

ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-20-020 Inventory. Each county road engineer shall have available in his office a complete inventory of all bridges on the county road system. The inventory shall list the location of each bridge by the state road log number and appropriate milepoint, and shall include such other information as the engineer deems necessary. In addition, all data required for the SWIBS bridge inventory shall be submitted to the department of transportation state aid engineer on appropriate forms furnished by the department[.] [Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-020, filed 1/3/79; Order 11, § 136-20-020, filed 10/9/69.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-20-030 Inspection. Each county road engineer shall be responsible for inspection of all bridges on the county road system in accordance with the bridge inspection procedure, described in the current edition of the AASHTO Manual for Maintenance Inspection of Bridges. The County Road Engineer shall note the date of inspection and any changes since the previous inspection on the SWIBS form and submit all forms to the state aid engineer at a predetermined time[.] [Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-030, filed 1/3/79; Order 11, § 136-20-030, filed 10/9/69.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-20-040 Certification. Submission by the county road engineer of a dated SWIBS form to the state aid engineer shall be construed as certification that inspection of that bridge has been completed in accordance with the AASHTO inspection procedures. Annually, prior to April 1, the state aid engineer will provide CRAB and the engineers of the affected counties a listing of all county bridges for which no SWIBS inspection certification has been received during the previous thirty months. Any county with a bridge or bridges on this listing shall be assumed to be not in compliance with bridge inspection procedures[.] [Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-040, filed 1/3/79; Order 22, § 136-20-040, filed 4/19/73; Order 11, § 136-20-040, filed 10/9/69.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 136-20-050 Failure to comply. Failure of a county to be shown in compliance with required bridge inspection procedures may be cause for the County Road Administration Board to withhold a Certificate of Good Practice on behalf of that county. [Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-050, filed 1/3/79; Order 11, § 136-20-050, filed 10/9/69.]

WAC 136-20-060 Engineer's report. Each county road engineer shall furnish the county legislative authority with a written resume of the findings of the bridge inspection effort. This resume shall be made available to said authority no later than June 1 of each year and shall be consulted during the preparation of the proposed six year program revision. The resume shall include the engineer's recommendations as to replacement, repair or load restriction for each deficient bridge. The resolution of adoption of the six year program shall include assurances to the effect that the engineer's report with respect to deficient bridges was available to [the] said authority during the preparation of the program. [Statutory Authority: Chapter 36.78 RCW. 79-01-099 (Order 36), § 136-20-060, filed 1/3/79; Order 28, § 136-20-060, filed 5/4/76; Order 26, § 136-20-060, filed 5/6/75; Order 22, § 136-20-060, filed 4/19/73; Order 11, § 136-20-060, filed 10/9/69.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 136-32 WAC

STANDARD OF GOOD PRACTICE--WORK PERFORMED FOR OTHER PUBLIC AGENCIES BY THE COUNTY ROAD DEPARTMENT

WAC

136-32-030 Procedure—Interdepartmental.

WAC 136-32-030 Procedure--Interdepartmental. All work to be performed by the county road department for other departments of the county shall be done in accordance with the policy of the county legislative authority regarding approval of work for other public agencies and county departments as required under WAC 136-10-050(4). [Statutory Authority: Chapter 36.78 RCW. 79-01-097 (Order 34), § 136-32-030, filed 1/3/79; Order 7, § 136-32-030, filed 6/12/68.]

Title 139 WAC CRIMINAL JUSTICE TRAINING COMMISSION

Chapters

139-04 Public records and organizational description.

- 139-14 Requirement of basic law enforcement training.
 139-16 Basic law enforcement school curriculum.
 139-18 Physical requirements for admission to academies.
 139-20 Acknowledgment of prior basic training.
 139-22 Requirements of certification for basic law enforcement training.

Chapter 139-04 WAC

PUBLIC RECORDS AND ORGANIZATIONAL DESCRIPTION

WAC
 139-04-010 Description of central and field organization.

WAC 139-04-010 Description of central and field organization. The Washington State Criminal Justice Training Commission consists of the commission and its personnel, the Board on Law Enforcement Training Standards and Education, the Board on Prosecutor Training Standards and Education, the Board on Correctional Training Standards and Education, and the Board on Judicial Training Standards and Education. The primary responsibility of the boards is the recommendation to the commission of training standards, goals, and programs for criminal justice personnel within their specific purview. Recommendations for training pursuant to commission adopted goals and standards may be approved by the executive director of the commission. Other board recommendations will be reviewed by the commission for approval or rejection. Approved recommendations and other matters of the commission necessitating implementation or staff involvement will be assigned by the executive director to appropriate personnel.

The central office of the commission is located on the campus of St. Martin's College, Olympia, Washington. It is maintained by the commission's executive director and staff from 8:00 a.m. to 5:00 p.m., Monday through Friday, and serves as a central repository for the commission's records of administration and operation. [Statutory Authority: RCW 42.17.250. 78-02-032 (Order 6-A), § 139-04-010, filed 1/17/78; Order 6, § 139-04-010, filed 8/15/75.]

Chapter 139-14 WAC

REQUIREMENT OF BASIC LAW ENFORCEMENT TRAINING

WAC
 139-14-010 Requirement of basic law enforcement training.

WAC 139-14-010 Requirement of basic law enforcement training. (1) All full-time commissioned law enforcement employees of a city, county, or political

subdivision of the state of Washington, except officers of the Washington State Patrol, unless otherwise exempted by the Washington State Criminal Justice Training Commission, shall as a condition of continued employment successfully complete a 440-hour basic law enforcement academy sponsored or conducted by the commission, or obtain a Certificate of Equivalent Basic Training from the commission. This requirement of basic law enforcement training shall be met within the initial fifteen month period of law enforcement employment, unless otherwise extended by the commission.

(2) Law enforcement personnel exempted from the requirement of subsection (1) shall include:

- (a) sheriff
- (b) auxiliary and reserve personnel
- (c) commissioned personnel
 - (i) whose usual and regular function does not include and will not include the general line enforcement of traffic or criminal laws of the state of Washington or any political subdivision thereof: *Provided*, That chiefs of police shall not be exempted solely upon the basis of this subsection, or
 - (ii) whose initial date of continuing, full-time, regular and commissioned law enforcement employment within the state of Washington precedes January 1, 1978, and such employment is without break or interruption in excess of 90 days, or
 - (iii) who have been certified in accordance with the requirement of subsection (1) above, and thereafter have engaged in regular and commissioned law enforcement employment without break or interruption in excess of twenty-four month duration.

(3) Each law enforcement agency of the state of Washington, or any political subdivision thereof, except the Washington State Patrol, shall immediately notify the commission by approved form of each instance wherein a commissioned officer begins continuing and regular employment with that agency on or after January 1, 1978. Such notification shall be maintained by the commission and shall be utilized by the commission for the subsequent scheduling, notification, and enrollment required for compliance with the basic law enforcement training requirement.

(4) Failure to comply with the above requirement of basic law enforcement training shall result in notification of noncompliance, by the commission, on approved form to:

- (a) the individual in noncompliance,
- (b) the head of his/her agency,
- (c) the Civil Service Commission having jurisdiction of such agency,
- (d) the judges and clerks of the municipal, district, and superior courts in which said agency is located,
- (e) the state Auditor's Office, and
- (f) any other agency or individual, as determined by the commission. [Statutory Authority: RCW 43.101-.010, 43.101.200 & 43.101.210. 78-02-037 (Order 14), § 139-14-010, filed 1/17/78.]

Chapter 139-16 WAC
BASIC LAW ENFORCEMENT SCHOOL
CURRICULUM

WAC

139-16-010 Basic law enforcement curriculum.

WAC 139-16-010 Basic law enforcement curriculum. The basic law enforcement curriculum of the Washington State Criminal Justice Training Commission shall consist of 440 hours, including the following subject areas:

- (1) Introduction to Law Enforcement
 - (a) Introduction to Law Enforcement
 - (b) The Criminal Justice System
 - (c) Police Power and Execution of Authority
 - (d) Civil Rights and Civil Liability
 - (e) Police Ethics
- (2) Criminal Law
 - (a) Criminal Law
 - (b) Juvenile Law
- (3) Evidence Law
- (4) Criminal Procedures
 - (a) Constitutional Law
 - (b) Probable Cause
 - (c) Laws of Arrest
 - (d) Search and Seizure
 - (e) Interrogation, Statements and Confessions
 - (f) Field Interrogations and "Stop and Frisk" [Juvenile Law]
- (5) Patrol Procedures
 - (a) Observation and Perception [Techniques of Patrol]
 - (b) Patrol Procedures
 - (c) First Aid
 - (d) Community Relations
 - (e) Crime Prevention
 - (f) Juvenile Procedures
 - (g) Traffic Stop — Mock Scene
 - (h) Felony Stop — Mock Scene
 - (i) Field Interview — Mock Scene
 - (j) Building Search — Mock Scene
 - (k) Silent Alarm/Felony Arrest — Mock Scene
- (6) Communication Skills
 - (a) Report Writing and Notetaking
 - (b) Oral Communication
- (7) Emergency Vehicle Operation Course
- (8) Crisis Intervention [Crisis Intervention]
 - (a) General Theory
 - (b) Recognizing and Handling of Abnormal Behavior
 - (c) Oral and Physical Communication
 - (d) Handling Stress
 - (e) Family Disturbance — Mock Scene
- (9) Traffic Law
 - (a) Traffic Law Enforcement
 - (b) Breathalyzer and Impaired Driving
 - (c) Accident Investigation
- (10) Firearms

- (11) Physical Training and Self-Defensive Tactics
- (12) Criminal Investigation
 - (a) Crime Scene Search and Protection
 - (b) Collection and Preservation of Evidence
 - (c) Interviews and Interrogation Techniques
 - (d) Crime Scene Protection/Search/Investigation — Mock Scene
 - (e) Testifying in Court — Mock Scene

[Statutory Authority: RCW 43.101.080(10). 78-02-033 (Order 3-B), § 139-16-010, filed 1/17/78; Order 3-A, § 139-16-010, filed 1/4/77; Order 3, § 139-16-010, filed 1/22/75.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 139-18 WAC

PHYSICAL REQUIREMENTS FOR ADMISSION TO ACADEMIES

WAC

139-18-010 Physical requirements for admission to basic law enforcement academies.

WAC 139-18-010 Physical requirements for admission to basic law enforcement academies. Each successful applicant for admission to a basic law enforcement academy sponsored or conducted by the Washington State Criminal Justice Training Commission shall possess good health and physical capability to actively and fully participate in the physical activities required for basic certification. In addition to defensive tactics, such activities shall include a physical training program geared to final attainment of the instructional objectives of physical performance [adopted] by the Commission: *Provided*, That any applicant whose beginning date of continuous law enforcement employment precedes January 1, 1978, may be allowed to audit, in whole or in part, basic law enforcement training. In no such instance shall a basic certificate be issued. [Statutory Authority: RCW 43.101.080(8). 78-02-034 (Order 12-B), § 139-18-010, filed 1/17/78; Order 12-A, § 139-18-010, filed 3/29/77.]

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 139-20 WAC

ACKNOWLEDGMENT OF PRIOR BASIC TRAINING

WAC

139-20-010 Procedure for acknowledgment of prior basic training and issuance of certificate of equivalent basic training.

WAC 139-20-010 Procedure for acknowledgment of prior basic training and issuance of certificate of equivalent basic training. A certificate of equivalent basic training shall be granted to those law enforcement officers previously trained in other jurisdictions who qualify in accordance with the procedure hereinafter set forth.

Note: A certificate of completion for the standard Basic Law Enforcement Academy shall be granted only to those officers who have successfully completed that academy in Washington state.

The decision to request a certificate of equivalent basic training is discretionary with the employing sheriff or police chief. He may require that his officer, even though previously trained in another jurisdiction, attend and successfully complete the commission's standard Basic Law Enforcement Academy.

The procedure for requesting a certificate of equivalent basic training shall be as follows:

(1) The employing sheriff, police chief or head of agency, or in the case of a one-man department, the sheriff of the county in which the one-man department is located, shall submit to the commission office a Request for Certificate of Equivalent Basic Training form for an officer who he believes has received adequate basic training. This request form shall be accompanied by documentary proof of (a) the applicant's law enforcement experience, (b) the applicant's prior basic training (to include dates, location, curriculum, hours devoted to each subject, and certification of successful completion), and (3)[(c)] the applicant's possession of a valid and current Washington state driver's license, state industrial or Red Cross First Aid card, and a valid and current Washington state breathalyzer operator's permit.

(2) Upon approval of the request form and required documentation by the commission office, the officer shall be required to pass a comprehensive written examination covering the subjects contained in the Commission's Basic Law Enforcement Academy curriculum. This written examination shall be prepared by and graded at the commission office and administered by the personnel and at the location designated by the commission. Additionally, such officer shall be evaluated in physical performance and field situations as designated by the commission.

(3) Upon review of the application, documentation, written examination, and physical and field evaluations, the commission shall take one of the following actions:

- (a) issue a certificate of equivalent basic training;
- (b) issue a certificate of equivalent basic training upon completion of certain subjects contained in the commission's standard Basic Law Enforcement Academy; or
- (c) require completion of the commission's entire standard Basic Law Enforcement Academy.

(4) Under extraordinary circumstances, after approval of the Board on Law Enforcement Training Standards and Education, the commission may, at its discretion, waive the requirements of subsection 2 thereof.

(5) The certificate of equivalent basic training shall be recognized in the same manner as the certificate of

completion of the commission's standard Basic Law Enforcement Academy. [Statutory Authority: RCW 43.101.080(10). 78-02-035 (Order 4-B), § 139-20-010, filed 1/17/78; Order 4A, § 139-20-010, filed 8/15/75; Order 4, § 139-20-010, filed 1/22/75.]

Chapter 139-22 WAC

REQUIREMENTS OF CERTIFICATION FOR BASIC LAW ENFORCEMENT TRAINING

WAC

139-22-010 Requirements of basic law enforcement academy.

WAC 139-22-010 Requirements of basic law enforcement academy. 1. Each trainee in a basic law enforcement academy shall receive certification only upon full and successful completion of the academy process as prescribed by the commission. The performance of each trainee shall be evaluated as follows:

(a) Scholarship. A standardized examination process shall be utilized by all basic law enforcement academies sponsored or conducted by the Washington State Criminal Justice Training Commission, in evaluating the level of scholastic achievement of each trainee. Such process shall include the application of a designated minimum passing score to each subject area and the availability of a retesting procedure. Failure to achieve the required minimum passing score will result in termination of academy assignment; provided, that any unsuccessful trainee whose beginning date of continuous law enforcement employment precedes January 1, 1978, may be allowed to audit the remainder of the academy upon a determination by the Coordinator of Law Enforcement Training that such audit would be beneficial to the trainee and have no adverse effect upon the other attendees.

(b) Physical performance. A standardized evaluation process shall be utilized by all basic law enforcement academies sponsored or conducted by the commission in evaluating the level of physical performance of each trainee. Such process shall include the application of pass/fail grading to designated instructional objectives for physical performance and the availability of a retesting procedure. Failure to achieve a final grade of pass in physical training, including defensive tactics, shall preclude certification.

(c) Deportment and conduct. Failure to maintain an exemplary standard of deportment and conduct or to adhere to all rules, regulations and policies of a basic law enforcement academy sponsored or conducted by the commission may result in termination of academy assignment.

2. In the instance of termination or suspension of a trainee's academy assignment due to illness, injury, personal hardship, or good cause otherwise shown, the commission may allow certification after such trainee has successfully completed a subsequent academy, in whole or part as determined by the commission. Such certification may be effected regardless of any time limit or

period elsewhere prescribed or mandated for certification.

3. In all other instances of termination of a trainee's academy assignment, the commission shall allow such trainee's admission to any subsequent academy only if:

a. such trainee has been terminated by the employing agency and subsequently is re-hired by it, or

b. such trainee has been terminated by the employing agency and subsequently is hired by another employing agency.

4. Upon the written request of a trainee, or the head of his employing agency, any action affecting such trainee's status or eligibility for certification shall be reviewed by the Board on Law Enforcement Training Standards and Education which shall determine whether any factual or legal base exists upon which such action may be justified. The Board thereafter shall affirm, rescind, or amend such action. Subsequent appeal may be taken to the commission pursuant to the procedural rules and regulations adopted by the commission. [Statutory Authority: RCW 43.101.080(8), 78-02-036 (Order 13-B), § 139-22-010, filed 1/17/78; Order 7407, § 139-22-010, filed 3/29/77.]

Title 142 WAC

DAIRY PRODUCTS COMMISSION

Chapter

142-12 Dairy products--Milk assessment regulations.

Chapter 142-12 WAC

DAIRY PRODUCTS--MILK ASSESSMENT REGULATIONS

WAC

142-12-026 Assessment rate on Class I and Class II milk.

WAC 142-12-026 Assessment rate on Class I and Class II milk. The assessment as set forth in RCW 15.44.085 which is levied on every hundredweight of Class I or Class II milk sold by a dealer, including any milk sold by a producer who acts as a dealer, is hereby increased from five-eighths of one cent per hundredweight to three-fourths of one cent per hundredweight. [Statutory Authority: RCW 15.44.085, 78-11-025 (Order 78-1), § 142-12-026, filed 10/16/78, effective 1/1/79.]

Title 162 WAC

HUMAN RIGHTS COMMISSION (Formerly: Discrimination, Board Against)

Chapters

162-04 General provisions.

162-08 Practice and procedure.

Chapter 162-04 WAC GENERAL PROVISIONS

WAC

162-04-024 Chairperson pro tem.
162-04-026 Clerk.
162-04-050 Ethics and conflicts of interest.

WAC 162-04-024 Chairperson pro tem. (1) The commission may designate one of its members as chairperson pro tem for a particular time or for an indefinite time, to serve at the will of the commission. If the commission has not designated a chairperson pro tem and the chairperson is absent from the state, ill, or otherwise unable to carry out the duties of chairperson, then the most senior member of the commission other than the chairperson shall serve as chairperson pro tem until the chairperson is again able to carry out the duties of chairperson.

(2) The chairperson pro tem may exercise all of the powers of the chairperson during the time when the chairperson is absent, ill, or otherwise unable to carry out the duties of chairperson. [Statutory Authority: RCW 42.18.250, 49.60.120, and chapter 49.60 RCW, 78-02-065 (Order 39), § 162-04-024, filed 1/23/78. Formerly WAC 162-08-024.]

WAC 162-04-026 Clerk. (1) Designation. The executive secretary with the advice and consent of the chairperson shall designate a staff member to serve as clerk of the commission.

(2) Qualifications. The person designated as clerk shall not have any duties involving the investigation or conciliation of complaints or the prosecution of tribunal hearings. If the clerk has been actively involved in the investigation or conciliation of a case or the prosecution of a tribunal hearing in any capacity other than as clerk, he or she shall not thereafter serve as clerk for that case, and a substitute clerk shall be designated. The purpose of this subsection is to ensure compliance with RCW 34.04.115, restricting consultation with hearing officers, and RCW 49.60.250, 2d paragraph.

(3) Duties. The clerk shall have the duty and power to:

(a) Attend commission meetings and provide aid and services to the chairperson and commissioners as requested by the executive secretary.

(b) Assist the chairperson of the commission in appointing hearing tribunals, issuing notices of hearing and carrying out all other duties of the chairperson under RCW 49.60.250.

(c) Keep custody of the minutes of commission meetings, declaratory rulings, rulemaking orders, and the commission's order register, and other records of action by the commissioners.

(d) Keep custody of the file of complaints after they are referred to the commission for action or report of no reasonable cause at a meeting, or upon certification of the file to the chairperson under RCW 49.60.250. The clerk shall deliver the investigator's file of cases ready for hearing to the commission's chief counsel and shall obtain return of the file when litigation is completed.