

- (11) Section 14, chapter 150, Laws of 1965, section 12, chapter 132, Laws of 1969 and RCW 81.70.130;
- (12) Section 15, chapter 150, Laws of 1965 and RCW 81.70.140;
- (13) Section 16, chapter 150, Laws of 1965, section 13, chapter 132, Laws of 1969 and RCW 81.70.150;
- (14) Section 17, chapter 150, Laws of 1965 and RCW 81.70.160;
- (15) Section 18, chapter 150, Laws of 1965, section 107, chapter 136, Laws of 1979 ex. sess. and RCW 81.70.170;
- (16) Section 19, chapter 150, Laws of 1965, section 14, chapter 132, Laws of 1969, section 2, chapter 48, Laws of 1977 ex. sess. and RCW 81.70.180;
- (17) Section 20, chapter 150, Laws of 1965 and RCW 81.70.190;
- (18) Section 21, chapter 150, Laws of 1965, section 15, chapter 132, Laws of 1969 and RCW 81.70.200;
- (19) Section 22, chapter 150, Laws of 1965 and RCW 81.70.210;
- (20) Section 23, chapter 150, Laws of 1965 and RCW 81.70.900; and
- (21) Section 24, chapter 150, Laws of 1965 and RCW 81.70.910.

NEW SECTION. Sec. 17. Sections 2 through 15 of this act are each added to chapter 81.70 RCW.

Passed the Senate February 8, 1988.

Passed the House March 2, 1988.

Approved by the Governor March 11, 1988.

Filed in Office of Secretary of State March 11, 1988.

CHAPTER 31

[Substitute Senate Bill No. 5844]

COMMON CARRIER FREIGHT BROKERS

AN ACT Relating to motor carrier freight brokers; amending RCW 81.80.010; adding a new section to chapter 81.80 RCW; and prescribing penalties.

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

Sec. 1. Section 81.80.010, chapter 14, Laws of 1961 as last amended by section 1, chapter 71, Laws of 1982 and RCW 81.80.010 are each amended to read as follows:

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

(1) "Person" means and includes an individual, firm, copartnership, corporation, company, or association or their lessees, trustees, or receivers.

(2) "Motor vehicle" means any truck, trailer, semitrailer, tractor, dump truck which uses a hydraulic or mechanical device to dump or discharge its load, or any self-propelled or motor-driven vehicle used upon any public highway of this state for the purpose of transporting property, but not including baggage, mail, and express transported on the vehicles of auto transportation companies carrying passengers.

(3) "Public highway" means every street, road, or highway in this state.

(4) "Common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water (~~and of express or forwarding companies~~).

(5) "Contract carrier" includes all motor vehicle operators not included under the terms "common carrier" and "private carrier" as herein defined in paragraph (4) and paragraph (6), and further includes any person who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(6) A "private carrier" is a person who transports by his own motor vehicle, with or without compensation therefor, property which is owned or is being bought or sold by such person, or property of which such person is the seller, purchaser, lessee, or bailee where such transportation is incidental to and in furtherance of some other primary business conducted by such person in good faith.

(7) "Motor carrier" means and includes "common carrier," "contract carrier," "private carrier," and "exempt carrier" as herein defined.

(8) "Exempt carrier" means any person operating a vehicle exempted from certain provisions of this chapter under RCW 81.80.040.

(9) "Vehicle" means every device capable of being moved upon a public highway and in, upon, or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rail or tracks.

(10) "Commercial zone" means an area encompassing one or more cities or towns and environs adjacent thereto established pursuant to RCW 81.80.400 (~~as now or hereafter amended~~).

(11) "Terminal area" means an area including one or more cities or towns and environs adjacent thereto established pursuant to RCW 81.80.400 (~~as now or hereafter amended~~).

(12) ~~"((Common carrier" and "contract carrier" include persons))~~ Broker is a person engaged in the business of providing, contracting for, or undertaking to (~~provide~~) arrange for transportation of property (~~for compensation over the public highways of the state of Washington as brokers or forwarders~~) by two or more interstate or intrastate common carriers.

NEW SECTION. Sec. 2. A new section is added to chapter 81.80 RCW to read as follows:

(1) Each broker shall file with the commission and keep in effect, a surety bond or deposit of satisfactory security, in a sum to be determined by the commission, but not less than five thousand dollars, conditioned upon such broker making compensation to shippers, consignees, and carriers for

all moneys belonging to them and coming into the broker's possession in connection with the transportation service.

(2) It is unlawful for a broker to conduct business as such in this state without first securing appropriate authority from the Interstate Commerce Commission, if such authority is required, and registering with the Washington utilities and transportation commission. The commission shall grant such registration without hearing, upon application and payment of the appropriate filing fee prescribed by this chapter for other applications for operating authority.

(3) Failure to file the bond or deposit the security is sufficient ground for refusal of the commission to grant the application for a permit. Failure to promptly make the remittances provided for in this section and in rules of the commission is sufficient cause for cancellation of a permit.

Passed the Senate February 9, 1988.

Passed the House February 26, 1988.

Approved by the Governor March 11, 1988.

Filed in Office of Secretary of State March 11, 1988.

CHAPTER 32

[Engrossed Senate Bill No. 5953]

COMMUNITY COLLEGE TENURED FACULTY—REDUCED WORK LOADS

AN ACT Relating to reduced work load options for certain tenured community college faculty members; amending RCW 28B.50.851; and adding a new section to chapter 28B.50 RCW.

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

NEW SECTION. Sec. 1. A new section is added to chapter 28B.50 RCW to read as follows:

An appointing authority may allow a tenured faculty member to retain tenure upon assignment to a reduced work load. The appointing authority and the faculty member shall execute a written agreement setting forth the terms and conditions of the assignment, including the conditions, if any, under which the faculty member may return to full time employment.

Sec. 2. Section 33, chapter 283, Laws of 1969 ex. sess. as last amended by section 1, chapter 112, Laws of 1975 1st ex. sess. and RCW 28B.50.851 are amended to read as follows:

As used in RCW 28B.50.850 through 28B.50.869:

(1) "Tenure" shall mean a faculty appointment for an indefinite period of time which may be revoked only for adequate cause and by due process;

(2) (a) "Faculty appointment", except as otherwise provided in subsection (2)(b) below, shall mean full time employment as a teacher, counselor, librarian or other position for which the training, experience and responsibilities are comparable as determined by the appointing authority,