

**WAC 480-31-130 Operation of motor vehicles.** (1) All motor vehicles must be operated in accordance with the requirements of existing state laws and no driver or operator will operate the same in any other than a careful and prudent manner, nor at any greater speed than is reasonable or proper, having due regard to the traffic and use of the highways by others, or so as to endanger the life and limb of any person.

(2) Qualification of drivers. The rules and regulations governing qualifications of drivers prescribed by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 391 (Qualifications of Drivers) in effect on the date specified in WAC 480-31-999, are adopted and prescribed by the commission to be observed by all providers. Vehicles meeting the definition of a commercial motor vehicle must also comply with part 382 (Controlled Substances and Alcohol Use and Testing), and part 383 (Commercial Driver's License Standards; Requirements and Penalties).

(3) The rules and regulations relating to drivers' logs and drivers' hours of service adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, part 395 (Hours of Service of Drivers) in effect on the date specified in WAC 480-31-999, are adopted and prescribed by the commission.

(4) The rules and regulation relating to workplace drug and alcohol testing programs adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, Part 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs) in effect on the date specified in WAC 480-31-999, are adopted and prescribed by the commission.

(5) The rules and regulation relating to general safety fitness procedures adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, Part 385 (Safety Fitness Procedures) in effect on the date specified in WAC 480-31-999, are adopted and prescribed by the commission.

(6) The rules and regulation relating to general safety fitness procedures adopted by the United States Department of Transportation in Title 49, Code of Federal Regulations, Part 380 (Special Training Requirements) in effect on the date specified in WAC 480-31-999, are adopted and prescribed by the commission.

(7) No driver or operator of a motor vehicle carrying passengers may smoke any cigar, cigarette, tobacco or other substance in such vehicle while driving the vehicle.

(8) No driver or operator of any motor vehicle will permit smoking on said vehicle by passengers or other persons.

Suitable signs, of sufficient size and number to adequately inform passengers, must be placed in buses to inform passengers that smoking is not permitted in the motor vehicle.

(9) No driver or operator of a motor vehicle will create any disturbance or unnecessary noise to attract persons to the vehicle.

(10) The driver or operator of any motor vehicle may refuse to carry any person who is in an intoxicated condition or conducting themselves in an unreasonably boisterous or disorderly manner or is using profane language, or whose condition is such as to be obnoxious to other passengers. A driver is responsible for the comfort and safety of passengers and should be constantly on the alert for and immediately correct any act of misconduct on the part of occupants of the vehicle.

(11) The commission adopts by reference the provisions of federal rules cited in this section in effect on the date specified in WAC 480-31-999.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 11-04-041 (Docket A-101466, General Order R-562), § 480-31-130, filed 1/25/11, effective 2/25/11. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. WSR 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-31-130, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 34.05.310, 34.05.356, 80.01.040, 80.04.160 and 80.04.160 [81.04.160]. WSR 99-20-013 (Order R-465, Docket No. A-980247), § 480-31-130, filed 9/24/99, effective 10/25/99. Statutory Authority: RCW 80.01.040 and chapter 80.01 RCW. WSR 97-08-037 (Order R-440, Docket No. TC 961102), § 480-31-130, filed 3/27/97, effective 4/27/97.]