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HOUSE BILL 1624

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State of Washington

53rd Legislature

1993 Regular Session

By Representative Appelwick

Read first time 02/03/93. Referred to Committee on Judiciary.

1 AN ACT Relating to decriminalizing certain misdemeanors; amending  
2 RCW 9.04.090, 9.51.020, 9A.52.080, 43.51.180, 46.12.101, 46.16.010,  
3 46.16.011, 46.16.381, 46.29.605, 46.29.610, 46.61.015, 46.61.535,  
4 46.63.020, 46.70.090, 46.70.125, 46.70.140, 46.87.290, 47.52.120,  
5 47.68.230, 47.68.250, 66.20.200, 66.28.090, 66.44.100, 66.44.250,  
6 66.44.291, 66.44.310, 69.50.412, 70.93.060, 81.80.070, 81.80.371, and  
7 88.02.020; and prescribing penalties.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 **Sec. 1.** RCW 9.04.090 and 1983 c 114 s 1 are each amended to read  
10 as follows:

11 ~~((It is unlawful for any))~~ No dealer or service station, as both  
12 are defined in RCW 82.36.010, ~~((to))~~ may advertise by publication,  
13 dissemination, display, or whatever means:

14 (1) A price per unit of fuel that is expressed in a unit of  
15 measurement different from that employed by the pump or other device  
16 used to dispense the fuel, unless the price is advertised for both  
17 units of measurement in the same fashion; or

18 (2) A price per unit of fuel that is conditioned upon the purchase  
19 of another product, unless the conditional language, name, and price of

1 the other product are clearly expressed in the advertisement in  
2 characters at least one-half the height of the characters used to  
3 advertise the fuel price.

4 Violation of this section is a ~~((misdemeanor and is subject to the  
5 provisions of RCW 9.04.060 through 9.04.080))~~ class 2 infraction under  
6 chapter 7.80 RCW.

7 **Sec. 2.** RCW 9.51.020 and 1909 c 249 s 76 are each amended to read  
8 as follows:

9 ~~((Every))~~ No person ~~((who shall))~~ may, directly or indirectly,  
10 solicit or request any person charged with the duty of preparing any  
11 jury list to put his or her name, or the name of any other person, on  
12 any such list ~~((, shall be guilty of a gross misdemeanor))~~. Violation  
13 of this section is a class 1 infraction under chapter 7.80 RCW.

14 **Sec. 3.** RCW 9A.52.080 and 1979 ex.s. c 244 s 13 are each amended  
15 to read as follows:

16 ~~((1))~~ A person ~~((is guilty of criminal trespass in the second  
17 degree if he))~~ who knowingly enters or remains unlawfully in or upon  
18 premises of another under circumstances not constituting criminal  
19 trespass in the first degree ~~((-20 (2) Criminal trespass in the second degree is a misdemeanor))~~  
21 commits a class 2 infraction under chapter 7.80 RCW.

22 **Sec. 4.** RCW 43.51.180 and 1987 c 380 s 15 are each amended to read  
23 as follows:

24 ~~((Every))~~ (1) No person ~~((who))~~ may:  
25 ~~((1))~~ (a) Cut ~~((s))~~, break ~~((s))~~, injure ~~((s))~~, destroy ~~((s))~~,  
26 take ~~((s))~~, or remove ~~((s))~~ any tree, shrub, timber, plant, or natural  
27 object in any park or parkway; or  
28 ~~((2))~~ (b) Kill ~~((s))~~, or pursue ~~((s))~~ with intent to kill, any bird  
29 or animal in any park or parkway; or  
30 ~~((3))~~ (c) Take ~~((s))~~ any fish from the waters of any park or  
31 parkway, except in conformity with such general rules as the commission  
32 may prescribe; or  
33 ~~((4))~~ (d) Willfully mutilate ~~((s))~~, injure ~~((s))~~, deface ~~((s))~~, or  
34 destroy ~~((s))~~ any guidepost, notice, tablet, fence, inclosure, or work  
35 for the protection or ornamentation of any park or parkway; or

1        ~~((+5+))~~ (e) Light(~~(s)~~) any fire upon any park or parkway, except in  
2 such places as the commission has authorized, or willfully or  
3 carelessly permit(~~(s)~~) any fire which he or she has lighted or which is  
4 under his or her charge, to spread or extend to or burn any of the  
5 shrubbery, trees, timber, ornaments, or improvements upon any park or  
6 parkway, or leave(~~(s)~~) any campfire which he or she has lighted or  
7 which has been left in his or her charge, unattended by a competent  
8 person, without extinguishing it; or

9        ~~((+6+))~~ (f) Place(~~(s)~~) within any park or parkway or (~~(affixes)~~)  
10 affix to any object therein contained, without a written license from  
11 the commission, any word, character, or device designed to advertise  
12 any business, profession, article, thing, exhibition, matter, or event;  
13 or

14        ~~((+7+))~~ (g) Violate(~~(s)~~) any rule adopted, promulgated, or issued  
15 by the commission pursuant to the provisions of this chapter(~~(; shall~~  
16 ~~be guilty of a misdemeanor unless the commission has specified by rule,~~  
17 ~~when not inconsistent with applicable statutes, that violation of the~~  
18 ~~rule is an infraction under chapter 7.84 RCW))~~).

19        (2) A violation of this section is a class 2 infraction under  
20 chapter 7.80 RCW unless the violation is of a rule that the commission  
21 has specified as an infraction under chapter 7.84 RCW.

22        **Sec. 5.** RCW 46.12.101 and 1991 c 339 s 19 are each amended to read  
23 as follows:

24        A transfer of ownership in a motor vehicle is perfected by  
25 compliance with the requirements of this section.

26        (1) If an owner transfers his or her interest in a vehicle, other  
27 than by the creation, deletion, or change of a security interest, the  
28 owner shall, at the time of the delivery of the vehicle, execute an  
29 assignment to the transferee and provide an odometer disclosure  
30 statement under RCW 46.12.124 on the certificate of ownership or as the  
31 department otherwise prescribes, and cause the certificate and  
32 assignment to be transmitted to the transferee. Within five days,  
33 excluding Saturdays, Sundays, and state and federal holidays, the owner  
34 shall notify the department in writing, on the appropriate form, of the  
35 date of the sale or transfer, the name and address of the owner and of  
36 the transferee, and such description of the vehicle, including the  
37 vehicle identification number, the license plate number, or both, as

1 may be required in the appropriate form provided for that purpose by  
2 the department.

3 (2) The requirements of subsection (1) of this section to provide  
4 an odometer disclosure statement apply to the transfer of vehicles held  
5 for lease when transferred to a lessee and then to the lessor at the  
6 end of the leasehold and to vehicles held in a fleet when transferred  
7 to a purchaser.

8 (3) Except as provided in RCW 46.12.120 the transferee shall within  
9 fifteen days after delivery to the transferee of the vehicle, execute  
10 the application for a new certificate of ownership in the same space  
11 provided therefor on the certificate or as the department prescribes,  
12 and cause the certificates and application to be transmitted to the  
13 department.

14 (4) Upon request of the owner or transferee, a secured party in  
15 possession of the certificate of ownership shall, unless the transfer  
16 was a breach of its security agreement, either deliver the certificate  
17 to the transferee for transmission to the department or, when the  
18 secured party receives the owner's assignment from the transferee, it  
19 shall transmit the transferee's application for a new certificate, the  
20 existing certificate, and the required fee to the department.  
21 Compliance with this section does not affect the rights of the secured  
22 party.

23 (5) If a security interest is reserved or created at the time of  
24 the transfer, the certificate of ownership shall be retained by or  
25 delivered to the person who becomes the secured party, and the parties  
26 shall comply with the provisions of RCW 46.12.170.

27 (6) If the purchaser or transferee fails or neglects to make  
28 application to transfer the certificate of ownership and license  
29 registration within fifteen days after the date of delivery of the  
30 vehicle, he or she shall on making application for transfer be assessed  
31 a twenty-five dollar penalty on the sixteenth day and two dollars  
32 additional for each day thereafter, but not to exceed one hundred  
33 dollars. The director may by rule establish conditions under which the  
34 penalty will not be assessed when an application for transfer is  
35 delayed for reasons beyond the control of the purchaser. Conditions  
36 for not assessing the penalty may be established for but not limited to  
37 delays caused by:

38 (a) The department requesting additional supporting documents;

39 (b) Extended hospitalization or illness of the purchaser;

1 (c) Failure of a legal owner to release his or her interest;  
2 (d) Failure, negligence, or nonperformance of the department,  
3 auditor, or subagent.

4 Failure or neglect to make application to transfer the certificate  
5 of ownership and license registration within forty-five days after the  
6 date of delivery of the vehicle is a ~~((misdemeanor))~~ traffic  
7 infraction.

8 (7) Upon receipt of an application for reissue or replacement of a  
9 certificate of ownership and transfer of license registration,  
10 accompanied by the endorsed certificate of ownership or other  
11 documentary evidence as is deemed necessary, the department shall, if  
12 the application is in order and if all provisions relating to the  
13 certificate of ownership and license registration have been complied  
14 with, issue new certificates of title and license registration as in  
15 the case of an original issue and shall transmit the fees together with  
16 an itemized detailed report to the state treasurer, to be deposited in  
17 the motor vehicle fund.

18 (8) Once each quarter the department shall report to the department  
19 of revenue a list of those vehicles for which a seller's report has  
20 been received but no transfer of title has taken place.

21 **Sec. 6.** RCW 46.16.010 and 1991 c 163 s 1 are each amended to read  
22 as follows:

23 (1) ~~((It is unlawful for a))~~ No person ~~((to))~~ may operate any  
24 vehicle over and along a public highway of this state without first  
25 having obtained and having in full force and effect a current and  
26 proper vehicle license and display vehicle license number plates  
27 therefor as by this chapter provided. Failure to make initial  
28 registration before operation on the highways of this state ~~((is a~~  
29 ~~misdemeanor, and any person convicted thereof shall be punished by a~~  
30 ~~fine of no less than three hundred thirty dollars, no part of which may~~  
31 ~~be suspended or deferred.))~~, or failure to renew an expired  
32 registration before operation on the highways of this state is a  
33 traffic infraction.

34 (2) The licensing of a motor vehicle in another state by a resident  
35 of this state, as defined in RCW 46.16.028, with willful intent to  
36 evade the payment of any tax or license fee imposed in connection with  
37 registration, is a gross misdemeanor punishable as follows:

1 (a) For a first offense, up to one year in the county jail and a  
2 fine equal to twice the amount of delinquent taxes and fees, no part of  
3 which may be suspended or deferred;

4 (b) For a second or subsequent offense, up to one year in the  
5 county jail and a fine equal to three times the amount of delinquent  
6 taxes and fees, no part of which may be suspended or deferred.

7 (3) These provisions shall not apply to farm (~~vehicle[s]~~)  
8 vehicles as defined in RCW 46.04.181 if operated within a radius of  
9 fifteen miles of the farm where principally used or garaged, farm  
10 tractors and farm implements including trailers designed as cook or  
11 bunk houses used exclusively for animal herding temporarily operating  
12 or drawn upon the public highways, and trailers used exclusively to  
13 transport farm implements from one farm to another during the daylight  
14 hours or at night when such equipment has lights that comply with the  
15 law: PROVIDED FURTHER, That these provisions shall not apply to spray  
16 or fertilizer applicator rigs designed and used exclusively for  
17 spraying or fertilization in the conduct of agricultural operations and  
18 not primarily for the purpose of transportation, and nurse rigs or  
19 equipment auxiliary to the use of and designed or modified for the  
20 fueling, repairing or loading of spray and fertilizer applicator rigs  
21 and not used, designed or modified primarily for the purpose of  
22 transportation: PROVIDED FURTHER, That these provisions shall not  
23 apply to fork lifts operated during daylight hours on public highways  
24 adjacent to and within five hundred feet of the warehouses which they  
25 serve: PROVIDED FURTHER, That these provisions shall not apply to  
26 equipment defined as follows:

27 "Special highway construction equipment" is any vehicle which is  
28 designed and used primarily for grading of highways, paving of  
29 highways, earth moving, and other construction work on highways and  
30 which is not designed or used primarily for the transportation of  
31 persons or property on a public highway and which is only incidentally  
32 operated or moved over the highway. It includes, but is not limited  
33 to, road construction and maintenance machinery so designed and used  
34 such as portable air compressors, air drills, asphalt spreaders,  
35 bituminous mixers, bucket loaders, track laying tractors, ditchers,  
36 leveling graders, finishing machines, motor graders, paving mixers,  
37 road rollers, scarifiers, earth moving scrapers and carryalls, lighting  
38 plants, welders, pumps, power shovels and draglines, self-propelled and  
39 tractor-drawn earth moving equipment and machinery, including dump

1 trucks and tractor-dump trailer combinations which either (1) are in  
2 excess of the legal width or (2) which, because of their length, height  
3 or unladen weight, may not be moved on a public highway without the  
4 permit specified in RCW 46.44.090 and which are not operated laden  
5 except within the boundaries of the project limits as defined by the  
6 contract, and other similar types of construction equipment, or (3)  
7 which are driven or moved upon a public highway only for the purpose of  
8 crossing such highway from one property to another, provided such  
9 movement does not exceed five hundred feet and the vehicle is equipped  
10 with wheels or pads which will not damage the roadway surface.

11 Exclusions:

12 "Special highway construction equipment" does not include any of  
13 the following:

14 Dump trucks originally designed to comply with the legal size and  
15 weight provisions of this code notwithstanding any subsequent  
16 modification which would require a permit, as specified in RCW  
17 46.44.090, to operate such vehicles on a public highway, including  
18 trailers, truck-mounted transit mixers, cranes and shovels, or other  
19 vehicles designed for the transportation of persons or property to  
20 which machinery has been attached.

21 (4) The following vehicles, whether operated solo or in  
22 combination, are exempt from license registration and displaying  
23 license plates as required by this chapter:

24 (a) A converter gear used to convert a semitrailer into a trailer  
25 or a two-axle truck or tractor into a three or more axle truck or  
26 tractor or used in any other manner to increase the number of axles of  
27 a vehicle. Converter gear includes an auxiliary axle, booster axle,  
28 dolly, and jeep axle.

29 (b) A tow dolly that is used for towing a motor vehicle behind  
30 another motor vehicle. The front or rear wheels of the towed vehicle  
31 are secured to and rest on the tow dolly that is attached to the towing  
32 vehicle by a tow bar.

33 **Sec. 7.** RCW 46.16.011 and 1987 c 388 s 10 are each amended to read  
34 as follows:

35 (~~It is unlawful for any~~) No person in whose name a vehicle is  
36 registered may knowingly (~~to~~) permit another person to drive the  
37 vehicle when the other person is not authorized to do so under the laws

1 of this state. A violation of this section is a (~~misdemeanor~~)  
2 traffic infraction.

3 **Sec. 8.** RCW 46.16.381 and 1992 c 148 s 1 are each amended to read  
4 as follows:

5 (1) The director shall grant special parking privileges to any  
6 person who has a disability that limits or impairs the ability to walk  
7 and meets one of the following criteria, as determined by a licensed  
8 physician:

9 (a) Cannot walk two hundred feet without stopping to rest;

10 (b) Is severely limited in ability to walk due to arthritic,  
11 neurological, or orthopedic condition;

12 (c) Is so severely disabled, that the person cannot walk without  
13 the use of or assistance from a brace, cane, another person, prosthetic  
14 device, wheelchair, or other assistive device;

15 (d) Uses portable oxygen;

16 (e) Is restricted by lung disease to such an extent that forced  
17 expiratory respiratory volume, when measured by spirometry is less than  
18 one liter per second or the arterial oxygen tension is less than sixty  
19 mm/hg on room air at rest;

20 (f) Impairment by cardiovascular disease or cardiac condition to  
21 the extent that the person's functional limitations are classified as  
22 class III or IV under standards accepted by the American Heart  
23 Association; or

24 (g) Has a disability resulting from an acute sensitivity to  
25 automobile emissions which limits or impairs the ability to walk. The  
26 personal physician of the applicant shall document that the disability  
27 is comparable in severity to the others listed in this subsection.

28 (2) Persons who qualify for special parking privileges are entitled  
29 to receive from the department of licensing a removable windshield  
30 placard bearing the international symbol of access. The department  
31 shall design the placard to be displayed when the vehicle is parked by  
32 suspending it from the rearview mirror, or in the absence of a rearview  
33 mirror the card may be displayed on the dashboard of any vehicle used  
34 to transport the disabled person. Instead of regular motor vehicle  
35 license plates, disabled persons are entitled to receive special  
36 license plates bearing the international symbol of access for one  
37 vehicle registered in the disabled person's name. Disabled persons who  
38 are not issued the special license plates are entitled to receive a



1 second special placard. Persons who have been issued the parking  
2 privileges and who are using a vehicle or are riding in a vehicle  
3 displaying the special license plates or placard may park in places  
4 reserved for mobility disabled persons. The director shall adopt rules  
5 providing for the issuance of special placards and license plates to  
6 public transportation authorities, nursing homes licensed under chapter  
7 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, senior  
8 citizen centers, and private nonprofit agencies as defined in chapter  
9 24.03 RCW that regularly transport disabled persons who have been  
10 determined eligible for special parking privileges provided under this  
11 section. The director may issue special license plates for a vehicle  
12 registered in the name of the public transportation authority, nursing  
13 home, boarding homes, senior citizen center, or private nonprofit  
14 agency if the vehicle is primarily used to transport persons with  
15 disabilities described in this section. Public transportation  
16 authorities, nursing homes, boarding homes, senior citizen centers, and  
17 private nonprofit agencies are responsible for insuring that the  
18 special placards and license plates are not used improperly and are  
19 responsible for all fines and penalties for improper use.

20 (3) Whenever the disabled person transfers or assigns his or her  
21 interest in the vehicle, the special license plates shall be removed  
22 from the motor vehicle. If another vehicle is acquired by the disabled  
23 person and the vehicle owner qualifies for a special plate, the plate  
24 shall be attached to the vehicle, and the director shall be immediately  
25 notified of the transfer of the plate. If another vehicle is not  
26 acquired by the disabled person, the removed plate shall be immediately  
27 surrendered to the director.

28 (4) The special license plate shall be renewed in the same manner  
29 and at the time required for the renewal of regular motor vehicle  
30 license plates under this chapter. No special license plate may be  
31 issued to a person who is temporarily disabled. A person who has a  
32 condition expected to improve within six months may be issued a  
33 temporary placard for a period not to exceed six months. The director  
34 may issue a second temporary placard during that period if requested by  
35 the person who is temporarily disabled. If the condition exists after  
36 six months a new temporary placard shall be issued upon receipt of a  
37 new certification from the disabled person's physician. The parking  
38 placard of a disabled person shall be renewed, when required by the

1 director, by satisfactory proof of the right to continued use of the  
2 privileges.

3 (5) Additional fees shall not be charged for the issuance of the  
4 special placards. No additional fee may be charged for the issuance of  
5 the special license plates except the regular motor vehicle  
6 registration fee and any other fees and taxes required to be paid upon  
7 registration of a motor vehicle.

8 (6) Any unauthorized use of the special placard or the special  
9 license plate is a (~~misdemeanor~~) traffic infraction.

10 (7) It is a traffic infraction, with a monetary penalty of not less  
11 than fifteen and not more than fifty dollars for any person to park a  
12 vehicle in a parking place provided on private property without charge  
13 or on public property reserved for physically disabled persons without  
14 a special license plate or placard. If a person is charged with a  
15 violation, the person shall not be determined to have committed an  
16 infraction if the person produces in court or before the court  
17 appearance the special license plate or placard required under this  
18 section.

19 (8) It is a (~~misdemeanor~~) traffic infraction for any person to  
20 willfully obtain a special license plate or placard in a manner other  
21 than that established under this section.

22 **Sec. 9.** RCW 46.29.605 and 1981 c 309 s 6 are each amended to read  
23 as follows:

24 (1) Whenever the involvement in a motor vehicle accident in this  
25 state results in the driving privilege of a person being suspended for  
26 failure to pay a judgment or deposit security, the department shall  
27 suspend the Washington registration of the motor vehicle if the person  
28 driving at the time of the accident was also the registered owner of  
29 the motor vehicle.

30 (2) A notice of suspension shall be mailed by first class mail to  
31 the owner's last known address of record in the department and shall be  
32 effective notwithstanding the owner's failure to receive the notice.

33 (3) Upon suspension of the registration of a motor vehicle, the  
34 registered owner shall surrender all vehicle license plates registered  
35 to the vehicle. The department shall destroy the license plates and,  
36 upon reinstatement of the registration, shall issue new vehicle license  
37 plates as provided in RCW 46.16.270.

1 (4) Failure to surrender license plates under subsection (3) of  
2 this section is a (~~misdemeanor punishable by imprisonment for not less~~  
3 ~~than one day nor more than five days and by a fine of not less than~~  
4 ~~fifty dollars nor more than two hundred fifty dollars~~) traffic  
5 infraction.

6 (5) No vehicle license plates or certificate of ownership or  
7 registration for a motor vehicle may be issued and no vehicle license  
8 may be renewed during the time the registration of the motor vehicle is  
9 suspended.

10 (6) Any person who operates a vehicle in this state while the  
11 registration of the vehicle is suspended is guilty of a gross  
12 misdemeanor and upon conviction thereof shall be imprisoned for not  
13 less than two days nor more than five days and fined not less than one  
14 hundred dollars nor more than five hundred dollars.

15 **Sec. 10.** RCW 46.29.610 and 1990 c 250 s 54 are each amended to  
16 read as follows:

17 (1) Any person whose license shall have been suspended under any  
18 provision of this chapter, or whose policy of insurance or bond, when  
19 required under this chapter, shall have been canceled or terminated,  
20 shall immediately return the license to the department.

21 (2) (~~Any person willfully failing~~) A willful failure to return a  
22 license as required in subsection (1) of this section is (~~guilty of a~~  
23 ~~misdemeanor~~) a traffic infraction.

24 **Sec. 11.** RCW 46.61.015 and 1975 c 62 s 17 are each amended to read  
25 as follows:

26 (~~No person shall wilfully fail or refuse~~) Willful failure or  
27 refusal to comply with any lawful order or direction of any duly  
28 authorized flagman or any police officer or fire fighter invested by  
29 law with authority to direct, control, or regulate traffic is a traffic  
30 infraction.

31 **Sec. 12.** RCW 46.61.535 and 1979 ex.s. c 136 s 88 are each amended  
32 to read as follows:

33 It shall be unlawful for any manufacturer, dealer, distributor, or  
34 any person, firm, or corporation to publish or advertise or offer for  
35 publication or advertisement, or to consent or cause to be published or  
36 advertised, the time consumed or speed attained by a vehicle between

1 given points or over given or designated distances upon any public  
2 highways of this state when such published or advertised time consumed  
3 or speed attained shall indicate an average rate of speed between given  
4 points or over a given or designated distance in excess of the maximum  
5 rate of speed allowed between such points or at a rate of speed which  
6 would constitute reckless driving between such points. Violation of  
7 any of the provisions of this section (~~shall be prima facie evidence~~  
8 ~~of reckless driving and shall subject such person, firm, or corporation~~  
9 ~~to the penalties in such cases provided~~) is a traffic infraction.

10 **Sec. 13.** RCW 46.63.020 and 1992 c 32 s 4 are each amended to read  
11 as follows:

12 Failure to perform any act required or the performance of any act  
13 prohibited by this title or an equivalent administrative regulation or  
14 local law, ordinance, regulation, or resolution relating to traffic  
15 including parking, standing, stopping, and pedestrian offenses, is  
16 designated as a traffic infraction and may not be classified as a  
17 criminal offense, except for an offense contained in the following  
18 provisions of this title or a violation of an equivalent administrative  
19 regulation or local law, ordinance, regulation, or resolution:

20 (1) RCW 46.09.120(2) relating to the operation of a nonhighway  
21 vehicle while under the influence of intoxicating liquor or a  
22 controlled substance;

23 (2) RCW 46.09.130 relating to operation of nonhighway vehicles;

24 (3) RCW 46.10.090(2) relating to the operation of a snowmobile  
25 while under the influence of intoxicating liquor or narcotics or habit-  
26 forming drugs or in a manner endangering the person of another;

27 (4) RCW 46.10.130 relating to the operation of snowmobiles;

28 (5) Chapter 46.12 RCW relating to certificates of ownership and  
29 registration;

30 (6) RCW 46.16.010 relating to initial registration of motor  
31 vehicles;

32 (~~(7) ((RCW 46.16.011 relating to permitting unauthorized persons to~~  
33 ~~drive;~~

34 ~~(8))~~) RCW 46.16.160 relating to vehicle trip permits;

35 (~~((9) RCW 46.16.381 (6) or (8) relating to unauthorized use or~~  
36 ~~acquisition of a special placard or license plate for disabled persons'~~  
37 ~~parking;~~

1       ~~(10)~~) (8) RCW 46.20.021 relating to driving without a valid  
2 driver's license;  
3       ~~((11))~~) (9) RCW 46.20.336 relating to the unlawful possession and  
4 use of a driver's license;  
5       ~~((12))~~) (10) RCW 46.20.342 relating to driving with a suspended or  
6 revoked license or status;  
7       ~~((13))~~) (11) RCW 46.20.410 relating to the violation of  
8 restrictions of an occupational driver's license;  
9       ~~((14))~~) (12) RCW 46.20.420 relating to the operation of a motor  
10 vehicle with a suspended or revoked license;  
11       ~~((15))~~) (13) RCW 46.20.750 relating to assisting another person to  
12 start a vehicle equipped with an ignition interlock device;  
13       ~~((16))~~) (14) RCW 46.25.170 relating to commercial driver's  
14 licenses;  
15       ~~((17))~~) (15) Chapter 46.29 RCW relating to financial  
16 responsibility;  
17       ~~((18))~~) (16) RCW 46.30.040 relating to providing false evidence of  
18 financial responsibility;  
19       ~~((19))~~) (17) RCW 46.37.435 relating to wrongful installation of  
20 sunscreening material;  
21       ~~((20))~~) (18) RCW 46.44.180 relating to operation of mobile home  
22 pilot vehicles;  
23       ~~((21))~~) (19) RCW 46.48.175 relating to the transportation of  
24 dangerous articles;  
25       ~~((22))~~) (20) RCW 46.52.010 relating to duty on striking an  
26 unattended car or other property;  
27       ~~((23))~~) (21) RCW 46.52.020 relating to duty in case of injury to  
28 or death of a person or damage to an attended vehicle;  
29       ~~((24))~~) (22) RCW 46.52.090 relating to reports by repairmen,  
30 storagemen, and appraisers;  
31       ~~((25))~~) (23) RCW 46.52.100 relating to driving under the influence  
32 of liquor or drugs;  
33       ~~((26))~~) (24) RCW 46.52.130 relating to confidentiality of the  
34 driving record to be furnished to an insurance company, an employer,  
35 and an alcohol/drug assessment or treatment agency;  
36       ~~((27))~~) (25) RCW 46.55.020 relating to engaging in the activities  
37 of a registered tow truck operator without a registration certificate;  
38       ~~((28))~~) (26) RCW 46.55.035 relating to prohibited practices by tow  
39 truck operators;

1        ~~((29)) RCW 46.61.015 relating to obedience to police officers,~~  
2 ~~flagmen, or fire fighters;~~  
3        ~~(30))~~ (27) RCW 46.61.020 relating to refusal to give information  
4 to or cooperate with an officer;  
5        ~~((31))~~ (28) RCW 46.61.022 relating to failure to stop and give  
6 identification to an officer;  
7        ~~((32))~~ (29) RCW 46.61.024 relating to attempting to elude  
8 pursuing police vehicles;  
9        ~~((33))~~ (30) RCW 46.61.500 relating to reckless driving;  
10       ~~((34))~~ (31) RCW 46.61.502 and 46.61.504 relating to persons under  
11 the influence of intoxicating liquor or drugs;  
12       ~~((35))~~ (32) RCW 46.61.520 relating to vehicular homicide by motor  
13 vehicle;  
14       ~~((36))~~ (33) RCW 46.61.522 relating to vehicular assault;  
15       ~~((37))~~ (34) RCW 46.61.525 relating to negligent driving;  
16       ~~((38))~~ (35) RCW 46.61.530 relating to racing of vehicles on  
17 highways;  
18       ~~((39))~~ (36) RCW 46.61.685 relating to leaving children in an  
19 unattended vehicle with the motor running;  
20       ~~((40))~~ (37) RCW 46.64.010 relating to unlawful cancellation of or  
21 attempt to cancel a traffic citation;  
22       ~~((41))~~ (38) RCW 46.64.020 relating to nonappearance after a  
23 written promise;  
24       ~~((42))~~ (39) RCW 46.64.027 relating to failure to comply;  
25       ~~((43))~~ (40) RCW 46.64.048 relating to attempting, aiding,  
26 abetting, coercing, and committing crimes;  
27       ~~((44))~~ (41) Chapter 46.65 RCW relating to habitual traffic  
28 offenders;  
29       ~~((45))~~ (42) Chapter 46.70 RCW relating to unfair motor vehicle  
30 business practices(~~(, except where that chapter provides for the~~  
31 ~~assessment of monetary penalties of a civil nature))~~);  
32       ~~((46))~~ (43) Chapter 46.72 RCW relating to the transportation of  
33 passengers in for hire vehicles;  
34       ~~((47))~~ (44) Chapter 46.80 RCW relating to motor vehicle wreckers;  
35       ~~((48))~~ (45) Chapter 46.82 RCW relating to driver's training  
36 schools;  
37       ~~((49))~~ (46) RCW 46.87.260 relating to alteration or forgery of a  
38 cab card, letter of authority, or other temporary authority issued  
39 under chapter 46.87 RCW(~~(†~~

1       ~~(50) RCW 46.87.290 relating to operation of an unregistered or~~  
2 ~~unlicensed vehicle under chapter 46.87 RCW~~)).

3       **Sec. 14.** RCW 46.70.090 and 1992 c 222 s 2 are each amended to read  
4 as follows:

5       (1) The department shall issue a vehicle dealer license plate which  
6 shall be attached to the rear of the vehicle only and which is capable  
7 of distinguishing the classification of the dealer, to vehicle dealers  
8 properly licensed pursuant to this chapter and shall, upon application,  
9 issue manufacturer's license plates to manufacturers properly licensed  
10 pursuant to this chapter.

11       (2) The department shall issue to a vehicle dealer up to three  
12 vehicle dealer license plates. After the third dealer plate is issued,  
13 the department shall limit the number of dealer plates to six percent  
14 of the vehicles sold during the preceding license period. For an  
15 original license the vehicle dealer license applicant shall estimate  
16 the first year's sales. The director or director's designee may waive  
17 these dealer plate issuance restrictions for a vehicle dealer if the  
18 waiver both serves the purposes of this chapter and is essential to the  
19 continuation of the business. The director shall adopt rules to  
20 implement this waiver.

21       (3) Motor vehicle dealer license plates may be used:

22       (a) To demonstrate motor vehicles held for sale when operated by an  
23 individual holding a valid operator's license, if a dated demonstration  
24 permit, valid for no more than seventy-two hours, is carried in the  
25 vehicle at all times it is operated by any such individual.

26       (b) On motor vehicles owned, held for sale, and which are in fact  
27 available for sale by the firm when operated by an officer of the  
28 corporation, partnership, or proprietorship or by their spouses, or by  
29 a bona fide full-time employee of the firm, if a card so identifying  
30 any such individual is carried in the vehicle at all times it is  
31 operated by such individual. Any such vehicle so operated may be used  
32 to transport the dealer's own tools, parts, and equipment of a total  
33 weight not to exceed five hundred pounds.

34       (c) On motor vehicles being tested for repair.

35       (d) On motor vehicles being moved to or from a motor vehicle  
36 dealer's place of business for sale.

37       (e) On motor vehicles being moved to or from motor vehicle service  
38 and repair facilities before sale.

1 (f) On motor vehicles being moved to or from motor vehicle  
2 exhibitions within the state of Washington, if any such exhibition does  
3 not exceed a period of twenty days.

4 (4) Mobile home and travel trailer dealer license plates may be  
5 used:

6 (a) On units hauled to or from the place of business of the  
7 manufacturer and the place of business of the dealer or to and from  
8 places of business of the dealer.

9 (b) On mobile homes hauled to a customer's location for set-up  
10 after sale.

11 (c) On travel trailers held for sale to demonstrate the towing  
12 capability of the vehicle if a dated demonstration permit, valid for  
13 not more than seventy-two hours, is carried with the vehicle at all  
14 times.

15 (d) On mobile homes being hauled from a customer's location if the  
16 requirements of RCW 46.44.170 and 46.44.175 are met.

17 (e) On any motor vehicle owned by the dealer which is used only to  
18 move vehicles legally bearing mobile home and travel trailer dealer  
19 license plates of the dealer so owning any such motor vehicle.

20 (f) On vehicles being moved to or from vehicle exhibitions within  
21 the state of Washington, if any such exhibition does not exceed a  
22 period of twenty days.

23 (5) Miscellaneous vehicle dealer license plates may be used:

24 (a) To demonstrate any miscellaneous vehicle: PROVIDED, That:

25 (i) No such vehicle may be demonstrated on a public highway unless  
26 the customer has an appropriate endorsement on his or her driver's  
27 license, if such endorsement is required to operate such vehicle; and

28 (ii) A dated demonstration permit, valid for no more than seventy-  
29 two hours, is carried with the vehicle at all times it is operated by  
30 any such individual.

31 (b) On vehicles owned, held for sale, and which are in fact  
32 available for sale, by the firm when operated by an officer of the  
33 corporation, partnership, or proprietorship or by a bona fide full-time  
34 employee of the firm, if a card so identifying such individual is  
35 carried in the vehicle at all times it is operated by him or her.

36 (c) On vehicles being tested for repair.

37 (d) On vehicles being transported to or from the place of business  
38 of the manufacturer and the place of business of the dealer or to and  
39 from places of business of the dealer.



1 (e) On vehicles on which any other item sold or to be sold by the  
2 dealer is transported from the place of business of the manufacturer to  
3 the place of business of the dealer or to and from places of business  
4 of the dealer if such vehicle and such item are purchased or sold as  
5 one package.

6 (6) Manufacturers properly licensed pursuant to this chapter may  
7 apply for and obtain manufacturer license plates and may be used:

8 (a) On vehicles being moved to or from the place of business of a  
9 manufacturer to a vehicle dealer within this state who is properly  
10 licensed pursuant to this chapter.

11 (b) To test vehicles for repair.

12 (7) Vehicle dealer license plates and manufacturer license plates  
13 shall not be used for any purpose other than set forth in this section  
14 and specifically shall not be:

15 (a) Used on any vehicle not within the class for which the vehicle  
16 dealer or manufacturer license plates are issued unless specifically  
17 provided for in this section.

18 (b) Loaned to any person for any reason not specifically provided  
19 for in this section.

20 (c) Used on any vehicles for the transportation of any person,  
21 produce, freight, or commodities unless specifically provided for in  
22 this section, except there shall be permitted the use of such vehicle  
23 dealer license plates on a vehicle transporting commodities in the  
24 course of a demonstration over a period not to exceed seventy-two  
25 consecutive hours from the commencement of such demonstration, if a  
26 representative of the dealer is present and accompanies such vehicle  
27 during the course of the demonstration.

28 (d) Used on any vehicle sold to a resident of another state to  
29 transport such vehicle to that other state in lieu of a trip permit or  
30 in lieu of vehicle license plates obtained from that other state.

31 (e) Used on any new vehicle unless the vehicle dealer has provided  
32 the department a current service agreement with the manufacturer or  
33 distributor of that vehicle as provided in RCW 46.70.041(1)(k).

34 (8) A violation of this section is a traffic infraction. In  
35 addition to or in lieu of any sanction imposed by the director pursuant  
36 to RCW 46.70.101 for unauthorized use of vehicle dealer license plates  
37 or manufacturer license plates, the director may order that any or all  
38 vehicle dealer license plates or manufacturer license plates issued

1 pursuant to this chapter be confiscated for such period as he or she  
2 deems appropriate.

3 **Sec. 15.** RCW 46.70.125 and 1986 c 165 s 1 are each amended to read  
4 as follows:

5 A vehicle dealer who sells used vehicles shall either display on  
6 the vehicle, or disclose upon request, the written asking price of a  
7 specific vehicle offered for sale by the dealer as of that time.

8 A violation of this section is a traffic infraction and is an  
9 unfair business practice under chapter 19.86 RCW, the Consumer  
10 Protection Act, and the provisions of chapter 46.70 RCW.

11 **Sec. 16.** RCW 46.70.140 and 1973 1st ex.s. c 132 s 17 are each  
12 amended to read as follows:

13 ~~((Any))~~ No vehicle dealer ~~((who shall))~~ may knowingly or with  
14 reason to know, buy or receive, sell or dispose of, conceal or have in  
15 his or her possession, any vehicle from which the motor or serial  
16 number has been removed, defaced, covered, altered, or destroyed, ~~((or~~  
17 ~~any))~~ and no vehicle dealer~~((, who shall))~~ may remove from or install  
18 in any motor vehicle a new or used motor block without immediately  
19 notifying the department of such fact upon a form provided by the  
20 department, ~~((or any))~~ and no vehicle dealer ~~((who shall))~~ may loan or  
21 permit the use of vehicle dealer license plates by any person not  
22 entitled to the use thereof~~((, shall be guilty of a gross~~  
23 ~~misdemeanor))~~. A violation of this section is a traffic infraction.

24 **Sec. 17.** RCW 46.87.290 and 1987 c 244 s 42 are each amended to  
25 read as follows:

26 If the director or the director's designee determines at any time  
27 that an applicant for proportional registration of a vehicle or a fleet  
28 of vehicles is not entitled to a cab card for a vehicle or fleet of  
29 vehicles, the director may refuse to issue the cab card(s) or to  
30 license the vehicle or fleet of vehicles and may for like reason, after  
31 notice, and in the exercise of discretion, cancel the cab card(s) and  
32 license plate(s) already issued. The notice shall be served personally  
33 or sent by certified mail (registered mail for Canadian addresses),  
34 return receipt requested. If sent by mail, service is deemed to have  
35 been accomplished on the date the notice was deposited in the United  
36 States mail, postage prepaid, addressed to the owner of the vehicle in

1 question at the owner's address as it appears in the proportional  
2 registration records of the department. It is then unlawful for any  
3 person to remove, drive, or operate the vehicle(s) until a proper  
4 certificate(s) of registration or cab card(s) has been issued. Any  
5 person removing, driving, or operating the vehicle(s) after the refusal  
6 of the director or the director's designee to issue a cab card(s),  
7 certificate(s) of registration, license plate(s), or the revocation  
8 thereof is guilty of a (~~gross misdemeanor~~) traffic infraction. At  
9 the discretion of the director or the director's designee, a vehicle  
10 that has been moved, driven, or operated in violation of this section  
11 may be impounded by the Washington state patrol, county sheriff, or  
12 city police in a manner directed for such cases by the chief of the  
13 Washington state patrol until proper registration and license plate  
14 have been issued.

15 **Sec. 18.** RCW 47.52.120 and 1987 c 330 s 748 are each amended to  
16 read as follows:

17 After the opening of any limited access highway facility, (~~it~~  
18 ~~shall be unlawful for any~~) no person may (1) (~~to~~) drive a vehicle  
19 over, upon, or across any curb, central dividing section, or other  
20 separation or dividing line on limited access facilities; (2) (~~to~~)  
21 make a left turn or semicircular or U-turn except through an opening  
22 provided for that purpose in the dividing curb section, separation, or  
23 line; (3) (~~to~~) drive any vehicle except in the proper lane provided  
24 for that purpose and in the proper direction and to the right of the  
25 central dividing curb, separation section, or line; (4) (~~to~~) drive  
26 any vehicle into the limited access facility from a local service road  
27 except through an opening provided for that purpose in the dividing  
28 curb, dividing section, or dividing line which separates such service  
29 road from the limited access facility proper; (5) (~~to~~) stop or park  
30 any vehicle or equipment within the right of way of such facility,  
31 including the shoulders thereof, except at points specially provided  
32 therefor, and to make only such use of such specially provided stopping  
33 or parking points as is permitted by the designation thereof:  
34 PROVIDED, That this subsection shall not apply to authorized emergency  
35 vehicles, law enforcement vehicles, assistance vans, or to vehicles  
36 stopped for emergency causes or equipment failures; (6) (~~to~~) travel  
37 to or from such facility at any point other than a point designated by  
38 the establishing authority as an approach to the facility or to use an

1 approach to such facility for any use in excess of that specified by  
2 the establishing authority. For the purposes of this section, an  
3 assistance van is a vehicle rendering aid free of charge to vehicles  
4 with equipment or fuel problems. The state patrol shall establish by  
5 rule additional standards and operating procedures, as needed, for  
6 assistance vans.

7 ~~((Any person who violates any of the provisions of this section is  
8 guilty of a misdemeanor and upon arrest and conviction therefor shall  
9 be punished by a fine of not less than five dollars nor more than one  
10 hundred dollars, or by imprisonment in the city or county jail for not  
11 less than five days nor more than ninety days, or by both fine and  
12 imprisonment.))~~ A violation of this section is a class 2 infraction  
13 under chapter 7.80 RCW. Nothing contained in this section prevents the  
14 highway authority from proceeding to enforce the prohibitions or  
15 limitations of access to such facilities by injunction or as otherwise  
16 provided by law.

17 **Sec. 19.** RCW 47.68.230 and 1987 c 220 s 1 are each amended to read  
18 as follows:

19 ~~((It shall be unlawful for any))~~ No person ~~((to))~~ may operate or  
20 cause or authorize to be operated any civil aircraft within this state  
21 unless such aircraft has an appropriate effective certificate, permit  
22 or license issued by the United States, if such certificate, permit or  
23 license is required by the United States, and a current registration  
24 certificate issued by the secretary of transportation, if registration  
25 of the aircraft with the department of transportation is required by  
26 this chapter. ~~((It shall be unlawful for any))~~ No person ~~((to))~~ may  
27 engage in aeronautics as an airman in the state unless he or she has an  
28 appropriate effective airman certificate, permit, rating or license  
29 issued by the United States authorizing him or her to engage in the  
30 particular class of aeronautics in which he or she is engaged, if such  
31 certificate, permit, rating or license is required by the United States  
32 and a current airman's registration certificate issued by the  
33 department of transportation as required by RCW 47.68.233.

34 Where a certificate, permit, rating or license is required for an  
35 airman by the United States or by RCW 47.68.233, it shall be kept in  
36 his or her personal possession when he or she is operating within the  
37 state. Where a certificate, permit or license is required by the  
38 United States or by this chapter for an aircraft, it shall be carried

1 in the aircraft at all times while the aircraft is operating in the  
2 state and shall be conspicuously posted in the aircraft where it may be  
3 readily seen by passengers or inspectors. Such certificates shall be  
4 presented for inspection upon the demand of any peace officer, or any  
5 other officer of the state or of a municipality or member, official or  
6 employee of the department of transportation authorized pursuant to  
7 this chapter to enforce the aeronautics laws, or any official, manager  
8 or person in charge of any airport, or upon the reasonable request of  
9 any person.

10 A violation of this section is a class 2 infraction under chapter  
11 7.80 RCW.

12 **Sec. 20.** RCW 47.68.250 and 1987 c 220 s 3 are each amended to read  
13 as follows:

14 Every aircraft shall be registered with the department for each  
15 calendar year in which the aircraft is operated within this state. A  
16 fee of four dollars shall be charged for each such registration and  
17 each annual renewal thereof.

18 Possession of the appropriate effective federal certificate,  
19 permit, rating, or license relating to ownership and airworthiness of  
20 the aircraft, and payment of the excise tax imposed by Title 82 RCW for  
21 the privilege of using the aircraft within this state during the year  
22 for which the registration is sought, and payment of the registration  
23 fee required by this section shall be the only requisites for  
24 registration of an aircraft under this section.

25 The registration fee imposed by this section shall be payable to  
26 and collected by the secretary. The fee for any calendar year must be  
27 paid during the month of January, and shall be collected by the  
28 secretary at the time of the collection by him or her of the said  
29 excise tax. If the secretary is satisfied that the requirements for  
30 registration of the aircraft have been met, he or she shall thereupon  
31 issue to the owner of the aircraft a certificate of registration  
32 therefor. The secretary shall pay to the state treasurer the  
33 registration fees collected under this section, which registration fees  
34 shall be credited to the aeronautics account in the general fund.

35 It shall not be necessary for the registrant to provide the  
36 secretary with originals or copies of federal certificates, permits,  
37 ratings, or licenses. The secretary shall issue certificates of  
38 registration, or such other evidences of registration or payment of

1 fees as he or she may deem proper; and in connection therewith may  
2 prescribe requirements for the possession and exhibition of such  
3 certificates or other evidences.

4 The provisions of this section shall not apply to:

5 (1) An aircraft owned by and used exclusively in the service of any  
6 government or any political subdivision thereof, including the  
7 government of the United States, any state, territory, or possession of  
8 the United States, or the District of Columbia, which is not engaged in  
9 carrying persons or property for commercial purposes;

10 (2) An aircraft registered under the laws of a foreign country;

11 (3) An aircraft which is owned by a nonresident and registered in  
12 another state: PROVIDED, That if said aircraft shall remain in and/or  
13 be based in this state for a period of ninety days or longer it shall  
14 not be exempt under this section;

15 (4) An aircraft engaged principally in commercial flying  
16 constituting an act of interstate or foreign commerce;

17 (5) An aircraft owned by the manufacturer thereof while being  
18 operated for test or experimental purposes, or for the purpose of  
19 training crews for purchasers of the aircraft;

20 (6) An aircraft being held for sale, exchange, delivery, test, or  
21 demonstration purposes solely as stock in trade of an aircraft dealer  
22 licensed under Title 14 RCW.

23 The secretary shall be notified within one week of any change in  
24 ownership of a registered aircraft. The notification shall contain the  
25 N, NC, NR, NL, or NX number of the aircraft, the full name and address  
26 of the former owner, and the full name and address of the new owner.  
27 For failure to so notify the secretary, the registration of that  
28 aircraft may be canceled by the secretary, subject to reinstatement  
29 upon application and payment of a reinstatement fee of ten dollars by  
30 the new owner.

31 Notwithstanding RCW 47.68.240, a violation of this section is a  
32 class 2 infraction under chapter 7.80 RCW.

33 **Sec. 21.** RCW 66.20.200 and 1987 c 101 s 4 are each amended to read  
34 as follows:

35 ~~((It shall be unlawful for the))~~ No owner of a card of  
36 identification ~~((to))~~ may transfer the card to any other person for the  
37 purpose of aiding such person to procure alcoholic beverages from any  
38 licensee or store employee. ~~((Any))~~ No person ~~((who shall))~~ may permit

1 his or her card of identification to be used by another or transfer  
2 such card to another for the purpose of aiding such transferee to  
3 obtain alcoholic beverages from a licensee or store employee(~~(, shall~~  
4 ~~be guilty of a misdemeanor punishable as provided by RCW 9A.20.021,~~  
5 ~~except that a minimum fine of two hundred fifty dollars shall be~~  
6 ~~imposed and any sentence requiring community service shall require not~~  
7 ~~fewer than twenty five hours of such service)). ((Any)) No person who  
8 is not entitled thereto (~~(who unlawfully procures or has)~~) may procure  
9 or have issued or transferred to him or her a card of identification,  
10 and ((any)) no person (~~(who possesses)~~) may possess a card of  
11 identification not issued to him(~~(, and any person who makes)~~) or her  
12 or make any false statement on any certification card required by RCW  
13 66.20.190(~~(, as now or hereafter amended,)~~) to be signed by him(~~(,~~  
14 ~~shall be guilty of a misdemeanor punishable as provided by RCW~~  
15 ~~9A.20.021, except that a minimum fine of two hundred fifty dollars~~  
16 ~~shall be imposed and any sentence requiring community service shall~~  
17 ~~require not fewer than twenty five hours of such service)) or her. A  
18 violation of this section is a class 2 infraction under chapter 7.80  
19 RCW.~~~~

20 **Sec. 22.** RCW 66.28.090 and 1981 1st ex.s. c 5 s 20 are each  
21 amended to read as follows:

22 (1) All licensed premises used in the manufacture, storage, or sale  
23 of liquor, or any premises or parts of premises used or in any way  
24 connected, physically or otherwise, with the licensed business, and/or  
25 any premises where a banquet permit has been granted, shall at all  
26 times be open to inspection by any liquor enforcement officer,  
27 inspector or peace officer.

28 (2) ((Every)) No person, being on any such premises and having  
29 charge thereof, (~~(who refuses or fails)~~) may refuse or fail to admit a  
30 liquor enforcement officer, inspector or peace officer demanding to  
31 enter therein in pursuance of this section in the execution of his/her  
32 duty, or ((who)) obstruct((s)) or attempt((s)) to obstruct the entry of  
33 such liquor enforcement officer, inspector or officer of the peace, or  
34 ((who)) refuse((s)) to allow a liquor enforcement officer, and/or an  
35 inspector to examine the books of the licensee, or ((who)) refuse((s))  
36 or neglect((s)) to make any return required by this title or the  
37 regulations(~~(, shall be guilty of a violation of this title)). A~~

1 violation of this section is a class 2 infraction under chapter 7.80  
2 RCW.

3 **Sec. 23.** RCW 66.44.100 and 1981 1st ex.s. c 5 s 21 are each  
4 amended to read as follows:

5 Except as permitted by this title, no person shall open the package  
6 containing liquor or consume liquor in a public place. (~~Every person~~  
7 ~~who violates any provision of this section shall be guilty of a~~  
8 ~~misdemeanor, and on conviction therefor shall be fined not more than~~  
9 ~~one hundred dollars.)) A violation of this section is a class 2  
10 infraction under chapter 7.80 RCW.~~

11 **Sec. 24.** RCW 66.44.250 and 1983 c 165 s 30 are each amended to  
12 read as follows:

13 (~~Every~~) No person (~~who drinks~~) may drink any intoxicating  
14 liquor in any public conveyance, except in a compartment or place where  
15 sold or served under the authority of a license lawfully issued(~~, is~~  
16 ~~guilty of a misdemeanor~~). A violation of this section is a class 2  
17 infraction under chapter 7.80 RCW. With respect to a public conveyance  
18 that is commercially chartered for group use and with respect to a for-  
19 hire vehicle licensed under city, county, or state law, this section  
20 applies only to the driver of the vehicle.

21 **Sec. 25.** RCW 66.44.291 and 1987 c 101 s 1 are each amended to read  
22 as follows:

23 (~~Every person between the ages of eighteen and twenty, inclusive,~~  
24 ~~who is convicted of~~) A violation of RCW 66.44.290 (~~is guilty of a~~  
25 ~~misdemeanor punishable as provided by RCW 9A.20.021, except that a~~  
26 ~~minimum fine of two hundred fifty dollars shall be imposed and any~~  
27 ~~sentence requiring community service shall require not fewer than~~  
28 ~~twenty-five hours of such service~~) by a person age eighteen or older  
29 and under twenty-one is a class 2 infraction under chapter 7.80 RCW.

30 **Sec. 26.** RCW 66.44.310 and 1981 1st ex.s. c 5 s 24 are each  
31 amended to read as follows:

32 (1) Except as otherwise provided by RCW 66.44.316 and 66.44.350, it  
33 (~~shall be a misdemeanor~~) is a class 2 infraction under chapter 7.80  
34 RCW:



1 (a) To serve or allow to remain on the premises of any tavern, or  
2 cocktail lounge portion of any class H licensed premises, any person  
3 under the age of twenty-one years;

4 (b) For any person under the age of twenty-one years to enter or  
5 remain on the premises of any tavern, or cocktail lounge portion of any  
6 public class H licensed premises;

7 (c) For any person under the age of twenty-one years to represent  
8 his or her age as being twenty-one or more years for the purpose of  
9 securing admission to, or remaining on the premises of, any tavern or  
10 cocktail lounge portion of any class H licensed premises.

11 (2) The Washington state liquor control board shall have the power  
12 and it shall be its duty to classify the various licensees, as taverns  
13 or otherwise, within the meaning of this title, except bona fide  
14 restaurants, dining rooms and cafes serving commercial food to the  
15 public shall not be classified as taverns during the hours such food  
16 service is made available to the public.

17 **Sec. 27.** RCW 69.50.412 and 1981 c 48 s 2 are each amended to read  
18 as follows:

19 (1) ~~((It is unlawful for any))~~ No person ~~((to))~~ may use drug  
20 paraphernalia to plant, propagate, cultivate, grow, harvest,  
21 manufacture, compound, convert, produce, process, prepare, test,  
22 analyze, pack, repack, store, contain, conceal, inject, ingest, inhale,  
23 or otherwise introduce into the human body a controlled substance.  
24 ~~((Any person who violates this subsection is guilty of a misdemeanor.))~~  
25 A violation of this subsection is a class 2 infraction under chapter  
26 7.80 RCW.

27 (2) ~~((It is unlawful for any))~~ No person ~~((to))~~ may deliver,  
28 possess with intent to deliver, or manufacture with intent to deliver  
29 drug paraphernalia, knowing, or under circumstances where one  
30 reasonably should know, that it will be used to plant, propagate,  
31 cultivate, grow, harvest, manufacture, compound, convert, produce,  
32 process, prepare, test, analyze, pack, repack, store, contain, conceal,  
33 inject, ingest, inhale, or otherwise introduce into the human body a  
34 controlled substance. ~~((Any person who violates this subsection is~~  
35 ~~guilty of a misdemeanor.))~~ A violation of this subsection is a class 2  
36 infraction under chapter 7.80 RCW.

37 (3) ~~((Any))~~ A violation of subsection (2) of this section by a  
38 person eighteen years of age or over who ~~((violates subsection (2) of~~

1 ~~this section by delivering~~) delivers drug paraphernalia to a person  
2 under eighteen years of age who is at least three years his or her  
3 junior is (~~guilty of a gross misdemeanor~~) a class 1 infraction under  
4 chapter 7.80 RCW.

5 (4) (~~It is unlawful for any~~) No person (~~to~~) may place in any  
6 newspaper, magazine, handbill, or other publication any advertisement,  
7 knowing, or under circumstances where one reasonably should know, that  
8 the purpose of the advertisement, in whole or in part, is to promote  
9 the sale of objects designed or intended for use as drug paraphernalia.  
10 (~~Any person who violates this subsection is guilty of a misdemeanor.~~)  
11 A violation of this subsection is a class 2 infraction under chapter  
12 7.80 RCW.

13 **Sec. 28.** RCW 70.93.060 and 1983 c 277 s 1 are each amended to read  
14 as follows:

15 No person shall throw, drop, deposit, discard, or otherwise dispose  
16 of litter upon any public property in the state or upon private  
17 property in this state not owned by him or her or in the waters of this  
18 state whether from a vehicle or otherwise including but not limited to  
19 any public highway, public park, beach, campground, forest land,  
20 recreational area, trailer park, highway, road, street, or alley  
21 except:

22 (1) When such property is designated by the state or by any of its  
23 agencies or political subdivisions for the disposal of garbage and  
24 refuse, and such person is authorized to use such property for such  
25 purpose;

26 (2) Into a litter receptacle in such a manner that the litter will  
27 be prevented from being carried away or deposited by the elements upon  
28 any part of said private or public property or waters.

29 (~~Any person violating the provisions of this section shall be~~  
30 ~~guilty of a misdemeanor and the fine for such violation shall not be~~  
31 ~~less than fifty dollars for each offense. In addition thereto, except~~  
32 ~~where infirmity or age or other circumstance would create a hardship,~~  
33 ~~such person shall be directed by the court in which conviction is~~  
34 ~~obtained to pick up and remove litter from public property and/or~~  
35 ~~private property, with prior permission of the legal owner, for not~~  
36 ~~less than eight hours nor more than sixteen hours for each separate~~  
37 ~~offense. The court shall schedule the time to be spent on such~~  
38 ~~activities in such a manner that it does not interfere with the~~

1 ~~person's employment and does not interfere substantially with the~~  
2 ~~person's family responsibilities.))~~ A violation of this section is a  
3 class 2 infraction under chapter 7.80 RCW.

4 **Sec. 29.** RCW 81.80.070 and 1963 c 242 s 1 are each amended to read  
5 as follows:

6 No "common carrier," "contract carrier," or "temporary carrier"  
7 shall operate for the transportation of property for compensation in  
8 this state without first obtaining from the commission a permit so to  
9 do. A violation of this provision is a class 2 infraction under  
10 chapter 7.80 RCW. Permits heretofore issued or hereafter issued to any  
11 carrier, shall be exercised by said carrier to the fullest extent so as  
12 to render reasonable service to the public. Applications for common or  
13 contract carrier permits or extensions thereof shall be on file for a  
14 period of at least thirty days prior to the granting thereof unless the  
15 commission finds that special conditions require the earlier granting  
16 thereof.

17 A permit or extension thereof shall be issued to any qualified  
18 applicant therefor, authorizing the whole or any part of the operations  
19 covered by the application, if it is found that the applicant is fit,  
20 willing, and able properly to perform the services proposed and conform  
21 to the provisions of this chapter and the requirements, rules and  
22 regulations of the commission thereunder, and that such operations will  
23 be consistent with the public interest, and, in the case of common  
24 carriers, that the same are or will be required by the present or  
25 future public convenience and necessity, otherwise such application  
26 shall be denied.

27 Nothing contained in this chapter shall be construed to confer upon  
28 any person or persons the exclusive right or privilege of transporting  
29 property for compensation over the public highways of the state.

30 **Sec. 30.** RCW 81.80.371 and 1963 c 59 s 9 are each amended to read  
31 as follows:

32 ~~((It shall be unlawful for any))~~ No carrier ~~((to))~~ may perform a  
33 transportation service for compensation upon the public highways of  
34 this state without first having secured appropriate authority from the  
35 Interstate Commerce Commission, if such authority is required, and  
36 without first having registered such authority, if any, with the  
37 commission.

1       (~~It shall also be unlawful for a~~) No carrier (~~to~~) may perform  
2 a transportation service for compensation on the public highways of  
3 this state as an interstate carrier of commodities included in the  
4 exemptions provided in section 203(b) of the Interstate Commerce Act  
5 without having first registered as such a carrier with the commission.

6       Such registration shall be granted upon application, without  
7 hearing, upon payment of the appropriate filing fee prescribed by this  
8 chapter for other applications for operating authority.

9       A violation of this section is a class 2 infraction under chapter  
10 7.80 RCW.

11       **Sec. 31.** RCW 88.02.020 and 1985 c 267 s 1 are each amended to read  
12 as follows:

13       Except as provided in this chapter, no person may own or operate  
14 any vessel on the waters of this state unless the vessel has been  
15 registered and displays a registration number and a valid decal in  
16 accordance with this chapter, except that a vessel which has or is  
17 required to have a valid marine document as a vessel of the United  
18 States is only required to display a valid decal. A violation of this  
19 section is a class 2 infraction under chapter 7.80 RCW.

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