ **(h) Used vehicles which are offered for sale by a motor vehicle dealer licensed under chapter 46.70 RCW; or**

~~((h))~~ (i) Motor vehicles exempted by the director of the department of ecology.

The provisions of subparagraph (a) of this subsection may not be construed as exempting from the provisions of subsection (1) of this section applications for the renewal of licenses for motor vehicles that are or have been leased.

(3) The department of licensing shall mail to each owner of a vehicle registered within an emission contributing area a notice regarding the boundaries of the area and restrictions established under this section that apply to vehicles registered in such areas. The information for the notice shall be supplied to the department of licensing by the department of ecology. Such a notice shall be mailed to the owner ninety days prior to the expiration date of the owner's motor vehicle license.

*Sec. 1 was partially vetoed, see message at end of chapter.

NEW SECTION. Sec. 2. Section 9. chapter 163, Laws of 1979 ex. sess. and RCW 70.120.090 are each repealed.

NEW SECTION. Sec. 3. If any provision of this 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.

NEW SECTION. Sec. 4. 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 Senate April 23, 1983.

Passed the House April 21, 1983.

Approved by the Governor May 17, 1983, with the exception of section 1(2)(c) which is vetoed.

Filed in Office of Secretary of State May 17, 1983.

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

"I am returning herewith, without my approval as to section 1(2)(c), Senate Bill No. 3857, entitled:

"AN ACT Relating to emission control inspections for used cars."

Section 1(2)(c) is identical to section 3 of Substitute Senate Bill No. 3497, which I have signed into law. In addition, there is some question as to whether that provision in this bill is beyond the scope of its title. With the exception of section 1(2)(c), which is vetoed, Senate Bill No. 3857 is approved."

CHAPTER 239

[Engrossed Substitute Senate Bill No. 3022]

COMPENSATION OF CRIME VICTIMS—REVISIONS

AN ACT Relating to compensation of crime victims; amending section 10, chapter 302, Laws of 1977 ex. sess. as amended by section 1, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.035; amending section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.070; amending section 8, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 27, chapter 6, Laws of 1981 1st ex. sess. and RCW 7.68.080; and amending section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 156, Laws of 1980 and RCW 7.68.020.

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

Sec. 1. Section 10, chapter 302, Laws of 1977 ex. sess. as amended by section 1, chapter 8, Laws of 1982 1st ex. sess. and RCW 7.68.035 are each amended to read as follows:

(1) Whenever any person is found guilty in any court of competent jurisdiction of having committed a crime, except as provided in subsection (2) of this section, there shall be imposed by the court upon such convicted person a penalty assessment (~~(of fifty dollars for a felony or gross misdemeanor and twenty-five dollars for a misdemeanor)~~). The assessment shall be in addition to any other penalty or fine imposed by law and shall be fifty dollars for each case or cause of action that includes one or more convictions of a felony or gross misdemeanor and twenty-five dollars for any case