

(3) Coordinate the provision of training and technical assistance to child care providers.

(4) Collect, develop, and disseminate information to assist employers and to foster a public-private partnership to increase and improve available child care.

(5) Collect and assemble information regarding the availability of insurance and of federal and other child-care funding to assist the department, industry, and other providers in offering child care related services.

(6) Recommend statutory and administrative changes to the legislature and the department of trade and economic development to encourage employer-provided assistance for child care, recommendations for state economic development programs which encourage employer participation in child care.

NEW SECTION. Sec. 2. Section 1 of this act shall expire June 30, 1989, unless extended by law for an additional fixed period of time.

Passed the Senate April 21, 1987.

Passed the House April 14, 1987.

Approved by the Governor May 12, 1987.

Filed in Office of Secretary of State May 12, 1987.

## CHAPTER 330

[Engrossed Substitute House Bill No. 454]

### BOARDS AND COMMISSIONS—CERTAIN ABOLISHED, REORGANIZED, OR REVISED

AN ACT Relating to state boards and commissions; amending RCW 28B.12.050, 28B.12.060, 28B.80.430, 27.04.030, 43.21F.025, 43.21F.065, 43.22.420, 46.04.040, 46.04.304, 46.04.710, 46.16.240, 46.32.060, 46.37.005, 46.37.010, 46.37.160, 46.37.185, 46.37.190, 46.37.194, 46.37.210, 46.37.280, 46.37.290, 46.37.300, 46.37.310, 46.37.320, 46.37.330, 46.37.365, 46.37.380, 46.37.420, 46.37.425, 46.37.430, 46.37.440, 46.37.450, 46.37.470, 46.37.490, 46.37.505, 46.37.510, 46.37.520, 46.37.529, 46.37.530, 46.37.535, 46.37.610, 46.38.020, 46.38.030, 46.38.040, 46.38.060, 46.55.010, 46.55.050, 46.55.170, 46.55.180, 46.61.563, 46.61.567, 46.61.687, 46.61.780, 47.36.250, 47.52.120, 70.107.070, 28B.50.100, 43.51.340, and 76.09.030; reenacting and amending RCW 46.10.220; creating a new section; repealing RCW 27.08.010, 27.08.045, 43.21F.085, 43.22.475, and 76.09.200; and declaring an emergency.

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

### PART I

#### WORK-STUDY ADVISORY COMMITTEE

Sec. 201. Section 5, chapter 177, Laws of 1974 ex. sess. as amended by section 59, chapter 370, Laws of 1985 and RCW 28B.12.050 are each amended to read as follows:

The higher education coordinating board shall disburse college work-study funds (~~(after consideration of recommendations of a panel convened~~

~~by the higher education coordinating board, and composed of representatives of~~). In performing its duties under this section, the board shall consult eligible institutions and post-secondary education advisory and governing bodies. ~~((Said commission))~~ The board shall establish criteria ~~((for the panel))~~ designed to achieve such distribution of assistance under this chapter among students attending eligible institutions as will most effectively carry out the purposes of this chapter.

Sec. 202. Section 6, chapter 177, Laws of 1974 ex. sess. as amended by section 60, chapter 370, Laws of 1985 and RCW 28B.12.060 are each amended to read as follows:

The higher education coordinating board shall adopt rules and regulations as may be necessary or appropriate for effecting the provisions of this chapter, and not in conflict with this chapter, in accordance with the provisions of chapter 28B.19 RCW, the state higher education administrative procedure act. Such rules and regulations shall ~~((be promulgated upon consideration of advice from a panel composed of representatives of institutional financial aid officers, a representative of employee organizations having membership in the classified service of the state's institutions of higher education, and will))~~ include provisions designed to make employment under such work-study program reasonably available, to the extent of available funds, to all eligible students in eligible post-secondary institutions in need thereof. Such rules and regulations shall include:

(1) Providing work under the college work-study program which will not result in the displacement of employed workers or impair existing contracts for services.

(2) Furnishing work only to a student who:

(a) Is capable, in the opinion of the eligible institution, of maintaining good standing in such course of study while employed under the program covered by the agreement; and

(b) Has been accepted for enrollment as at least a half-time student at the eligible institution or, in the case of a student already enrolled in and attending the eligible institution, is in good standing and in at least half-time attendance there either as an undergraduate, graduate or professional student; and

(c) Is not pursuing a degree in theology.

(3) Placing priority on the securing of work opportunities for students who are residents of the state of Washington as defined in RCW 28B.15.011 through 28B.15.014.

(4) Provisions to assure that in the state institutions of higher education utilization of this student work-study program:

(a) Shall only supplement and not supplant classified positions under jurisdiction of chapter 28B.16 RCW;

(b) That all positions established which are comparable shall be identified to a job classification under the higher education personnel board's classification plan and shall receive equal compensation;

(c) Shall not take place in any manner that would replace classified positions reduced due to lack of funds or work; and

(d) That work study positions shall only be established at entry level positions of the classified service.

## PART II HIGHER EDUCATION COORDINATING BOARD

Sec. 301. Section 14, chapter 370, Laws of 1985 and RCW 28B.80.430 are each amended to read as follows:

The board shall employ a director and may delegate agency management to the director. The director shall serve at the pleasure of the board, shall be the executive officer of the board, and shall, under the board's supervision, administer the provisions of this chapter. The executive director shall, with the approval of the board: (1) Employ necessary deputy and assistant directors and other exempt staff under chapter 28B.16 RCW who shall serve at his or her pleasure on such terms and conditions as he or she determines and (2) subject to the provisions of chapter 28B.16 RCW, appoint and employ such other employees as may be required for the proper discharge of the functions of the board. The executive director shall exercise such additional powers, other than rulemaking, as may be delegated by the board by resolution. In fulfilling the duties under this chapter, the board shall make extensive use of those state agencies with responsibility for implementing and supporting postsecondary education plans and policies including but not limited to appropriate legislative groups, the postsecondary education institutions, the office of financial management, the commission for vocational education, and the state board for community college education. Outside consulting and service agencies may also be employed. The board may compensate these groups and consultants in appropriate ways.

## PART III STATE BOARD FOR THE CERTIFICATION OF LIBRARIANS

Sec. 401. Section 2, chapter 5, Laws of 1941 as last amended by section 1, chapter 79, Laws of 1986 and RCW 27.04.030 are each amended to read as follows:

The state library commission:

(1) May make such rules under chapter 34.04 RCW as may be deemed necessary and proper to carry out the purposes of this chapter;

(2) Shall set general policy direction pursuant to the provisions of this chapter;

(3) Shall appoint a state librarian who shall serve at the pleasure of the commission;

(4) Shall adopt a recommended budget and submit it to the governor;

(5) Shall have authority to contract with any agency of the state of Washington for the purpose of providing library materials, supplies, and equipment and employing assistants as needed for the development, growth, and operation of any library facilities or services of such agency;

(6) Shall have authority to contract with any public library in the state for that library to render library service to the blind and/or physically handicapped throughout the state. The state library commission shall have authority to compensate such public library for the cost of the service it renders under such contract;

(7) May adopt rules under chapter 34.04 RCW for the allocation of any grants of state, federal, or private funds for library purposes;

(8) Shall have authority to accept and to expend in accordance with the terms thereof any grant of federal or private funds which may become available to the state for library purposes. For the purpose of qualifying to receive such grants, the state library commission is authorized to make such applications and reports as may be required by the federal government or appropriate private entity as a condition thereto;

(9) Shall have the authority to provide for the sale of library material in accordance with RCW 27.12.305; and

(10) Shall (~~pay expenses of the state board for certification of librarians under RCW 27.08.045~~) have authority to establish rules and regulations for, and prescribe and hold examinations to test, the qualifications of those seeking certificates as librarians.

(a) The commission shall grant librarians' certificates without examination to applicants who are graduates of library schools accredited by the American library association for general library training, and shall grant certificates to other applicants when it has satisfied itself by examination that the applicant has attainments and abilities equivalent to those of a library school graduate and is qualified to carry on library work ably and efficiently.

(b) The commission shall require a fee of not less than one dollar nor greater than that required to recover the costs associated with the application to be paid by each applicant for a librarian's certificate. Money paid as fees shall be deposited with the state treasurer.

(c) A library serving a community having over four thousand population shall not have in its employ, in the position of librarian or in any other full-time professional library position, a person who does not hold a librarian's certificate issued by the commission or its predecessor.

(d) A full-time professional library position, as intended by this subsection, is one that requires, in the opinion of the commission, a knowledge

of books and of library technique equivalent to that required for graduation from an accredited library school.

(e) The provisions of this subsection apply to every library serving a community having over four thousand population and to every library operated by the state or under its authority, including libraries of institutions of higher learning: PROVIDED, That nothing in this subsection applies to the state law library or to county law libraries.

NEW SECTION. Sec. 402. The following acts or parts of acts are each repealed:

- (1) Section 11, chapter 119, Laws of 1935, section 12, chapter 106, Laws of 1973, section 59, chapter 287, Laws of 1984 and RCW 27.08.010; and
- (2) Section 1, chapter 295, Laws of 1955 and RCW 27.08.045.

#### PART IV ENERGY ADVISORY COUNCIL

Sec. 501. Section 2, chapter 295, Laws of 1981 and RCW 43.21F.025 are each amended to read as follows:

(1) "Energy" means petroleum or other liquid fuels; natural or synthetic fuel gas; solid carbonaceous fuels; fissionable nuclear material; electricity; solar radiation; geothermal resources; hydropower; organic waste products; wind; tidal activity; any other substance or process used to produce heat, light, or motion; or the savings from nongeneration technologies, including conservation or improved efficiency in the usage of any of the sources described in this subsection;

(2) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, joint operating agency, or any other entity, public or private, however organized;

(3) "Director" means the director of the state energy office;

(4) "Office" means the Washington state energy office; and

(5) "Distributor" means any person, private corporation, partnership, individual proprietorship, utility, including investor-owned utilities, municipal utility, public utility district, joint operating agency, or cooperative, which engages in or is authorized to engage in the activity of generating, transmitting, or distributing energy in this state(~~;~~ and

~~(6) "Council" means the energy advisory council created in RCW 43.21F.085)).~~

Sec. 502. Section 8, chapter 295, Laws of 1981 and RCW 43.21F.065 are each amended to read as follows:

In addition to the duties and functions assigned by RCW 43.21F.045 and 43.21F.060, the director shall:

(1) Manage, plan, direct, and administer the activities and staff of the office;

(2) Assign, reassign, and coordinate personnel of the office and prescribe their duties subject to chapter 41.06 RCW; and

(3) ~~((Provide staff support to the energy advisory council))~~ Establish advisory committees as may be necessary to carry out the purposes of this chapter. Members shall be reimbursed for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 503. Section 7, chapter 295, Laws of 1981 and RCW 43.21F.085 are each repealed.

PART V  
MOBILE HOME, RECREATIONAL VEHICLE, AND  
FACTORY BUILT HOUSING ADVISORY BOARDS

Sec. 601. Section 3, chapter 229, Laws of 1969 ex. sess. as last amended by section 103, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 43.22.420 are each amended to read as follows:

There is hereby created a ~~((mobile home and recreational vehicle))~~ factory assembled structures advisory board consisting of ~~((eight))~~ nine members to be appointed by the ~~((governor with the advice of the))~~ director of labor and industries ~~((as herein provided))~~. It shall be the purpose and function of the board to advise the director on all matters pertaining to the enforcement of this chapter including but not limited to standards of body and frame design, construction and plumbing, heating and electrical installations, minimum inspection procedures, the adoption of rules and regulations pertaining to the manufacture of factory assembled structures, mobile homes, commercial coaches and recreational vehicles. The advisory board shall periodically review the rules promulgated under RCW 43.22.450 through 43.22.490 and shall recommend changes of such rules to the department if it deems changes advisable.

The members of the ~~((mobile home and recreational vehicle))~~ advisory board shall be ~~((selected and appointed as follows: One member shall be an employee or officer of a mobile home manufacturing company; one member shall be an employee or officer of a travel trailer manufacturing company; one member shall be an employee, officer or distributor of a company engaged in the manufacture of component parts affecting the plumbing apparatus and equipment; one member shall be an employee, officer or distributor of a company engaged in the manufacture of electrical material, equipment or appliances; one member shall be a distributor or manufacturer of heating equipment, material or devices; one member shall be an employee, officer, owner, or operator of a mobile home park; and one member shall represent that segment of the general public owning or leasing mobile~~

~~homes, commercial coaches and/or recreational vehicles. The chief supervisor for the mobile home, commercial coach and recreational vehicle section within the department of labor and industries shall be a member of the advisory board and shall act as secretary)) representative of consumers, the regulated industries, and allied professionals. The ((regular)) term of each member shall be four years((: PROVIDED, HOWEVER, The original board shall be appointed for the following terms: The first term of the member representing a manufacturer of mobile homes and of the member representing the general public shall be four years; the member representing the manufacturer of travel trailers shall serve three years; the member representing the manufacturer or distributor of plumbing component parts shall serve three years; the member representing the manufacturer or distributor of electrical apparatus and equipment shall serve two years; the manufacturer or distributor of heating equipment and appliances shall serve one year. The governor shall fill vacancies caused by death, resignation, or otherwise for the unexpired term of such members by appointing their successors from the same business classification. The same procedure shall be followed in making such subsequent appointments as is provided for the original appointments. The board, at this first meeting shall elect one of its members to serve as chairman)). However, the director may appoint the initial members of the advisory board to staggered terms not exceeding four years.~~

The chief ((supervisor)) inspector or any person acting as chief ((supervisor)) inspector for the factory assembled structures, mobile home, commercial coach and recreational vehicle section shall serve as secretary of the board during his tenure as chief. Meetings of the board shall be called at the discretion of the director of labor and industries, but at least quarterly. Each member of the board shall be paid travel expenses in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended which shall be paid out of the appropriation to the department of labor and industries, upon vouchers approved by the director of labor and industries or his or her designee.

NEW SECTION. Sec. 602. Section 6, chapter 44, Laws of 1970 ex. sess., section 4, chapter 22, Laws of 1973 1st ex. sess., section 104, chapter 34, Laws of 1975-'76 2nd ex. sess., section 77, chapter 287, Laws of 1984 and RCW 43.22.475 are each repealed.

## PART VI COMMISSION ON EQUIPMENT

Sec. 701. Section 46.04.040, chapter 12, Laws of 1961 and RCW 46.04.040 are each amended to read as follows:

"Authorized emergency vehicle" means any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service, public or private, which need

not be classified, registered or authorized by the state (~~(commission on equipment)~~) patrol, or any other vehicle authorized in writing by the state (~~(commission on equipment)~~) patrol.

Sec. 702. Section 1, chapter 213, Laws of 1979 ex. sess. and RCW 46.04.304 are each amended to read as follows:

"Moped" means any two-wheeled or three-wheeled device having fully operative pedals for propulsion by human power and a motor with a cylinder displacement not exceeding fifty cubic centimeters which produces no more than two gross brake horsepower (developed by a prime mover, as measured by a brake applied to the driving shaft) and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground, and the wheels of which are at least sixteen inches in diameter.

The state (~~(commission on equipment)~~) patrol may approve of and define as a "moped" a vehicle which fails to meet these specific criteria, but which is essentially similar in performance and application to vehicles which do meet these specific criteria.

Sec. 703. Section 1, chapter 200, Laws of 1983 and RCW 46.04.710 are each amended to read as follows:

"Wheelchair conveyance" means any vehicle specially manufactured or designed for the transportation of a physically or medically impaired wheelchair-bound person. The vehicle may be a separate vehicle used in lieu of a wheelchair or a separate vehicle used for transporting the impaired person while occupying a wheelchair. The vehicle shall be equipped with a propulsion device capable of propelling the vehicle within a speed range established by the (~~(commission on equipment)~~) state patrol. The (~~(commission)~~) state patrol may approve and define as a wheelchair conveyance, a vehicle that fails to meet these specific criteria but is essentially similar in performance and application to vehicles that do meet these specific criteria.

Sec. 704. Section 46.16.240, chapter 12, Laws of 1961 as last amended by section 10, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.240 are each amended to read as follows:

The vehicle license number plates shall be attached conspicuously at the front and rear of each vehicle for which the same are issued and in such a manner that they can be plainly seen and read at all times: **PROVIDED**, That if only one license number plate is legally issued for any vehicle such plate shall be conspicuously attached to the rear of such vehicle. Each vehicle license number plate shall be placed or hung in a horizontal position at a distance of not less than one foot nor more than four feet from the ground and shall be kept clean so as to be plainly seen and read at all times: **PROVIDED, HOWEVER**, That in cases where the body construction of the vehicle is such that compliance with this section is impossible, permission to



deviate therefrom may be granted by the state (~~(commission on equipment)~~) patrol. It shall be unlawful to display upon the front or rear of any vehicle, vehicle license number plate or plates other than those furnished by the director for such vehicle or to display upon any vehicle any vehicle license number plate or plates which have been in any manner changed, altered, disfigured or have become illegible. It shall be unlawful for any person to operate any vehicle unless there shall be displayed thereon valid vehicle license number plates attached as herein provided.

Sec. 705. Section 46.32.060, chapter 12, Laws of 1961 as amended by section 5, chapter 123, Laws of 1986 and RCW 46.32.060 are each amended to read as follows:

It shall be unlawful for any person to operate or move, or for any owner to cause or permit to be operated or moved upon any public highway, any vehicle or combination of vehicles, which is not at all times equipped in the manner required by this title, or the equipment of which is not in a proper condition and adjustment as required by this title or rules adopted by the chief of the Washington state patrol.

Any vehicle operating upon the public highways of this state and at any time found to be defective in equipment in such a manner that it may be considered unsafe shall be an unlawful vehicle and may be prevented from further operation until such equipment defect is corrected and any peace officer is empowered to impound such vehicle until the same has been placed in a condition satisfactory to vehicle inspection. The necessary cost of impounding any such unlawful vehicle and any cost for the storage and keeping thereof shall be paid by the owner thereof. The impounding of any such vehicle shall be in addition to any penalties for such unlawful operation.

The provisions of this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of equipment defect in the manner directed by any peace officer or representative of the state (~~(commission on equipment)~~) patrol.

Sec. 706. Section 46.37.005, chapter 12, Laws of 1961 as last amended by section 1, chapter 165, Laws of 1985 and RCW 46.37.005 are each amended to read as follows:

~~((There is constituted a state commission on equipment which shall consist of the director of the department of licensing, the chief of the Washington state patrol, and the secretary of transportation. Each official may designate an administrative staff person to serve as the official's designee on the commission. For purposes of continuity this designee shall, where possible, be one individual. The chief of the Washington state patrol or his designee shall act as the chairman of the state commission on equipment. He shall appoint either the director of licensing or the secretary of transportation or their respective designees to serve as vice-chairman in his absence. The chairman or the designated vice-chairman must be present at~~

~~each meeting of the commission. The chief shall appoint a person under his supervision to act as secretary of the state commission on equipment who shall be responsible for the issuance of rules and regulations adopted by the commission, for the issuance of certificates of approval for vehicle equipment requiring approval and letters of appointment to tow operators, and for the administration of such other business of the commission on equipment as the commission shall specify:)~~

In addition to those powers and duties elsewhere granted (~~by the provisions of this title the state commission on equipment~~), the chief of the Washington state patrol shall have the power and the duty to adopt, apply, and enforce such reasonable rules and regulations (1) relating to proper types of vehicles or combinations thereof for hauling passengers, commodities, freight, and supplies, (2) relating to vehicle equipment, and (3) relating to the enforcement of the provisions of this title with regard to vehicle equipment, as may be deemed necessary for the public welfare and safety in addition to but not inconsistent with the provisions of this title.

The (~~state commission on equipment~~) chief of the Washington state patrol is authorized to adopt by regulation, federal standards relating to motor vehicles and vehicle equipment, issued pursuant to the National Traffic and Motor Vehicle Safety Act of 1966, or any amendment to said act, notwithstanding any provision in Title 46 RCW inconsistent with such standards. Federal standards adopted pursuant to this section shall be applicable only to vehicles manufactured in a model year following the adoption of such standards.

Sec. 707. Section 46.37.010, chapter 12, Laws of 1961 as last amended by section 69, chapter 136, Laws of 1979 ex. sess. and RCW 46.37.010 are each amended to read as follows:

(1) It is a traffic infraction for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter or in regulations issued by the (~~state commission on equipment~~) chief of the Washington state patrol, or which is equipped in any manner in violation of this chapter or the (~~commission's~~) state patrol's regulations, or for any person to do any act forbidden or fail to perform any act required under this chapter or the (~~commission's~~) state patrol's regulations.

(2) Nothing contained in this chapter or the (~~commission's~~) state patrol's regulations shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this chapter or the (~~commission's~~) state patrol's regulations.

(3) The provisions of the chapter and the (~~commission's~~) state patrol's regulations with respect to equipment on vehicles shall not apply to

implements of husbandry, road machinery, road rollers, or farm tractors except as herein made applicable.

(4) No owner or operator of a farm tractor, self-propelled unit of farm equipment, or implement of husbandry shall be guilty of a crime or subject to penalty for violation of RCW 46.37.160 as now or hereafter amended unless such violation occurs on a public highway.

(5) It is a traffic infraction for any person to sell or offer for sale vehicle equipment which is required to be approved by the (~~commission on equipment~~) state patrol as prescribed in RCW 46.37.005 unless it has been approved by the state (~~commission on equipment~~) patrol.

(6) The provisions of this chapter with respect to equipment required on vehicles shall not apply to motorcycles or motor-driven cycles except as herein made applicable.

Sec. 708. Section 46.37.160, chapter 12, Laws of 1961 as last amended by section 14, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.160 are each amended to read as follows:

(1) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry manufactured or assembled after January 1, 1970, shall be equipped with vehicular hazard warning lights of the type described in RCW 46.37.215 visible from a distance of not less than one thousand feet to the front and rear in normal sunlight, which shall be displayed whenever any such vehicle is operated upon a highway.

(2) Every self-propelled unit of farm equipment or implement of husbandry manufactured or assembled after January 1, 1970, shall at all times, and every other motor vehicle shall at times mentioned in RCW 46.37.020, be equipped with lamps and reflectors as follows:

(a) At least two headlamps meeting the requirements of RCW 46.37-.220, 46.37.240, or 46.37.260;

(b) At least one red lamp visible when lighted from a distance of not less than one thousand feet to the rear mounted as far to the left of center of vehicle as practicable;

(c) At least two red reflectors visible from all distances within six hundred to one hundred feet to the rear when directly in front of lawful lower beams of headlamps.

(3) Every combination of farm tractor and towed farm equipment or towed implement of husbandry shall at all times mentioned in RCW 46.37-.020 be equipped with lamps and reflectors as follows:

(a) The farm tractor element of every such combination shall be equipped as required in subsections (1) and (2) of this section;

(b) The towed unit of farm equipment or implement of husbandry element of such combination shall be equipped on the rear with two red lamps visible when lighted from a distance of not less than one thousand feet to the rear, and two red reflectors visible to the rear from all distances within six hundred feet to one hundred feet to the rear when directly in front of

lawful upper beams of head lamps. One reflector shall be so positioned to indicate, as nearly as practicable, the extreme left projection of the towed unit;

(c) If the towed unit or its load obscures either of the vehicle hazard warning lights on the tractor, the towed unit shall be equipped with vehicle hazard warning lights described in subsection (1) of this section.

(4) The two red lamps and the two red reflectors required in the foregoing subsections of this section on a self-propelled unit of farm equipment or implement of husbandry or combination of farm tractor and towed farm equipment shall be so positioned as to show from the rear as nearly as practicable the extreme width of the vehicle or combination carrying them: PROVIDED, That if all other requirements are met, reflective tape or paint may be used in lieu of reflectors required by subsection (3) of this section.

(5) After January 1, 1970, every farm tractor and every self-propelled unit of farm equipment or implement of husbandry designed for operation at speeds not in excess of twenty-five miles per hour shall at all times be equipped with a slow moving vehicle emblem mounted on the rear except as provided in subsection (6) of this section.

(6) After January 1, 1970, every combination of farm tractor and towed farm equipment or towed implement of husbandry normally operating at speeds not in excess of twenty-five miles per hour shall at all times be equipped with a slow moving vehicle emblem as follows:

(a) Where the towed unit is sufficiently large to obscure the slow moving vehicle emblem on the farm tractor, the towed unit shall be equipped with a slow moving vehicle emblem. In such cases, the towing vehicle need not display the emblem;

(b) Where the slow moving vehicle emblem on the farm tractor unit is not obscured by the towed unit, then either or both may be equipped with the required emblem but it shall be sufficient if either has it.

(7) The emblem required by subsections (5) and (6) of this section shall comply with current standards and specifications as promulgated by the ~~((state commission on equipment))~~ Washington state patrol.

Sec. 709. Section 46.37.185, chapter 12, Laws of 1961 as amended by section 3, chapter 92, Laws of 1971 ex. sess. and RCW 46.37.185 are each amended to read as follows:

Firemen, when approved by the chief of their respective service, shall be authorized to use a green light on the front of their private cars when on emergency duty only. Such green light shall be visible for a distance of two hundred feet under normal atmospheric conditions and shall be of a type and mounting approved by the ~~((commission on equipment))~~ Washington state patrol. The use of the green light shall only be for the purpose of identification and the operator of a vehicle so equipped shall not be entitled to any of the privileges provided in RCW 46.61.035 for the operators of authorized emergency vehicles.

Sec. 710. Section 46.37.190, chapter 12, Laws of 1961 as last amended by section 1, chapter 331, Laws of 1985 and RCW 46.37.190 are each amended to read as follows:

(1) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive marking required by this chapter, be equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.

(2) Every school bus and private carrier bus shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with a "stop" signal upon a background not less than fourteen by eighteen inches displaying the word "stop" in letters of distinctly contrasting colors not less than eight inches high, and shall further be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level and these lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight.

(3) Vehicles operated by public agencies whose law enforcement duties include the authority to stop and detain motor vehicles on the public highways of the state may be equipped with a siren and lights of a color and type designated by the (~~commission on equipment~~) state patrol for that purpose. The (~~commission~~) state patrol may prohibit the use of these sirens and lights on vehicles other than the vehicles described in this subsection.

(4) The lights described in this section shall not be mounted nor used on any vehicle other than a school bus, a private carrier bus, or an authorized emergency or law enforcement vehicle. Optical strobe light devices shall not be installed or used on any vehicle other than an emergency vehicle authorized by the (~~Washington state commission on equipment~~) state patrol or a publicly-owned law enforcement or emergency vehicle. An "optical strobe light device" means a strobe light device which emits an optical signal at a specific frequency to a traffic control light enabling the vehicle in which the strobe light device is used to obtain the right of way at intersections.

(5) The use of the signal equipment described herein shall impose upon drivers of other vehicles the obligation to yield right of way and stop as prescribed in RCW 46.61.210, 46.61.370, and 46.61.350.

Sec. 711. Section 46.37.194, chapter 12, Laws of 1961 and RCW 46.37.194 are each amended to read as follows:

The state (~~commission on equipment~~) patrol may make rules and regulations relating to authorized emergency vehicles and shall test and approve sirens and emergency vehicle lamps to be used on such vehicles.

Sec. 712. Section 46.37.210, chapter 12, Laws of 1961 as last amended by section 18, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.210 are each amended to read as follows:

(1) Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

(2) Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

(3) Any motor vehicle may be equipped with one or more back-up lamps either separately or in combination with other lamps, but any such back-up lamp or lamps shall not be lighted when the motor vehicle is in forward motion.

(4) Any vehicle may be equipped with one or more side marker lamps, and any such lamp may be flashed in conjunction with turn or vehicular hazard warning signals. Side marker lamps located toward the front of a vehicle shall be amber, and side marker lamps located toward the rear shall be red.

(5) Any vehicle eighty inches or more in over-all width, if not otherwise required by RCW 46.37.090, may be equipped with not more than three identification lamps showing to the front which shall emit an amber light without glare and not more than three identification lamps showing to the rear which shall emit a red light without glare. Such lamps shall be mounted as specified in RCW 46.37.090(~~((6))~~~~((7))~~) (7).

(6) (a) Every motor vehicle, trailer, semitrailer, truck tractor, and pole trailer used in the state of Washington may be equipped with an auxiliary lighting system consisting of:

(i) One green light to be activated when the accelerator of the motor vehicle is depressed;

(ii) Not more than two amber lights to be activated when the motor vehicle is moving forward, or standing and idling, but is not under the power of the engine.

(b) Such auxiliary system shall not interfere with the operation of vehicle stop lamps or turn signals, as required by RCW 46.37.070. Such system, however, may operate in conjunction with such stop lamps or turn signals.

(c) Only one color of the system may be illuminated at any one time, and at all times either the green light, or amber light or lights shall be illuminated when the stop lamps of the vehicle are not illuminated.

(d) The green light, and the amber light or lights, when illuminated shall be plainly visible at a distance of one thousand feet to the rear.

(e) Only one such system may be mounted on a motor vehicle, trailer, semitrailer, truck tractor, or pole trailer; and such system shall be rear

mounted in a horizontal fashion, at a height of not more than seventy-two inches, nor less than twenty inches, as provided by RCW 46.37.050.

(f) On a combination of vehicles, only the lights of the rearmost vehicle need actually be seen and distinguished as provided in subparagraph (d) of this subsection.

(g) Each manufacturer's model of such a system as described in this subsection shall be approved by the ~~((commission on equipment))~~ state patrol as provided for in RCW 46.37.005 and 46.37.320, before it may be sold or offered for sale in the state of Washington.

Sec. 713. Section 46.37.280, chapter 12, Laws of 1961 as last amended by section 24, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.280 are each amended to read as follows:

(1) During the times specified in RCW 46.37.020, any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps, warning lamps authorized by the state ~~((commission on equipment))~~ patrol and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

(2) Except as required in RCW 46.37.190 no person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying a red light visible from directly in front of the center thereof.

(3) Flashing lights are prohibited except as required in RCW 46.37.190, 46.37.200, 46.37.210, 46.37.215, and 46.37.300, and warning lamps authorized by the state ~~((commission on equipment))~~ patrol.

Sec. 714. Section 46.37.290, chapter 12, Laws of 1961 as last amended by section 1, chapter 45, Laws of 1977 and RCW 46.37.290 are each amended to read as follows:

The ~~((state commission on equipment))~~ chief of the Washington state patrol is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried by school buses and private carrier buses consistent with the provisions of this chapter, but supplemental thereto. Such standards and specifications shall correlate with and, so far as possible, conform to the specifications then current as approved by the society of automotive engineers.

Sec. 715. Section 46.37.300, chapter 12, Laws of 1961 as amended by section 20, chapter 154, Laws of 1963 and RCW 46.37.300 are each amended to read as follows:

(1) The state (~~(commission on equipment)~~) patrol shall adopt standards and specifications applicable to head lamps, clearance lamps, identification and other lamps on snow-removal and other highway maintenance and service equipment when operated on the highways of this state in lieu of the lamps otherwise required on motor vehicles by this chapter. Such standards and specifications may permit the use of flashing lights for purposes of identification on snow-removal and other highway maintenance and service equipment when in service upon the highways. The standards and specifications for lamps referred to in this section shall correlate with and, so far as possible, conform with those approved by the American association of state highway officials.

(2) It shall be unlawful to operate any snow-removal and other highway maintenance and service equipment on any highway unless the lamps thereon comply with and are lighted when and as required by the standards and specifications adopted as provided in this section.

Sec. 716. Section 46.37.310, chapter 12, Laws of 1961 as amended by section 1, chapter 113, Laws of 1986 and RCW 46.37.310 are each amended to read as follows:

(1) No person may have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer, or use upon any such vehicle any head lamp, auxiliary or fog lamp, rear lamp, signal lamp, or reflector, which reflector is required under this chapter, or parts of any of the foregoing which tend to change the original design or performance, unless of a type which has been submitted to the state (~~(commission on equipment)~~) patrol and conforming to rules adopted by it.

(2) No person may have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer any lamp or device mentioned in this section conforming to rules adopted by the state (~~(commission on equipment)~~) patrol unless such lamp or device bears thereon the trademark or name under which it is approved so as to be legible when installed.

(3) No person may use upon any motor vehicle, trailer, or semitrailer any lamps mentioned in this section unless the lamps are mounted, adjusted, and aimed in accordance with instructions of the state (~~(commission on equipment)~~) patrol.

Sec. 717. Section 2, chapter 113, Laws of 1986 and RCW 46.37.320 are each amended to read as follows:

(1) The (~~(state commission on equipment)~~) chief of the state patrol is hereby authorized to adopt and enforce rules establishing standards and specifications governing the performance of lighting devices and their installation, adjustment, and aiming, when in use on motor vehicles, and other safety equipment, components, or assemblies of a type for which regulation is required in this chapter or in rules adopted by the (~~(commission)~~) state patrol. Such rules shall correlate with and, so far as practicable, conform to



federal motor vehicle safety standards adopted pursuant to the national traffic and motor vehicle safety act of 1966 (15 U.S.C. Sec. 1381 et seq.) covering the same aspect of performance, or in the absence of such federal standards, to the then current standards and specifications of the society of automotive engineers applicable to such equipment: 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 concerning motor vehicle equipment and parts done at Geneva on March 20, 1958, or as amended and adopted by the Canadian standards association (CSA standard D106.2), as amended, shall be lawful in this state.

(2) Every manufacturer who sells or offers for sale lighting devices or other safety equipment subject to requirements established by the ((~~commission~~)) state patrol shall, if the lighting device or safety equipment is not in conformance with applicable federal motor vehicle safety standards, provide for submission of such lighting device or safety equipment to any recognized organization or agency such as, but not limited to, the American national standards institute, the society of automotive engineers, or the American association of motor vehicle administrators, as the agent of the ((~~commission~~)) state patrol. Issuance of a certificate of compliance for any lighting device or item of safety equipment by that agent is deemed to comply with the standards set forth by the ((~~commission on equipment~~)) state patrol. Such certificate shall be issued by the agent of the state before sale of the product within the state.

(3) The ((~~commission~~)) state patrol may at any time request from the manufacturer a copy of the test data showing proof of compliance of any device with the requirements established by the ((~~commission~~)) state patrol and additional evidence that due care was exercised in maintaining compliance during production. If the manufacturer fails to provide such proof of compliance within sixty days of notice from the ((~~commission~~)) state patrol, the ((~~commission~~)) state patrol may prohibit the sale of the device in this state until acceptable proof of compliance is received by the ((~~commission~~)) state patrol.

(4) The ((~~commission~~)) state patrol or its agent may purchase any lighting device or other safety equipment, component, or assembly subject to this chapter or rules adopted by the ((~~commission~~)) state patrol under this chapter, for purposes of testing or retesting the equipment as to its compliance with applicable standards or specifications.

Sec. 718. Section 46.37.330, chapter 12, Laws of 1961 as amended by section 26, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.330 are each amended to read as follows:

(1) When the state ((~~commission on equipment~~)) patrol has reason to believe that an approved device does not comply with the requirements of this chapter or regulations issued by the state ((~~commission on equipment~~)) patrol, it may, after giving thirty days' previous notice to the person holding

the certificate of approval for such device in this state, conduct a hearing upon the question of compliance of said approved device. After said hearing the state (~~((commission on equipment))~~) patrol shall determine whether said approved device meets the requirements of this chapter and regulations issued by the (~~((commission))~~) state patrol. If said device does not meet the requirements of this chapter or the (~~((commission's))~~) state patrol's regulations it shall give notice to the one to whom the certificate of approval has been issued of the (~~((commission's))~~) state patrol's intention to suspend or revoke the certificate of approval for such device in this state.

(2) If at the expiration of ninety days after such notice the person holding the certificate of approval for such device has failed to satisfy the state (~~((commission on equipment))~~) patrol that said approved device as thereafter to be sold or offered for sale meets the requirements of this chapter or the (~~((commission's))~~) state patrol's regulations, the state (~~((commission on equipment))~~) patrol shall suspend or revoke the approval issued therefor and shall require the withdrawal of all such devices from the market and may require that all said devices sold since the notification be replaced with devices that do comply.

(3) When a certificate of approval has been suspended or revoked pursuant to this chapter or regulations by the state (~~((commission on equipment))~~) patrol, the device shall not be again approved unless and until it has been submitted for reapproval and it has been demonstrated, in the same manner as in an application for an original approval, that the device fully meets the requirements of this chapter or regulations issued by the state (~~((commission on equipment))~~) patrol. The state (~~((commission on equipment))~~) patrol may require that all previously approved items are being effectively recalled and removed from the market as a condition of reapproval.

Sec. 719. Section 24, chapter 154, Laws of 1963 as amended by section 29, chapter 355, Laws of 1977 ex. sess. and RCW 46.37.365 are each amended to read as follows:

(1) The term "hydraulic brake fluid" as used in this section shall mean the liquid medium through which force is transmitted to the brakes in the hydraulic brake system of a vehicle.

(2) Hydraulic brake fluid shall be distributed and serviced with due regard for the safety of the occupants of the vehicle and the public.

(3) The (~~((state commission on equipment))~~) chief of the Washington state patrol shall, in compliance with the provisions of chapter 34.04 RCW, the administrative procedure act, which govern the adoption of rules, adopt and enforce regulations for the administration of this section and shall adopt and publish standards and specifications for hydraulic brake fluid which 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 fluid.

(4) No person shall distribute, have for sale, offer for sale, or sell any hydraulic brake fluid unless it complies with the requirements of this section and the standard specifications adopted by the state (~~(commission on equipment)~~) patrol. No person shall service any vehicle with brake fluid unless it complies with the requirements of this section and the standards and specifications adopted by the state (~~(commission on equipment)~~) patrol.

(5) Subsections (3) and (4) of this section shall not apply to petroleum base fluids in vehicles with brake systems designed to use them.

Sec. 720. Section 46.37.380, chapter 12, Laws of 1961 as last amended by section 3, chapter 113, Laws of 1986 and RCW 46.37.380 are each amended to read as follows:

(1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no horn or other warning device may emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(2) No vehicle may be equipped with nor may any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section.

(3) It is permissible for any vehicle to be equipped with a theft alarm signal device so long as it is so arranged that it cannot be used by the driver as an ordinary warning signal. Such a theft alarm signal device may use a whistle, bell, horn, or other audible signal but shall not use a siren.

(4) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet and of a type conforming to rules adopted by the state (~~(commission on equipment)~~) patrol, but the siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which latter events the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of its approach.

Sec. 721. Section 46.37.420, chapter 12, Laws of 1961 as last amended by section 4, chapter 113, Laws of 1986 and RCW 46.37.420 are each amended to read as follows:

(1) It is unlawful to operate a vehicle upon the public highways of this state unless it is completely equipped with pneumatic rubber tires.

(2) No tire on a vehicle moved on a highway may have on its periphery any block, flange, cleat, or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it is permissible to use farm machinery with tires having protuberances that will not injure the highway, and except also that it is

permissible to use tire chains or metal studs imbedded within the tire of reasonable proportions and of a type conforming to rules adopted by the state (~~(commission on equipment))~~ patrol, upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid. It is unlawful to use metal studs imbedded within the tire between April 1st and November 1st. The state department of transportation may, from time to time, determine additional periods in which the use of tires with metal studs imbedded therein is lawful.

(3) The state department of transportation and local authorities in their respective jurisdictions may issue special permits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of the movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this section.

(4) Tires with metal studs imbedded therein may be used between November 1st and April 1st upon school buses and fire department vehicles, any law or regulation to the contrary notwithstanding.

Sec. 722. Section 3, chapter 77, Laws of 1971 as last amended by section 73, chapter 136, Laws of 1979 ex. sess. and RCW 46.37.425 are each amended to read as follows:

No person shall drive or move or cause to be driven or moved any vehicle, the tires of which have contact with the driving surface of the road, subject to registration in this state, upon the public highways of this state unless such vehicle is equipped with tires in safe operating condition in accordance with requirements established by this section or by the state (~~(commission on equipment))~~ patrol.

The state (~~(commission on equipment))~~ patrol shall promulgate rules and regulations setting forth requirements of safe operating condition of tires capable of being employed by a law enforcement officer by visual inspection of tires mounted on vehicles including visual comparison with simple measuring gauges. These rules shall include effects of tread wear and depth of tread.

A tire shall be considered unsafe if it has:

- (1) Any ply or cord exposed either to the naked eye or when cuts or abrasions on the tire are probed; or
- (2) Any bump, bulge, or knot, affecting the tire structure; or
- (3) Any break repaired with a boot; or
- (4) A tread depth of less than 2/32 of an inch measured in any two major tread grooves at three locations equally spaced around the circumference of the tire, or for those tires with tread wear indicators, a tire shall be considered unsafe if it is worn to the point that the tread wear indicators contact the road in any two major tread grooves at three locations equally spaced around the circumference of the tire; or

(5) A legend which indicates the tire is not intended for use on public highways such as, "not for highway use" or "for racing purposes only"; or

(6) Such condition as may be reasonably demonstrated to render it unsafe; or

(7) If not matched in tire size designation, construction, and profile to the other tire and/or tires on the same axle.

No person, firm, or corporation shall sell any vehicle for use on the public highways of this state unless the vehicle is equipped with tires that are in compliance with the provisions of this section. If the tires are found to be in violation of the provisions of this section, the person, firm, or corporation selling the vehicle shall cause such tires to be removed from the vehicle and shall equip the vehicle with tires that are in compliance with the provisions of this section.

It is a traffic infraction for any person to operate a vehicle on the public highways of this state, or to sell a vehicle for use on the public highways of this state, which is equipped with a tire or tires in violation of the provisions of this section or the rules and regulations promulgated by the state (~~((commission on equipment))~~) patrol hereunder: PROVIDED, HOWEVER, That if the violation relates to items (1) to (7) inclusive of this section then the condition or defect must be such that it can be detected by a visual inspection of tires mounted on vehicles, including visual comparison with simple measuring gauges.

Sec. 723. Section 46.37.430, chapter 12, Laws of 1961 as last amended by section 5, chapter 113, Laws of 1986 and RCW 46.37.430 are each amended to read as follows:

(1) No person may sell any new motor vehicle as specified in this title, nor may any new motor vehicle as specified in this title be registered unless such vehicle is equipped with safety glazing material of a type approved by the state (~~((commission on equipment))~~) patrol wherever glazing material is used in doors, windows, and windshields. The foregoing provisions apply to all passenger-type motor vehicles, including passenger buses and school buses, but in respect to trucks, including truck tractors, the requirements as to safety glazing material (~~((applies [apply]))~~) apply to all glazing material used in doors, windows, and windshields in the drivers' compartments of such vehicles except as provided by subsection (4) of this section.

(2) The term "safety glazing materials" means glazing materials so constructed, treated, or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

(3) The director of licensing shall not register any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glazing material, and he shall suspend the registration

of any motor vehicle so subject to this section which he finds is not so equipped until it is made to conform to the requirements of this section.

(4) No person may sell or offer for sale, nor may any person operate a motor vehicle registered in this state which is equipped with, any camper manufactured after May 23, 1969, unless such camper is equipped with safety glazing material of a type conforming to rules adopted by the state (~~(commission on equipment)~~) patrol wherever glazing materials are used in outside windows and doors.

(5) No tinting or coloring material that reduces light transmittance to any degree, unless it meets standards for such material adopted by the state (~~(commission on equipment)~~) patrol, may be applied to the surface of the safety glazing material in a motor vehicle in any of the following locations:

- (a) Windshields,
- (b) Windows to the immediate right and left of the driver including windwings or,
- (c) Rearmost windows if used for driving visibility by means of an interior rear-view mirror.

The standards adopted by the (~~(commission)~~) state patrol shall permit a greater degree of light reduction on a vehicle operated by or carrying as a passenger a person who possesses written verification from a licensed physician that the operator or passenger must be protected from exposure to sunlight for physical or medical reasons.

Nothing in this subsection prohibits the use of shaded or heat-absorbing safety glazing material in which the shading or heat-absorbing characteristics have been applied at the time of manufacture of the safety glazing material and which meet the standards of the state (~~(commission on equipment)~~) patrol for such safety glazing materials.

(6) The standards used for approval of safety glazing materials by the state (~~(commission on equipment)~~) patrol shall conform as closely as possible to the standards for safety glazing materials for motor vehicles promulgated by the United States of America Standards Institute in effect at the time of manufacture of the safety glazing material.

Sec. 724. Section 46.37.440, chapter 12, Laws of 1961 as last amended by section 6, chapter 113, Laws of 1986 and RCW 46.37.440 are each amended to read as follows:

(1) No person may operate any motor truck, passenger bus, truck tractor, motor home, or travel trailer over eighty inches in overall width upon any highway outside the corporate limits of municipalities at any time unless there is carried in such vehicle the following equipment except as provided in subsection (2) of this section:

(a) At least three flares or three red electric lanterns or three portable red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of not less than six hundred feet under normal atmospheric conditions at nighttime.

No flare, fusee, electric lantern, or cloth warning flag may be used for the purpose of compliance with this section unless such equipment is of a type which has been submitted to the state (~~(commission on equipment))~~ patrol and conforms to rules adopted by it. No portable reflector unit may be used for the purpose of compliance with the requirements of this section unless it is so designed and constructed as to be capable of reflecting red light clearly visible from all distances within six hundred feet to one hundred feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps, and unless it is of a type which has been submitted to the state (~~(commission on equipment))~~ patrol and conforms to rules adopted by it;

(b) At least three red-burning fusees unless red electric lanterns or red portable emergency reflectors are carried;

(c) At least two red-cloth flags, not less than twelve inches square, with standards to support such flags.

(2) No person may operate at the time and under conditions stated in subsection (1) of this section any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases or liquefied gases, or any motor vehicle using compressed gas as a fuel unless there is carried in such vehicle three red electric lanterns or three portable red emergency reflectors meeting the requirements of subsection (1) of this section, and there shall not be carried in any said vehicle any flares, fusees, or signal produced by flame.

Sec. 725. Section 46.37.450, chapter 12, Laws of 1961 as amended by section 1, chapter 119, Laws of 1984 and RCW 46.37.450 are each amended to read as follows:

(1) Whenever any motor truck, passenger bus, truck tractor over eighty inches in overall width, trailer, semitrailer, or pole trailer is disabled upon the traveled portion of any highway or the shoulder thereof outside any municipality at any time when lighted lamps are required on vehicles, the driver of such vehicle shall display the following warning devices upon the highway during the time the vehicle is so disabled on the highway except as provided in subsection (2) of this section:

(a) A lighted fusee, a lighted red electric lantern, or a portable red emergency reflector shall be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.

(b) As soon thereafter as possible but in any event within the burning period of the fusee (fifteen minutes), the driver shall place three liquid-burning flares (pot torches), three lighted red electric lanterns, or three portable red emergency reflectors on the traveled portion of the highway in the following order:

(i) One, approximately one hundred feet from the disabled vehicle in the center of the lane occupied by such vehicle and toward traffic approaching in that lane.

(ii) One, approximately one hundred feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by such vehicle.

(iii) One at the traffic side of the disabled vehicle not less than ten feet rearward or forward thereof in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle in accordance with subdivision (a) of this subsection, it may be used for this purpose.

(2) Whenever any vehicle referred to in this section is disabled within five hundred feet of a curve, hillcrest, or other obstruction to view, the warning signal in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than five hundred feet from the disabled vehicle.

(3) Whenever any vehicle of a type referred to in this section is disabled upon any roadway of a divided highway during the time that lights are required, the appropriate warning devices prescribed in subsections (1) and (5) of this section shall be placed as follows:

One at a distance of approximately two hundred feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane; one at a distance of approximately one hundred feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane; and one at the traffic side of the vehicle and approximately ten feet from the vehicle in the direction of the nearest approaching traffic.

(4) Whenever any vehicle of a type referred to in this section is disabled upon the traveled portion of a highway or the shoulder thereof outside any municipality at any time when the display of fusees, flares, red electric lanterns, or portable red emergency reflectors is not required, the driver of the vehicle shall display two red flags upon the roadway in the lane of traffic occupied by the disabled vehicle, one at a distance of approximately one hundred feet in advance of the vehicle, and one at a distance of approximately one hundred feet to the rear of the vehicle.

(5) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed flammable gas, or any motor vehicle using compressed gas as a fuel, is disabled upon a highway of this state at any time or place mentioned in subsection (1) of this section, the driver of such vehicle shall immediately display the following warning devices: One red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle, and two red electric lanterns or portable red reflectors, one placed approximately one hundred feet to the front and one placed approximately one hundred feet to the rear of this disabled vehicle in the center of the traffic lane occupied by such vehicle. Flares, fusees, or signals produced



by flame shall not be used as warning devices for disabled vehicles of the type mentioned in this subsection.

(6) Whenever any vehicle, other than those described in subsection (1) of this section, is disabled upon the traveled portion of any highway or shoulder thereof outside any municipality at any time when lights are required on vehicles, the state patrol or the county sheriff shall, upon discovery of the disabled vehicle, place a reflectorized warning device on or near the vehicle. The warning device and its placement shall be in accordance with rules adopted by the (~~commission on equipment~~) state patrol. Neither the standards for, placement or use of, nor the lack of placement or use of a warning device under this subsection gives rise to any civil liability on the part of the state of Washington, the state patrol, any county, or any law enforcement agency or officer.

(7) The flares, fusees, red electric lanterns, portable red emergency reflectors, and flags to be displayed as required in this section shall conform with the requirements of RCW 46.37.440 applicable thereto.

Sec. 726. Section 46.37.470, chapter 12, Laws of 1961 and RCW 46.37.470 are each amended to read as follows:

(1) The term "air-conditioning equipment" as used or referred to in this section shall mean mechanical vapor compression refrigeration equipment which is used to cool the driver's or passenger compartment of any motor vehicle.

(2) Such equipment shall be manufactured, installed and maintained with due regard for the safety of the occupants of the vehicle and the public and shall not contain any refrigerant which is toxic to persons or which is flammable.

(3) The state (~~commission on equipment~~) patrol may adopt and enforce safety requirements, regulations and specifications consistent with the requirements of this section applicable to such equipment which shall correlate with and, so far as possible, conform to the current recommended practice or standard applicable to such equipment approved by the society of automotive engineers.

(4) No person shall have for sale, offer for sale, sell or equip any motor vehicle with any such equipment unless it complies with the requirements of this section.

(5) No person shall operate on any highway any motor vehicle equipped with any air-conditioning equipment unless said equipment complies with the requirements of this section.

Sec. 727. Section 46.37.490, chapter 12, Laws of 1961 and RCW 46.37.490 are each amended to read as follows:

It shall be unlawful to operate any vehicle upon the public highways of this state without having the load thereon securely fastened and protected by safety chains or other device. The (~~state commission on equipment~~)

chief of the Washington state patrol is hereby authorized to adopt and enforce reasonable rules and regulations as to what shall constitute adequate and safe chains or other devices for the fastening and protection of loads upon vehicles.

Sec. 728. Section 1, chapter 215, Laws of 1983 and RCW 46.37.505 are each amended to read as follows:

~~((By October 1, 1983;))~~ The state ~~((commission on equipment))~~ patrol shall adopt standards for the performance, design, and installation of passenger restraint systems for children less than five years old and shall approve those systems which meet its standards.

Sec. 729. Section 1, chapter 117, Laws of 1963 as last amended by section 7, chapter 113, Laws of 1986 and RCW 46.37.510 are each amended to read as follows:

(1) No person may sell any automobile manufactured or assembled after January 1, 1964, nor may any owner cause such vehicle to be registered thereafter under the provisions of chapter 46.12 RCW unless such motor car or automobile is equipped with automobile seat belts installed for use on the front seats thereof which are of a type and installed in a manner conforming to rules adopted by the state ~~((commission on equipment))~~ patrol. Where registration is for transfer from an out-of-state license, the applicant shall be informed of this section by the issuing agent and has thirty days to comply. The state ~~((commission on equipment))~~ patrol shall adopt and enforce standards as to what constitutes adequate and safe seat belts and for the fastening and installation of them. Such standards shall not be below those specified as minimum requirements by the Society of Automotive Engineers on June 13, 1963.

(2) Every passenger car manufactured or assembled after January 1, 1965, shall be equipped with at least two lap-type safety belt assemblies for use in the front seating positions.

(3) Every passenger car manufactured or assembled after January 1, 1968, shall be equipped with a lap-type safety belt assembly for each permanent passenger seating position. This requirement shall not apply to police vehicles.

(4) Every passenger car manufactured or assembled after January 1, 1968, shall be equipped with at least two shoulder harness-type safety belt assemblies for use in the front seating positions.

(5) The ~~((commission on equipment))~~ state patrol shall excuse specified types of motor vehicles or seating positions within any motor vehicle from the requirements imposed by subsections (1), (2), and (3) of this section when compliance would be impractical.

(6) No person may distribute, have for sale, offer for sale, or sell any safety belt or shoulder harness for use in motor vehicles unless it meets current minimum standards and specifications conforming to rules adopted

by the ~~((commission))~~ state patrol or the United States department of transportation.

Sec. 730. Section 61, chapter 170, Laws of 1965 ex. sess. as amended by section 4, chapter 91, Laws of 1971 ex. sess. and RCW 46.37.520 are each amended to read as follows:

It shall be unlawful for any person to lease for hire or permit the use of any vehicle with soft tires commonly used upon the beach and referred to as a dune buggy unless such vehicle has been inspected by and approved by the state ~~((commission on equipment))~~ patrol, which ~~((commission))~~ may charge a reasonable fee therefor to go into the motor vehicle fund.

Sec. 731. Section 51, chapter 355, Laws of 1977 ex. sess. as amended by section 158, chapter 158, Laws of 1979 and RCW 46.37.529 are each amended to read as follows:

(1) The state ~~((commission on equipment))~~ patrol is authorized to require an inspection of the braking system on any motor-driven cycle and to disapprove any such braking system on a vehicle which it finds will not comply with the performance ability standard set forth in RCW 46.37.351, or which in its opinion is equipped with a braking system that is not so designed or constructed as to ensure reasonable and reliable performance in actual use.

(2) The director of licensing may refuse to register or may suspend or revoke the registration of any vehicle referred to in this section when the state ~~((commission on equipment))~~ patrol determines that the braking system thereon does not comply with the provisions of this section.

(3) No person shall operate on any highway any vehicle referred to in this section in the event the state ~~((commission on equipment))~~ patrol has disapproved the braking system upon such vehicle.

Sec. 732. Section 4, chapter 232, Laws of 1967 as last amended by section 8, chapter 113, Laws of 1986 and RCW 46.37.530 are each amended to read as follows:

(1) It is unlawful:

(a) For any person to operate a motorcycle or motor-driven cycle not equipped with mirrors on the left and right sides of the motorcycle which shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle or motor-driven cycle: PROVIDED, That mirrors shall not be required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show, or other such assemblage: PROVIDED FURTHER, That no mirror is required on any motorcycle manufactured prior to January 1, 1931;

(b) For any person to operate a motorcycle or motor-driven cycle which does not have a windshield unless wearing glasses, goggles, or a face shield of a type conforming to rules adopted by the state (~~(commission on equipment)~~) patrol;

(c) For any person to sell or offer for sale a motorcycle helmet which does not meet the requirements established by the state (~~(commission on equipment)~~) patrol.

(2) The state (~~(commission on equipment)~~) patrol is hereby authorized and empowered to adopt and amend rules, pursuant to the administrative procedure act, concerning the standards and procedures for conformance of rules adopted for glasses, goggles, face shields, and protective helmets.

Sec. 733. Section 10, chapter 232, Laws of 1967 as last amended by section 9, chapter 113, Laws of 1986 and RCW 46.37.535 are each amended to read as follows:

It is unlawful for any person to rent out motorcycles unless he also has on hand for rent helmets of a type conforming to rules adopted by the (~~(commission on equipment)~~) state patrol.

Sec. 734. Section 4, chapter 200, Laws of 1983 and RCW 46.37.610 are each amended to read as follows:

The (~~(commission on equipment)~~) state patrol shall adopt rules for wheelchair conveyance safety standards. Operation of a wheelchair conveyance that is in violation of these standards is a traffic infraction.

Sec. 735. Section 2, chapter 204, Laws of 1963 and RCW 46.38.020 are each amended to read as follows:

The legislature finds that:

(1) The public safety necessitates the continuous development, modernization and implementation of standards and requirements of law relating to vehicle equipment, in accordance with expert knowledge and opinion.

(2) The public safety further requires that such standards and requirements be uniform from jurisdiction to jurisdiction, except to the extent that specific and compelling evidence supports variation.

(3) The state (~~(commission on equipment)~~) patrol, acting upon recommendations of the vehicle equipment safety commission and pursuant to the vehicle equipment safety compact provides a just, equitable and orderly means of promoting the public safety in the manner and within the scope contemplated by this chapter.

Sec. 736. Section 3, chapter 204, Laws of 1963 as amended by section 57, chapter 145, Laws of 1967 ex. sess. and RCW 46.38.030 are each amended to read as follows:

Pursuant to Article V(e) of the vehicle equipment safety compact it is the intention of this state and it is hereby provided that any rule, regulation, or code issued by the vehicle equipment safety commission in accordance with Article V of the compact shall take effect when issued in accordance

with the administrative procedure act by the state (~~(commission on equipment))~~ patrol.

Sec. 737. Section 4, chapter 204, Laws of 1963 and RCW 46.38.040 are each amended to read as follows:

The commissioner of this state on the vehicle equipment safety commission shall be appointed by the (~~(members of the state commission on equipment))~~ chief of the state patrol to serve at (~~(their))~~ the chief's pleasure. The (~~(members of the state commission on equipment))~~ chief of the state patrol may also designate an alternate commissioner to serve whenever the commissioner of this state is unable to participate on the vehicle equipment safety commission. Subject to the provisions of the compact and by-laws of the vehicle equipment safety commission, the authority and responsibilities of such alternate shall be as determined by the (~~(state commission on equipment))~~ chief of the state patrol.

Sec. 738. Section 6, chapter 204, Laws of 1963 and RCW 46.38.060 are each amended to read as follows:

Filing of documents as required by Article III(j) of the compact shall be with the (~~(secretary of the state commission on equipment))~~ chief of the state patrol. Any and all notices required by commission bylaws to be given pursuant to Article III(j) of the compact shall be given to the commissioner of this state, his alternate, if any, and the (~~(secretary of the state commission on equipment))~~ chief of the state patrol.

Sec. 739. Section 1, chapter 377, Laws of 1985 and RCW 46.55.010 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter:

(1) "Abandoned vehicle" means a vehicle that a registered tow truck operator has impounded and held in his possession for ninety-six consecutive hours.

(2) "Abandoned vehicle report" means the document prescribed by the state that the towing operator forwards to the department after a vehicle has become abandoned.

(3) (~~"Commission"~~) means the state commission on equipment established under RCW 46.37.005.

(~~4~~) "Impound" means to take and hold a vehicle in legal custody. There are two types of impounds—public and private.

(a) "Public impound" means that the vehicle has been impounded at the direction of a law enforcement officer or other public official having jurisdiction over the public property upon which the vehicle was located.

(b) "Private impound" means that the vehicle has been impounded at the direction of a person having control or possession of the private property upon which the vehicle was located.

(~~5~~) (4) "Junk vehicle" means a motor vehicle certified under RCW 46.55.230 as meeting all the following requirements:

- (a) Is three years old or older;
- (b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield or missing wheels, tires, motor, or transmission;
- (c) Is apparently inoperable;
- (d) Is without a valid, current registration plate;
- (e) Has a fair market value equal only to the value of the scrap in it.

~~((6))~~ (5) "Registered tow truck operator" or "operator" means any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles.

~~((7))~~ (6) "Residential property" means property that has no more than four living units located on it.

~~((8))~~ (7) "Tow truck" means a motor vehicle that is equipped for and used in the business of towing vehicles with equipment as approved by the ~~((commission))~~ state patrol.

~~((9))~~ (8) "Tow truck number" means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

~~((10))~~ (9) "Tow truck permit" means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

~~((11))~~ (10) "Tow truck service" means the transporting upon the public streets and highways of this state of unauthorized vehicles, together with personal effects and cargo, by a tow truck of a registered operator.

~~((12))~~ (11) "Unauthorized vehicle" means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

Subject to removal after:

- (a) Public locations:
  - (i) Constituting a traffic hazard as defined in RCW 46.61.565 . . . . . Immediately
  - (ii) On a highway and tagged as described in RCW 46.52.170 . . . . . 24 hours
  - (iii) In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070 . . . . . Immediately
- (b) Private locations:
  - (i) On residential property . . . . . Immediately
  - (ii) On private, nonresidential property, properly posted under RCW 46.55.070 . . . . . Immediately
  - (iii) On private, nonresidential property, not posted . . . . . 24 hours

Sec. 740. Section 5, chapter 377, Laws of 1985 and RCW 46.55.050 are each amended to read as follows:

(1) Tow trucks shall be classified by towing capabilities, and shall meet or exceed all equipment standards set by the ~~((commission on equipment))~~ state patrol for the type of tow trucks to be used by an operator.

(2) All tow trucks shall display the firm's name, city of address, and telephone number. This information shall be painted on or permanently affixed to both sides of the vehicle in accordance with rules adopted by the department.

(3) Before a tow truck is put into tow truck service, or when the reinspection of a tow truck is necessary, the district commander of the state patrol shall designate a location and time for the inspection to be conducted. When practicable, the inspection or reinspection shall be made within three business days following the request by the operator.

(4) Failure to comply with any requirement of this section or rules adopted under it is a traffic infraction.

Sec. 741. Section 17, chapter 377, Laws of 1985 and RCW 46.55.170 are each amended to read as follows:

(1) All law enforcement agencies or local licensing agencies that receive complaints involving registered tow truck operators shall forward the complaints, along with any supporting documents including all results from local investigations, to the department.

(2) Complaints involving deficiencies of equipment shall be forwarded by the department to the state ~~((commission on equipment))~~ patrol.

Sec. 742. Section 18, chapter 377, Laws of 1985 and RCW 46.55.180 are each amended to read as follows:

The director or the ~~((commission))~~ chief of the state patrol may use a hearing officer or administrative law judge for presiding over a hearing regarding infractions by registered tow truck operators of this chapter, chapter 46.37 RCW, or rules adopted thereunder.

Sec. 743. Section 2, chapter 167, Laws of 1977 ex. sess. and RCW 46.61.563 are each amended to read as follows:

As used in this chapter, the following terms shall have the following meanings unless the context clearly requires otherwise:

(1) ~~((<sup>a</sup>Commission<sup>n</sup> means the state commission on equipment as defined in RCW 46.37.005;~~

~~((2)))~~ (2) "Person" means an individual, firm, partnership, corporation, company, association, or their lessees, trustees, or receivers;

~~((3)))~~ (2) "Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel;

~~((4)))~~ (3) "Towing operator" means every person who engages in the towing of vehicles and motor vehicles on a highway by means of equipment affixed to a specially constructed tow truck complying with the equipment

specifications and standards promulgated by the ~~((commission))~~ state patrol; and

~~((5))~~ (4) "Tow truck" means a specially constructed and equipped motor vehicle for towing vehicles and not otherwise used in transporting goods for compensation.

Sec. 744. Section 5, chapter 167, Laws of 1977 ex. sess. as amended by section 22, chapter 178, Laws of 1979 ex. sess. and RCW 46.61.567 are each amended to read as follows:

The Washington state patrol, under its authority to remove vehicles from the highway, may remove the vehicles directly, through towing operators appointed by the ~~((commission))~~ state patrol and called on a rotational or other basis, through contracts with towing operators, or by a combination of these methods. When removal is to be accomplished through a towing operator on a noncontractual basis, the ~~((commission))~~ state patrol may appoint any towing operator for this purpose upon the application of the operator. Each appointment shall be contingent upon the submission of an application to the ~~((commission))~~ state patrol and the making of subsequent reports in such form and frequency and compliance with such standards of equipment, performance, pricing, and practices as may be required by rule of the ~~((commission))~~ state patrol.

An appointment may be rescinded by the ~~((commission at the request of the Washington))~~ state patrol upon evidence that the appointed towing operator is not complying with the laws or rules relating to the removal and storage of vehicles from the highway. The costs of removal and storage of vehicles under this section shall be paid by the owner or driver of the vehicle and shall be a lien upon the vehicle until paid, unless the removal is determined to be invalid.

Rules promulgated under this section shall be binding only upon those towing operators appointed by the ~~((commission))~~ state patrol for the purpose of performing towing services at the request of the Washington state patrol. Any person aggrieved by a decision of the ~~((commission))~~ state patrol made under this section may appeal the decision under chapter 34.04 RCW.

Sec. 745. Section 2, chapter 215, Laws of 1983 and RCW 46.61.687 are each amended to read as follows:

(1) After December 31, 1983, the parent or legal guardian of a child less than five years old, when the parent or legal guardian is operating anywhere in the state his or her own motor vehicle registered under chapter 46.16 RCW, in which the child is a passenger, shall have the child properly secured in a manner approved by the state ~~((commission on equipment))~~ patrol. Even though a separate child passenger restraint device is considered the ideal method of protection, a properly adjusted and fastened, federally approved seat belt is deemed sufficient to meet the requirements of this section for children one through four years of age.



(2) During the period from January 1, 1984, to July 1, 1984, a person violating subsection (1) of this section may be issued a written warning of the violation. After July 1, 1984, a person violating subsection (1) of this section may be issued a notice of traffic infraction under chapter 46.63 RCW. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system within seven days to the jurisdiction issuing the notice, the jurisdiction shall dismiss the notice of traffic infraction. If the person fails to present proof of acquisition within the time required, he or she is subject to a penalty assessment of not less than thirty dollars.

(3) Failure to comply with the requirements of this section shall not constitute negligence by a parent or legal guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action.

Sec. 746. Section 85, chapter 155, Laws of 1965 ex. sess. as amended by section 39, chapter 62, Laws of 1975 and RCW 46.61.780 are each amended to read as follows:

(1) Every bicycle when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the state (~~(commission on equipment)~~) patrol which shall be visible from all distances from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector.

(2) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

Sec. 747. Section 2, chapter 7, Laws of 1969 ex. sess. as last amended by section 203, chapter 7, Laws of 1984 and RCW 47.36.250 are each amended to read as follows:

If the department or its delegate determines at any time for any part of the public highway system that the unsafe conditions of the roadway require particular tires, tire chains, or traction equipment in addition to or beyond the ordinary pneumatic rubber tires, the department may establish the following recommendations or requirements with respect to the use of such equipment for all persons using such public highway:

(1) Dangerous road conditions, chains or other approved traction devices recommended.

(2) Dangerous road conditions, chains or other approved traction devices required.

(3) Dangerous road conditions, chains required.

Any equipment that may be required by this section shall be approved by the state (~~(commission on equipment)~~) patrol as authorized under RCW 46.37.420.

The department shall place and maintain signs and other traffic control devices on the public highways that indicate the tire, tire chain, or traction equipment recommendation or requirement determined under this section. Such signs or traffic control devices shall in no event prohibit the use of studded tires from November 1st to April 1st, but when the department determines that chains are required and that no other traction equipment will suffice, the requirement is applicable to all types of tires including studded tires. The signs or traffic control devices may specify different recommendations or requirements for four wheel drive vehicles in gear.

Failure to obey a requirement indicated by a sign or other traffic control device placed or maintained under this section is a misdemeanor.

Sec. 748. Section 47.52.120, chapter 13, Laws of 1961 as amended by section 1, chapter 149, Laws of 1985 and RCW 47.52.120 are each amended to read as follows:

After the opening of any limited access highway facility, it shall be unlawful for any person (1) to drive a vehicle over, upon, or across any curb, central dividing section, or other separation or dividing line on limited access facilities; (2) to make a left turn or semicircular or U-turn except through an opening provided for that purpose in the dividing curb section, separation, or line; (3) to drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation section, or line; (4) to drive any vehicle into the limited access facility from a local service road except through an opening provided for that purpose in the dividing curb, dividing section, or dividing line which separates such service road from the limited access facility proper; (5) to stop or park any vehicle or equipment within the right of way of such facility, including the shoulders thereof, except at points specially provided therefor, and to make only such use of such specially provided stopping or parking points as is permitted by the designation thereof: PROVIDED, That this subsection shall not apply to authorized emergency vehicles, law enforcement vehicles, assistance vans, or to vehicles stopped for emergency causes or equipment failures; (6) to travel to or from such facility at any point other than a point designated by the establishing authority as an approach to the facility or to use an approach to such facility for any use in excess of that specified by the establishing authority. For the purposes of this section, an assistance van is a vehicle rendering aid free of charge to vehicles with equipment or fuel problems. The (~~(commission on equipment)~~) state patrol shall establish by rule additional standards and operating procedures, as needed, for assistance vans.

Any person who violates any of the provisions of this section is guilty of a misdemeanor and upon arrest and conviction therefor shall be punished

by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in the city or county jail for not less than five days nor more than ninety days, or by both fine and imprisonment. Nothing contained in this section prevents the highway authority from proceeding to enforce the prohibitions or limitations of access to such facilities by injunction or as otherwise provided by law.

Sec. 749. Section 7, chapter 183, Laws of 1974 ex. sess. and RCW 70.107.070 are each amended to read as follows:

Any rule adopted under this chapter relating to the operation of motor vehicles on public highways shall be administered according to testing and inspection procedures adopted by rule by the state (~~(commission on equipment)~~) patrol. Violation of any motor vehicle performance standard adopted pursuant to this chapter shall be a misdemeanor, enforced by such authorities and in such manner as violations of chapter 46.37 RCW. Violations subject to the provisions of this section shall be exempt from the provisions of RCW 70.107.050.

#### PART VII FOREST PRACTICES ADVISORY COMMITTEE

NEW SECTION. Sec. 901. Section 20, chapter 137, Laws of 1974 ex. sess. and RCW 76.09.200 are each repealed.

#### PART VIII COMMUNITY COLLEGE BOARDS OF TRUSTEES

Sec. 1001. Section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 224, Laws of 1983 and RCW 28B.50.100 are each amended to read as follows:

There is hereby created a community college board of trustees for each community college district as set forth in this chapter. Each community college board of trustees shall be composed of five trustees, who shall be appointed by the governor for terms commencing October 1st of the year in which appointed. In making such appointments the governor shall give consideration to geographical exigencies, and the interests of labor, industry, agriculture, the professions and ethnic groups.

The successors of the trustees initially appointed shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of the term. Each member shall serve until a successor is appointed and qualified.

Every trustee shall be a resident and qualified elector of the community college district. No trustee may be an employee of the community college system, a member of the board of directors of any school district, or a member of the governing board of any public or private educational institution(~~(, or an elected officer or member of the legislative authority of any municipal corporation)~~).

Each board of trustees shall organize itself by electing a chairman from its members. The board shall adopt a seal and may adopt such bylaws, rules and regulations as it deems necessary for its own government. Three members of the board shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws, rules, or regulations. The district president, or if there be none, the president of the community college, shall serve as, or may designate another person to serve as, the secretary of the board, who shall not be deemed to be a member of the board.

Members of the boards of trustees may be removed for misconduct or malfeasance in office in the manner provided by RCW 28B.10.500.

**NEW SECTION.** Sec. 1002. Section 1001 of 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.

#### PART IX WINTER RECREATION ADVISORY COMMITTEE

Sec. 1101. Section 8, chapter 209, Laws of 1975 1st ex. sess. as last amended by section 2, chapter 47, Laws of 1986 and RCW 43.51.340 are each amended to read as follows:

(1) There is created a winter recreation advisory committee to advise the parks and recreation commission in the administration of this chapter and to assist and advise the commission in the development of winter recreation facilities and programs.

(2) The committee shall consist of:

(a) Six representatives of the nonsnowmobiling winter recreation public appointed by the commission, including a resident of each of the six geographical areas of this state where nonsnowmobiling winter recreation activity occurs, as defined by the commission.

(b) Three representatives of the snowmobiling public appointed by the commission.

(c) One representative of the department of natural resources, one representative of the department of game, and one representative of the Washington state association of counties, each of whom shall be appointed by the director of the particular department or association.

(3) The terms of the members appointed under subsection (2) (a) and (b) of this section shall begin on October 1 of the year of appointment and shall be for three years or until a successor is appointed, except in the case of appointments to fill vacancies for the remainder of the unexpired term: PROVIDED, That the first of these members shall be appointed for terms as follows: Three members shall be appointed for one year, three members

shall be appointed for two years, and three members shall be appointed for three years.

(4) Members of the committee (~~(appointed under subsection (2) (a) and (b) of this section)~~) shall be reimbursed from the winter recreational program account created by RCW 43.51.310 for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended.

(5) The committee shall meet at times and places it determines not less than twice each year and additionally as required by the committee chairman or by majority vote of the committee. The chairman of the committee shall be chosen under rules adopted by the committee. The committee shall adopt any other rules necessary to govern its proceedings.

(6) The director of parks and recreation or the director's designee shall serve as secretary to the committee and shall be a nonvoting member.

(7) The winter recreation advisory committee and its powers and duties shall terminate on June 30, 1991.

#### PART X SNOWMOBILE ADVISORY COMMITTEE

Sec. 1201. Section 2, chapter 182, Laws of 1979 ex. sess. as last amended by section 3, chapter 16, Laws of 1986 and by section 9, chapter 270, Laws of 1986 and RCW 46.10.220 are each reenacted and amended to read as follows:

(1) There is created in the Washington state parks and recreation commission a snowmobile advisory committee to advise the commission regarding the administration of this chapter.

(2) The purpose of the committee is to assist and advise the commission in the planned development of snowmobile facilities and programs.

(3) The committee shall consist of:

(a) Six interested snowmobilers, appointed by the commission; each such member shall be a resident of one of the six geographical areas throughout this state where snowmobile activity occurs, as defined by the commission;

(b) Three representatives of the nonsnowmobiling public, appointed by the commission; and

(c) One representative of the department of natural resources, one representative of the department of game, and one representative of the Washington state association of counties; each of whom shall be appointed by the director of such department or association.

(4) Terms of the members appointed under (3)(a) and (b) of this section shall commence on October 1st of the year of appointment and shall be for three years or until a successor is appointed, except in the case of appointments to fill vacancies which shall be for the remainder of the unexpired term: PROVIDED, That the first such members shall be appointed

for terms as follows: Three members shall be appointed for one year, three members shall be appointed for two years, and three members shall be appointed for three years.

(5) Members of the committee (~~((appointed under (3)(a) and (b) of this section))~~) shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060 as now or hereafter amended. Expenditures under this subsection shall be from the snowmobile account created by RCW 46.10.075.

(6) The committee may meet at times and places fixed by the committee. The committee shall meet not less than twice each year and additionally as required by the committee chairman or by majority vote of the committee. One of the meetings shall be coincident with a meeting of the commission at which the committee shall provide a report to the commission. The chairman of the committee shall be chosen under rules adopted by the committee from those members appointed under (3)(a) and (b) of this section.

(7) The Washington state parks and recreation commission shall serve as recording secretary to the committee. A representative of the department of licensing shall serve as an ex officio member of the committee and shall be notified of all meetings of the committee. The recording secretary and the ex officio member shall be nonvoting members.

(8) The committee shall adopt rules to govern its proceedings.

#### PART XI FOREST PRACTICES BOARD

Sec. 1301. Section 3, chapter 137, Laws of 1974 ex. sess. as last amended by section 70, chapter 466, Laws of 1985 and RCW 76.09.030 are each amended to read as follows:

(1) There is hereby created the forest practices board of the state of Washington as an agency of state government consisting of members as follows:

- (a) The commissioner of public lands or his designee;
- (b) The director of the department of trade and economic development or his designee;
- (c) The director of the department of agriculture or his designee;
- (d) The director of the department of ecology or his designee;
- (e) An elected member of a county legislative authority appointed by the governor: PROVIDED, That such member's service on the board shall be conditioned on his continued service as an elected county official; and
- (f) Six members of the general public appointed by the governor, one of whom shall be an owner of not more than five hundred acres of forest land, and one of whom shall be an independent logging contractor.

(2) The members of the initial board appointed by the governor shall be appointed so that the term of one member shall expire December 31, 1975, the term of one member shall expire December 31, 1976, the term of one member shall expire December 31, 1977, the terms of two members shall expire December 31, 1978, and the terms of two members shall expire December 31, 1979. Thereafter, each member shall be appointed for a term of four years. Vacancies on the board shall be filled in the same manner as the original appointments. Each member of the board shall continue in office until his successor is appointed and qualified. The commissioner of public lands or his designee shall be the chairman of the board.

(3) The board shall meet at such times and places as shall be designated by the chairman or upon the written request of the majority of the board. The principal office of the board shall be at the state capital.

(4) Members of the board, except public employees and elected officials, shall be compensated in accordance with RCW 43.03.240 (~~and in addition they~~). Each member shall be entitled to reimbursement for travel expenses incurred in the performance of their duties as provided in RCW 43.03.050 and 43.03.060.

(5) The board may employ such clerical help and staff pursuant to chapter 41.06 RCW as is necessary to carry out its duties.

## PART XII

NEW SECTION. Sec. 1401. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule, regulation, or order adopted under those sections, nor as affecting any proceeding instituted under those sections. The rules of the agencies abolished by this act shall continue in force until acted upon by the succeeding agency and shall be enforced by the succeeding agency. If there is no succeeding agency, the rules shall terminate.

NEW SECTION. Sec. 1402. 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.

Passed the House April 25, 1987.

Passed the Senate April 17, 1987.

Approved by the Governor May 12, 1987.

Filed in Office of Secretary of State May 12, 1987.