

NEW SECTION. Sec. 3. Section 216, chapter 518, Laws of 1987 and RCW 28A.120.066 are each repealed.

Passed the Senate March 14, 1989.

Passed the House April 13, 1989.

Approved by the Governor May 3, 1989.

Filed in Office of Secretary of State May 3, 1989.

CHAPTER 210

[House Bill No. 1664]

MOTOR VEHICLES—WINDOWS AND WINDSHIELDS—TINTING AND COLORING RESTRICTIONS

AN ACT Relating to the tinting or coloring of windows and windshields of motor vehicles; amending RCW 46.37.430; and prescribing penalties.

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

Sec. 1. Section 46.37.430, chapter 12, Laws of 1961 as last amended by section 723, chapter 330, Laws of 1987 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 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 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 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 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 windings or;~~

~~(c) Rearmost windows if used for driving visibility by means of an interior rear-view mirror.~~

The standards adopted by the 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)) unless it meets the following standards for such material:

(a) The maximum level of film sunscreening material to be applied to windshields and any windows shall have a total reflectance of thirty-five percent or less, plus or minus three percent, and a light transmission of thirty-five percent or more, plus or minus three percent, when measured in conjunction with the safety glazing material.

(b) This section shall permit a greater degree of light reduction on all windows of a vehicle operated by or carrying as a passenger a person who possesses a written verification from a licensed physician that the operator or passenger must be protected from exposure to sunlight for physical or medical reasons.

(c) Windshield application. The application of sunscreening material is restricted to the top six-inch area of a vehicle's windshield.

(d) If sunscreening material is applied to the rearview window, outside mirrors on both the left and right sides shall be located so as to reflect to the driver a view of the roadway, through each mirror, a distance of at least two hundred feet to the rear of the vehicle.

(e) The following types of colors of sunscreening material are not permitted:

(i) Mirror finish products;

(ii) Red, gold, yellow, or black material; or

(iii) Sunscreening material that is in liquid preapplication form and brushed or sprayed on.

Nothing in this ~~((subsection))~~ section 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 patrol for such safety glazing materials.

(6) ~~((The standards used for approval of safety glazing materials by the state 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)) It is a misdemeanor for any person to operate a vehicle for use on the public highways of this state, if the vehicle is equipped with tinting or coloring material in violation of this section.~~

(7) Limousines and passenger buses used to transport persons for compensation are exempt from the requirements of this section.

Passed the House April 18, 1989.

Passed the Senate April 13, 1989.

Approved by the Governor May 3, 1989.

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CHAPTER 211

[Substitute House Bill No. 1952]

DURABLE POWER OF ATTORNEY FOR HEALTH CARE

AN ACT Relating to durable power of attorney; amending RCW 11.94.010; and adding new sections to chapter 11.94 RCW.

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

Sec. 1. Section 25, chapter 30, Laws of 1985 and RCW 11.94.010 are each amended to read as follows:

(1) Whenever a principal designates another as his or her attorney in fact or agent, by a power of attorney in writing, and the writing contains the words "This power of attorney shall not be affected by disability of the principal," or "This power of attorney shall become effective upon the disability of the principal," or similar words showing the intent of the principal that the authority conferred shall be exercisable notwithstanding the principal's disability, the authority of the attorney in fact or agent is exercisable on behalf of the principal as provided notwithstanding later disability or incapacity of the principal at law or later uncertainty as to whether the principal is dead or alive. All acts done by the attorney in fact or agent pursuant to the power during any period of disability or incompetence or uncertainty as to whether the principal is dead or alive have the same effect and inure to the benefit of and bind the principal or the principal's guardian or heirs, devisees, and personal representative as if the principal were alive, competent, and not disabled. A principal may nominate, by a durable power of attorney, the guardian or limited guardian of his or her estate or person for consideration by the court if protective proceedings for the principal's person or estate are thereafter commenced. The court shall make its appointment in accordance with the principal's most recent nomination in a durable power of attorney except for good cause or disqualification. If a guardian thereafter is appointed for the principal, the attorney in fact or agent, during the continuance of the appointment, shall account to the