

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2465

Chapter 306, Laws of 2006

59th Legislature
2006 Regular Session

MOTOR VEHICLES--EQUIPMENT STANDARDS

EFFECTIVE DATE: 6/7/06

Passed by the House March 6, 2006
Yeas 98 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 3, 2006
Yeas 46 Nays 0

BRAD OWEN

President of the Senate

Approved March 29, 2006.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2465** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 29, 2006 - 3:55 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2465

AS AMENDED BY THE SENATE

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By Representatives Lovick, Kessler, P. Sullivan, Haler and O'Brien;
by request of Washington State Patrol

Prefiled 1/6/2006. Read first time 01/09/2006. Referred to
Committee on Transportation.

1 AN ACT Relating to vehicle equipment standards related to original
2 equipment installed; and amending RCW 46.37.010, 46.37.070, 46.37.200,
3 and 46.37.390.

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

5 **Sec. 1.** RCW 46.37.010 and 2005 c 213 s 7 are each amended to read
6 as follows:

7 (1) It is a traffic infraction for any person to drive or move, or
8 for ~~((the))~~ a vehicle owner to cause or knowingly permit to be driven
9 or moved, on any highway any vehicle or combination of vehicles
10 ~~((which))~~ that:

11 (a) Is in such unsafe condition as to endanger any person~~((, or~~
12 ~~which does not contain those parts or))~~);

13 (b) Is not at all times equipped with such lamps and other
14 equipment in proper working condition and adjustment as required ~~((in))~~
15 by this chapter or ~~((in regulations))~~ by rules issued by ~~((the chief~~
16 ~~of))~~ the Washington state patrol~~((, or which is equipped in any~~
17 ~~manner))~~);

18 (c) Contains any parts in violation of this chapter or ~~((the state~~
19 ~~patrol's regulations, or))~~ rules issued by the Washington state patrol.

1 (2) It is a traffic infraction for any person to do any act
2 forbidden or fail to perform any act required under this chapter or
3 ~~((the state patrol's regulations))~~ rules issued by the Washington state
4 patrol.

5 ~~((+2))~~ (3) Nothing contained in this chapter or the state patrol's
6 regulations shall be construed to prohibit the use of additional parts
7 and accessories on any vehicle not inconsistent with the provisions of
8 this chapter or the state patrol's regulations.

9 ~~((+3))~~ (4) The provisions of the chapter and the state patrol's
10 regulations with respect to equipment on vehicles shall not apply to
11 implements of husbandry, road machinery, road rollers, or farm tractors
12 except as herein made applicable.

13 ~~((+4))~~ (5) No owner or operator of a farm tractor, self-propelled
14 unit of farm equipment, or implement of husbandry shall be guilty of a
15 crime or subject to penalty for violation of RCW 46.37.160 as now or
16 hereafter amended unless such violation occurs on a public highway.

17 ~~((+5))~~ (6) It is a traffic infraction for any person to sell or
18 offer for sale vehicle equipment which is required to be approved by
19 the state patrol as prescribed in RCW 46.37.005 unless it has been
20 approved by the state patrol.

21 ~~((+6))~~ (7) The provisions of this chapter with respect to
22 equipment required on vehicles shall not apply to motorcycles or motor-
23 driven cycles except as herein made applicable.

24 ~~((+7))~~ (8) This chapter does not apply to off-road vehicles used
25 on nonhighway roads.

26 ~~((+8))~~ (9) This chapter does not apply to vehicles used by the
27 state parks and recreation commission exclusively for park maintenance
28 and operations upon public highways within state parks.

29 ~~((+9))~~ (10) Notices of traffic infraction issued to commercial
30 drivers under the provisions of this chapter with respect to equipment
31 required on commercial motor vehicles shall not be considered for
32 driver improvement purposes under chapter 46.20 RCW.

33 ~~((+10))~~ (11) Whenever a traffic infraction is chargeable to the
34 owner or lessee of a vehicle under subsection (1) of this section, the
35 driver shall not be arrested or issued a notice of traffic infraction
36 unless the vehicle is registered in a jurisdiction other than
37 Washington state, or unless the infraction is for an offense that is
38 clearly within the responsibility of the driver.

1 1, 1964, three hundred feet to the rear in normal sunlight, and which
2 shall be actuated upon application of a service brake, and which may
3 but need not be incorporated with one or more other rear lamps.

4 (2) Any vehicle may be equipped and when required under RCW
5 46.37.070(2) shall be equipped with electric turn signals which shall
6 indicate an intention to turn by flashing lights showing to the front
7 and rear of a vehicle or on a combination of vehicles on the side of
8 the vehicle or combination toward which the turn is to be made. The
9 lamps showing to the front shall be mounted on the same level and as
10 widely spaced laterally as practicable and, when signaling, shall emit
11 amber light: PROVIDED, That on any vehicle manufactured prior to
12 January 1, 1969, the lamps showing to the front may emit white or amber
13 light, or any shade of light between white and amber. The lamp showing
14 to the rear shall be mounted on the same level and as widely spaced
15 laterally as practicable, and, when signaling, shall emit a red or
16 amber light, or any shade of color between red and amber. Turn signal
17 lamps shall be visible from a distance of not less than five hundred
18 feet to the front and rear in normal sunlight. Turn signal lamps may,
19 but need not be, incorporated in other lamps on the vehicle.

20 (3) Any vehicle may be equipped and when required under this
21 chapter shall be equipped with a center high-mounted stop lamp mounted
22 on the center line of the rear of the vehicle. These stop lamps shall
23 display a red light visible from a distance of not less than three
24 hundred feet to the rear in normal sunlight, and shall be actuated upon
25 application of a service brake, and may not be incorporated with any
26 other rear lamps.

27 **Sec. 4.** RCW 46.37.390 and 2001 c 293 s 1 are each amended to read
28 as follows:

29 (1) Every motor vehicle shall at all times be equipped with a
30 muffler in good working order and in constant operation to prevent
31 excessive or unusual noise, and no person shall use a muffler cut-out,
32 bypass, or similar device upon a motor vehicle on a highway.

33 (2)(a) No motor vehicle first sold and registered as a new motor
34 vehicle on or after January 1, 1971, shall discharge into the
35 atmosphere at elevations of less than three thousand feet any air
36 contaminant for a period of more than ten seconds which is:

1 (i) As dark as or darker than the shade designated as No. 1 on the
2 Ringelmann chart, as published by the United States bureau of mines; or

3 (ii) Of such opacity as to obscure an observer's view to a degree
4 equal to or greater than does smoke described in subsection (a)(i)
5 above.

6 (b) No motor vehicle first sold and registered prior to January 1,
7 1971, shall discharge into the atmosphere at elevations of less than
8 three thousand feet any air contaminant for a period of more than ten
9 seconds which is:

10 (i) As dark as or darker than the shade designated as No. 2 on the
11 Ringelmann chart, as published by the United States bureau of mines; or

12 (ii) Of such opacity as to obscure an observer's view to a degree
13 equal to or greater than does smoke described in subsection (b)(i)
14 above.

15 (c) For the purposes of this subsection the following definitions
16 shall apply:

17 (i) "Opacity" means the degree to which an emission reduces the
18 transmission of light and obscures the view of an object in the
19 background;

20 (ii) "Ringelmann chart" means the Ringelmann smoke chart with
21 instructions for use as published by the United States bureau of mines
22 in May 1967 and as thereafter amended, information circular 7718.

23 (3) No person shall modify the exhaust system of a motor vehicle in
24 a manner which will amplify or increase the noise emitted by the engine
25 of such vehicle above that emitted by the muffler originally installed
26 on the vehicle, and it shall be unlawful for any person to operate a
27 motor vehicle not equipped as required by this subsection, or which has
28 been amplified as prohibited by this subsection (~~(so that the vehicle's~~
29 ~~exhaust noise exceeds ninety five decibels as measured by the Society~~
30 ~~of Automotive Engineers (SAE) test procedure J1169 (May, 1998). It is~~
31 ~~not a violation of this subsection unless proven by proper authorities~~
32 ~~that the exhaust system modification results in noise amplification in~~
33 ~~excess of ninety five decibels under the prescribed SAE test~~
34 ~~standard)). A court may dismiss an infraction notice for a violation~~
35 ~~of this subsection if there is reasonable grounds to believe that the~~
36 ~~vehicle was not operated in violation of this subsection.~~

37 This subsection (3) does not apply to vehicles twenty-five or more

1 years old or to passenger vehicles being operated off the highways in
2 an organized racing or competitive event conducted by a recognized
3 sanctioning body.

Passed by the House March 6, 2006.

Passed by the Senate March 3, 2006.

Approved by the Governor March 29, 2006.

Filed in Office of Secretary of State March 29, 2006.