

and teachers in a timely fashion. In addition to a compilation of school district test results, the test results for each school shall be reported as they relate to selected demographic variables:

~~(5) The superintendent of public instruction shall test approximately two thousand students distributed throughout the state in the eleventh grade once every two years. Choice of students shall be based on a statistical random sample of students from this grade level sufficient to generalize about all of the students at the grade level from the state's school districts. The purpose of the test is to allow the public, the legislature, and school district personnel to evaluate how Washington students in this grade compare to students in the same grade tested in other comparable national achievement surveys.~~

~~(6)) The superintendent of public instruction shall report annually to the legislature on the achievement levels of students in grade((s) four(; eight, and ten and shall report biennially to the legislature on the achievement levels of students in grade eleven)).~~

NEW SECTION. Sec. 7. Sections 1 through 5 of this act are each added to Title 28A RCW.

Passed the Senate March 5, 1990.

Passed the House March 2, 1990.

Approved by the Governor March 19, 1990.

Filed in Office of Secretary of State March 19, 1990.

CHAPTER 102

[Substitute House Bill No. 1450]

MOTOR FUEL INSPECTION

AN ACT Relating to motor fuel inspections; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

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

NEW SECTION. Sec. 1. It is desired that there should be uniformity among the requirements of the several states. This chapter provides for the establishment of quality specifications for all liquid motor fuels, except aviation fuel, marine fuel, and liquefied petroleum gases, and establishes a sampling, testing, and enforcement program.

NEW SECTION. Sec. 2. As used in this chapter:

(1) "Motor fuel" means any liquid product used for the generation of power in an internal combustion engine used for the propulsion of a motor vehicle upon the highways of this state. Motor fuels containing ethanol may be marketed as long as the base motor fuel meets the applicable standards before the addition of the ethanol.

(2) "Director" means the director of agriculture.

NEW SECTION. Sec. 3. This chapter shall be administered by the director or his or her authorized agent. For the purpose of administering this chapter, the standards set forth in the Annual Book of ASTM Standards and supplements thereto, and revisions thereof, are adopted, together with applicable federal environmental protection agency standards. If a conflict exists between federal environmental protection agency standards, ASTM standards, or state standards, for purposes of uniformity, federal environmental protection agency standards shall take precedence over ASTM standards. Any state standards adopted must be consistent with federal environmental protection agency standards and ASTM standards not in conflict with federal environmental protection agency standards.

The director may establish a testing laboratory. The director may also adopt rules on false and misleading advertising, labeling and posting of prices, and the standards for, and identity of, motor fuels.

NEW SECTION. Sec. 4. The director may:

(1) Enforce and administer this chapter by inspections, analyses, and other appropriate actions;

(2) Have access during normal business hours to all places where motor fuels are marketed for the purpose of examination, inspection, taking of samples, and investigation. If access is refused by the owner or agent or other persons leasing the same, the director or his or her agent may obtain an administrative search warrant from a court of competent jurisdiction;

(3) Collect or cause to be collected, samples of motor fuels marketed in this state, and cause such samples to be tested or analyzed for compliance with this chapter;

(4) Issue a stop-sale order for any motor fuel found not to be in compliance and rescind the stop-sale order if the motor fuel is brought into compliance with this chapter;

(5) Refuse, revoke, or suspend the registration of a motor fuel;

(6) Delegate to authorized agents any of the responsibilities for the proper administration of this chapter;

(7) Establish a motor fuel testing laboratory.

NEW SECTION. Sec. 5. All motor fuel shall be registered by the name, brand, or trademark under which it will be sold at the terminal. Registration shall include:

(1) The name and address of the person registering the motor fuel;

(2) The antiknock index or cetane number, as appropriate, at which the motor fuel is to be marketed;

(3) A certification, declaration, or affidavit that each individual grade or type of motor fuel shall conform to this chapter.

NEW SECTION. Sec. 6. It is unlawful to:

(1) Market motor fuels in any manner that may deceive or tend to deceive the purchaser as to the nature, price, quantity, and quality of a motor fuel;

(2) Fail to register a motor fuel;

(3) Submit incorrect, misleading, or false information regarding the registration of a motor fuel;

(4) Hinder or obstruct the director, or his or her authorized agent, in the performance of his or her duties;

(5) Market a motor fuel that is contrary to this chapter.

NEW SECTION. Sec. 7. Any person who knowingly violates any provision of this chapter or rules adopted under it is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both. The director shall assess a civil penalty ranging from one hundred dollars to ten thousand dollars per occurrence, giving due consideration to the appropriateness of the penalty with respect to the gravity of the violation, and the history of previous violations. Civil penalties collected under this chapter shall be deposited into the motor vehicle fund.

NEW SECTION. Sec. 8. The director may apply to any court of competent jurisdiction for a temporary or permanent injunction restraining any person from violating any provision of this chapter.

NEW SECTION. Sec. 9. This chapter is in addition to any requirements under chapter 19.94 RCW.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 11. Sections 1 through 9 of this act shall constitute a new chapter in Title 19 RCW and may be cited as the Motor Fuel Quality Act.

NEW SECTION. Sec. 12. This act shall take effect on July 1, 1990.

Passed the House March 5, 1990.

Passed the Senate March 1, 1990.

Approved by the Governor March 19, 1990.

Filed in Office of Secretary of State March 19, 1990.

CHAPTER 103

[Senate Bill No. 6224]

SCHOOL DISTRICTS—REPAYMENT OF DISALLOWED FEDERAL EXPENDITURES

AN ACT Relating to school district financial responsibility; and adding a new section to Title 28A RCW.