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[Statutory Authority: RCW 34.04.940, 42.17.250, 42.30.070 and 43.21C.120. 79-12-025 (Order 79-1), § 198-12-140, filed 11/16/79.]

Title 204 WAC
EQUIPMENT, COMMISSION ON

Chapters
204-08 Practice and procedure.
204-24 Traction devices.
204-36 Authorized emergency vehicle permits.
204-44 Standards for load fastening devices.
204-52 Motorcyclists' eye protection.
204-64 Quartz halogen headlamps.
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Chapter 204-08 WAC
PRACTICE AND PROCEDURE

WAC
204-08-010 Definition.
204-08-030 Declaratory rulings.
204-08-100 Procedure for obtaining approval of automotive equipment within the scope of RCW 46.37.005 and 46.37.320.

WAC 204-08-010 Definition. "Commission" wherever used herein shall mean the state commission on equipment as established in RCW 46.37.005. [Statutory Authority: RCW 46.37.005. 78-08-078 (Order 7760), § 204-08-010, filed 7/27/78; Rule I, filed 3/21/60.]

WAC 204-08-030 Declaratory rulings. (1) As prescribed in RCW 34.04.080, any interested person may petition the commission for a declaratory ruling. The commission shall consider the petition and within a reasonable length of time shall:

- (a) issue a nonbinding declaratory ruling; or
(b) notify the person that no declaratory ruling is to be issued; or
(c) set a reasonable time and place for an oral hearing or the submission of written evidence upon the matter, and give reasonable notification to the person of the time and place for such hearing or submission and of the issues involved.

If a hearing as provided in subsection (c) is conducted, the commission shall within a reasonable time:

- (1) Issue a binding declaratory rule; or
(2) Issue a nonbinding declaratory rule; or
(3) Notify the person that no declaratory ruling is to be issued. [Statutory Authority: RCW 46.37.005. 78-08-078 (Order 7760), § 204-08-030, filed 7/27/78; Rule III, filed 3/21/60.]

WAC 204-08-100 Procedure for obtaining approval of automotive equipment within the scope of RCW 46.37.005 and 46.37.320. (1) Standards for approval.

(a) The device must meet the current specifications for that device as outlined by the Society of Automotive Engineers in the Society of Automotive Engineers Handbook or as outlined by the American Standards Association.

(b) Where standards have not been set by either the Society of Automotive Engineers or the American Standards Association the standards shall be those standards set by the commission on equipment in a published commission on equipment regulation.

(2) Method for obtaining approval.

(a) To obtain approval the petitioner must provide for submission of any lighting device, or other safety equipment, component, or assembly to any recognized organization or agency such as, but not limited to, the Vehicle Equipment Safety Commission, American National Standards Institute, Society of Automotive Engineers, and the American Association of Motor Vehicle Administrators, as the agent of the state commission on equipment, and for the issuance of an approved certificate by

that recognized organization or agency to the state commission on equipment.

(b) If any lighting device, or other safety equipment, component, or assembly cannot be submitted to the organization or agency named in the above paragraph (a), then the petitioner must submit to the state commission on equipment the following:

(i) a copy of a test report from a nationally recognized testing laboratory certifying that the device meets the current specifications for that device as prescribed by the commission in a published commission regulation.

(ii) a sample of the device as marketed when requested by the commission on equipment.

(iii) correspondence, test reports and samples are to be submitted to: Secretary, State Commission on Equipment, Washington State Patrol, General Administration Building AX-12, Olympia, Washington 98504.

(3) Forms and files of the state commission on equipment. Certificates of approval shall be on forms provided by the secretary of the state commission on equipment and the files of the state commission on equipment shall be kept by the secretary of the state commission on equipment in the offices of the Washington state patrol. [Statutory Authority: RCW 46.37.005, 78-08-078 (Order 7760), § 204-08-100, filed 7/27/78; Rule VI, filed 3/21/60.]

Chapter 204-24 WAC TRACTION DEVICES

WAC

204-24-050	Use of tire chains or other traction devices.
204-24-070	Approval of tire chains or traction devices.

WAC 204-24-050 Use of tire chains or other traction devices. When traffic control signs marked "Chains or Other Approved Traction Devices Are Required" are posted by the Transportation Commission, it shall be unlawful for any vehicle not to have tire chains or approved traction devices mounted on the drive wheels of a vehicle, except the use of special tires or approved traction devices other than tire chains by vehicles over 10,000 pounds gross vehicle weight shall not be permitted. These vehicles must use tire chains as set forth. On any vehicle [equipped with] dual tire drive wheels, individual metal chains of hardened metal may be used on the outside drive wheels, provided a minimum of four such chains equally spaced are used on each such wheel. All-wheel drive vehicles with a gross vehicle weight of 8,000 pounds or less, in gear, equipped with approved traction devices on all wheels, may be exempt from using chains when traffic control signs marked "Chains Required" are posted. *Provided:* That tire chains for at least one set of drive wheels are carried upon such vehicle. Where traffic control signs are posted marked "Chains Required", the use of special tires or approved traction devices may not be substituted for tire chains on single drive vehicles. The Washington State Transportation Commission or Washington State Patrol may prohibit any vehicle from entering a chain control area when it is determined that the vehicle will experience

difficulty in safely traveling the area. [Statutory Authority: RCW 46.37.005 & 46.37.420, 78-02-091 (Order 7607A), § 204-24-050, filed 1/30/78; Order 7607, § 204-24-050, filed 9/14/76; Order 6902, § 204-24-050, filed 2/17/70.]

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 204-24-070 Approval of tire chains or traction devices. Any tire chain, wheel chains, studded tires[,] or other traction devices meeting the standards in WAC 204-24-020, 204-24-030, and 204-24-040 shall be considered as an approved type chain, studded tire, or other traction device by the State Commission on Equipment. [Statutory Authority: RCW 46.37.005 & 46.37.420, 78-02-091 (Order 7607A), § 204-24-070, filed 1/30/78; Order 7607, § 204-24-070, filed 9/14/76.]

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 204-36 WAC

AUTHORIZED EMERGENCY VEHICLE PERMITS

WAC

204-36-010	Promulgation.
204-36-020	Definitions.
204-36-030	Permit requirements.
204-36-060	Procedure.
204-36-070	Revocation or suspension.

WAC 204-36-010 Promulgation. By authority of RCW [46.04.040], 46.37.005, and 46.37.194, the State Commission on Equipment hereby adopts the following regulations relating to the issuance of an authorized emergency vehicle permit. [Statutory Authority: RCW 46.37.005 and 46.37.194, 79-02-085 (Order 7501A), § 204-36-010, filed 2/7/79; Order 7301, § 204-36-010, filed 2/5/73.]

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 204-36-020 Definitions. (1) Operator or Driver. The term operator and the term driver, as used herein, means every person who is in actual physical control of an authorized emergency vehicle.

(2) Operation. The term operation, as used herein, is the driving or moving by any operator or driver upon a public highway of any vehicle that is equipped or has attached thereon any equipment, the installation of which requires an authorized emergency vehicle permit, whether or not the emergency equipment is activated.

(3) Commission shall mean the State Commission on Equipment. [Statutory Authority: RCW 46.37.005 and

46.37.194. 79-02-085 (Order 7501A), § 204-36-020, filed 2/7/79; Order 7301, § 204-36-020, filed 2/5/73.]

WAC 204-36-030 Permit requirements. (1) Any person, firm, corporation or municipal corporation desiring to have a vehicle registered as an authorized emergency vehicle pursuant to RCW 46.37.194 shall apply for such classification to the State Commission on Equipment on forms provided by the Commission.

(2) The applicant shall furnish the following information to the Commission:

(a) A description of the specific geographic area in which the vehicle shall be used as an authorized emergency vehicle.

(b) A description of the specific purposes for which the vehicle shall be used as an authorized emergency vehicle.

(c) An explanation of the nature and scope of the duties, responsibilities and authority of the vehicle operator which necessitate the vehicle's registration as an authorized emergency vehicle.

(d) A description of the emergency equipment to be used if the permit is granted.

(e) A listing of the names, addresses, birthdates, operator's license numbers and other identifying data as may be prescribed on the application form by the Commission, of all persons who will use the vehicle as an authorized emergency vehicle, and a completed applicant fingerprint card.

(f) Certification by the chief law enforcement officer, or fire chief if the vehicle is to be used for firefighting purposes, of each jurisdiction in which the vehicle is to be used as an authorized emergency vehicle, that a need exists in such jurisdiction for the vehicle to be used as described in the application and that he knows of no reason why the application should be denied. The Commission on Equipment may issue emergency vehicle permits to vehicles which operate throughout the state, and such permit may be canceled upon receipt of complaint from any state law enforcement agency as prescribed in WAC 204-36-070. [Statutory Authority: RCW 46.37.005 and 46.37.194. 79-02-085 (Order 7501A), § 204-36-030, filed 2/7/79; Order 7501, § 204-36-030, filed 11/25/75; Order 7301, § 204-36-030, filed 2/5/73.]

WAC 204-36-060 Procedure. If the Commission approves the application, it shall first issue a certificate of approval which shall be valid for thirty days, during which time the emergency equipment may be installed. After installation of the emergency equipment, the applicant shall bring the vehicle to a district or detachment office of the Washington State Patrol to be examined to determine if it is of an approved type. A Washington State Patrol officer shall certify the results of this examination on a form prescribed and provided by the Commission and the applicant shall file the form with the State Commission on Equipment, General Administration Building AX-12, Olympia, Washington 98504. Upon receipt of such certification, the Commission shall issue a permit, which shall expire one year from the date of issuance thereof.

(1) The certificate of approval and when issued, the permit, including all endorsements for change of conditions as provided in WAC 204-36-030, shall be carried in the authorized emergency vehicle at all times, and shall be displayed on request to any law enforcement officer. [Statutory Authority: RCW 46.37.005 and 46.37.194. 79-02-085 (Order 7501A), § 204-36-060, filed 2/7/79; Order 7301, § 204-36-060, filed 2/5/73.]

WAC 204-36-070 Revocation or suspension. (1) Violation of any of these regulations shall be grounds for suspension or revocation of the authorized emergency vehicle permit. Notice shall be furnished to the applicant at least 20 days prior to the effective date of such suspension or revocation. The notice shall describe the grounds for the order and shall furnish the applicant an opportunity to be heard within the 20-day period. The notice may provide for immediate suspension of the permit prior to any hearing, or the Commission may suspend the permit following the hearing but prior to final determination, if in the commission's opinion it is necessary to do so in the interests of the public health, safety or welfare.

(2) The chief law enforcement officer, or fire chief if the vehicle is to be used for firefighting purposes, of each jurisdiction in which the vehicle is operated as an authorized emergency vehicle may revoke his certification of the vehicle by notifying the commission in writing of such revocation and his reasons therefor. Following notice to the applicant and an opportunity to be heard, the permit may be invalidated by the commission on equipment.

(3) Mailing by certified mail of any notice or correspondence by the commission to the last address of the applicant shown on his application shall be sufficient service of notice as required by these rules. [Statutory Authority: RCW 46.37.005 and 46.37.194. 79-02-085 (Order 7501A), § 204-36-070, filed 2/7/79; Order 7301, § 204-36-070, filed 2/5/73.]

Chapter 204-44 WAC

STANDARDS FOR LOAD FASTENING DEVICES

WAC

204-44-020 Load fastening devices.
204-44-02001 Diagrams I and II—Placement and number of wrappers.

WAC 204-44-020 Load fastening devices. [(1)] Any motor truck, truck tractor, trailer, semi-trailer, or any combination thereof, transporting logs upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected [as follows:]

(a) Placement and number of wrappers required on log trucks using stakes.

(i) In the hauling of one log loads, one wrapper chain or cable shall be required and it shall be secured to the rear bunk and the log shall be properly blocked or secured in a manner which will prevent it from rolling or

shifting. An additional wrapper, secured to the front bunk, is optional.

(ii) In the hauling of two log loads, not less than two wrapper chains or cables shall be used to secure the load. The logs shall be properly blocked to prevent them from rolling or shifting.

(iii) On loads consisting of three or four logs not over 44 feet in length, the load shall be secured by not less than two properly spaced wrapper chains or cables. Ends of short logs not secured by such wrappers shall be secured with extra wrappers. If any log is over 44 feet in length, the load shall be secured by not less than three properly spaced wrappers.

(iv) Loads consisting of five or more logs, when the logs are all 17 feet or less in length, shall be secured by not less than two properly spaced wrappers. Load consisting of five or more logs, when any log is over 17 feet in length, shall be secured by not less than three properly spaced wrappers.

(b) Placement and number of wrappers required on log trucks using chock blocks.

(i) In the hauling of one log load, one wrapper chain or cable shall be required and secured to the rear bunk and the log shall be properly blocked in a manner to prevent it from rolling or shifting.

(ii) One additional wrapper chain or cable shall be required on log trucks using chock blocks over and above the requirements in subdivisions (a)(iii) and (iv) of this section.

(c) Placement and number of wrappers required on crosswise loaded trucks, trailers, etc. In the case of short logs loaded crosswise, the following method of securing the load shall be used if the truck trailer is not provided with solid ends of a height sufficient to prevent any log in the load from rolling off: Not less than two chock blocks shall be used at each open end of the vehicle and the load shall be held with at least two wrapper chains or cables. The wrappers shall be firmly attached to the end of the truck or trailer. Rigid standards or stakes may be used in lieu of chock blocks but each such standard or stake shall be either rigidly connected to the bed of the truck or trailer or shall be placed in a tight fitting socket at least 12 inches in depth. Other means furnishing equivalent security may be acceptable.

(d) Wrapper placement. When two wrappers are required, they shall be applied within six feet of the front and rear bunks. When more than two wrappers are required, the front and back binder shall be applied within six feet of the front and rear bunks.

(e) Short logs. To properly secure short logs, binders shall be placed near the end, not less than 12 inches from the end of the log.

(f) Log on top or in outside saddle. No log loaded on top or in outside saddles of a load shall be transported unless secured by not less than two wrapper chains or cables, one of which shall be placed near each end of such log.

(g) Fasten in place. All wrappers and binders shall be fastened in place prior to tightening to prevent the displacement of logs on the top of the load.

(h) Surround load. All wrapper chains or cables, except in the case of one log loads, shall entirely surround the load. This does not apply to gut-wrappers.

(i) Gut-wrappers. Gut-wrappers, when used, shall be adjusted so as to be tightened by, but not carry the weight of the logs above them.

(j) Wrappers and binders to be placed before leaving immediate loading area. Wrappers and binders shall be placed and tightened around the completed load before the truck leaves the immediate loading area.

(k) Construction of wrappers and binders. Wrapper chains or cables, binders, fasteners, or attachments thereof, used for any purpose as required by these standards, shall have a minimum breaking strength of not less than 15,000 pounds and shall be rigged so that it can be safely released.

(l) Bundle straps or banding. For the purposes of this standard, applied bundle straps or banding are not acceptable as wrappers and binders.

(m) Loose ends secured. All loose ends of wrapper chains or cables shall be securely fastened so as to prevent their swinging free in a manner that will create a hazard.

(n) Trucks in Sorting Yards. Trucks and trailers used around sorting yards, etc., which travel at slow speeds, will not be required to use wrappers providing all logs are contained by and lie below the height of the stakes and there are no persons on the ground exposed to such traffic.

(o) Binder hook design. Binders for securing wrappers on logging trucks shall be fitted with hooks of proper size and design for the wrapper chain being used.

(p) Defective wrappers. Wrappers shall be removed from service when any of the following conditions exist:

- (i) Excessively worn links on chains;
- (ii) Deformed or stretched chain links;
- (iii) Cracked chain links;

(iv) Frayed, stranded, knotted, or otherwise defective wire rope.

(q) Binder extensions. Pipe extension handles (swedes) for tightening or securing binders shall be limited to not longer than 36 inches. Care shall be taken that a sufficient amount of the pipe extends over the binder handle.

(r) Defective binders. Defective binders shall be immediately removed from service.

NOTE: See Figures I and II [codified as WAC 204-44-02001] for illustrations of placement and number of wrappers.

(2) Any motor truck, truck tractor, trailer, semi-trailer, or any combination thereof, transporting any load other than logs, upon a public highway where binder devices are required, shall have the load thereon securely fastened and protected by at least two load binders sufficiently strong to withstand all possible strains. The load securing devices shall have a breaking strength of at least 15,000 pounds. Exception: Binders used to secure baled hay and baled straw shall have a breaking strength of not less than 9,000 pounds. [Statutory Authority: RCW 46.37.005, 46.37.010, and 46.37.490. 78-10-100 (Order 7303B), § 204-44-020, filed

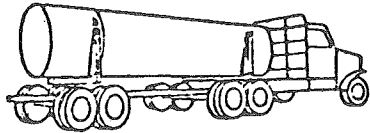
10/3/78; Order 7606, § 204-44-020, filed 2/24/76; Order 7303, § 204-44-020, filed 12/19/73.]

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.

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems

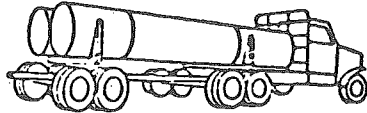
WAC 204-44-02001 Diagram I and II--Placement and number of wrappers.

ONE LOG LOAD



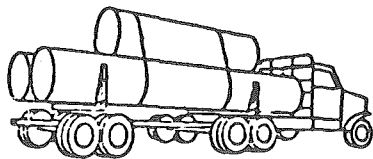
One wrapper required which shall be secured to the rear bunk. Log shall be blocked or secured in a manner to prevent it from rolling or shifting. A second wrapper secured to the front bunk is optional.

TWO LOG LOAD



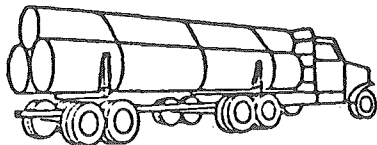
A minimum of two wrappers required. Logs shall be blocked to prevent them from rolling or shifting.

THREE OR FOUR LOG LOAD FORTY-FOUR FEET OR LESS



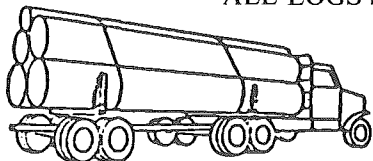
A minimum of two wrappers required.

THREE OR FOUR LOG LOADS MORE THAN FORTY-FOUR FEET



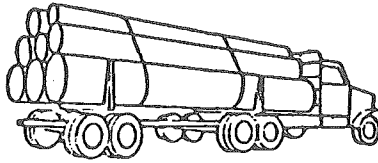
A minimum of three wrappers required.

FIVE OR SIX LOG LOAD ALL LOGS SEVENTEEN FEET OR LESS



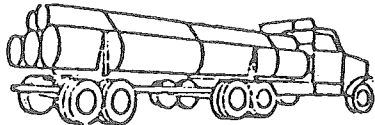
A minimum of two wrappers required.

SEVEN OR MORE LOG LOAD
ALL SEVENTEEN FEET OR LESS



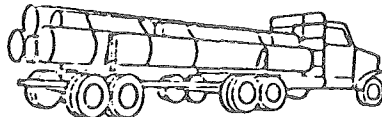
A minimum of two wrappers required.

FIVE OR MORE LOG LOAD
IF ANY LOGS ARE MORE THAN SEVENTEEN FEET



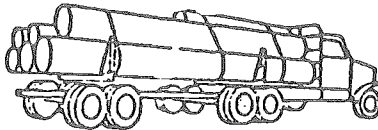
A minimum of three wrappers required.

OUTSIDE LOGS OR TOP LOGS



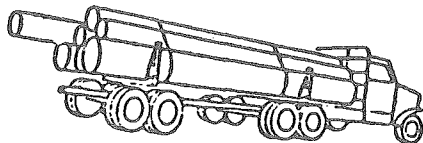
All outside or top logs shall be secured by a wrapper near but not within 12 inches of each end.

A WRAPPER SHALL BE NEAR EACH BUNK



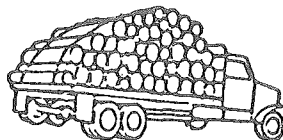
Each load shall be secured by having a wrapper within 6 feet of each bunk except on one log loads.

PROPER SUPPORT FOR LOGS



Not more than approximately one-third the weight of any log shall extend beyond the end of the logs or bunk supporting it.

SHORT LOGS LOADED CROSSWISE



A minimum of two wrappers are required and two chocks or stakes shall be used on the open end of the truck.

NOTE: All loads of logs on logging trucks equipped with chock blocks instead of stakes, shall have at least one additional wrapper over and above the requirements for trucks equipped with stakes, excepting on one and two log loads and trucks with short logs loaded crosswise.

[Statutory Authority: RCW 46.37.005, 46.37.010, and 46.37.490. 78-10-100 (Order 7303B), (codified as WAC 204-44-02001), filed 10/3/78.]

Chapter 204-52 WAC
MOTORCYCLISTS' EYE PROTECTION

WAC

204-52-010	Promulgation.
204-52-020	Definitions.
204-52-030	Eye protective devices.
204-52-040	Materials.
204-52-050	Lens strength—Testing procedures.
204-52-060	Flammability test—Plastics only.
204-52-070	Optical properties of eye protective devices.
204-52-080	Light transmitting ability of eye protective devices.
204-52-090	Cleansing.
204-52-100	Identification and labeling.

WAC 204-52-010 Promulgation. By authority of RCW 46.37.005 and 46.37.530(b), the state commission on equipment hereby adopts the following rules and regulations pertaining to the requirements of motorcyclists' eye protection. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-010, filed 2/7/79.]

WAC 204-52-020 Definitions. (1) Eye glasses – The term "eye glasses" shall include spectacles, sunglasses, or goggles having two separately mounted lenses, but shall exclude contact lenses.

(2) Goggles – The term "goggles" is an optical device worn before the eyes, the predominant function of which is to protect the eyes without obstructing peripheral vision. They provide protection from the front and sides and may or may not form a complete seal with the face.

(3) Face shield – The term "face shield" is an eye protector attached to a helmet or headband(s) and which covers the wearer's eyes and face at least to a point approximately to the tip of the nose and whose predominant function is protection of the eyes.

(4) Headband – The term "headband" is that part of the device consisting of a supporting band or other structure that either encircles the head or protective helmet, or can be attached thereto.

(5) Frame – The term "frame" is those parts of eye glasses or goggles containing the lens housings. The frame may be associated with padding. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-020, filed 2/7/79.]

WAC 204-52-030 Eye protective devices. (1) To be considered an eye protective device, or EPD, under this regulation, a device must be one of the following:

- (a) Goggles
- (b) Face shield
- (c) Eye glasses
 - (i) Each lens shall have a convex frontal surface, or be an ophthalmic corrective lens.
 - (ii) Each lens shall have a minimum area of three square inches or 19.356 square centimeters. The horizontal diameter (or side-to-side measurement) shall be no less than two inches or 50 millimeters. The vertical diameter (or top-to-bottom measurement) shall be no

less than 1 1/2 inches or 38 millimeters. A diameter shall pass through a point on the lens that is intended to be directly in front of the pupil of the eye when the wearer is looking straight ahead.

(2) Optical correction of a person's vision, where required or desired, may be provided either:

(a) By an EPD that provides the proper optical correction, or

(b) By personal corrective lenses worn under an EPD that does not disturb the adjustment of those lenses. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-030, filed 2/7/79.]

WAC 204-52-040 Materials. (1) All parts of an EPD shall be free from sharp edges or projections that could cause harm or discomfort to the wearer.

(2) Material(s) utilized in any portion of an EPD shall be of durable quality; i.e.: Material characteristics shall not undergo appreciable alterations under the influence of aging or of the circumstances of use to which the device is normally subjected (exposure to sun, rain, cold, dust, vibrations, contact of the skin, effects of sweat, or of products applied to the hair or skin).

(3) A headband shall be capable of holding the EPD securely under normal operating conditions. It shall be capable of easy adjustment and replacement.

(4) Material(s) commonly known to cause skin irritation or disease shall not be used for those parts of the device which come into contact with the skin. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-040, filed 2/7/79.]

WAC 204-52-050 Lens strength—Testing procedures. (1) Helmet-mounted face shields shall be tested while attached to an appropriate medium-size helmet supplied by the manufacturer of the face shield, which shall be mounted on a standard head form. An EPD not designed to be attached to a helmet shall be tested on a standard human head form. Each EPD shall be located in a position simulating its position in actual use.

(2) A steel projectile 3/8 inches in diameter, weighing 1.56 ounces approximately 2 1/2 inches long with a conical point of 90 degrees included angle, the point having a spherical radius no greater than .020 inches and a hardness of 60(± 10) on the Rockwell "C" scale, shall be freely dropped from a height of 14 feet above the EPD. The projectile may be guided, but not restricted in its vertical fall by dropping it through a tube extending to within approximately 4 inches of the impact area. The impact area must be on the forward optical surface and within 1-inch diameter circle centered over the eye opening. The impact point shall be perpendicular to a plane tangent to the impact area.

(3) The EPD shall not allow penetration of the projectile through the EPD. Cracking or piercing of the EPD is permissible provided that the projectile does not pass through or remain lodged in the EPD lens, but is

repulsed by the EPD, and that no particles of the EPD shall break loose from any eyeward surface of the EPD.

(4) Tests shall be performed at room temperature (65 degrees to 85 degrees F) under normal humidity conditions. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-050, filed 2/7/79.]

WAC 204-52-060 Flammability test--Plastics only.

(1) Where plastic materials are used in an EPD, such materials shall be noncombustible or slow burning. Such plastic items shall be exposed to a test to determine the flame-propagation rate. The specimen shall be ignited by holding one end of the specimen horizontally at the top of a luminous 3/4-inch Bunsen burner flame in a draft-free room. The rate of propagation of burning, after removing the flame from the specimen, determined by a stop watch, shall be one inch or less per 24 seconds. A faster rate of propagation shall be cause for rejection.

(2) Cellulose nitrate, or materials having flammability characteristics approximately those of cellulose nitrate, shall not be used. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-060, filed 2/7/79.]

WAC 204-52-070 Optical properties of eye protective devices. (1) Lenses of EPD's shall comply with the following requirements:

(a) Lenses shall be made of material suitable for ophthalmic use, and shall be free from striae, waves, bubbles, or any other defects which may impair their optical quality.

(b) The prismatic effect of a noncorrective lens shall not exceed 1/8 diopter at any point with the specified minimum field of vision. In the case of eye glasses, each noncorrective lens shall comply with the limitation of prismatic effect.

(c) In any meridian, the refractive power of a noncorrective lens shall not exceed plus or minus 1/8 diopter and the difference between the refractive powers in any two meridians shall not exceed 1/8 diopter.

(d) The definition afforded by a noncorrective lens shall be such that a line pattern with lines separated not more than 24 seconds of angle shall be clearly distinguishable when viewed through the lens.

(e) The compliance of a lens with the prismatic effects, refractive power, and definition requirements of subparagraphs (a), (b), and (c) of this subsection shall be determined in accordance with those test methods described in Sections 6.3.4.1.1, 6.3.4.1.2, and 6.3.4.1.3 of the American National Standards Institute Standard Z87.1-1968, September 18, 1968, "Eye and Face Protection" and explained in Section 10.1 of the National Bureau of Standards Circular 533, May 20, 1953, "Method for Determining the Resolving Power of Photographic Lenses." In order to maintain consistency in the results of tests conducted by various organizations, the following test requirements must be met:

(i) An 8-power telescope with focusing arrangement to accommodate the refractive effects of both positive

(converging) and negative (diverging) lenses placed between the telescope and test chart shall be used. The illuminated target and test chart shall be a central dot and a concentric circle one inch in diameter plus one of the high contrast ("black and white") NBS Resolution Test Charts, dated 1952, and printed on "Lens Resolution Chart to Accompany NBS Circular 533." The chart shall be perpendicularly aligned 35 feet from the objective lens of the telescope when the telescope is properly focused with no test, sample, or other lens between the objective lens and the chart. The center dot and the periphery of the concentric circle one inch in diameter shall be used when testing for prismatic effect. The test pattern marked "20" shall be used when testing for refractive power and when testing for definition. Standard lenses of plus or minus 1/8 diopter shall be used when testing for refractive power.

(ii) Other standard methods of test or examination that are equivalent or superior, as regards to accuracy, quality, and consistency of results to the above (subparagraph (i)) specified National Bureau of Standards methods, may be used to determine compliance only when such methods are approved by the state official to whom such approving authority has been assigned, or delegated, through due process of applicable state law.

(2) Minimum horizontal field of vision. Except as provided in subparagraph (a) of this subsection, each EPD shall not obstruct a horizontal field of vision to at least 105 degrees to the right side of the plane that passes through the pupil of the right eye looking straight ahead, and at least 105 degrees to the left side of the plane that passes through the pupil of the left eye looking straight ahead, and are parallel to the midsagittal plane.

(a) The specified minimum horizontal field of vision shall be unobstructed except that the horizontal field provided by the spectacles or sunglasses may be obstructed by the frame in a sector no greater than 7 1/2 degrees in horizontal angular width and located between 50 degrees and 80 degrees of the pertinent sagittal plane passing through the eye pupil when looking straight ahead.

(b) When ascertaining the horizontal field of vision afforded by eyeglasses, the pupil of the eye shall be assumed to be located 17 mm behind the point on the rear surface of the lens where the horizontal and vertical diameters intersect. When ascertaining the horizontal field of vision of EPD's other than eyeglasses, the assumed location of the pupil of the eye relative to the structures of the EPD shall be that location which is most likely to occur when the EPD is attached and worn in accordance with its manufacturer's instructions.

(c) No portion of the minimum horizontal field of vision shall be obstructed by a temple piece, headband, helmet, helmet attaching device, or any other supporting or attaching device. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-070, filed 2/7/79.]

WAC 204-52-080 Light transmitting ability of eye protective devices. (1) A "clear" EPD shall transmit not

less than eighty-five percent of the incident visible radiation. An EPD transmitting less than eighty-five percent of incident visible radiation shall be considered "tinted".

(a) A "tinted" EPD shall not impair the wearer's ability to discern color.

(b) A "tinted" EPD shall not be used at any time from a half hour after sunset to a half hour before sunrise and at any other time when due to insufficient light or unfavorable atmosphere conditions, persons and vehicles on the highway are not clearly discernible at a distance of 500 feet ahead.

(2) Luminous transmittance test. The standard source of radiant energy used in the measurement of luminous transmittance shall be a projection type lamp No. T-8 (or other high-powered, gas-filled tungsten filament incandescent lamp) operated at the color temperature (2854K) corresponding to CIE Source A. The luminous transmittance shall be determined by one of the following means:

(a) Photometrically by an observer having normal color vision, as determined by recognized color vision chart tests such as those employing pseudo-isochromatic plates.

(b) With a physical photometer consisting of a thermopile (or other radiometer) and luminosity solution having a special transmittance curve which coincides closely with the luminous efficiency curve of the average eye.

(c) By measuring the special transmittance and calculating the luminous transmittance through the use of published data on the spectral radiant energy of CIE Source A and the relative luminous efficiency of the average eye. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-080, filed 2/7/79.]

WAC 204-52-090 Cleansing. All EPD materials shall be such as to withstand, without visible deterioration, washing in ordinary household detergents and warm water, and rinsing to remove visible traces of detergents. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-090, filed 2/7/79.]

WAC 204-52-100 Identification and labeling. Eye protective devices, manufactured to comply with the requirements of this regulation and approved by the Commission on Equipment, shall be identified and labeled as follows:

(1) The EPD shall be permanently marked in a manner not to interfere with the vision of the wearer.

(2) The manufacturer's or distributor's trade name and model name or number, which shall correspond with the name and number under which the device has been approved or certified.

(3) That the device meets the standard VESC-8. Where space is limited, V-8 may be used in lieu of VESC-8.

The information required under WAC 204-52-100(1), (2) and (3) plus the corporate or business name and address of either the actual manufacturer or the

marketer assuming the responsibilities of the manufacturer shall be imprinted on the container in which the EPD is packed and on any instruction sheet(s) pertaining to the EPD.

The following statement shall appear in a prominent location on the container or label accompanying each tinted eye protective device: THIS TINTED EYE PROTECTIVE DEVICE IS FOR DAYTIME USE ONLY. [Statutory Authority: RCW 46.37.005 and 46.37.530. 79-02-084 (Order 7503A), § 204-52-100, filed 2/7/79.]

**Chapter 204-64 WAC
QUARTZ HALOGEN HEADLAMPS**

WAC	
204-64-010	Purpose.
204-64-020	Definition.
204-64-040	Approval procedure.
204-64-060	Application for certificate of approval.
204-64-080	Installation, aiming, and adjustment.
204-64-100	Application of these regulations.

WAC 204-64-010 Purpose. By authority of RCW 46.37.005 and 46.37.320, the commission on equipment hereby adopts the following regulation pertaining to the approval, installation, adjustment, and aiming of quartz halogen headlamps. [Statutory Authority: RCW 46.37.005 and 46.37.320. 78-11-051 (Order 7740-C), § 204-64-010, filed 10/23/78.]

WAC 204-64-020 Definition. Quartz halogen headlamps are those that meet the standards established by the United Nations' agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts agreed upon at Geneva on March 20, 1958, as amended and adopted by the Canadian Standards Association (CSA Standard D106.2). [Statutory Authority: RCW 46.37.005 and 46.37.320. 78-11-051 (Order 7740-C), § 204-64-020, filed 10/23/78.]

WAC 204-64-040 Approval procedure. The commission on equipment shall issue a certificate of approval to manufacturers of quartz halogen headlamps for sale of such lighting devices in this state when such manufacturer submits proper certification that such device conforms with Canadian Standards Association Standard D106.2. All applications shall include a copy of the CSA approval and shall be submitted to the commission on equipment for approval. The address is Secretary, Commission on Equipment, General Administration Building AX-12, Olympia, Washington 98504. [Statutory Authority: RCW 46.37.005 and 46.37.320. 78-11-051 (Order 7740-C), § 204-64-040, filed 10/23/78.]

WAC 204-64-060 Application for certificate of approval. The application for the certificate of approval for quartz halogen headlamps shall include the following information as shown in the sample:

Date: _____

Secretary
Commission on Equipment
General Administration Building AX-12
Olympia, Washington 98504

The attached CSA Approval, File No. _____ dated _____ certifies that the following headlamp complies with the United Nations Geneva Agreement in 1958 for "Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts" and Canadian Standards Association Standard No. D106.2, "Vehicle Headlight Conforming to ECE Regulations", in accordance with RCW 46.37.320.

Manufacturer: _____
U.S. Designation: _____
Canadian Designation: _____
Manufacturer's Designation: _____
ECE Approval Markings on Front Lens: _____

Sealed Beam Replacement Size: _____
Standard Vehicle Equipment on: _____
Manufacturer's Representative in the state of
Washington: _____

Applicant: _____

[Statutory Authority: RCW 46.37.005 and 46.37.320. 78-11-051 (Order 7740-C), § 204-64-060, filed 10/23/78.]

WAC 204-64-080 Installation, aiming, and adjustment. Prior to approval for sale and use of quartz halogen headlamps, manufacturers shall submit for approval to the commission on equipment a copy of an instructional guide, pamphlet, brochure, or other written information which will be provided to the consumer by the manufacturer. The instructional guide shall describe in easily readable text, diagrams, or pictures the proper procedures for the installation, aiming, and adjustment of quartz halogen headlights. The manufacturer shall provide the approved instructional guide at no charge in each individual package of quartz halogen headlamps. Headlamps shall comply with the requirements of, limitations of, and shall be installed and maintained in accordance with chapter 46.37 RCW. [Statutory Authority: RCW 46.37.005 and 46.37.320. 78-11-051 (Order 7740-C), § 204-64-080, filed 10/23/78.]

WAC 204-64-100 Application of these regulations. These regulations are intended to apply only to Washington state headlamp standards. These regulations do not in any way affect the application of laws, regulations, or standards pertaining to headlight standards

promulgated by any other state or by the federal government. [Statutory Authority: RCW 46.37.005 and 46.37.320. 78-11-051 (Order 7740-C), § 204-64-100, filed 10/23/78.]

**Chapter 204-66 WAC
TOWING BUSINESSES**

WAC	
204-66-060	Inspections.
204-66-080	Processing of application.
204-66-120	Procedure.
204-66-140	Towing procedure.
204-66-160	Minimum standards for tow trucks.
204-66-170	Tow truck classifications.
204-66-180	Vehicle towing operator qualifications.

WAC 204-66-060 Inspections. Upon receipt of an application for a letter of appointment, the secretary of the commission shall cause the patrol to conduct an inspection of the applicant's place of business, facilities, and equipment to determine if the applicant qualifies for the issuance of a letter of appointment pursuant to these regulations. Verification must be shown to the inspector that the applicant's request for a letter of appointment complies with or is authorized variance from all applicable local laws and regulations as prescribed for the geographical area where the towing business will be established.

- (1) Inspections will be conducted at least once a year.
- (2) Inspectors will be designated by the district commander.

(3) After a letter of appointment has been issued, the district commander will cause to be affixed to each qualified tow truck a decal indicating that a particular tow truck has been "approved" by the commission.

(a) The decal will be affixed to the windshield on the lower right corner.

(b) Upon termination of a letter of appointment, the decal will immediately be removed. [Statutory Authority: 1977 ex. sess. c 167 [chapter 46.61 RCW]. 78-08-079 (Order 7720 B), § 204-66-060, filed 7/27/78; Order 7720, § 204-66-060, filed 10/14/77.]

WAC 204-66-080 Processing of application. Every application for authorization to provide a towing service at the request of the patrol, following inspection and certification pursuant to this regulation, will be referred to the commission. If the commission finds that the requirements of this regulation have been or will be satisfied by the applicant and that the applicant is otherwise qualified, or that standards have been waived, the commission shall issue an appropriate letter of appointment. If the commission shall find that the applicant does not or will not meet the requirements of this regulation or is not qualified regardless of waiver, then the commission shall deny such application and shall so notify the applicant of its decision, stating the reasons therefore in writing. If a letter of appointment is granted, the commission will notify the applicant in writing and notify the patrol directing them to use the services of the applicant in accordance with this regulation.

If the district commander of the Washington State Patrol district concerned recommends denial of a business application for authorization to provide a towing service for the patrol, the Secretary to the Commission on Equipment shall notify the applicant and the district commander that the applicant and the district commander, or his designee, have the right to appear before the Commission on Equipment when the application is to be considered to show cause why the application should or should not be approved. [Statutory Authority: 1977 ex. s. c 167. 78-10-016 (Order 7720 C), § 204-66-080, filed 9/12/78; Order 7720, § 204-66-080, filed 10/14/77.]

WAC 204-66-120 Procedure. The provisions of chapter 1-08 WAC, shall govern the conduct of any hearing held pursuant to these regulations. The burden of proof in any hearing before the commission shall be on the applicant seeking a letter of appointment, or the person or agency seeking the suspension or revocation of a letter of appointment or other action by the commission. The commission, after having heard and considered all pertinent evidence, or after having considered a record of a hearing conducted by a hearing officer duly appointed by the commission, shall make written findings of facts based on the evidence and written conclusions based on its findings. Oral proceedings shall be recorded on tape and such tape shall become part of the hearing record. [Statutory Authority: RCW 46.37.005. 79-09-093 (Order 7720H), § 204-66-120, filed 8/31/79; Order 7720, § 204-66-120, filed 10/14/77.]

WAC 204-66-140 Towing procedure. Officers of the patrol shall obtain towing services to remove damaged or disabled vehicles from the highway or to remove vehicles from the highway with the following limitations:

(1) If the vehicle does not constitute an obstruction to traffic and the owner/operator of the vehicle is present at the scene and appears competent to determine disposition of the vehicle, the owner/operator may, upon request, make his own arrangements for removal. This does not affect rotational positions.

(2) If the vehicle is to be removed from the scene, the owner/operator of the vehicle may make a specific request for a particular tow operator. The request will be honored by the officer of the patrol if the requested tow operator is reasonably available and the request is otherwise reasonable in view of the circumstances at the scene. This does not affect rotational positions.

(3) When the owner/operator of the vehicle makes no specific request, or when the owner/operator is incapacitated or is unavailable, the officer of the patrol shall, when practicable, obtain towing services by notifying the radio communications center and requesting tow service at that location.

(4) The commission shall specify that tow services obtained by the patrol will be on a contractual, rotational, or other basis in specific geographical areas in the state.

(5) The district commander shall submit to the commission for approval the type of tow service in each tow zone.

(6) For the purposes of rotational tow requests, an approved tow truck shall be used only in the single tow zone which has been assigned to the company or business enterprise operating such truck, except:

(a) in cases of specific requests covered by (2) above, and,

(b) when tow service is not reasonably available with a given zone and tow service must be obtained from another zone. [Statutory Authority: RCW 46.37.005. 79-11-107 (Order 7720J), § 204-66-140, filed 11/1/79; Order 7720, § 204-66-140, filed 10/14/77.]

WAC 204-66-160 Minimum standards for tow trucks. Except as provided in WAC 204-66-170, tow trucks used in response to requests from the patrol shall have a minimum manufacturer's gross [vehicle] weight rating of 10,000 pounds or its equivalent. Tow trucks shall be equipped with dual tires on the rear axle or duplex type tires, sometimes referred to as super single, with a load rating that is comparable to dual tire rating. Each tow truck shall also be equipped as follows:

(1) With all legal light, equipment, and licensing requirements for trucks and/or tow trucks and the operation thereof.

(2) Dual or single boom capacity of not less than six tons with dual winches to control a minimum of two service cables.

(3) A minimum of one hundred feet of 3/8 inch continuous length cable, or its equivalent, in working condition on each drum.

(4) One revolving or intermittent red light with 360 degree visibility. Such red light will not be used when responding to a call, but only at the scene when necessary to warn approaching traffic of impending danger.

(5) A broom and shovel.

(6) A tow sling or other comparable device made of a material designed to protect vehicles/motorcycles while being towed.

(7) A 20 BC rating fire extinguisher(s) or equivalent.

(8) A minimum of two snatch blocks or their equivalent in working condition.

(9) A portable dolly, or its equivalent, for hauling vehicles that are not towable.

(10) Two pinch bars or equivalent [devices].

(11) A two-way radio having the ability to communicate with a base station.

(12) Portable lights for unit being towed including, but not limited to, taillights, stop lights, and directional signals.

In addition to the preceding, the following is required:

(1) Tow truck interior will be reasonably clean.

(2) Tow truck drivers will clean accident/incident scenes of all glass and debris.

(3) All equipment used in conjunction with the tow truck must be commensurate with the manufacturer's [basic] boom rating.

(4) All tow trucks shall display the firm's name, address, and telephone number. Such information shall be painted on or permanently affixed to the vehicle.

(5) When a tow truck is added to the business, or when the reinspection of a tow truck is necessary, the district commander will be contacted to ascertain where and when the inspection will be given. [Statutory Authority: 1977 1st ex.s. c 167 [chapter 46.61 RCW]. 79-05-109 (Order 7720 E), § 204-66-160, filed 5/2/79; 78-08-079 (Order 7720 B), § 204-66-160, filed 7/27/78; Order 7720, § 204-66-160, filed 10/14/77.]

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.

WAC 204-66-170 Tow truck classifications. (1) Class "A": Tow trucks that are capable of towing and recovery operations for passenger cars, pickup trucks, small trailers, or equivalent vehicles. The minimum standards stated in WAC 204-66-160 shall apply to class "A" tow trucks.

(2) Class "B": Tow trucks that are capable of towing and recovery operations for medium size trucks, trailers, motor homes, or equivalent vehicles. Class "B" tow trucks shall have:

(a) A minimum manufacturer's gross vehicle weight rating of 16,000 pounds or its equivalent.

(b) Boom capacity of not less than ten tons.

(c) A minimum of one hundred and fifty feet of 7/16 inch continuous length cable, or its equivalent, on each drum in working condition.

(d) The remaining minimum standards stated in WAC 204-66-160.

(3) Class "C": Tow trucks that are capable of towing and recovery operations for large trucks, road tractors, trailers, or equivalent vehicles. Class "C" tow trucks shall have:

(a) Tandem rear axle truck chassis.

(b) Boom capacity of not less than twenty tons.

(c) A minimum of one hundred and fifty feet of 9/16 inch continuous length cable, or its equivalent, on each drum in working condition.

(d) Air brakes and an air system capable of supplying air to the towed unit.

(e) The remaining minimum standards stated in WAC 204-66-160; provided portable dollies shall not be required.

(4) Class "D": All other tow trucks that do not meet the classification requirements in WAC 204-66-160 and 204-66-170, and which are specially approved by the commission. Prior to special approval, the district commander concerned shall have stated in writing the need for, capabilities, size, and equipment of the tow truck. [Statutory Authority: 1977 ex. sess. c 167 [chapter 46.61 RCW]. 78-08-079 (Order 7720 B), § 204-66-170, filed 7/27/78; Order 7720, § 204-66-170, filed 10/14/77.]

WAC 204-66-180 Vehicle towing operator qualifications. In addition to WAC 204-66-160, tow truck operators appointed to perform towing services pursuant to this regulation shall observe the following practices and procedures:

(1) When called by the patrol, the tow truck operator will dispatch a tow truck within five minutes during normal business hours.

(2) Tow trucks dispatched at the request of the patrol after normal business hours, will be on the move within the assigned zone within ten minutes after receiving the call.

(3) The tow truck that is dispatched will arrive at the stated location within a reasonable time considering distance and traffic conditions.

(4) If for any reason a tow operator is unable to dispatch a tow truck within the stated time, the tow truck operator shall so advise the patrol. In the event the tow truck does not arrive at the scene within a reasonable time, the patrol will contact another tow business to perform the necessary services.

(5) A tow operator on rotation who is unable to dispatch within the time stated in WAC 204-66-180(1), (2), (3), and (4), will forfeit his turn and be placed at the bottom of the rotation list as if he had responded.

(6) Consistent refusal or failure of the appointee to respond to calls from the patrol for towing services may result in the suspension or revocation of the tow operator's letter of appointment.

(7) The tow operator will advise the patrol when he receives a private call for a tow and the circumstances indicate that the tow is for a vehicle which has been involved in an accident or other such incident on the public roadway. The tow operator also will advise the patrol of all traffic accidents on private property resulting in bodily injury or death when the operator has received a private call for a tow at such an accident.

(8) The tow operator will notify the patrol before moving any vehicle involved in an accident on a public highway under the jurisdiction of the patrol as defined in the motor vehicle code, Title 46 RCW, or where it appears that the driver of the vehicle to be moved is under the influence of intoxicants or drugs, or is otherwise incapacitated.

(9) When the patrol is in charge of an accident scene or other such incident, a tow operator shall not respond to such scene unless his services have been specifically requested by the patrol or the driver/owner or his agent.

(10) The tow operator shall be available twenty-four hours a day for the purpose of receiving calls or arranging for the release of vehicles. Business hours will be posted conspicuously at the operator's place of business so they can be seen during business hours and non-business hours. A copy will also be sent to the secretary of the commission and patrol district commander of the district in which the tow operator does business. Changes of business hours will be sent to the secretary of the commission and district commander ten days before their effective date.

(11) The tow operator shall have a secure storage area for the vehicles stored by the operator at the request of

the patrol. Such storage area shall comply with Department of Licensing requirements for registered disposers (WAC 308-61-110).

(12) Tow operators will notify the appropriate patrol office of the release of stored vehicles within five work days after the release of such vehicle. Notification to the patrol will be made in such a manner prescribed by the district commander of the area concerned.

(13) Tow operators will post current towing service rates in a conspicuous place at the company's place of business. A copy of the current rates will be sent to the secretary of the commission and patrol district commander of the district in which the tow operator has applied for a letter of appointment. Any change(s) in service rates will be forwarded to the district commander of the area and to the secretary of the commission ten days prior to the proposed change(s).

(14) If the commission receives written complaints from towing customers or the patrol concerning commission appointed tow businesses alleging "price gouging," "over-charging," charging for services not received, and other such pricing abuses and/or any improprieties, it will cause such allegations to be investigated by the patrol; and, if such abuses are established, the letter of appointment of any such business may result in the suspension, revocation, or denial of the letter of appointment by the commission.

(15) Tow operators will maintain, for one year, records on towed and released vehicles which were towed at the request of the patrol. This record will include but not be limited to:

(a) An itemized receipt of charges to the claimant of the vehicle.

(b) An inventory sheet or copy thereof made out by the trooper at the scene of the tow and signed by the tow truck driver.

Such records will be available for inspection by the patrol during normal business hours at the appointee's place of business for which the letter of appointment has been issued.

(16) The tow truck driver will sign an inventory sheet made out by the trooper at the scene of the tow and receive a copy.

(17) Tow operators will obtain and maintain current registration as a disposer by the Department of Licensing pursuant to chapter 308-61 WAC and chapter 178, 1st extraordinary session, Laws of 1979.

(18) Each towing operator shall carry at least five thousand dollars of insurance to protect against vehicle damage from, including but not limited to, fire and theft incurred from the time a vehicle comes into his custody pursuant to this regulation, until he releases or otherwise disposes of it. Each towing operator shall also carry at least fifty thousand dollars of liability insurance for property or bodily injury. Insurance must be sufficient to compensate for any loss of or damage to property entrusted to the towing firm.

The commission shall be notified within ten days of any change which leaves the tow operator without the necessary minimum coverage. A copy of the insurance policy or certificate of coverage shall be filed with the

secretary of the commission. The insurer shall notify the commission within five days if the policy is canceled.

(19) Tow operators shall perform towing tasks competently. The standard of competence shall be that quality of work which is accepted as efficient and effective within the towing industry.

(20) No tow operator or his employee or agent shall misappropriate, wrongfully convert to his own use or abuse any property entrusted to his care or storage as a result of performing towing services or for the benefit of a towing service customer. [Statutory Authority: RCW 46.37.005. 79-09-093 (Order 7720H), § 204-66-180, filed 8/31/79. Statutory Authority: RCW 46.61.562 through 46.61.567. 79-01-077 (Order 7720D), § 204-66-180, filed 1/2/79; 78-08-079 (Order 7720B), § 204-66-180, filed 7/27/78; Order 7720A, § 204-66-180, filed 11/18/77, effective 12/21/77; Order 7720, § 204-66-180, filed 10/14/77.]

Chapter 204-68 WAC

COMMISSION ON EQUIPMENT PUBLIC RECORDS

WAC

204-68-010	Purpose.
204-68-020	Definitions.
204-68-030	Description of the Washington state commission on equipment.
204-68-040	Operations and procedures.
204-68-050	Public records available.
204-68-060	Public records officer.
204-68-070	Office hours.
204-68-080	Requests for public records.
204-68-090	Copying.
204-68-100	Exemptions.
204-68-110	Review of denials of public records requests.
204-68-120	Protection of public records.
204-68-130	Request for information.
204-68-140	Adoption of form.

WAC 204-68-010 Purpose. The purpose of this chapter shall be to ensure compliance by the Washington state commission on equipment with the provisions of (Initiative 276) chapter 42.17 RCW, disclosure-campaign-finance-lobbying records; and in particular with subsections 25-32 [RCW 42.17.250 through 42.17.310, and 42.17.320] of that act, dealing with public records. [Statutory Authority: RCW 46.37-.005. 79-09-092 (Order 7201A), § 204-68-010, filed 8/31/79.]

WAC 204-68-020 Definitions. (1) Public record – includes any writing containing information relating to the conduct of governmental or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

(2) Writing – means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letter, words, pictures, sounds, symbols, or combinations thereof, and all papers, maps, magnetic

or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

(3) Washington state commission on equipment – is the commission created by the legislature pursuant to RCW 46.37.005. The Washington state commission on equipment shall hereinafter be referred to as the commission. Where appropriate, the term commission also refers to the staff and employees of the Washington state commission on equipment. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-020, filed 8/31/79.]

WAC 204-68-030 Description of the Washington state commission on equipment. The commission consists of the director of the department of licensing, the chief of the Washington state patrol and the secretary to the department of transportation. The secretary to the Washington state commission on equipment is appointed by the chief of the Washington state patrol. The secretary to the commission on equipment is located in the General Administration Building, Olympia, Washington 98504. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-030, filed 8/31/79.]

WAC 204-68-040 Operations and procedures. The commission's powers and duties are described in RCW 46.37.005 and 46.37.010, and other applicable RCW chapters. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-040, filed 8/31/79.]

WAC 204-68-050 Public records available. All public records of the commission, as defined in WAC 205-68-020(1), are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310, and WAC 446-10-100. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-050, filed 8/31/79.]

WAC 204-68-060 Public records officer. The commission's public records shall be in custody of the secretary to the commission. The public records officer shall be responsible for the following: The implementation of the commission's rules and regulations regarding release of public records, coordinating the staff of the commission in this regard, and generally ensuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-060, filed 8/31/79.]

WAC 204-68-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the commission. For the purpose of this chapter, the customary office hours shall be from 9 a.m. to noon, and from 1 p.m. to 4 p.m. Monday through Friday excluding legal holidays. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-070, filed 8/31/79.]

WAC 204-68-080 Requests for public records. In accordance with requirements of chapter 42.17 RCW,

that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained by members of the public upon compliance with the following procedures:

(1) If, after access to the commission's files, a particular record is desired and that record is not an item routinely available as a matter of public service, a request shall be made in writing upon a form prescribed by the commission which shall be available at its office. The form shall be presented to the public records officer or to any member of the commission's staff if the public records officer is not available at the commission office during customary office hours. The request shall include the following information:

(a) The name and address of the person requesting the record;

(b) The time of day and calendar date on which the request was made; and

(c) The nature of the request.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-080, filed 8/31/79.]

WAC 204-68-090 Copying. No fee shall be charged for the inspection of public records. The commission shall charge a fee of ten cents per page of copy for providing copies of public records and for use of the commission's copy equipment. This charge is the amount necessary to reimburse the commission for its actual costs incident to such copying. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-090, filed 8/31/79.]

WAC 204-68-100 Exemptions. (1) The commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 204-68-080 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260, the commission reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-100, filed 8/31/79.]

WAC 204-68-110 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the chairman of the commission. The chairman shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the commission as soon as legally possible to review the denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the commission has returned the petition with a decision or until the close of the second business day following the denial of inspection, whichever comes first. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-110, filed 8/31/79.]

WAC 204-68-120 Protection of public records. Requests for public records shall be made to the Washington state commission on equipment, General Administration Building AX-12, Olympia, Washington 98504. Public records and a facility for their inspection and/or copying will be provided by the public records officer of the commission. Such records or documents shall not be removed from the place designated for their inspection and all records will be reviewed under the supervision of the public records officer or his designee. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-120, filed 8/31/79.]

WAC 204-68-130 Request for information. All communication with the commission, including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW, and these rules, requests for copies of the commission's decisions, and other matters, shall be addressed as follows: Secretary, Commission on Equipment, General Administration Building AX-12, Olympia, Washington 98504. [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-130, filed 8/31/79.]

WAC 204-68-140 Adoption of form. The commission hereby adopts for use by all persons requesting inspection and/or copying, or copies of its records, the following form entitled, "Request for Public Record":

REQUEST FOR PUBLIC RECORD

Date ----- Time -----
Name -----
Address -----

Nature or Description of Record:

I certify that the information obtained through this request for public record will not be used for commercial purposes.

Signature [Statutory Authority: RCW 46.37.005. 79-09-092 (Order 7201A), § 204-68-140, filed 8/31/79.]

Title 212 WAC
STATE FIRE MARSHAL

- Chapter 212-02 Description of fire marshal's office--Organization, operations, obtaining information.
- 212-20 Model and experimental rocketry.

Chapter 212-02 WAC
DESCRIPTION OF FIRE MARSHAL'S OFFICE--
ORGANIZATION, OPERATIONS, OBTAINING
INFORMATION

- WAC 212-02-020 Organization and operations.
- 212-02-030 Functions.

WAC 212-02-020 Organization and operations. (1) Administration. The administrative staff and technical specialists are situated on the capitol campus in Olympia. The majority of the staff is assigned to specific functions and is situated at various locations throughout the state, but under the direction of the administrative division.

(2) Health care inspection division. A supervisor, clerical help and a team of deputy fire marshals are assigned to work directly with department of social and health services in fulfilling the fire marshal's responsibilities in inspecting and approving all hospitals, nursing homes, boarding homes, maternity homes, and facilities treating mental illness or inebriacy prior to licensing by the state. This team operates from offices within the department of social and health services in Olympia, Seattle and Spokane. Their primary duty is the inspection, at least annually, of all the aforementioned licensed facilities and issuing approvals or disapprovals for future operation. Facilities not approved must make the necessary corrections or risk denial, revocation or suspension of their license to operate. Secondary duties of this team includes training facility staffs in fire prevention and fire