

expiration date of the certificate, remit the appropriate fee identified in WAC 296-401-175 and provide to the department evidence of the completion of approved continuing education course(s) of at least eight classroom hours duration per year of the prior certification period.

(b) An electrician certificate will be renewed within ninety days after the expiration date without reexamination, if the applicant furnishes to the department evidence of completion of approved continuing education course(s) of at least eight classroom hours duration per year of the prior certification, by payment of double the fee identified in WAC 296-401-175. All applications for renewal received more than ninety days after the expiration date of the certificate will require passage of the examination provided by RCW 19.28.540 for recertification.

(c) An electrician certificate will be renewed but will be placed in an inactive status if the renewal process concerning the remittance of application and proper fees complies with (a) or (b) of this subsection but the applicant has not completed the required hours of continuing education course(s). Persons holding a certificate placed in an inactive status will not be permitted to engage in the electrical construction trade. Certificates placed in an inactive status will be returned to active status upon presentation to the department of evidence that all classroom hours of continuing education that were required for renewal have been completed.

(d) Each application for renewal of a prior certification that covered a period of two years or more must include evidence of attendance at an approved continuing education class, of at least eight classroom hours duration, on the latest National Electrical Code changes.

[Statutory Authority: RCW 19.28.550, 94-01-005, § 296-401-165, filed 12/1/93, effective 1/1/94. Statutory Authority: RCW 19.28.060, 19.28.600 and chapter 19.28 RCW, 86-18-041 (Order 86-23), § 296-401-165, filed 8/29/86. Statutory Authority: RCW 19.28.120 and 19.28.510, 83-23-053 (Order 83-32), § 296-401-165, filed 11/14/83.]

Title 308 WAC

LICENSING, DEPARTMENT OF (Formerly: Motor Vehicles, Dept. of and Licenses, Dept. of)

Chapters

- 308-13 Board of registration for landscape architects.**
- 308-17 Private detective agencies and private detectives.**
- 308-18 Private security guard companies and private security guards.**
- 308-19 Bail bond agencies and bail bond agents.**
- 308-30 Notaries public.**
- 308-56A Certificates of title—Motor vehicles, etc.**
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Chapter 308-13 WAC

BOARD OF REGISTRATION FOR LANDSCAPE ARCHITECTS

WAC

- 308-13-020 Qualifications for admittance to the examination.
- 308-13-022 Repealed.
- 308-13-024 Application for examination.
- 308-13-025 Repealed.
- 308-13-032 Licensing examination.
- 308-13-100 Reinstatement of delinquent, suspended, or revoked licenses.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 308-13-022 Reexamination. [Statutory Authority: RCW 18.96.060, 85-04-029 (Order PL 511), § 308-13-022, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.
- 308-13-025 Proctoring. [Statutory Authority: RCW 18.96.060 and 18.96.070, 88-15-041 (Order PM 746), § 308-13-025, filed 7/15/88. Statutory Authority: RCW 18.96.060, 85-04-029 (Order PL 511), § 308-13-025, filed 1/31/85.] Repealed by 93-16-009, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060.

WAC 308-13-020 Qualifications for admittance to the examination. Applicants for the examination shall provide documentation verifying a minimum of seven years of any combination of academic and practical training experience approved by the board.

(1) ACADEMIC TRAINING

(a) With a passing grade, 32 semester credit hours or 45 quarter credit hours is considered to be one year. Any fraction, one-half year or greater, will be counted one-half year, and less than one-half year will not be counted.

(b) A degree in landscape architecture or credits from an accredited college will be weighted at one hundred percent with a four year maximum credit for academic training.

(c) Credits in landscape architecture from a college not accredited may be weighted up to seventy-five percent with a three year maximum credit for academic training.

(d) Credits in architecture or civil engineering will be weighted at fifty percent with a two year maximum credit for academic training.

(2) PRACTICAL TRAINING

(a) Practical training experience, work in landscape architecture and related work experience, will be measured in months.

(b) No training prior to graduation from high school will be accepted.

(c) Full time practical work experience must be at least thirty-five hours per week for a minimum of ten consecutive weeks; and part time practical work experience must be at

least twenty hours per week for six or more consecutive months.

[Statutory Authority: RCW 18.96.060. 93-16-009, § 308-13-020, filed 7/22/93, effective 8/22/93. Statutory Authority: RCW 18.96.060 and 18.96.070. 88-05-025 (Order PM 707), § 308-13-020, filed 2/12/88. Statutory Authority: RCW 18.96.060. 85-04-029 (Order PL 511), § 308-13-020, filed 1/31/85; Order PL 246, § 308-13-020, filed 4/26/76; Order 2472, § 308-13-020, filed 12/16/69.]

WAC 308-13-022 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-13-024 Application for examination. (1) The application for examination must be submitted on forms approved by the board, accompanied by academic and/or practical experience verification to document eligibility under the provisions of RCW 18.96.070. Applications for admission to an examination if scheduled, must be submitted or postmarked not later than the following dates. If the cut-off date falls on a Saturday or Sunday, the postmark deadline will be the following Monday.

<u>Examination Months</u>	<u>Cut-off Dates</u>
June	April 1
December	October 1

(2) Examinees may retake any sections offered that have not been passed. Applications for examination or reexamination must be accompanied by the application fee for examination or reexamination and the appropriate examination fee as established by the director and published in chapter 308-13 WAC, landscape architect fees. For reexamination applicants, examination fees are listed by separate section.

(3) A completed application includes:

(a) A notarized application form LA 656-3;
(b) Three references from landscape architects having personal knowledge of the applicant's landscape architectural experience;

(c) Transcript of academic experience showing courses taken and degree received with registrar's seal/stamp/signature. Photocopies of transcripts are not acceptable;

(d) Verification of work experience;

(e) Application and examination fees.

(4) Notice of acceptance (examination admission letters) will be mailed to eligible applicants approximately six weeks prior to the examination along with detailed information as to times, place, and scheduled examination sections.

(5) Application fees for examination and reexamination are administrative charges and will not be refunded. The examination fees (cost of each test) may be refunded if notice of cancellation is received by the department prior to ordering of examinations from the national testing service.

[Statutory Authority: RCW 18.96.060. 93-16-009, § 308-13-024, filed 7/22/93, effective 8/22/93.]

WAC 308-13-025 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-13-032 Licensing examination. The form of the examination required of applicants shall consist of a written and graphic examination. Subject to the provisions

of RCW 18.96.090, the board adopts the landscape architectural registration examination and grading procedure prepared by the Council of Landscape Architectural Registration Boards (CLARB) as the state examination for registration.

The examination is administered according to the published national schedule.

To pass the examination, an applicant must achieve a passing score of seventy-five percent on each of the sections of the examination. Applicants are notified of their grades by mail. No grades are given by telephone. Reexamination information shall be provided to candidates along with scores if the candidate has not passed all sections.

An applicant must successfully complete the entire examination within a five-year period. The five-year period shall begin with the month an applicant begins the examination process. Passing scores for any section of the examination may be carried forward for a period of five years from the date the applicant passed that section of the examination. Applicants shall retake any section of the examination which was passed more than five years previously, along with any section of the examination not yet passed.

[Statutory Authority: RCW 18.96.060. 93-16-009, § 308-13-032, filed 7/22/93, effective 8/22/93; 92-10-030, § 308-13-032, filed 4/30/92, effective 5/31/92. Statutory Authority: RCW 18.96.060 and 18.96.090. 88-12-018 (Order PM 726), § 308-13-032, filed 5/24/88. Statutory Authority: RCW 18.96.060. 85-23-045 (Order PL 567), § 308-13-032, filed 11/18/85; 85-04-029 (Order PL 511), § 308-13-032, filed 1/31/85.]

WAC 308-13-100 Reinstatement of delinquent, suspended, or revoked licenses. (1)(a) Reinstatement of a license, delinquent less than five years, requires a letter to the board administrator requesting reinstatement, payment of all delinquent renewal fees plus the current penalty fee.

(b) Reinstatement of a license, delinquent five or more years, requires a letter of application to the board requesting reinstatement, payment of all delinquent renewal fees plus the current penalty fee, a resume of landscape architectural activities and projects since the date of expiration, a detailed explanation of the circumstances surrounding the failure to maintain current licensure and a summary analysis of the law and rules governing landscape architects in sufficient detail to demonstrate a thorough understanding of the law and rules. Additional requirements may be established by the board.

(2) Requests for reinstatement of a suspended or revoked license shall be submitted in a letter of application to the board and shall include a resume of professional activities and projects since suspension or revocation, a summary analysis of the law and rules governing landscape architects in sufficient detail to demonstrate a thorough understanding of the law and rules and such other documents and materials as directed by the board.

[Statutory Authority: RCW 18.96.060. 93-16-009, § 308-13-100, filed 7/22/93, effective 8/22/93; 85-04-029 (Order PL 511), § 308-13-100, filed 1/31/85; Order 2472, § 308-13-100, filed 12/16/69.]

Chapter 308-17 WAC**PRIVATE DETECTIVE AGENCIES AND PRIVATE DETECTIVES****WAC**

308-17-150 Private detective agency, private detective, and armed private detective fees.

WAC 308-17-150 Private detective agency, private detective, and armed private detective fees. The following fees for a one-year period shall be charged by professional licensing services of the department of licensing:

Title of Fee	Fee
Private detective agency:	
Application/examination	\$350.00
Reexamination	25.00
License renewal	275.00
Late renewal with penalty	350.00
Certification	25.00

Private detective:

Original license	75.00
Certified trainer examination/ reexamination	25.00
License renewal	75.00
Late renewal with penalty	100.00
Certification	25.00

Armed private detective:

Original license	50.00
Certified trainer examination/ reexamination	25.00
License renewal	75.00
Late renewal with penalty	100.00
Certification	25.00

[Statutory Authority: RCW 18.165.170(1). 93-16-060, § 308-17-150, filed 7/29/93, effective 9/1/93. Statutory Authority: RCW 18.165.170. 91-22-111, § 308-17-150, filed 11/6/91, effective 12/7/91.]

Chapter 308-18 WAC**PRIVATE SECURITY GUARD COMPANIES AND PRIVATE SECURITY GUARDS****WAC**

308-18-150 Private security guard company, private security guard, and armed private security guard fees.

WAC 308-18-150 Private security guard company, private security guard, and armed private security guard fees. The following fees for a one-year period shall be charged by professional licensing services of the department of licensing:

Title of Fee	Fee
Private security guard company:	
Application/examination	\$250.00
Reexamination	25.00
License renewal	250.00

Late renewal with penalty	350.00
Certification	25.00

Private security guard:

Original license	35.00
Certified trainer examination/ reexamination	25.00
License renewal	25.00
Late renewal with penalty	30.00
Certification	25.00

Armed private security guard:

Original license	15.00
Certified trainer examination/ reexamination	25.00
License renewal	25.00
Late renewal with penalty	30.00
Certification	25.00

[Statutory Authority: RCW 18.170 [18.170.180](1). 93-11-025, § 308-18-150, filed 5/7/93, effective 7/1/93. Statutory Authority: RCW 18.170.180. 91-22-112, § 308-18-150, filed 11/6/91, effective 12/7/91.]

Chapter 308-19 WAC**BAIL BOND AGENCIES AND BAIL BOND AGENTS****WAC**

308-19-010	Promulgation—Authority.
308-19-020	Organization.
308-19-030	Definitions.
308-19-100	Bail bond agency applications—Conditions.
308-19-110	Bail bond branch office license—Conditions.
308-19-120	Bail bond agency, branch office and agent license applications—Conditions.
308-19-130	Bail bond agency, branch office and bail bond agent fees.
308-19-140	Expiration and renewal of licenses.
308-19-150	Bail bond agent—Termination of services.
308-19-160	Inactive license.
308-19-200	Filing of licenses.
308-19-210	Change of office location.
308-19-220	Licensee's responsibilities.
308-19-230	Complaint notification.
308-19-240	Records.
308-19-250	Inspection and audit.
308-19-300	Minimum training and examination requirements.

WAC 308-19-010 Promulgation—Authority. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by chapter 260, Laws of 1993, does hereby promulgate the following rules and regulations relating to the licensing of bail bond agencies and bail bond agents.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-010, filed 10/18/93, effective 11/18/93.]

WAC 308-19-020 Organization. The department of licensing administers the Washington bail bond license law, chapter 260, Laws of 1993. Submissions and requests for information regarding bail bond agency licenses and bail bond agent licenses may be sent in writing to the Bail Bond Program, Business and Professions Division, Department of Licensing, P.O. Box 9649, Olympia, Washington 98507-9649.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-020, filed 10/18/93, effective 11/18/93.]

WAC 308-19-030 Definitions. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 260, Laws of 1993 unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Principal partner" means the partner who is the qualified agent of a bail bond agency and who exercises operational control over the agency.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-030, filed 10/18/93, effective 11/18/93.]

WAC 308-19-100 Bail bond agency applications—Conditions. Any person desiring to obtain a bail bond agency license must substantiate the experience requirements in chapter 260, Laws of 1993, Section 4 or pass an examination as provided in this chapter. Persons meeting the experience requirements shall make application for a license on a form prescribed by the director. Persons who do not meet the experience requirements shall make application for an examination and for a license on a form prescribed by the director. Concurrently, the applicant shall:

(1) Pay a fee or fees as prescribed by WAC 308-19-130.

(2) If the applicant is the qualified agent of a corporation, he or she shall furnish a copy of its articles of incorporation, and a list of its officers and directors and their addresses. If the applicant is the qualified agent of a foreign corporation, he or she shall furnish a copy of certificate of authority to conduct business in the state of Washington, a list of its officers and directors and their addresses, and evidence of current registration with the secretary of state. If the applicant is a partnership or limited partnership, each partner shall apply, qualify and furnish their addresses.

(3) When an agency license is issued to a sole proprietorship, the owner shall act as the qualified agent of the agency without the payment of additional license fees. When an agency license is issued to a corporation, the manager, officer, or chief operating officer shall act as the qualified agent of the agency without the payment of additional fees. When a license is issued to a partnership the principal partner shall act as the qualified agent of the agency without the payment of additional fees.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-100, filed 10/18/93, effective 11/18/93.]

WAC 308-19-110 Bail bond branch office license—Conditions. A licensed bail bond agency desiring to establish a branch office must apply and obtain a bail bond branch office license and pay the required fee. Each branch office shall have a licensed qualified agent.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-110, filed 10/18/93, effective 11/18/93.]

WAC 308-19-120 Bail bond agency, branch office and agent license applications—Conditions. Any person desiring to obtain a bail bond agency, bail bond branch office or bail bond agent license shall make application on

a form prescribed by the director and pay a fee as prescribed by WAC 308-19-130.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-120, filed 10/18/93, effective 11/18/93.]

WAC 308-19-130 Bail bond agency, branch office and bail bond agent fees. The following fees for a one-year period shall be charged by business and professions division of the department of licensing:

Title of Fee	Fee
Bail bond agency/branch office:	
Application	\$800.00
License renewal	600.00
Late renewal with penalty	900.00
Certification of records	25.00
Bail bond agent:	
Original license	200.00
License renewal	150.00
Late renewal with penalty	250.00
Certification of records	25.00

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-130, filed 10/18/93, effective 11/18/93.]

WAC 308-19-140 Expiration and renewal of licenses. Licenses issued to bail bond agents expire on their respective birthdates. However, if an application for the bail bond agent license is received by the department of licensing within ninety days from the applicant's birthdate, the license issued shall not expire until the next birthdate. Licenses issued to bail bond agencies expire on December 31 each year. Licenses must be renewed each year on or before the date established herein and a renewal license fee as prescribed by the director in WAC 308-19-130 must be paid.

If the application for a license renewal is not received by the director on or before the renewal date, a penalty fee as prescribed by the director in WAC 308-19-130 shall be paid. Acceptance by the director of an application for renewal after the renewal date shall not be a waiver of the delinquency.

A license shall be cancelled if an application for a renewal of that license is not received by the director within one year from the date of expiration. A person may obtain a new license by satisfying the procedures and qualifications for licensing, including the successful completion of any current examination and education requirements.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-140, filed 10/18/93, effective 11/18/93.]

WAC 308-19-150 Bail bond agent—Termination of services. A person licensed as a bail bond agent may perform duties and activities as licensed only under the direction and supervision of a licensed qualified agent and as a representative of a bail bond agency. This relationship may be terminated unilaterally by either the agency or the agent. Notice of such termination shall be by the agency's qualified agent to the director without delay and such notice shall be accompanied by, and include the surrender of, the agent's license held by the agency. Notice of termination

shall be provided by signature of the agency's qualified agent on the surrendered license. The termination date shall be the postmark date or date the license is hand delivered to the department. If the license held by the agency cannot be surrendered to the department because the license has been lost, the qualified agent shall complete and submit an affidavit of lost license on a form approved by the department.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-150, filed 10/18/93, effective 11/18/93.]

WAC 308-19-160 Inactive license. (1) Any license issued under chapter 260, Laws of 1993 and not otherwise revoked or suspended shall be deemed "inactive" at any time it is delivered to the director. Until reissued, the holder of an inactive license shall be deemed to be unlicensed.

(2) An inactive license may be placed in an active status upon completion of an application as provided by the director and upon compliance with the rules adopted pursuant to chapter 260, Laws of 1993.

(3) An inactive license may not be renewed. The inactive license will be cancelled if not activated by the expiration date. To obtain a new license the person must satisfy the procedures and qualifications for initial licensing, including the successful completion of any examination and education requirements.

(4) The provisions of chapter 260, Laws of 1993 relating to the denial, suspension, and revocation of a license shall be applicable to an inactive license as well as an active license, except that when proceedings to suspend or revoke an inactive license have been initiated, the license shall remain inactive until the proceedings have been completed.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-160, filed 10/18/93, effective 11/18/93.]

WAC 308-19-200 Filing of licenses. Licenses of all bail bond agency and bail bond agents shall be on file in the office located at the address appearing on the license.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-200, filed 10/18/93, effective 11/18/93.]

WAC 308-19-210 Change of office location. The qualified agent of a bail bond agency shall notify the department of any change of location and mailing address of the agency office within ten working days by filing a completed change of address form approved or provided by the department.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-210, filed 10/18/93, effective 11/18/93.]

WAC 308-19-220 Licensee's responsibilities. It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 260, Laws of 1993.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-220, filed 10/18/93, effective 11/18/93.]

WAC 308-19-230 Complaint notification. Every licensee shall notify in writing, within twenty days after service or knowledge thereof, the office of the bail bond

program, business and professions division, department of licensing of any criminal complaint, information, indictment, or conviction (including a plea of guilty or nolo contendere) in which the licensee is named as a defendant.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-230, filed 10/18/93, effective 11/18/93.]

WAC 308-19-240 Records. The following requirements and prohibitions apply to all records and documents required to be maintained by chapter 260, Laws of 1993, or in these rules:

(1) They shall be maintained in accordance with generally accepted accounting practices.

(2) No person shall make any false or misleading statement, or make false or misleading entry, or willfully fail to make any entry required to be maintained or made, in any such record or document.

(3) No person shall willfully fail to produce any such record or document for inspection by the department.

(4) The minimum records the qualified agent or principal partner of a bail bond agency shall be required to keep are:

- (a) Bank trust account records;
- (b) Duplicate receipt book or receipt journal;
- (c) Prenumbered checks;
- (d) Check register or cash disbursement journal;
- (e) Validated bank deposit slips;
- (f) Reconciled bank monthly statement (client liability vs bank statement);
- (g) All cancelled checks;
- (h) All voided checks;
- (i) Client's information file which indicates client's name, dates of transactions, amount received, amount disbursed, current balance, check number, receipt number, and item(s) covered;
- (j) A transaction folder or file containing a copy of all agreements and related correspondence for each transaction;
- (k) Records or description of all collaterals, securities, or monetary instruments received or held in the bail bond business transactions and

(l) Records of training and/or continuing education for each bail bond agents employed in that agency.

(m) Records of exoneration of all bail bond transactions which include: (i) Court, citation or case number (ii) date of issuance of the bail (iii) the defendant's name, address and telephone number (iv) amount of the bond (vi) name of the court (vii) date of exoneration of the bond.

(n) The above records shall be maintained for a minimum period of three years.

(5) All funds and monetary instruments received by the agency from the customers or clients in the business transactions shall be deposited into the trust account within three working days of receipt.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-240, filed 10/18/93, effective 11/18/93.]

WAC 308-19-250 Inspection and audit. All records required to be maintained by a qualified agent of a bail bond agency by chapter 260, Laws of 1993, or these rules, together with any other business or other types of records of a licensee which may be related to the bail bond activity,

together with any personal property which may be the subject of, or related to, a bail bond business transaction shall be subject to inspection and audit at any reasonable time, with or without notice upon demand by the department of licensing, for the purposes of determining compliance or noncompliance with the provisions of chapter 260, Laws of 1993, and these rules.

If records requested by the department are not immediately available because they are not physically present upon the premises at the time the demand is made, they shall be procured and produced to the department as soon as possible, but in any event within twenty-four hours, by the licensee.

A reasonable time for the conduct of such inspection and audit shall be:

(1) If the records or items to be inspected or audited are located anywhere upon a premise any portion of which is open for business or to the public (or members and guests), then at any time the premises are so open, or at which they are usually open; or

(2) If the records or items to be inspected or audited are not located upon a premise set out in section (1) above, then any time between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-250, filed 10/18/93, effective 11/18/93.]

WAC 308-19-300 Minimum training and examination requirements. (1) The training and examination requirements for bail bond agent license applicants under chapter 260, Laws of 1993, section 7, shall include, as a minimum:

(a) Four hours of training in the following subjects:

- (i) Bail bond licensing laws;
- (ii) Court procedures relating to bail bonds;
- (iii) Criminal procedure, Title 10 RCW;
- (iv) Contracts and bail bond agreements;
- (v) Preparation of promissory notes, mortgages, deeds of trust, assignments and other documents affecting property;
- (vi) Care and storage of personal property;
- (vii) Forfeiture of collateral, judgements and collection;
- (viii) Washington Insurance Code, Title 48 RCW;
- (ix) Laws relating to notary publics, chapter 42.44 RCW;

(x) Contact with clients, courts and law enforcement;

(xi) Sexual harassment.

(b) A licensed qualified agent shall certify on each bail bond agent's license application that the training required in this section has been completed.

(2) The examination requirement for bail bond agency or qualified bail bond agent license applicants under chapter 260, Laws of 1993, section 4(a), shall include, as a minimum:

(a) All of the subjects as listed in section (1)(a) above, and

(b) As a minimum, the following subjects:

- (i) Recordkeeping and filing;
- (ii) Business licensing, taxation and related reporting and recordkeeping requirements.
- (iii) Personnel management;
- (iv) Laws relating to employment;

(v) The Americans with Disabilities Act;

(3) The examination for bail bond agency or qualified bail bond agent license applicants shall consist of a minimum of fifty questions covering the subjects listed above in (2)(a) and (b). A score of eighty-five percent must be achieved in order to pass the examination. Applicants who fail to achieve an eighty-five percent score will be required to wait a minimum of fourteen days before reexamination.

(4) The director will certify training and examination programs for bail bond qualified agents and bail bond agents license applications.

[Statutory Authority: 1993 c 260 § 13. 93-21-053, § 308-19-300, filed 10/18/93, effective 11/18/93.]

Chapter 308-30 WAC NOTARIES PUBLIC

WAC

308-30-005	Mailing address.
308-30-010	Size and form of notary seal or stamp.
308-30-020	Maximum fees that may be charged by notaries public.
308-30-030	Applications for appointment as notary public.
308-30-040	Resignation or revocation of notary appointment.
308-30-050	Replacement of lost or stolen notary seals or stamps.
308-30-060	Department to be notified of change of name or address.
308-30-070	Requests for evidence of authenticity.
308-30-080	Appeals of denials and revocations of notary appointments.
308-30-090	Forms.
308-30-120	Notary signature.
308-30-130	Expired stamp or seal.
308-30-140	Notification of legal actions.
308-30-150	Continuous qualification required.
308-30-155	Satisfactory evidence of identity.
308-30-160	Testimonials.

WAC 308-30-005 Mailing address. All correspondence is to be directed to the Department of Licensing, Professional Licensing Services, Notary Section, Post Office Box 9027 (in person 2424 Bristol Court) Olympia, Washington 98507-9027.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-005, filed 2/5/93, effective 3/8/93.]

WAC 308-30-010 Size and form of notary seal or stamp. A notary seal shall be one and five-eighths inches minimum in diameter. If a notary stamp is used the following requirements shall apply:

(1) The type shall be a minimum of 8 point type.

(2) The stamp shall be minimum one and five-eighths inches in diameter. If a rectangular stamp is used the minimum dimensions shall be one inch wide by one and five-eighths inches long.

(3) The imprint shall be affixed with indelible ink only.

(4) The face of any notary stamp shall contain permanently affixed letters and numerals and shall not be preprinted.

(5) The use of the Washington state seal on the notary stamp or seal is prohibited.

(6) A vendor may not provide a notarial seal, or stamp, either inking or embossing, to a person claiming to be a

notary, unless the person presents a photo copy of the person's Notary Certificate.

(7) A notary applying for a seal or stamp as a result of a name change shall present a copy to the vendor of the certificate evidencing the notary's name change from the director.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-010, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-010, filed 11/26/85, effective 1/1/86.]

WAC 308-30-020 Maximum fees that may be charged by notaries public. A notary public need not charge fees for notarial services. When fees are charged, notaries shall display in a prominent place, at the place of business, to the public, an English language schedule of fees for notarial acts. No part of the displayed notarial fee schedule may be printed in smaller than 10 pt. type. The following are the maximum fees that may be charged by notaries public for the following services:

(1) Witnessing or attesting a signature with or without seal or stamp, five dollars.

(2) Taking acknowledgment, or verification upon oath or affirmation, five dollars for the first two persons and five dollars for each additional person.

(3) Certifying or attesting a copy, with or without seal or stamp, five dollars.

(4) Receiving or noting a protest of a negotiable instrument, five dollars.

(5) Being present at demand, tender, or deposit, and noting the same, besides mileage at the rate of one dollar per mile, five dollars.

(6) For copying any instrument or record, per page, besides certificate and seal or stamp, one dollar for the first page and twenty-five cents for each remaining page.

(7) Administering an oath or affirmation, five dollars.

(8) Certifying that an event has occurred or an act has been performed, five dollars.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-020, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-020, filed 11/26/85, effective 1/1/86.]

WAC 308-30-030 Applications for appointment as notary public. Applications for appointment as notary public may be obtained from the department of licensing. Every application submitted for appointment as a notary public must be accompanied by the required surety bond and the prescribed fee and shall in all ways comply with the requirements of chapter 42.44 RCW.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-030, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-030, filed 11/26/85, effective 1/1/86.]

WAC 308-30-040 Resignation or revocation of notary appointment. Voluntary resignation by a notary public shall be submitted in writing to the department of licensing. If a notary public voluntarily resigns his or her notary appointment or if the notary appointment is revoked, suspended or restricted, the notary public must mail or deliver his or her notary stamp or seal to the department of licensing. No voluntary resignation of a notary appointment

shall be effective until the notary seal or stamp is mailed or delivered to the notary section.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-040, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-040, filed 11/26/85, effective 1/1/86.]

WAC 308-30-050 Replacement of lost or stolen notary seals or stamps. When a notary seal or stamp is lost or stolen the department of licensing is to be notified by certified mail. The notice must set forth the fact that the notary seal or stamp has been lost or stolen and be signed by the notary public. The notary public may then obtain a replacement notary seal or stamp. The new notary seal or stamp must contain some variance from the original seal or stamp. If the lost or stolen notary seal or stamp is found or recovered after a replacement has been obtained the original seal or stamp shall be surrendered to the department of licensing.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-050, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-050, filed 11/26/85, effective 1/1/86.]

WAC 308-30-060 Department to be notified of change of name or address. When a notary public changes his or her name or address, the department of licensing must be notified in writing of such name and/or address change. The notification of name change must be accompanied by a bond rider from the bonding company amending the notary bond, and the prescribed fee for a name change which provides a duplicate notary certificate showing the new name. There is no charge for an address change.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-060, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-060, filed 11/26/85, effective 1/1/86.]

WAC 308-30-070 Requests for evidence of authenticity. Requests for evidences of authenticity of notarial commission must be in writing, accompanied by the prescribed fee, the original document, and mailed to the department of licensing.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-070, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-070, filed 11/26/85, effective 1/1/86.]

WAC 308-30-080 Appeals of denials and revocations of notary appointments. Notices of appeals of denials and revocations of notary appointments must be in writing and mailed or delivered to the department of licensing. The written notification of appeal must be received by the department within twenty days of the date of denial or revocation or the right to appeal is waived. When the notification of appeal is mailed, the postmarked date will be accepted as the date of receipt by the department of licensing. Procedures on appeal will be as provided in the Administrative Procedure Act, chapter 34.05 RCW, and rules adopted thereunder.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-080, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-080, filed 11/26/85, effective 1/1/86.]

WAC 308-30-090 Forms. (1) The forms in RCW 42.44.100 are only suggested certificates with the sufficient information included. These forms may be used; however, when a specific form is required by a specific statute, the required form shall be used.

(2) A nonattorney notary may complete notarial certificates, and may not assist another person in drafting, completing, selecting, or understanding a document or transaction requiring a notarial act. This does not preclude a notary who is duly qualified in a particular profession from giving advice relating to matters in that professional field.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-090, filed 2/5/93, effective 3/8/93. Statutory Authority: 1985 c 156 §§ 5 and 20. 85-24-025 (Order PL 571), § 308-30-090, filed 11/26/85, effective 1/1/86.]

WAC 308-30-120 Notary signature. Upon completion of a notarial act, the notary must sign the notary certification using his/her name exactly as it appears on the notary certificate of appointment and the stamp or seal. The notary's name must be legibly printed or stamped directly below their signature.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-120, filed 2/5/93, effective 3/8/93.]

WAC 308-30-130 Expired stamp or seal. The use of a stamp or seal with an expired date is prohibited.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-130, filed 2/5/93, effective 3/8/93.]

WAC 308-30-140 Notification of legal actions. The notary must notify the department of licensing of any conviction against him or her of official misconduct, and/or civil or criminal charges. Notification must be submitted within thirty days of such happening.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-140, filed 2/5/93, effective 3/8/93.]

WAC 308-30-150 Continuous qualification required. A notary public must continue to meet the requirements of RCW 42.44.020 (1)(b) or (c) throughout the term of appointment. A notary who fails to meet any one or more of the aforementioned requirements shall resign, or the director shall institute hearings to determine if the requirements have been met by the notary.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-150, filed 2/5/93, effective 3/8/93.]

WAC 308-30-155 Satisfactory evidence of identity. Satisfactory evidence of an individual identity shall be based on one of the following:

(1) Current documents issued by a federal or state government with the individual's photograph, signature, and physical description.

(2) The oath or affirmation of a credible person who personally knows the individual.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-155, filed 2/5/93, effective 3/8/93.]

WAC 308-30-160 Testimonials. A notary may not endorse or promote any service, contest, or other offering if

the notary's seal or title is used in the endorsement or promotional statement.

[Statutory Authority: RCW 42.44.190. 93-05-009, § 308-30-160, filed 2/5/93, effective 3/8/93.]

Chapter 308-56A WAC

CERTIFICATES OF TITLE—MOTOR VEHICLES, ETC.

WAC

308-56A-115	Vehicles not previously titled.
308-56A-125	Foreign title or registration.
308-56A-140	Departmental temporary permit.
308-56A-160	Model year—How determined.
308-56A-420	Delivery of vehicle on dealer temporary permit.

WAC 308-56A-115 Vehicles not previously titled.

(1) Application for certificates of ownership and/or registration to a vehicle not previously titled or licensed in this state must be accompanied by documents acceptable to the department.

(2) Application for certificates of ownership and/or registration to a used vehicle or vehicle that has never been titled or registered in this state or any other jurisdiction must be accompanied by documents set forth in WAC 308-56A-110 for new vehicles.

(3) Application for certificates of ownership and/or registration to a used vehicle or vehicle that has been titled and/or registered in a foreign jurisdiction must be accompanied by the most recently issued valid title or other documents acceptable to the department which constitute proof of ownership.

(4) Application for certificates of ownership and/or registration, for a vehicle imported from a country that cancels the vehicle title and/or registration for export, must be accompanied by the documents evidencing the cancellation and constituting proof of ownership.

(5) Any document provided which is not in the English language, shall be accompanied by a literal translation into the English language and verified as to the accuracy of the translation by a notarized affidavit from the translator.

[Statutory Authority: RCW 46.01.110. 93-14-084, § 308-56A-115, filed 6/30/93, effective 7/31/93; Order MV 208, § 308-56A-115, filed 7/31/74.]

WAC 308-56A-125 Foreign title or registration.

(1) Applications for certificate of ownership on vehicles previously titled and/or registered in another state or foreign jurisdiction must be accompanied by either a foreign title properly released and the registration, if available, or the registration properly released if it is a nontitle state or jurisdiction. A release is not required if there is no change in ownership.

(2) Applications for certificate of title or registration on vehicles imported into the state of Washington from a foreign jurisdiction, except from another state, territory, or possession of the United States, District of Columbia, or Commonwealth of Puerto Rico, must, in addition to the requirements of subsection (1) of this section, be accompanied by:

(a) A United States Department of Treasury Customs Service form properly executed authorizing the vehicle entry into this country; and

(b) If the vehicle does not conform with all applicable federal motor vehicle safety standards or federal air pollution control regulations, an instrument of release from the National Highway Traffic Safety Administration (NHTSA) and/or the Environmental Protection Agency (EPA) indicating the United States Customs Service may not issue a Notice of Redelivery requiring the vehicle to be returned to United States Customs Service's custody.

[Statutory Authority: RCW 46.01.110. 93-14-084, § 308-56A-125, filed 6/30/93, effective 7/31/93; 88-20-035 (Order TL/RG 44), § 308-56A-125, filed 9/30/88; Order MV 208, § 308-56A-125, filed 7/31/74.]

WAC 308-56A-140 Departmental temporary permit. When proper vehicle ownership documentation is not immediately available, the department may, at its option, issue a temporary permit. Department temporary permits are valid for no longer than sixty days and authorize operation of the vehicle upon the roadways of this state. Temporary permits are available at all vehicle licensing offices.

Application for a temporary permit shall be on forms provided by the department and must be completed in accordance with the instructions issued by the department. The temporary permit fee and all title and licensing fees, except any fee for license plates, must be paid at the time the temporary permit is issued.

The license plate fee will be collected when the license plates are issued. If license fees are being paid monthly in accordance with RCW 46.16.135, the license fees paid must be for at least the entire term of the temporary permit being issued.

The hard copy of the temporary permit must be displayed according to instructions on the permit and the signed registration must be carried in the vehicle or the towing vehicle.

[Statutory Authority: RCW 46.01.110. 93-14-084, § 308-56A-140, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 46.01.110, 46.12.151 and 46.12.050. 92-03-077, § 308-56A-140, filed 1/14/92, effective 2/14/92; Order MV 208, § 308-56A-140, filed 7/31/74.]

WAC 308-56A-160 Model year—How determined.

(1) The model year for a vehicle is the model year assigned by the manufacturer when the vehicle is manufactured or assembled. The model year shall be designated on the manufacturer's certificate of origin (MCO) or similar documents provided by the actual manufacturer.

(2) In the event an original manufacturer has not assigned a model year or the vehicle is rebuilt, assembled, or is a kit, the Washington state patrol or other person authorized by the director to make vehicle inspections will use the following criteria to establish the model year:

(a) The model year for a homemade vehicle will be the year of inspection for the purpose of making an application for title.

(b) When possible, the model year will be determined from the vehicle identification number (VIN). When the VIN does not identify the production date, corresponding production records of the original manufacturer shall be used.

(c) If there is a difference in the VINs on a manufactured motor home chassis and body, the model year will be the year the chassis and body were combined.

(d) The model year for assembled vehicles, kit vehicles, and replicas without an MCO will be determined by the Washington state patrol based on the date of manufacture of the vehicle which the assembled vehicle most closely resembles.

(3) For purposes of this section "manufacturer" means any person, firm, association, corporation, or trust, resident or nonresident, who manufactures or assembles new and unused vehicles or remanufactures vehicles. Manufacture shall include the assembling, altering, or converting of a new vehicle from that of the primary manufacturer to the extent the vehicle qualifies for a change in the series and body type appearing on its title or MCO or similar document.

[Statutory Authority: RCW 46.01.110. 93-14-084, § 308-56A-160, filed 6/30/93, effective 7/31/93.]

WAC 308-56A-420 Delivery of vehicle on dealer temporary permit.

(1) A vehicle dealer properly licensed pursuant to chapter 46.70 RCW may deliver a vehicle not currently registered or that does not bear valid Washington state license plates or tabs by utilizing a dealer temporary license permit.

(2) The application for title portion of the permit form must be properly and completely filled out by the selling dealer, detailing all fees collected, the dealer's report of sale and the date of sale. If license based on gross weight is required, the amount of gross weight purchased must be clearly shown. The application must be signed by the registered owner.

(3) The dealer shall collect all fees required for titling and registration of a vehicle.

(4) The dealer shall detach the hard copy of the dealer permit and shall record the date of expiration in dark, bold letters and numbers on the permit side of that copy. Date of expiration will be thirty days after date of sale of the vehicle. The application copies shall be used by the dealer to apply for title application and to complete licensing of the vehicle. The selling dealer must submit the application and all title/licensing fees to the department of licensing or an authorized licensing agent within thirty calendar days from the date of sale of the vehicle.

(5) The hard copy of the permit and a purchase order identifying the vehicle and date of sale must be carried in the vehicle or the towing vehicle at all times the vehicle is operated on the temporary permit.

(6) The hard copy of the dealer temporary license permit shall be displayed on the inside of the rear window in the lower left corner, or enclosed in a moisture proof protective case securely attached in the rear license plate holder, with the expiration date visible to one standing or following at the rear of the vehicle.

(7) The dealer temporary license permit is valid for not more than thirty calendar days following the date of vehicle sale.

(8) The dealer temporary license permit shall not:

(a) Be issued for a dealer inventoried or a dealer or dealer-employee operated vehicle;

(b) Be issued as a demonstration permit;

(c) Be issued for a vehicle processed as a courtesy delivery.

(9) Fees paid for dealer temporary license permit application forms are not refundable unless the dealer ceases doing business as a vehicle dealer. A credit, in the amount of the permit form fee, will be provided when the permit is used by the vehicle dealer to make application for a vehicle title.

(10) The dealer shall maintain a record of each dealer temporary permit form acquisition and distribution including the following:

- (a) Vehicle purchaser's names;
- (b) Vehicle identification;
- (c) Dates of vehicle sales and deliveries; and
- (d) Date and location of purchase of each permit form and the permit number.

[Statutory Authority: RCW 46.01.110. 93-14-084, § 308-56A-420, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 46.70.160. 90-10-013, § 308-56A-420, filed 4/20/90, effective 5/21/90; Order MV 208, § 308-56A-420, filed 7/31/74.]

Chapter 308-61 WAC

UNAUTHORIZED AND ABANDONED VEHICLES

WAC

308-61-010	Repealed.
308-61-025	Repealed.
308-61-026	Definitions—Registered tow truck operator.
308-61-030	Repealed.
308-61-040	Repealed.
308-61-135	General provisions.
308-61-168	Disputed impound.
308-61-200	Repealed.
308-61-205	Repealed.
308-61-210	Repealed.
308-61-220	Repealed.
308-61-230	Repealed.
308-61-240	Repealed.
308-61-250	Repealed.
308-61-260	Repealed.
308-61-270	Repealed.
308-61-300	Repealed.
308-61-305	Repealed.
308-61-310	Repealed.
308-61-320	Repealed.
308-61-330	Repealed.
308-61-340	Repealed.
308-61-400	Repealed.
308-61-405	Repealed.
308-61-410	Repealed.
308-61-420	Repealed.
308-61-430	Repealed.
308-61-440	Repealed.
308-61-450	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-61-010	Definitions—General. [Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-010, filed 1/6/86. Statutory Authority: RCW 46.52.115 and 46.80.140. 82-12-037 (Order DOL 683), § 308-61-010, filed 5/27/82. Statutory Authority: RCW 46.52.115. 79-10-012 (Order 554-DOL), § 308-61-010, filed 9/7/79; Order MV 451, § 308-61-010, filed 9/26/77; Order MV 174, § 308-61-010, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
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308-61-025	Definitions. [Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-025, filed 1/6/86. Statutory Authority: RCW 46.52.115. 79-10-012 (Order 554-DOL), § 308-61-025, filed 9/7/79; Order MV 451, § 308-61-025, filed 9/26/77; Order MV 174, § 308-61-025, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-030	Established place of business. [Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-030, filed 1/6/86. Statutory Authority: RCW 46.52.115 and 46.80.140. 82-12-037 (Order DOL 683), § 308-61-030, filed 5/27/82; Order MV 451, § 308-61-030, filed 9/26/77; Order MV 174, § 308-61-030, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-040	Documents supporting acquisition of vehicles. [Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-040, filed 1/6/86. Statutory Authority: RCW 46.52.115. 79-10-012 (Order 554-DOL), § 308-61-040, filed 9/7/79; Order MV 451, § 308-61-040, filed 9/26/77; Order MV 174, § 308-61-040, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-200	Wreckers—Application for license. [Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-200, filed 5/27/82. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-200, filed 9/7/79; Order MV 174, § 308-61-200, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-205	Expiration of motor vehicle wrecker's license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225. 86-08-028 (Order DLR-091), § 308-61-205, filed 3/26/86.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-210	Wreckers—Special plates. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-210, filed 2/25/88. Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-210, filed 5/27/82. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-210, filed 9/7/79; Order MV 174, § 308-61-210, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-220	Wreckers—General procedures and requirements. [Statutory Authority: RCW 46.79.080 and 46.80.140. 87-01-005 (Order DLR-112), § 308-61-220, filed 12/5/86; 82-12-038 (Order DOL 684), § 308-61-220, filed 5/27/82. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-220, filed 9/7/79; Order MV 174, § 308-61-220, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-230	Wreckers—Procedures for acquiring vehicles and vehicle parts. [Statutory Authority: RCW 46.55.190. 90-01-060, § 308-61-230, filed 12/18/89, effective 1/18/90. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-230, filed 9/7/79; Order MV 451, § 308-61-230, filed 9/26/77; Order MV 174, § 308-61-230, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
308-61-240	Wreckers—Records and procedures for monthly reports. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-240, filed 2/25/88. Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-240, filed 5/27/82; Order MV 451, § 308-61-240, filed 9/26/77; Order MV 174, § 308-61-240, filed 10/19/73.] Repealed

- by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-250 Wreckers—Must furnish bill of sale for parts. [Order MV 451, § 308-61-250, filed 9/26/77; Order MV 174, § 308-61-250, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-260 Wreckers—Selling used vehicles. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-260, filed 2/25/88. Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-260, filed 5/27/82. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-260, filed 9/7/79; Order MV 174, § 308-61-260, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-270 Wreckers—Additional grounds for denial, suspension, revocation or civil fine assessment—Unlawful practices. [Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-270, filed 5/27/82. Statutory Authority: RCW 46.80.140. 79-10-011 (Order 553-DOL), § 308-61-270, filed 9/7/79; Order MV 451, § 308-61-270, filed 9/26/77; Order MV 174, § 308-61-270, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-300 Hulk hauler—Application for license. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-300, filed 9/7/79; Order MV 451, § 308-61-300, filed 9/26/77; Order MV 174, § 308-61-300, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-305 Expiration of hulk hauler license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225. 86-08-028 (Order DLR-091), § 308-61-305, filed 3/26/86.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-310 Hulk hauler—Special plates. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-310, filed 9/7/79; Order MV 451, § 308-61-310, filed 9/26/77; Order MV 174, § 308-61-310, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-320 Hulk hauler—General procedures and requirements. [Statutory Authority: RCW 46.80.140 and 46.79.080. 82-12-038 (Order DOL 684), § 308-61-320, filed 5/27/82. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-320, filed 9/7/79; Order MV 451, § 308-61-320, filed 9/26/77; Order MV 174, § 308-61-320, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-330 Hulk hauler—Procedures for acquiring and selling vehicles. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-330, filed 2/25/88. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-330, filed 9/7/79; Order MV 174, § 308-61-330, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-340 Hulk hauler—Grounds for denial, suspension, revocation—Unlawful practices. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-340, filed 9/7/79; Order MV 174, § 308-61-340, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-400 Scrap processor—Application for license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225. 86-08-028 (Order DLR-091), § 308-61-400, filed 3/26/86.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-405 Expiration of scrap processor license. [Statutory Authority: 1985 c 109 §§ 2, 4, 6 and 8, RCW 46.80.140, 46.70.080 [46.79.080], 46.70.160, 46.76.070 and 46.16.225. 86-08-028 (Order DLR-091), § 308-61-405, filed 3/26/86.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-410 Scrap processor—Special plates. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-410, filed 9/7/79; Order MV 451, § 308-61-410, filed 9/26/77; Order MV 174, § 308-61-410, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-420 Scrap processor—General procedures and requirements. [Statutory Authority: RCW 46.79.080 and 46.80.140. 87-01-005 (Order DLR-112), § 308-61-420, filed 12/5/86; 82-12-038 (Order DOL 684), § 308-61-420, filed 5/27/82. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-420, filed 9/7/79; Order MV 174, § 308-61-420, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-430 Scrap processor—Procedures for acquiring vehicles for demolition. [Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-430, filed 2/25/88. Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-430, filed 9/7/79; Order MV 174, § 308-61-430, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-440 Scrap processor—Procedures for monthly reports. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-440, filed 9/7/79; Order MV 174, § 308-61-440, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.
- 308-61-450 Scrap processor—Grounds for denial, suspension, revocation—Unlawful practices. [Statutory Authority: RCW 46.79.080. 79-10-010 (Order 552-DOL), § 308-61-450, filed 9/7/79; Order MV 174, § 308-61-450, filed 10/19/73.] Repealed by 93-08-076, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140.

WAC 308-61-010 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-025 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-026 Definitions—Registered tow truck operator. (1) "Affidavit of sale" - that document prescribed by the department and given to the successful bidder by the operator. The affidavit shall state that the sale was conducted properly pursuant to chapter 46.55 RCW. The affidavit may be submitted to the department with an application for certificate of title or may be used as a title document by a licensed auto wrecker, hulk hauler or scrap processor.

(2) "Secure area" - a place of safety for vehicle storage and in an area completely enclosed by a fence of sufficient height and construction to prevent access by the general

public, with a gate which can be locked. The fence shall be at least six feet high with at least two strands of barbed wire along the top, for a total combined height of eight feet or more, provided, however, that the fencing requirement may be waived by the department where, due to the topography or zoning a fence would be impracticable and the storage area is secure without a fence. When a licensee has operator registrations under more than one name and owns or leases a common secure area, the areas for each operator registration must be segregated by a physical barrier at least as strong as one strand of chain, cable or barbed wire. When two or more operators with different ownership share a secured area, those respective areas must be segregated by an eight-foot fence as described above.

Wherever practicable secure storage areas will be located on improved property which is leveled and illuminated at night for the safe keeping of stored vehicles.

(3) "Abandoned vehicle report" - is that document, prescribed by the department, by which the operator is to report to the department his/her possession of an abandoned vehicle.

(4) "Notice of custody and sale" - is that document sent by the operator to the registered owner, legal owner (lien holder) giving notice of the amount of the operator's lien for services, place and time of public auction if the vehicle is not redeemed, and of the operator's right to seek a deficiency against the last registered owner.

(5) "Registered tow truck operator's business location" - is a location at which records and files necessary to conduct the business are kept, and where the operator can normally be contacted by the public.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-61-026, filed 4/6/93, effective 5/7/93; 88-06-025 (Order DLR 164), § 308-61-026, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-026, filed 1/6/86.]

WAC 308-61-030 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-040 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-135 General provisions. (1) The properly executed written authority to tow or other evidence of lawful possession shall suffice in lieu of current license plates or trip permits for unauthorized or abandoned vehicles.

(2) Billing invoices shall indicate the time of day when an unauthorized or abandoned vehicle arrived at the secure storage area.

(3) A seller's report of sale filed with the department on a form furnished by the department shall relieve a registered owner from liability for costs incurred in the removal and storage of an unauthorized/abandoned vehicle, in addition to relieving that person from other liability pursuant to RCW 46.12.101.

(4) The junk vehicle affidavit of sale as described in RCW 46.55.230 may be used to sell a vehicle to a licensed hulk hauler, scrap processor, vehicle wrecking yard or it may be used as a supporting document for issuance of a title.

(5) A stored vehicle may be redeemed any time before the start of auctioning of that particular vehicle.

(6) The written notice of the right of redemption and opportunity for a hearing to contest the validity of an impoundment, to be sent with the twenty-four hour impoundment notice on an unauthorized vehicle impoundment, shall be separate and in addition to the notice of opportunity for a hearing given to those who redeem vehicles.

(7) Information contained in the master log shall include:

- (a) The dates of impound and release of vehicles;
- (b) Storage lot used if multiple lots;
- (c) If impound was from public or from private property and the location where the vehicle was impounded;
- (d) Identity of vehicle by year, make, model, license number, and vehicle identification number;
- (e) Dates of all required notices to law enforcement and to vehicle owners;
- (f) Date of auction advertisement and of auction;
- (g) Amount of towing and storage lien;
- (h) Amount of auction proceeds;
- (i) Amount of excess funds and date the disposition notice was sent to the Washington state patrol.

Entries on the master log must be made within seventy-two hours following the activity being logged.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-61-135, filed 4/6/93, effective 5/7/93. Statutory Authority: RCW 46.55.190. 90-01-060, § 308-61-135, filed 12/18/89, effective 1/18/90. Statutory Authority: RCW 46.55.190, 46.80.140 and 46.79.080. 88-06-025 (Order DLR 164), § 308-61-135, filed 2/25/88. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-135, filed 1/6/86.]

WAC 308-61-168 Disputed impound. (1) Where a timely request has been made for a district court hearing and where the vehicle owner has failed to redeem the vehicle, the abandoned vehicle procedural requirements may be followed, but the sale of the vehicle at public auction shall not take place until after the court has disposed of the request.

(2) For purposes of RCW 46.55.220, it shall not be necessary to hold a hearing to refuse a license unless such a hearing is requested.

(3) The administrative hearings officer, provided in RCW 46.55.240 (1)(d), shall mean a hearings officer authorized by ordinance or resolution of a city, town or county for the purpose of conducting hearings on disputed vehicle impound cases.

(4) Operators shall maintain a trust account solely for the deposit of funds received pending the disposition of any district court hearing requests.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-61-168, filed 4/6/93, effective 5/7/93. Statutory Authority: Chapter 46.55 RCW. 86-03-011 (Order DLR-088), § 308-61-168, filed 1/6/86.]

WAC 308-61-200 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-205 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-210 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-220 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-230 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-240 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-250 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-260 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-270 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-300 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-305 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-310 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-320 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-330 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-340 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-400 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-405 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-410 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-420 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-430 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-440 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-61-450 Repealed. See Disposition Table at beginning of this chapter.

Chapter 308-63 WAC WRECKERS

WAC

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WAC 308-63-010 Definitions—General. (1) Department - means the department of licensing of the state of Washington.

(2) Director - means the director of the department of licensing.

(3) Destroy - means the dismantling, disassembling or wrecking of a vehicle with the intent of never again operating such as a vehicle, or the sustaining of damage to a vehicle either (a) to the extent that the cost of repairing it exceeds its fair market value immediately prior to the accident or occurrence, or (b) to the extent that the cost of repairing it plus its salvage value in its damaged condition exceeds or approximately equals the market value of the vehicle in its repaired or restored condition.

(4) Acquire - shall be construed to mean physical custody together with proof of ownership as provided under WAC 308-63-080.

(5) Custody - means the possession of a vehicle in which there is equitable ownership but for which ownership documents required in WAC 308-63-080 have not been received, or a vehicle placed for safekeeping by a law enforcement officer or others.

(6) Obscure - means to screen the wrecker activity from public view.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-010, filed 4/6/93, effective 5/7/93.]

WAC 308-63-020 Definitions. (1) Bill of sale for acquiring vehicles. A bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle or part being sold, including the make, model and identification or serial number; the date of sale; and the purchase price of the vehicle. Bills of sale are acceptable in lieu of title in the cases of:

(a) Vehicles from nontitle jurisdictions;

(b) When an insurance company or private owner has turned in the title to a vehicle previously destroyed as provided under WAC 308-58-030; or

(c) For vehicles of the type to which titles are not issued.

(2) In the case of vehicle parts a bill of sale from the seller describing the specific part and giving the full name, address and verification of the seller's identity, plus date of sale. In addition, if a major component part is acquired the vehicle identification number from which it came must also be set forth on the bill of sale. A copy of each bill of sale shall be maintained on acquired parts for a period of three years.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-020, filed 4/6/93, effective 5/7/93.]

WAC 308-63-030 Established place of business.

Wrecker. A wrecker's established place of business is a building or enclosure which the owner occupies either continuously or at regular intervals and where his/her books and records are kept available for inspection during normal business hours and dismantling of vehicles is accomplished and which must conform with local zoning regulations.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-030, filed 4/6/93, effective 5/7/93.]

WAC 308-63-040 Wreckers—Application for license. An original application for a wrecker license shall be filed with the director on the form provided for this purpose. The application must be endorsed by the chief of police if city is over five thousand population; otherwise, by a member of the Washington state patrol. The endorsement certifies that the wrecker has an established place of business at the address shown on the application and that his/her vehicle(s) are properly identified in accordance with WAC 308-63-070(6).

Each application shall specify the number of vehicles owned, leased, rented or otherwise operated for towing or transportation of vehicles or hulks in the conduct of his/her business by the applicant, or wrecker seeking renewal and shall identify such vehicles by make, model, year or other adequate description, and identification number.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-040, filed 4/6/93, effective 5/7/93.]

WAC 308-63-050 Expiration of motor vehicle wrecker's license. (1) A motor vehicle wrecker's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing.

(2) Motor vehicle wrecker license plates shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-050, filed 4/6/93, effective 5/7/93.]

WAC 308-63-060 Wreckers—Special plates. All vehicles used for towing or transporting vehicles or hulks by a motor vehicle wrecker on the highways of this state in the conduct of his/her business shall bear regular license plates and, in addition, special wrecker's plates. Wrecker's plates may be obtained at a fee of six dollars which includes one

dollar for reflectorization under RCW 46.16.237 for the first set, and three dollars including reflectorization for each additional set.

The wrecker may purchase sets of plates equal in number to the number of vehicles reported on his/her application as owned, rented, leased and operated by him/her and used by him/her for towing or transporting of vehicles or hulks in the conduct of his/her business. Should the wrecker purchase, lease, or rent additional vehicles for towing or transporting of vehicles or hulks in his/her business during the course of the year, he/she shall so inform the department and may, at the department's discretion, obtain additional plates for such vehicles.

Each vehicle used for towing or transporting of vehicles or hulks shall display both wrecker plates assigned to it, provided that when any vehicle being towed does not have valid license plates, wrecker plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-060, filed 4/6/93, effective 5/7/93.]

WAC 308-63-070 Wreckers—General procedures and requirements. All wreckers shall comply with all rules and regulations relative to the handling of vehicles to be wrecked or dismantled.

(1) Enclosure. The activities of a motor vehicle wrecker shall be conducted entirely within the established place of business. A physical barrier shall designate the boundary of the wrecking yard except that, where necessary to obscure public view of the premises, such premises shall be enclosed by a sight-obscuring wall or fence at least eight feet high.

(a) Where required, such sight-obscuring wall or fence shall be painted or stained in neutral shade to blend with surrounding premises. If the fence is made of chain link, it must have sufficient slats or other construction to obscure public view of the premises.

(b) A living hedge of equal height and sufficient density to prevent view of the premises may be substituted for the wall or fence.

(c) All enclosures and barriers shall be kept in good repair.

(d) Reasonable consideration shall be given to the topography of the land by enforcement personnel when inspecting premises for such fence, enclosure or barrier.

(e) Exceptions to this section must be granted in writing by the department.

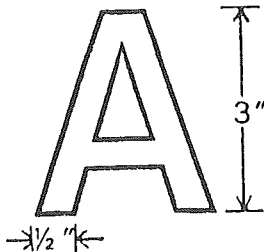
(2) Additional places of business. Each licensed wrecker may maintain one or more additional places of business within the same law enforcement jurisdiction, such as a city or county, under the same permit. The wrecker may maintain as many storage yards or sales outlets as needed so long as each is registered with the department. Each wrecking or storage yard shall comply with local zoning regulations and with such other requirements as the department may provide, particularly those in subsection (1) of this section. Duplicate wrecker's licenses will be issued to be posted at each additional place of business.

(3) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(4) Display of license certificate. The license certificate of a licensed wrecker shall be displayed conspicuously at each business address(es) and shall be available for periodic inspection by law enforcement officers and authorized representatives of the department.

(5) Tow car fee. The licensee of any fixed load vehicle equipped for lifting or towing any disabled, impounded, or abandoned vehicle or part thereof, may pay a twenty-five dollar fee in lieu of tonnage fees as provided in RCW 46.16.079.

(6) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks which are operated on the highways of this state shall display the licensee's name, the city in which the licensee's established place of business is located, and current business telephone number of such licensee. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



(7) License plates from vehicles entered into the wrecking yard shall be removed within twenty-four hours, except that plates on vehicles in the segregated area may be left on until the vehicle is entered into the wrecking yard. The wrecker shall destroy such plates prior to submitting the monthly report for the month the vehicle was entered into the wrecking yard.

(8) Major component parts. Under RCW 46.80.010(3) the term "engines, short blocks, transmissions and drive axles" shall not include cores or parts which are limited to value as scrap metal or for remanufacturing only. The term "seat" shall be interpreted to mean bucket seat.

(9) Vehicles in custody and awaiting approved ownership documents, as provided under WAC 308-63-080, must be placed in a segregated storage area within the wrecking yard which must be designated by a physical barrier. Vehicles may remain in this area after ownership documents have arrived and the vehicle has been properly entered into the wrecking yard inventory. There will be no dismantling or parts removal in this area. The physical barrier may be portable, made of substantial posts and connected by a chain, cable, barbed wire, or of other equally strong construction.

This area can be used for storage of dealer cars or equipment if the wrecker is both a wrecker and a dealer however, there will be no storage of vehicle parts.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-070, filed 4/6/93, effective 5/7/93.]

WAC 308-63-080 Wreckers—Procedures for acquiring vehicles and vehicle parts. Supporting acquisi-

tion. The wrecker may acquire vehicles and vehicle parts if the seller can furnish ownership documents as follows:

(1) Certificate of title, including salvage certificates, properly endorsed in the case of vehicles from states issuing a title.

(2) Bills of sale pursuant to WAC 308-63-020(1) for vehicles from nontitle jurisdictions, for vehicles that have had their title surrendered to a state after having been declared a total loss, and for vehicles of the type to which titles are not issued.

(3) Affidavit of lost or stolen title if executed by the registered and legal owner of record.

(4) Insurance company bills of sale pursuant to WAC 308-58-020(2).

(5) Affidavit of sale of an abandoned vehicle pursuant to WAC 308-61-026(1).

(6) Affidavit of junk vehicle pursuant to RCW 46.55.230.

(7) A court order.

(8) A bill of sale for parts pursuant to WAC 308-63-020(2).

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-080, filed 4/6/93, effective 5/7/93.]

WAC 308-63-090 Wreckers—Records and procedures for monthly reports. (1) Wrecker books and files. The wrecker shall maintain books and files which shall contain the following:

(a) A record of each vehicle or part acquired giving:

(i) A description of the vehicle or part by make, model, year, and for major component parts vehicle identification number and "yard number" assigned at the time the vehicle or major component part was placed in the wrecking yard;

(ii) The date purchased or acquired by the wrecker, and the name of the person, firm or corporation from which the vehicle or parts were obtained;

(iii) The certificate of title number if registered in a title state, or registration number if a nontitle state or description of document used in lieu of title such as affidavits of sale or bills of sale for vehicle parts; and

(iv) The name of the state and license number in state last registered.

(b) A record of the disposition of the motor, body, and major component parts giving the name of the person purchasing the part(s), if any. Sales to scrap processors shall be accompanied by an invoice or bill of sale, listing each vehicle by its yard number. The wrecker shall retain a copy of such invoice or bill of sale for purposes of inspection for three years.

These records will be subject to inspection by authorized representatives of the department and law enforcement officials during regular business hours. The foregoing information shall be entered in the wrecker's records within two business days of the event requiring the entry, such as receipt of a vehicle.

(2) Must furnish written reports. By the tenth of the month following acquisition of vehicles entered into the wrecking yard inventory, each wrecker will submit a report on the form provided by the department documenting that those vehicles were entered into the wrecking yard inventory during the month. Vehicles being held in the segregated

storage area awaiting ownership documents, pursuant to WAC 308-63-070(9), will not be reported. The report shall be made in duplicate. The original shall be sent to the department and the duplicate retained for the wrecker's files. If no vehicles are acquired during the month, the monthly report must be sent in stating "none." The report shall give such information for vehicles only as the wrecker is required to keep by subsection (1)(a)(i), (ii), (iii), and (iv) of this section; it shall be accompanied by properly endorsed certificates of title or other adequate evidence of ownership and registration certificates: *Provided*, That records on acquisitions and sales of vehicle parts need not be included in reports submitted to the department but records shall be kept for three years from date of purchase and available for inspection.

(3) Identity of vehicles in yard. All vehicles placed in the yard shall be identified by a yard number as assigned in the records with numerals marked so as to be clearly visible and legible. If a part of a vehicle is sold which has the number on it, the vehicle shall be renumbered in another location on the vehicle.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-090, filed 4/6/93, effective 5/7/93.]

WAC 308-63-100 Wreckers—Must furnish bill of sale for parts. No wrecker may sell a motor vehicle part unless he/she gives the purchaser a bill of sale for such part. Whenever the wrecker sells a motor, frame, or other major component part, he/she shall describe the part fully, giving make, model, year, and vehicle identification number or yard number of the vehicle from which the part was taken.

No wrecker may sell vehicles or hulks to a scrap processor or to a hulk hauler for transportation to a scrap processor unless he/she gives the scrap processor or the hulk hauler an invoice or bill of sale listing each vehicle or hulk by yard number; the wrecker shall retain a copy of such invoices for inspection purposes.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-100, filed 4/6/93, effective 5/7/93.]

WAC 308-63-110 Wreckers—Selling used vehicles.

(1) All vehicles acquired for sale under a vehicle dealer's license which are inoperable at the time of acquisition shall be kept inside the wrecking yard and shall be segregated from the remainder of the operation by a continuous physical barrier.

(2) "Inoperable" as used in this section shall mean a vehicle which does not comply with requirements for vehicles used on public streets with regard to brakes, lights, tires, safety glass and other safety equipment. However, for purposes of this section, inoperable shall not include a requirement to be currently licensed.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-110, filed 4/6/93, effective 5/7/93.]

WAC 308-63-120 Statement of change in business structure, ownership interest or control. Any person, firm, association, corporation or trust licensed under chapter 46.80 RCW must, within ten days following any change in its business or ownership structure, file a statement describ-

ing with particularity the change in its business structure or the change in ownership interest.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-120, filed 4/6/93, effective 5/7/93.]

WAC 308-63-130 Termination of business. A motor vehicle wrecker who terminates his/her business shall return his/her license and special license plates to the department for cancellation within ten business days of such termination, except as provided in RCW 46.70.081.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-130, filed 4/6/93, effective 5/7/93.]

WAC 308-63-140 Sale, transfer or other disposition of noncorporate licensee. Upon the sale, transfer or other disposition of fifty percent or more of the ownership interest in a noncorporate licensee:

(1) A rider to the bond revealing the change in ownership shall be filed with the department.

(2) A new application for an appropriate license by the purchaser or transferee is required and the fee will be the same as for an original application.

(3) The former owner must turn into the department his/her special license plates. The new owner or transferee must purchase new plates in his/her own name.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-140, filed 4/6/93, effective 5/7/93.]

WAC 308-63-150 Partial sales transfer or disposition of noncorporate licensee. When a licensee transfers less than fifty percent of the ownership interest in a noncorporate licensee to a person not licensed at the licensee's place of business:

(1) A rider to the bond revealing the change in ownership shall be filed with the department.

(2) A new application reflecting the change in ownership must be filed. The parties thereto shall be considered temporarily licensed until renewal or denial of the application and no additional fee will be required. Upon renewal of the license an original application and fee will be required.

(3) The special license plates issued to the original licensee may continue to be used. The same license number may be retained upon renewal if requested.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-150, filed 4/6/93, effective 5/7/93.]

WAC 308-63-160 Incorporation of licensee while licensed. A licensee which incorporates while licensed:

(1) Shall file an application for an appropriate license.

(2) Shall file a new bond with the department.

(3) If the transfer involves a change in the business structure only and does not involve the transfer of fifty percent or more of the ownership interest in the firm, the corporation may be considered temporarily licensed until the end of the licensing period or until the application is denied, and during such period:

(a) No additional fees will be required until renewal, at which time an original application for license and fee will be required.

(b) The same special license plates may be used until renewal. The firm may request the preincorporation license number upon renewal.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-63-160, filed 4/6/93, effective 5/7/93.]

Chapter 308-65 WAC HULK HAULERS/SCRAP PROCESSORS

WAC

308-65-010	Definitions—General.
308-65-020	Definitions.
308-65-030	Established place of business.
308-65-040	Hulk hauler—Application for license.
308-65-050	Expiration of hulk hauler license.
308-65-060	Hulk hauler—Special plates.
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308-65-080	Hulk hauler—Procedures for acquiring and selling vehicles.
308-65-090	Scrap processor—Application for license.
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308-65-120	Scrap processor—General procedures and requirements.
308-65-130	Scrap processor—Procedures for acquiring vehicles for demolition.
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308-65-150	Statement of change in business structure, ownership interest or control.
308-65-160	Termination of business.
308-65-170	Sale, transfer or other disposition of noncorporate licensee.
308-65-180	Partial sales transfer or disposition of noncorporate licensee.
308-65-190	Incorporation of licensee while licensed.

WAC 308-65-010 Definitions—General. Demolish. To demolish means the rendering of vehicle salvage into recyclable metals, for example, by means of a hydraulic baler and shears or a shredder operated by a licensed scrap processor.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-010, filed 4/6/93, effective 5/7/93.]

WAC 308-65-020 Definitions. (1) Bill of sale for acquiring vehicles. A bill of sale shall include the names and addresses of the seller and purchaser; a description of the vehicle or part being sold, including the make, model and identification or serial number; the date of sale; and the purchase price of the vehicle. Bills of sale are acceptable in lieu of title in the cases of:

- (a) Vehicles from nontitle jurisdictions;
- (b) When an insurance company or private owner has turned in the title to a vehicle previously destroyed as provided under WAC 308-58-030; or
- (c) For vehicles of the type to which titles are not issued.

(2) In the case of vehicle parts a bill of sale from the seller describing the specific part and giving the full name, address and verification of the seller's identity, plus date of sale. In addition, if a major component part is acquired the vehicle identification number from which it came must also be set forth on the bill of sale. A copy of each bill of sale shall be maintained on acquired parts for a period of three years.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-020, filed 4/6/93, effective 5/7/93.]

WAC 308-65-030 Established place of business. (1) Hulk hauler. A hulk hauler's established place of business is an address at which he/she receives mail and can normally be reached.

(2) Scrap processor. A scrap processor's established place of business is a place where (a) vehicles may be stored lawfully, (b) hydraulic balers, shears or shredders or other equipment for recycling vehicle salvage may be used lawfully, and (c) there is a building in which the scrap processor's license is conspicuously displayed and where all records required of the scrap processor are available for inspection.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-030, filed 4/6/93, effective 5/7/93.]

WAC 308-65-040 Hulk hauler—Application for license. The application for a hulk hauler's license shall be made on the form provided by the department and shall include, in addition to any other information the department may require, and in addition to the provisions of RCW 46.79.030:

(1) A statement regarding whether or not the applicant has ever previously had a license as a hulk hauler denied, suspended, or revoked and on what dates and what grounds.

(2) A certification from a member of the Washington state patrol that his/her vehicle(s) are properly identified in accordance with WAC 308-61-320(5).

The license may be renewed prior to the expiration date by filing a renewal application, securing a signature of the appropriate member of the Washington state patrol on his/her application, and paying a renewal fee of ten dollars.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-040, filed 4/6/93, effective 5/7/93.]

WAC 308-65-050 Expiration of hulk hauler license. (1) A hulk hauler's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing.

(2) Motor vehicle hulk hauler license plates shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-050, filed 4/6/93, effective 5/7/93.]

WAC 308-65-060 Hulk hauler—Special plates. All vehicles used by hulk haulers on the highways of this state shall bear regular license plates and in addition, special hulk hauler's plates. Each vehicle shall display both special plates assigned to it, provided that when any vehicle being towed does not have valid license plates, the hulk hauler plates may be split, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed. The plates serve in lieu of a trip permit or current license plates for the vehicle(s) being transported.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set which charges include the reflectorization fee required by RCW 46.16.237.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-060, filed 4/6/93, effective 5/7/93.]

WAC 308-65-070 Hulk hauler—General procedures and requirements. Hulk haulers shall comply with all statutes, rules and regulations relative to the handling of vehicles and vehicle hulks.

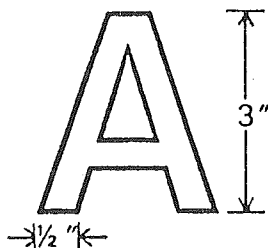
(1) Change of address. The department shall be notified immediately of any change of mailing address.

(2) License certificate. The license certificate shall be carried in the vehicles operated by hulk haulers. If a hulk hauler operates more than one vehicle he/she shall request additional license certificates for each vehicle. Such certificates shall also be carried for inspection by law enforcement officers.

(3) Tow car fee. The licensee of any fixed load vehicle equipped for lifting or transporting any disabled, impounded or abandoned vehicle or part thereof, may pay a twenty-five dollar fee in lieu of tonnage fees provided in RCW 46.16.070.

(4) Inspection of transport vehicle. Prior to the issuance of a hulk hauler license the vehicle to be used in transporting vehicle salvage must be inspected by the appropriate law enforcement official to verify compliance with safety requirements applying to transportation of vehicle salvage on the highways of the state.

(5) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks which are operated on the highways of this state shall display the licensee's name, mailing address, and current business telephone number of such licensee. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-070, filed 4/6/93, effective 5/7/93.]

WAC 308-65-080 Hulk hauler—Procedures for acquiring and selling vehicles. (1) Supporting acquisition for transport, resale. The hulk hauler may acquire vehicles or hulks for transport and resale to a licensed motor vehicle wrecker or scrap processor upon obtaining ownership documents in the form of a certificate of title properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing only a registration certificate or other approved ownership documents as follows:

(a) Affidavit of lost or stolen title signed by the owner on record with the department, and release of interest from the owner.

(b) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

(c) Affidavit of sale from a registered tow truck operator.

(d) A court order.

(e) Acquisition from wreckers licensed by the department may be supported by obtaining the wrecker's invoice or bill of sale listing each vehicle by the wrecker's "yard number." Such invoice or bill of sale shall be given to the scrap processor or vehicle wrecker purchasing the vehicles listed therein.

(f) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions that have had their titles surrendered to a state after having been declared a total loss and for vehicles of the type to which titles are not issued.

(2) Must possess supporting documentation. Before a hulk hauler may transport any vehicle for resale, he/she shall have in his/her possession ownership documents to support lawful acquisition or possession, as enumerated in subsection (1) of this section. Such documentation shall be in his/her possession at all times while the vehicle is transported.

(3) Handling vehicles. A hulk hauler may not operate as a wrecker or remove parts from vehicles, provided that he/she may remove the parts necessary to sell vehicle salvage to a licensed scrap processor, e.g., the upholstery, gasoline tank, and tires, so long as such parts are removed on the premises of a licensed wrecker or scrap processor where prior permission is granted or at a location approved by the department.

(4) May sell to licensed wreckers and scrap processors. Vehicles in the possession of a licensed hulk hauler may only be sold to a licensed wrecker or scrap processor.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-080, filed 4/6/93, effective 5/7/93.]

WAC 308-65-090 Scrap processor—Application for license. The application for a scrap processor's license shall contain, in addition to any other information the department may require, evidence the application is approved by the local government planning and zoning authorities pursuant to the provisions of the State Environmental [Policy] Act, chapter 43.21C RCW.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-090, filed 4/6/93, effective 5/7/93.]

WAC 308-65-100 Expiration of scrap processor license. (1) A scrap processor's license shall expire twelve consecutive months from the date of issuance for purposes of staggered licensing.

(2) Any special license plates issued to a scrap processor shall expire on the same date as the expiration of the license.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-100, filed 4/6/93, effective 5/7/93.]

WAC 308-65-110 Scrap processor—Special plates. Vehicles owned or operated on the highways of this state by a scrap processor and used by him/her in gathering vehicle

hulks or salvage shall bear regular license plates and, in addition, hulk hauler plates. Such plates serve in lieu of a trip permit or current license for any vehicle being transported. Each vehicle shall display all plates issued to it.

The plates may be obtained at a fee of six dollars for the first set, and three dollars for each additional set including the reflectorization fee required by RCW 46.16.237; they expire simultaneously with the scrap processor's license.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-110, filed 4/6/93, effective 5/7/93.]

WAC 308-65-120 Scrap processor—General procedures and requirements. All scrap processors shall comply with all statutes, rules and regulations relative to the demolition of vehicles and vehicle hulks.

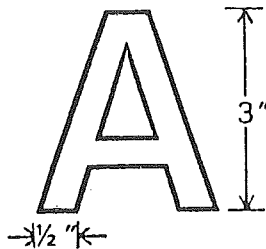
(1) Change of address. The department shall be notified immediately of any change of address of any business location or of the addition of any such location.

(2) Display of license certificate. The license certificate of the scrap processor shall be displayed conspicuously at the business address shown on the application and shall be available for inspection by law enforcement officers and authorized representatives of the department.

(3) Inspection of premises. The premises of the scrap processor shall be subject to periodic inspection by appropriate law enforcement officers and authorized representatives of the department.

(4) Destroying of license plates. All license plates coming into the possession of the scrap processor shall be destroyed by the scrap processor prior to forwarding the monthly report to the department under RCW 46.79.020.

(5) Identification of licensee's vehicles. All vehicles equipped for lifting or transporting vehicles or hulks shall display the licensee's name, address and current telephone number. Such information shall be painted on or permanently affixed to both sides of the vehicle. Each letter and numeral shall be made with at least a half-inch stroke for the width and shall be at least three inches high. See example.



[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-120, filed 4/6/93, effective 5/7/93.]

WAC 308-65-130 Scrap processor—Procedures for acquiring vehicles for demolition. Supporting acquisition. A scrap processor may acquire vehicles for demolition if the transferor can furnish ownership documents, in the form of a certificate of title properly endorsed, from a state issuing a title, or a certificate of registration and notarized bill of sale from a jurisdiction issuing a registration certificate only or other approved ownership documents as follows:

(1) Affidavit of lost or stolen title and release of interest from the owner.

(2) Affidavit of sale of a junk vehicle from the landowner who has complied with RCW 46.55.230.

(3) Bills of sale pursuant to WAC 308-63-020 for vehicles from nontitle jurisdictions, for vehicles that have had their titles surrendered to a state after having been declared a total loss, and for vehicles of the type to which titles are not issued.

(4) Affidavit of sale from a registered tow truck operator.

(5) A court order.

(6) Invoice or bill of sale from wrecker.

(7) Scrap processors may acquire vehicle salvage from out-of-state provided that the out-of-state salvage company submits an affidavit certifying his/her rightful and true possession of the vehicles or parts contained in the bulk shipment and that he/she has complied with all statutes, rules and regulations relating to such vehicles in the state or province of origin.

(8) Vehicle parts may be acquired by use of an invoice or bill of sale which describes the part and identifies the seller by name and address.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-130, filed 4/6/93, effective 5/7/93.]

WAC 308-65-140 Scrap processor—Procedures for monthly reports. (1) Must maintain books and files.

(a) The scrap processor shall maintain the following books and files of all vehicles, acquired other than from a wrecker or out-of-state salvage company, which shall contain the following:

(i) A description of each vehicle acquired by make, model, year and vehicle identification number;

(ii) The date acquired, name of the person, firm or corporation from which obtained, and the wrecker license numbers if such person is licensed as a wrecker by the department;

(iii) A description of the document evidencing ownership, and if a certificate of title or registration, the title or registration number; and

(iv) The license plate number and name of state in which vehicle was last registered.

(b) For all vehicles acquired from a licensed wrecker, a copy of the wrecker's invoice or bill of sale shall suffice as the record of acquisition and demolition.

(c) For vehicles acquired from out-of-state salvage companies, an invoice listing the vehicles and the affidavit of compliance with the out-of-state jurisdiction.

(d) For vehicle parts, an invoice or bill of sale describing the part and identifying the seller by name and address. That record will be available for inspection.

(e) Such records shall be maintained for three years and shall be subject to periodic inspection by authorized representatives of the department and appropriate law enforcement officers.

(2) Must furnish written reports. By the tenth of the month following acquisition of vehicles or hulks for demolition, each scrap processor shall submit a report, on the form prescribed by the department, listing each vehicle, whether or not such vehicles have been demolished. This report shall

be made in duplicate, retaining the duplicate for the scrap processor's files. The report shall give such information as the scrap processor is required to keep by subsection (1) of this section, provided that the scrap processor need not include copies of a wrecker's invoice or bill of sale in such report so long as he/she retains copies of the invoices and bills of sale for a period of three years. It shall be accompanied by properly endorsed certificates of title or registration or such other adequate evidence of ownership as may come into the scrap processor's possession when he/she acquires vehicles for salvage from other than wreckers licensed by the department.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-140, filed 4/6/93, effective 5/7/93.]

WAC 308-65-150 Statement of change in business structure, ownership interest or control. Any person, firm, association, corporation or trust licensed under chapter 46.79 RCW must, within ten days following any change in its business or ownership structure, file a statement describing with particularity the change in its business structure or the change in ownership interest.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-150, filed 4/6/93, effective 5/7/93.]

WAC 308-65-160 Termination of business. A hulk hauler or scrap processor who terminates his business shall return his/her license and special license plates to the department for cancellation within ten business days of such termination, except as provided in RCW 46.70.081.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-160, filed 4/6/93, effective 5/7/93.]

WAC 308-65-170 Sale, transfer or other disposition of noncorporate licensee. Upon the sale, transfer or other disposition of fifty percent or more of the ownership interest in a noncorporate licensee:

(1) A new application for an appropriate license by the purchaser or transferee is required and the fee will be the same as for an original application.

(2) The former owner must turn into the department his/her special license plates. The new owner or transferee must purchase new plates in his/her own name.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-170, filed 4/6/93, effective 5/7/93.]

WAC 308-65-180 Partial sales transfer or disposition of noncorporate licensee. When a licensee transfers less than fifty percent of the ownership interest in a noncorporate licensee to a person not licensed at the licensee's place of business:

(1) A new application reflecting the change in ownership must be filed. The parties thereto shall be considered temporarily licensed until renewal or denial of the application and no additional fee will be required. Upon renewal of the license an original application and fee will be required.

(2) The special license plates issued to the original licensee may continue to be used. The same license number may be retained upon renewal if requested.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-180, filed 4/6/93, effective 5/7/93.]

WAC 308-65-190 Incorporation of licensee while licensed. A licensee which incorporates while licensed:

(1) Shall file an application for an appropriate license.

(2) If the transfer involves a change in the business structure only and does not involve the transfer of fifty percent or more of the ownership interest in the firm, the corporation may be considered temporarily licensed until the end of the licensing period or until the application is denied, and during such period:

(a) No additional fees will be required until renewal, at which time an original application for license and fee will be required.

(b) The same special license plates may be used until renewal. The firm may request the preincorporation license number upon renewal.

[Statutory Authority: RCW 46.55.190, 46.79.080 and 46.80.140. 93-08-076, § 308-65-190, filed 4/6/93, effective 5/7/93.]

Chapter 308-66 WAC MOTOR VEHICLE DEALERS AND MANUFACTURERS

WAC

308-66-196 Possession of custom documents.

WAC 308-66-196 Possession of custom documents. If a vehicle is imported from a foreign jurisdiction, except from another state, territory, or possession of the United States, District of Columbia, or Commonwealth of Puerto Rico, and an intervening state of Washington certificate of ownership has not been issued, the vehicle dealer shall have possession of the following documents in addition to the certificate of ownership as provided in WAC 308-66-195:

(1) A United States Department of the Treasury, Customs Service form properly executed authorizing the vehicle entry into the United States; and

(2) If the vehicle did not conform with federal motor vehicle safety standards or federal air pollution control regulations, an instrument of release from the National Highway Traffic Safety Administration (NHTSA) and/or the Environmental Protection Agency (EPA) indicating the United States Customs Service may not issue a notice of redelivery.

[Statutory Authority: RCW 46.01.110. 93-14-084, § 308-66-196, filed 6/30/93, effective 7/31/93.]

Chapter 308-93 WAC VESSEL REGISTRATION AND CERTIFICATES OF TITLE

WAC

308-93-050 Vessels exempted from registration, excise tax and titling.
308-93-070 Application for title/registration.
308-93-174 County auditors and subagents—Disposition of application fees.
308-93-460 Releasing interest.

WAC 308-93-050 Vessels exempted from registration, excise tax and titling. The following vessels are exempt from registration, titling, and the assessment of excise tax:

(1) Vessels exempt from registration under RCW 88.02.030;

(2) Vessels that have been issued a valid number under federal law or by an approved issuing authority of the state of principal operation, unless the vessel is physically located in this state for a period of more than sixty days in any twelve-month period. A vessel that is validly registered in another state but is removed to this state for principal use is subject to titling, registration and assessment of excise taxes, unless otherwise exempt;

(3) Vessels primarily engaged in commerce which have or are required to have a valid marine document as a vessel of the United States, including but not limited to:

(a) Commercial fishing vessels;

(b) Barges;

(c) Charter vessels, including, bare boat and time share charters.

[Statutory Authority: RCW 88.02.070 and 88.02.100. 93-14-082, § 308-93-050, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 88.02.100 and 1991 c 339 § 30 and 31. 92-03-075, § 308-93-050, filed 1/14/92, effective 2/14/92. Statutory Authority: RCW 88.02.100 and 88.02.120. 90-08-018, § 308-93-050, filed 3/28/90, effective 4/28/90. Statutory Authority: 1985 c 258. 85-23-066 (Order TL-RG-19), § 308-93-050, filed 11/19/85. Statutory Authority: RCW 88.02.070 and 88.02.100. 84-19-026 (Order TL-RG 8), § 308-93-050, filed 9/13/84. Statutory Authority: 1983 c 7 § 20 and 1983 2nd ex.s. c 3 § 46. 83-23-076 (Order 736-DOL), § 308-93-050, filed 11/18/83.]

WAC 308-93-070 Application for title/registration.

(1) An application for certificate of title or registration of a vessel shall be completed and shall include:

(a) The names, addresses and the department assigned identification number for all owners of the vessel being registered including lessee and lessor if applicable.

(b) Make, model year and length of vessel.

(c) Type of power (gasoline, diesel, propane, other, etc.).

(d) Primary use.

(e) Primary method of propulsion (inboard, outboard, inboard/outboard, jet, sail, other, etc.).

(f) Type of vessel (open, cabin, house, or other).

(g) Primary vessel construction (fiberglass, wood, aluminum, etc.).

(h) County of moorage.

(i) United States Coast Guard issued number, if any.

(j) Purchase price and purchase year of vessel or declared value and year of declaration. Purchase price includes the price purchaser paid for the vessel, vessel motor, or engine, and all other equipment and accessories, excluding boat trailers, purchased in a single transaction.

(k) Hull identification number.

(l) Vessel registration numbers previously issued by any issuing authority, if any.

(m) That the application is for a new number, renewal or transfer of ownership.

(n) State in which vessel is or will be principally used.

(o) United State Coast Guard document number, if applicable.

(2) Name and address of all persons perfecting a security interest (legal owner), except for United States Coast Guard documented vessels, or a certified statement by the registered owner that the vessel is free of all liens.

(3) In the event a vessel is homemade, the registered owner must complete and sign a declaration of value form.

(4) The names of all owners will appear on the application for registration and title. The application must be signed by all registered owner applicants. Signature must be notarized or certified by an authorized license agent.

(5) The application for certificate of title or registration shall be accompanied by the following where applicable:

(a) A copy of the bill of sale or sales agreement.

(b) Declaration of value form.

(c) All proper fees and excise tax.

(d) Previous ownership document properly released.

(e) Excise exemption affidavit.

(f) Proof of sales tax paid.

(g) Manufacturer's statement of origin or original factory invoice.

(h) Copy of carpenter certificate.

(i) Release of interest form.

(j) Other verification of ownership.

(k) Copy of certificate of ownership of vessel issued by United States Coast Guard.

(6) An application made for a vessel to be leased or rented without propulsion machinery will indicate "other" for type of power in subsection (1)(c) of this section and for primary method of propulsion in subsection (1)(e) of this section.

[Statutory Authority: RCW 88.02.070 and 88.02.100. 93-14-082, § 308-93-070, filed 6/30/93, effective 7/31/93; 92-24-035, § 308-93-070, filed 11/25/92, effective 12/26/92. Statutory Authority: RCW 88.02.100 and 1991 c 339 § 30 and 31. 92-03-075, § 308-93-070, filed 1/14/92, effective 2/14/92. Statutory Authority: 1985 c 258. 85-23-066 (Order TL-RG-19), § 308-93-070, filed 11/19/85. Statutory Authority: RCW 88.02.070 and 88.02.100. 84-13-086 (Order TL-RG-2), § 308-93-070, filed 6/21/84. Statutory Authority: 1983 c 7 § 20 and 1983 2nd ex.s. c 3 § 46. 83-23-076 (Order 736-DOL), § 308-93-070, filed 11/18/83.]

WAC 308-93-174 County auditors and subagents—

Disposition of application fees. (1) At any time any application is made to the director, the county auditor, or a subagent pursuant to any law dealing with licenses, registration, or the right to operate any vessel on the waterways of this state, the applicant shall pay to the director, auditor, or subagent a fee as provided in RCW 46.01.140 (4)(a).

(2) Applicants for certificates of ownership of a vessel shall pay to the director, county auditor, or subagent a fee as provided in RCW 46.01.140 (4)(c).

(3) The fees under subsections (1) and (2) of this section, if paid to the county auditor or the subagent of the county auditor, shall be paid to the county treasurer as provided in RCW 46.01.140 (4)(d).

(4) A subagent shall collect a service fee as provided in RCW 46.01.140(5).

[Statutory Authority: RCW 88.02.070 and 88.02.100. 93-14-082, § 308-93-174, filed 6/30/93, effective 7/31/93.]

WAC 308-93-460 Releasing interest. (1) Any person releasing legal or registered owner interest in a vessel shall

sign the release of interest provided on the certificate of ownership issued by the department or a previous jurisdiction, or a release of interest document approved by the department.

(2) Signatures releasing owner interest on approved documents other than the certificate of ownership must be certified in accordance with WAC 308-93-470.

(3) A release of interest is not required from one identified as a lessee.

(4) A valid marine document, issued by the United States Coast Guard, Documentation Office is acceptable in lieu of release of interest signatures on the certificate of ownership.

(5) When a vessel is removed from being marine documented, a copy of the removal letter from the United States Coast Guard, Documentation Office or a certified copy of the document abstract from the United States Coast Guard, Documentation Office showing removal from being documented and a release of interest document, approved by the department, with notarized signatures of the former owners is acceptable evidence for release of interest by the former owners.

[Statutory Authority: RCW 88.02.070 and 88.02.100. 93-14-082, § 308-93-460, filed 6/30/93, effective 7/31/93. Statutory Authority: 1983 c 7 § 20 and 1983 2nd ex.s. c 3 § 46. 83-23-076 (Order 736-DOL), § 308-93-460, filed 11/18/83.]

Chapter 308-96A WAC VEHICLE LICENSES

WAC

308-96A-005	Terminology.
308-96A-057	Purple Heart license plates.
308-96A-066	Personalized license plates—Denied or canceled.
308-96A-072	Square dancer license plates.
308-96A-295	Display of tabs.
308-96A-330	Application for organization disabled person parking placards.
308-96A-560	Special vehicle license plates—Criteria.

WAC 308-96A-005 Terminology. Terms used in chapter 46.16 RCW and this chapter shall have the following meanings except where otherwise defined, and unless where used the context thereof clearly indicate to the contrary:

(1) The terms "licensing" and "registering" are synonymous for a transaction in which either the vehicle's registration expiration or the gross weight license or both is updated on the department's records. A registration certificate and current validation tabs are issued to the applicant unless the vehicle has current tabs or a permanent registration certificate and validation tabs, such as permanent fleet, Disabled American Veteran, or government owned vehicles.

(2) The terms "tonnage," "gross weight license," "license based on gross weight," and "gross weight fees" are used interchangeably when referring to license fees that are collected annually from owners of motor trucks, truck tractors, road tractors, tractors, bus, auto stage, or for hire vehicles with seating capacity of more than six, based upon the declared combined gross weight or declared gross weight.

(3) "Capacity fee" is used to refer to the load license for stages and for-hire vehicles with seating capacity of six or less and for fixed load vehicles including circus and tow.

(4) The term "no bill" refers to the notice to renew a license which is mailed by the department to the registered owner in lieu of a prebill. The no bill requires additional information prior to the registration for the current year license.

(5) A "prebill" is the notice to renew a vehicle license which is mailed by the department to the registered owner.

(6) References to "current year" mean the current registration year unless otherwise stated.

(7) "Month of expiration" or "expiration month" is the calendar month during which a registration year ends.

(8) A "fleet" is a group of vehicles registered in the same owner name and which have been assigned the same fleet identifier code by the department.

(a) "Perm or permanent fleet" means a fleet of one hundred or more commercial vehicles licensed to one registered owner where each vehicle is issued nonexpiring tabs and registration.

(b) "Regular fleet" means a fleet licensed to one registered owner where each vehicle is issued year and month tabs.

(9) "License fee" means and is limited to the fees required for the act of licensing a vehicle as set forth in chapter 46.16 RCW. License fee excludes the fees required for special vehicle license plates authorized by chapter 46.16 RCW.

(10) "Ride sharing van" for purposes of RCW 82.08.0287, 82.12.0282, and 82.44.015 means a passenger vehicle with a seating capacity of no fewer than seven nor more than fifteen persons including the driver. The seating capacity may not be fewer than five persons including the driver when at least three passengers are confined to a wheelchair.

(11) "Day of expiration" is the day of the month that the registration, gross weight license, and tabs expire.

(12) "Motor truck" or "truck" means any motor vehicle designed or used for the transportation of properties which includes commodities, merchandise, produce, freight, or animals.

[Statutory Authority: RCW 46.01.110. 93-14-083, § 308-96A-005, filed 6/30/93, effective 7/31/93; 92-15-025, § 308-96A-005, filed 7/6/92, effective 8/6/92. Statutory Authority: RCW 43.17.060, 46.01.060, 46.16.070 and 46.16.135. 92-02-100, § 308-96A-005, filed 1/2/92, effective 2/2/92. Statutory Authority: RCW 46.01.110 and 46.16.335. 91-15-006, § 308-96A-005, filed 7/8/91, effective 8/8/91. Statutory Authority: RCW 46.16.600, 46.16.276 and 46.01.110. 87-12-023 (Order TL/RG-34), § 308-96A-005, filed 5/28/87. Statutory Authority: RCW 46.16.135, 46.16.225, 46.16.490 and 46.01.110. 86-10-040 (Order TL/RG 24), § 308-96A-005, filed 5/5/86; Order MV-355, § 308-96A-005, filed 5/10/76; Order MV-328, § 308-96A-005, filed 7/24/75.]

WAC 308-96A-057 Purple Heart license plates.

Any military person that has been awarded a Purple Heart medal by any branch of the Armed Forces, including the Merchant Marines and the Women's Air Forces Service Pilots may be issued a set of special vehicle license plates indicating the recipient was wounded during one of this nations' wars or conflicts.

(1) Applicants for a special Purple Heart vehicle license plate shall satisfy the following conditions:

- (a) Be a resident of the state of Washington;
- (b) Have been wounded in combat;

(c) Been awarded a Purple Heart medal by any branch of the Armed Forces; and

(d) Be an owner, co-owner, lessee, or co-lessee of the vehicle to which the Purple Heart special license plate will be issued.

(2) Applications for the special license plates shall be upon forms provided by the department and sent to Specialized Licensing, Department of Licensing, P.O. Box 9043, Olympia, Washington 98507-9043. The application shall include:

(a) A photocopy of the applicant's form DD-214 or similar document issued by a branch of the Armed Forces which awarded the Purple Heart medal to the applicant and the date of award;

(b) A photocopy of the current registration of the vehicle for which the special license plate is to be issued showing the applicant's ownership status in the vehicle; and

(c) A replacement license plate fee then in effect. Veterans who qualify for free vehicle licensing may be issued the Purple Heart special license plate without paying the replacement plate fee.

(3) Purple Heart special license plates may be issued for display on any motor vehicle that is otherwise authorized to display a regular motor vehicle license plate, except the plates may not be issued for motorcycles. Purple Heart special license plates may not be displayed on nonmotor vehicles including campers and travel trailers.

(4) Purple Heart special license plates issued to any qualifying person may be retained by the surviving spouse of the demised qualifying person. The surviving spouse shall be afforded all rights and privileges of the qualified person so long as the surviving spouse:

(a) Was the legally recognized spouse of the qualifying person at the time of the demise of the qualifying person;

(b) Is a resident of the state of Washington;

(c) Is an owner, co-owner, lessee, or co-lessee of the vehicle to which the Purple Heart special license plate is issued or may be issued; or

(d) Doesn't become a legally recognized spouse to another person. If the surviving spouse becomes a legally recognized spouse to another person, the Purple Heart special license plate is invalid and must be removed from the vehicle and surrendered to the department.

[Statutory Authority: RCW 46.01.110. 93-14-083, § 308-96A-057, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 46.01.110 and 46.16.335. 91-15-006, § 308-96A-057, filed 7/8/91, effective 8/8/91.]

WAC 308-96A-066 Personalized license plates—Denied or canceled. (1) An application for a personalized license plate may be denied, at the discretion of the department, when the department considers the combination of letters and numbers to be offensive to good taste or decency, which may be misleading; vulgar in nature, a racial ethnic, lifestyle or gender slur, related to illegal activities or substances, blasphemous, or contrary to the department's mission to promote highway safety.

(2) A personalized license plate may be canceled at the discretion of the department if after being issued the department determines the combination of letters and numbers to be offensive to good taste or decency by being profane, sexually suggestive, alcohol or drug related, racist, derogato-

ry, or slanderous, or which could be misleading or a duplicate of license plates provided in chapter 46.16 RCW.

(a) When a personalized license plate is canceled, the vehicle owner will be refunded the amount of the fee paid pursuant to RCW 46.16.585 and 46.16.606 for such license plate; or

(b) Instead of a refund, the owner may apply for and be issued another configured personalized license plate without payment of an additional personalized license plate fee.

[Statutory Authority: RCW 46.01.110. 93-14-083, § 308-96A-066, filed 6/30/93, effective 7/31/93.]

WAC 308-96A-072 Square dancer license plates.

(1) Any Washington state resident is entitled to apply to the department and upon satisfactory showing, to receive in lieu of regular vehicle license plates, similar license plates bearing a symbol of a square dancer.

(2) Square dancer license plates may be issued as provided in RCW 46.16.010 for vehicles required to display two license plates. Vehicles licensed under the provisions of chapter 46.87 RCW are not eligible for square dancer license plates.

(3) A special license plate fee of thirty-five dollars, in addition to all other appropriate fees and taxes, will be collected for each original set of square dancer license plates issued.

(4) A special dancer license plate may be transferred as provided in RCW 46.16.590 to another eligible vehicle owned by the same registered owner.

(5) Replacement square dancer license plates may be obtained as provided in RCW 46.16.270. Replacement license plates shall be the next available license number plates in the square dancer plate series.

[Statutory Authority: RCW 46.01.110. 93-14-083, § 308-96A-072, filed 6/30/93, effective 7/31/93.]

WAC 308-96A-295 Display of tabs. The department shall issue license plate tabs, or emblems to identify the month and year of the vehicle registration expiration. They may be displayed as soon as they are purchased. Tabs or emblems must be displayed starting with the first day of the current registration year. If tabs are issued, they shall be displayed on the front and rear license plates as indicated on the tab in the following manner:

(1) Motorcycle plates shall display the year tab in the upper right corner and the month tab lengthwise down the right side of the plate between the plate number and the outer frame of the plate.

(2) Plates with the state identification at the bottom of the plate shall have the month tab displayed in the lower left corner and the year tab in the lower right corner.

(3) Plates with the state identification at the top left of the plate shall have the month tab displayed immediately following the final "N" in Washington. The year tab shall be displayed to the immediate right of the month tab in the upper right corner.

(4) Plates with the state identification at the top center of the plate shall have the month tab displayed to the left of the "W" and the year tab displayed to the right of the final "N" in Washington.

[Statutory Authority: RCW 46.01.110. 93-14-083, § 308-96A-295, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 46.16.135, 46.16.225, 46.16.490 and 46.01.110. 86-10-040 (Order TL/RG 24), § 308-96A-295, filed 5/5/86; Order MV-355, § 308-96A-295, filed 5/10/76.]

WAC 308-96A-330 Application for organization disabled person parking placards. Application for public transportation authority, nursing homes, senior citizen centers, boarding homes, and private nonprofit agencies for disabled person special parking placards shall be made on forms provided by the department and signed by an appropriate official of the organization. The applicant shall certify that the organization satisfies the eligibility requirements for special disabled person parking placards provided in RCW 46.16.381 and chapter 308-96A WAC.

[Statutory Authority: RCW 46.01.110. 93-14-083, § 308-96A-330, filed 6/30/93, effective 7/31/93. Statutory Authority: RCW 46.01.110 and 46.16.276. 92-03-076, § 308-96A-330, filed 1/14/92, effective 2/14/92. Statutory Authority: RCW 46.16.600, 46.16.276 and 46.01.110. 87-12-023 (Order TL/RG-34), § 308-96A-330, filed 5/28/87. Statutory Authority: RCW 46.01.110 and 1984 c 154 § 2(2) [RCW 46.16.381(2)]. 84-17-073 (Order TL-RG 6), § 308-96A-330, filed 8/15/84.]

WAC 308-96A-560 Special vehicle license plates—Criteria. The department may approve applications for special vehicle license plates under RCW 46.16.301 after determining that all of the following criteria is satisfied:

(a) It is reasonable to expect a minimum of one thousand special license plates in the approved configuration will be purchased by vehicle owners satisfying the qualifications set forth in the approved application.

(b) The applicant organization is a local chapter or equivalent of a nationally recognized organization.

(c) The special license plate is designed so that it can be readily recognized by law enforcement personnel as an official Washington state issued license plate.

(d) Qualifications for the special license plate do not discriminate between age, sex, religion, or national origin. Qualifications may not include being a member of the applicant organization. Plates that identify members of professions that are related to public safety, health, and/or welfare may require proof of professional standing.

(e) The special license plate lettering and color scheme is compatible with the basic license plate design. The plates shall consist of numbers, letters, or figures or any combination thereof not exceeding seven positions that do not conflict with existing license plates. The plate design must provide at least four positions to accommodate serial numbering. The plate may not advertise a product or service. A license plate shall not be approved that may carry connotations offensive to good taste or decency which may be misleading, vulgar in nature, a racial, ethnic lifestyle or gender slur, related to illegal activities or substances, blasphemous, contrary to the department's mission to promote highway safety, or a duplicate of license plates provided in chapter 46.16 RCW.

(f) The applicant organization is recognized as a nonprofit entity by Washington state law and the Internal Revenue Service.

(g) The special license plate has state-wide appeal and is not limited to a particular geographic area.

(h) The applicant organization will not use the special license plate to raise funds or as a qualification to gaining or retaining membership in an organization.

[Statutory Authority: RCW 46.01.110. 93-14-083, § 308-96A-560, filed 6/30/93, effective 7/31/93; 91-03-091, § 308-96A-560, filed 1/18/91, effective 2/18/91.]

Chapter 308-100 WAC

DRIVERS' LICENSES—SPECIAL PROVISIONS

WAC

308-100-030 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-100-030 Motor vehicles which may be operated pursuant to the endorsement. [Statutory Authority: RCW 46.01.110 and 1989 c 178 §§ 3, 5, 8 and 16. 89-18-003, § 308-100-030, filed 8/24/89, effective 9/24/89; Order 1, § 308-100-030, filed 1/5/68.] Repealed by 93-22-071, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.01.110.

WAC 308-100-030 Repealed. See Disposition Table at beginning of this chapter.

Chapter 308-104 WAC

DRIVERS' LICENSES

WAC

308-104-006 Driver's license required.
 308-104-015 Identical cards.
 308-104-040 Driver's licenses for identification and identical cards.
 308-104-056 Convictions—Revocation and suspension terms.
 308-104-057 Repealed.
 308-104-080 Reissue fee—When required.
 308-104-090 Reissue fee—Where paid and accepted.
 308-104-110 Repealed.
 308-104-140 Repealed.
 308-104-145 Driving record abstracts—Release to insurance companies.
 308-104-170 Alcohol or drug abuse treatment program.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-104-057 Convictions—Driving while revoked—Terms. [Order MV-222, § 308-104-057, filed 10/29/74.] Repealed by 93-22-071, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.01.110.
 308-104-110 Occupational license—Eligibility—Driving while suspended. [Order MV 349, § 308-104-110, filed 1/28/76.] Repealed by 93-22-071, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.01.110.
 308-104-140 Driving record abstracts—Firefighters and law enforcement officers. [Order 469-DOL, § 308-104-140, filed 12/30/77.] Repealed by 93-22-071, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.01.110.

WAC 308-104-006 Driver's license required. (1) No person, except as expressly exempted by chapter 46.20 RCW or by this chapter, may drive any motor vehicle upon a highway in this state unless the person has in his or her possession a valid driver's license issued under the provisions of chapter 46.20 RCW.

(2) A new Washington resident must make application for a Washington state driver's license within thirty days of establishing residency.

[Statutory Authority: RCW 46.01.110, 93-22-071, § 308-104-006, filed 11/1/93, effective 12/2/93; 87-19-129 (Order DS 3), § 308-104-006, filed 9/22/87.]

WAC 308-104-015 Identicards. As used in RCW 46.20.117, a "nondriver" shall mean any person who has not been issued a driver's license within the last four years immediately preceding the application for an identicard, or any person whose driver's license or driving privilege has been suspended, revoked, or cancelled. However, any person who has been issued a driver's license within the last four years immediately preceding the application for an identicard may qualify as a nondriver by surrendering his or her driver's license and privilege to drive to the department, together with forfeiture of all fees paid for said driver's license. Issuance of a driver's license to a person who has previously been issued an identicard which has not expired shall result in the cancellation of the identicard, together with forfeiture of all fees paid for said identicard.

[Statutory Authority: RCW 46.01.110, 93-22-071, § 308-104-015, filed 11/1/93, effective 12/2/93; 82-03-046 (Order 668 DOL), § 308-104-015, filed 1/19/82.]

WAC 308-104-040 Driver's licenses for identification and identicards. As provided by RCW 46.20.305, no identicard shall be issued, nor shall any Washington state driver's license be issued, other than as provided in RCW 46.20.116, unless the applicant therefor shall have satisfied the department regarding his or her identity.

(1)(a) Except as provided in subsections (2) and (3) of this section, an applicant has not satisfied the identity requirements of RCW 46.20.035 unless he or she displays or provides the department with at least one of the following pieces of valid identifying documentation:

(i) A valid or recently expired driver's license or instruction permit that contains the signature, date of birth, and a photograph of the applicant;

(ii) A Washington state identicard or an identification card issued by another state that contains the signature and a photograph of the applicant;

(iii) An identification card issued by the United States, a state, or an agency of either the United States or a state, of a kind commonly used to identify the members or employees of the government agency, that contains the signature and a photograph of the applicant;

(iv) A military identification card that contains the signature and a photograph of the applicant;

(v) A United States passport that contains the signature and a photograph of the applicant;

(vi) An immigration and naturalization service form that contains the signature and photograph of the applicant; or

(vii) If the applicant is a minor, an affidavit of the applicant's parent or guardian where the parent or guardian displays or provides at least one piece of identifying documentation as specified in this subsection along with additional documentation establishing the relationship between the parent or guardian and the applicant.

(b) In addition to the valid identifying documentation listed in subsection (1)(a), the department may request supplemental identifying documentation, or may undertake an investigation to verify the validity of any documentation presented, in order to ascertain identity.

(2) An applicant unable to present a piece of identifying documentation listed in RCW 46.20.035(1) may request that other identifying documentation be considered by the department in order to ascertain identity, as provided by RCW 46.20.035(2). The department may waive the requirement for a piece of valid identifying documentation listed in RCW 46.20.035(1) if the applicant presents sufficient valid supporting documents found by the department to clearly establish the identity of the applicant. For purposes of this subsection, the department has found the following pieces of documentation to be sufficient to clearly establish identity:

(a) A foreign country's passport, containing the signature and a photograph of the individual, that has with it a valid United States Immigration and Naturalization entry form (I-94);

(b) An enrollment card issued by a federally recognized Indian tribe, containing the signature and a photograph of the individual, with one other supporting document;

(c) An identification card issued by the United States Bureau of Indian Affairs, containing the signature and a photograph of the individual, with one other supporting document;

(d) A written identification verification document completed by the Washington department of corrections; and

(e) A Washington city or county police employee identification card, containing the signature and a photograph of the individual, with one other supporting document;

(3) If an applicant is unable to satisfy the department regarding his or her identity under subsections (1) or (2) of this section, he or she may request that the department review other documentation in order to ascertain identity, as provided by RCW 46.20.035(2).

(a) If the licensing services representative assisting the applicant is unable to ascertain identity from the documents presented, the applicant shall be referred to an in-office document reviewer for further assistance. The in-office document reviewer will evaluate the applicant's documentation in order to determine whether identity can be clearly established.

(b) If the in-office document review cannot clearly establish an applicant's identity, and if requested by an applicant, a senior technician for the region in which the applicant is making application will evaluate the applicant's documentation in order to determine whether identity can be clearly established.

(c) If requested by the applicant, the senior technician shall refer the applicant to driver licensing headquarters staff for final determination whether identity can be clearly established.

[Statutory Authority: RCW 46.01.110, 93-22-071, § 308-104-040, filed 11/1/93, effective 12/2/93; 82-03-046 (Order 668 DOL), § 308-104-040, filed 1/19/82; Order 468-DOL, § 308-104-040, filed 12/30/77; Order 691101, § 308-104-040, filed 11/26/69.]

WAC 308-104-056 Convictions—Revocation and suspension terms. The department shall suspend or revoke

the driver's license or nonresident driving privilege of every person who is convicted of a violation requiring such suspension or revocation, the term of which, except the violation of driving while suspended or revoked in the first or second degree, shall commence on the date of conviction.

[Statutory Authority: RCW 46.01.110. 93-22-071, § 308-104-056, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.20.391, 46.01.110 and 46.65.020. 86-07-018 (Order DS 2), § 308-104-056, filed 3/12/86; Order MV-222, § 308-104-056, filed 10/29/74.]

WAC 308-104-057 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-104-080 Reissue fee—When required. The driver's license of any person that has been suspended or revoked for any reason shall not be reissued until such person shall pay the required reissue fee; except, that such reissue fee shall not be required when the imposition of the suspension or revocation was invalid or void or when the suspension or revocation was imposed because the subject was incompetent to operate a vehicle due to a physical or mental disability, because the subject had failed to attend a driver improvement interview, because the subject's filing of proof of financial responsibility for the future had canceled or terminated, because the subject defaulted on an agreement to pay damages resulting from a vehicle accident, or because the subject was refused a license due to a suspension in another jurisdiction.

[Statutory Authority: RCW 46.01.110. 93-22-071, § 308-104-080, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.20.391, 46.01.110 and 46.65.020. 86-07-018 (Order DS 2), § 308-104-080, filed 3/12/86; Order MV-172, § 308-104-080, filed 7/16/73.]

WAC 308-104-090 Reissue fee—Where paid and accepted. The reissue fee shall be paid by the subject and shall be accepted by the department at any driver's license examining station or through its central state office at any time during normal operating hours.

[Statutory Authority: RCW 46.01.110. 93-22-071, § 308-104-090, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.20.391, 46.01.110 and 46.65.020. 86-07-018 (Order DS 2), § 308-104-090, filed 3/12/86; Order MV-172, § 308-104-090, filed 7/16/73.]

WAC 308-104-110 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-104-140 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-104-145 Driving record abstracts—Release to insurance companies. For purposes of RCW 46.52.130, an abstract of driving record provided to an insurance company that has insurance in effect covering a person's employer or a prospective employer shall exclude any information pertaining to the person's operation of a noncommercial motor vehicle. The abstract provided to the insurance company that has insurance in effect covering the person, or the insurance company to which the person has applied, shall exclude any information pertaining to the person's operation of a commercial motor vehicle. The abstract provided to the insurance company shall also

exclude any information except that related to the commission of misdemeanors or felonies by the individual pertaining to law enforcement officers or fire fighters as defined in RCW 41.26.020, or any member of the Washington state patrol, while driving official vehicles in the performance of occupational duty. As used in this section, "commercial motor vehicle" shall have the meaning defined in RCW 46.25.010(6).

[Statutory Authority: RCW 46.01.110. 93-22-071, § 308-104-145, filed 11/1/93, effective 12/2/93. Statutory Authority: RCW 46.01.110 and 46.25.140. 90-17-028, § 308-104-145, filed 8/8/90, effective 9/8/90.]

WAC 308-104-170 Alcohol or drug abuse treatment program. (1) For the purposes of Title 46 RCW, a person shall be deemed to have undertaken and followed a course of treatment for alcohol or drug abuse on a program approved by the department of social and health services if he or she has been under said program for at least sixty days: *Provided*, That the department may accept a shorter treatment term upon a showing that the full sixty days of treatment would not be in the best interests of the person's recovery progress.

(2) The term "program approved by the department of social and health services," as used in Title 46 RCW, shall mean an alcohol or drug abuse treatment program meeting the requirements of chapter 275-19 WAC.

[Statutory Authority: RCW 46.01.110. 93-22-071, § 308-104-170, filed 11/1/93, effective 12/2/93; 82-03-046 (Order 668 DOL), § 308-104-170, filed 1/19/82.]

Chapter 308-124A WAC

REAL ESTATE—LICENSING AND EXAMINATION

WAC

308-124A-025	Application process to take examination.
308-124A-440	Reexamination.
308-124A-450	Examination procedures.
308-124A-460	Real estate brokers and salespersons and land development representative fees.

WAC 308-124A-025 Application process to take examination. (1) Any person desiring to take an examination for a real estate salesperson license, except candidates who are actively licensed in another jurisdiction or were so licensed in the preceding six months or candidates who have received clock hours in another jurisdiction, shall telephone the testing service up to three days prior to the desired test date to schedule an examination. On the day of the examination, the candidate shall submit a completed examination application together with the examination fee and supporting documents, including evidence satisfactory to the department of having successfully completed an approved thirty clock hour fundamentals course, to the testing service approved by the department.

(2) Any person desiring to take an examination for a real estate broker license or real estate salesperson license who is actively licensed in another jurisdiction or was so licensed in the preceding six months or who has received clock hours in another jurisdiction must submit a completed examination application with supporting documents, including evidence satisfactory to the department of having

successfully completed any and all approved clock hour courses for licensure, to the licensing division of the department of licensing. After the qualifications for the examination have been verified by the department, the candidate shall telephone the testing service up to three days prior to the desired test date to schedule an examination. On the day of the examination, the candidate shall submit the completed examination application and examination fee by cashier's check, certified check, or money order to the testing service approved by the department.

(3) The applicant will be able to schedule an examination date up to three days prior to their desired test date. Candidates requesting a morning or afternoon test session will be scheduled immediately for an examination and will be provided with a registration number confirming their reservation.

(4) An examination candidate who has a completed examination application with the examination fee and supporting documents, including evidence satisfactory to the department of having successfully completed an approved thirty clock hour fundamentals course for candidates for a salesperson license, shall telephone the testing service to schedule an examination. A candidate for a real estate broker license or real estate salesperson license who is actively licensed in another jurisdiction or was so licensed in the preceding six months or who has received clock hours in another jurisdiction must have his or her qualifications for the examination verified by the department as provided in subsection (2) of this section prior to scheduling an examination as permitted in this section. The examination fee shall be paid in the form of a certified check, a cashier's check, or money order made payable to the testing service approved by the department. Cash, or personal check, will not be accepted from candidates.

(5) An applicant shall be assessed the full examination fee for any examination in which the applicant fails to provide four days notice to the testing service for changing their examination date or for failing to arrive and take a scheduled examination at the time the examination is scheduled or rescheduled.

[Statutory Authority: RCW 18.85.040, 93-24-096, § 308-124A-025, filed 11/30/93, effective 1/1/94; 91-23-006, § 308-124A-025, filed 11/7/91, effective 12/8/91; 89-08-009 (Order PM 829), § 308-124A-025, filed 3/24/89; 88-20-036 (Order PM 774), § 308-124A-025, filed 9/30/88, effective 1/1/89; 87-20-091 (Order PM 683), § 308-124A-025, filed 10/7/87; 81-05-016 (Order RE 128), § 308-124A-025, filed 2/10/81; Order RE 114, § 308-124A-025, filed 7/2/75.]

WAC 308-124A-440 Reexamination. An applicant who has failed the examination or failed to appear for a scheduled examination may apply for reexamination, provided the required reexamination fee is submitted.

An applicant who has failed the examination or failed to appear for a scheduled examination may apply for reexamination by telephoning the testing service to schedule an examination. Broker exam applicants who applied for a waiver and failed the examination must comply with the provisions of WAC 308-124A-040.

[Statutory Authority: RCW 18.85.040, 93-24-096, § 308-124A-440, filed 11/30/93, effective 1/1/94; 88-20-036 (Order PM 774), § 308-124A-440, filed 9/30/88, effective 1/1/89; 86-11-011 (Order PM 595), § 308-124A-440, filed 5/12/86, effective 10/1/86.]

WAC 308-124A-450 Examination procedures. (1)

Each applicant will be required to present one piece of positive identification which bears a photograph of the applicant. In the event the applicant has no photo identification, the applicant will be required to make prior arrangements with the department not later than ten working days prior to the examination. Failure to produce the required identification will result in the applicant being refused admission to the examination.

(2) Applicants will be required to refrain from talking to other examinees during the examination unless specifically directed or permitted to do so by a test monitor. Any applicant observed talking or attempting to give or receive information; using unauthorized materials during any portion of the examination; or removing test materials and/or notes from the testing room will be subject to denial of a license.

(3) Applicants who participate in disruptive behavior during the examination will be required to turn in their test materials to the test monitor and leave the examination site. Their opportunity to sit for the examination will be forfeited. Their answer sheet will be voided. A voided answer sheet will not be scored and the examination fee will not be refunded. A candidate must then reapply to take the examination.

[Statutory Authority: RCW 18.85.040, 93-24-096, § 308-124A-450, filed 11/30/93, effective 1/1/94; 90-23-039, § 308-124A-450, filed 11/15/90, effective 12/16/90; 87-20-091 (Order PM 683), § 308-124A-450, filed 10/7/87; 86-11-011 (Order PM 595), § 308-124A-450, filed 5/12/86, effective 10/1/86.]

WAC 308-124A-460 Real estate brokers and salespersons and land development representative fees.

The following fees for a two-year period shall be charged by professional licensing services of the department of licensing:

Title of Fee	Fee
Real estate broker:	
Application/examination	\$130.00
Reexamination	130.00
Original license	160.00
License renewal	160.00
Late renewal with penalty	185.00
Duplicate license	25.00
Certification	25.00
Name or address change, transfer or license activation	25.00
Real estate broker - Branch office:	
Original license	\$150.00
License renewal	150.00
Late renewal with penalty	175.00
Duplicate license	25.00
Name or address change	25.00
Real estate salesperson:	
Application/examination	\$130.00
Reexamination	130.00
Original license	100.00
License renewal	100.00
Late renewal with penalty	125.00
Duplicate license	25.00

Certification	25.00
Name or address change, transfer or license activation	25.00
The following fee shall be charged annually for land development representatives:	
Land development representative:	
Registration	25.00

[Statutory Authority: RCW 18.85.040, 93-24-096, § 308-124A-460, filed 11/30/93, effective 1/1/94; 90-23-039, § 308-124A-460, filed 11/15/90, effective 12/16/90. Statutory Authority: RCW 18.85.220 and 43.24.086, 90-02-048, § 308-124A-460, filed 12/29/89, effective 1/29/90. Statutory Authority: RCW 18.85.040, 89-08-009 (Order PM 829), § 308-124A-460, filed 3/24/89. Statutory Authority: RCW 18.85.040, 18.85.140 and 18.85.190, 87-17-051 (Order PM 673), § 308-124A-460, filed 8/18/87, effective 10/1/87.]

Chapter 308-125 WAC REAL ESTATE APPRAISERS

WAC

308-125-010	Definitions.
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308-125-225	Meetings—Notice.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-125-035	State-certified residential classification. [Statutory Authority: RCW 18.140.030, 91-23-007, § 308-125-035, filed 11/7/91, effective 12/8/91.] Repealed by 93-17-020, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030(1).
308-125-160	Waiver under RCW 18.140.080. [Statutory Authority: RCW 18.140.030, 91-04-074, § 308-125-160, filed 2/5/91, effective 3/8/91.] Repealed by 93-17-020, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030(1).

WAC 308-125-010 Definitions. (1) Words and terms used in these rules shall have the same meaning as each has in the Certified Real Estate Appraiser Act, (chapter 18.140 RCW).

(2) "Appraisal" or "real estate appraisal" means an analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interests in, or aspects of, identified real estate for or in expectation of compensa-

tion. An appraisal may be classified by subject matter into either a valuation or an analysis. A "valuation" is an estimate of the value of real estate or real property. An "analysis" is a study of real estate or real property other than estimating value.

(3) "Appraisal report" means any communication, written or oral, of an appraisal. Except all appraisal reports in federally related transactions are required to be written reports.

(4) "Appraisal assignment" means an engagement for which an appraiser is employed or retained to act, or would be perceived by third parties or the public as acting, as a disinterested third party in rendering an unbiased analysis, opinion, or conclusion relating to the nature, quality, value, or utility of specified interests in, or aspects of, identified real estate. The term "appraisal assignment" may apply to valuation work and analysis work.

(5) "Certified appraisal" means an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal represents to the public that it meets the appraisal standards defined in this chapter.

(6) "Licensed appraisal" means an appraisal prepared or signed by a state-licensed real estate appraiser. A licensed appraisal represents to the public that it meets the appraisal standards defined in this chapter.

(7) "Department" means the department of licensing.

(8) "Director" means the director of the department of licensing.

(9) "Real estate" means an identified parcel or tract of land, including improvements, if any.

(10) "Real property" means one or more defined interests, benefits, or rights inherent in the ownership of real estate.

(11) "Specialized appraisal services" means all appraisal services which do not fall within the definition of appraisal assignment. The term "specialized appraisal service" may apply to valuation work and to analysis work. Regardless of the intention of the client or employer, if the appraiser would be perceived by third parties or the public as acting as a disinterested third party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not a specialized appraisal service.

(12) "State-certified real estate appraiser" means a person who develops and communicates real estate appraisals, and who holds a valid certificate issued to him/her for either general or residential real estate under this chapter. A state-certified real estate appraiser may designate or identify an appraisal rendered by him/her as a "certified appraisal" and indicate which type of certification is held.

(13) "State-licensed real estate appraiser" means a person who develops and communicates real estate appraisals, and who holds a valid license issued to him/her for residential real estate under this chapter. A state-licensed real estate appraiser may designate or identify an appraisal rendered by him/her as a "licensed appraisal."

(14) "Advisory committee" means a committee of seven individuals, of whom at least five are real estate appraisers appointed by the director to provide technical assistance relating to real estate appraisal standards and real estate appraiser experience, education, and examination requirements that are appropriate for each classification of state-certified real estate appraiser.

(15) "Classroom hour" means fifty minutes out of each sixty minute hour.

(16) "Full-time" means the equivalent twelve-month period in which an applicant works at least one thousand five hundred hours in real estate appraisal.

(17) "Licensed or residential real estate appraiser" classification applies to those individuals qualified to appraise one to four residential units.

(18) "General real estate appraiser" classification applies to those individuals qualified to appraise all types of real property.

(19) "Federally related transaction" means any real estate-related financial transaction which Federal Financial Institutions Regulatory Agency (FFIRA) or the Resolution Trust Company (RTC) engages in, contracts for, or regulates and which requires the services of an appraiser.

(20) "Real estate related-financial transaction" means any transaction involving:

(a) The sale, lease, purchase, investment in, or exchange of real property, including interests in property or the financing thereof;

(b) The refinancing of real property or interests in real property; and

(c) The use of real property or interest in property as security for a loan or investment, including mortgage-backed securities.

(21) "Residential properties" means one to four single family residential units and lots where the highest and best use is for one to four family purposes.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-010, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030 (1)(14) and chapter 18.40 RCW. 92-18-018, § 308-125-010, filed 8/24/92, effective 9/24/92. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-010, filed 2/5/91, effective 3/8/91.]

WAC 308-125-020 Application process to take examination. (1) Any person desiring to take an examination for licensure or certification as a state-licensed or state-certified residential real estate appraiser, or as a state-certified general real estate appraiser, must submit a completed examination application with supporting documents and appropriate fee to the department of licensing, professional licensing services, at its official address. After the qualifications for the examination have been verified by the department, the applicant shall submit the preapproved examination application, the request for examination and the appropriate fee to the testing service approved by the director.

(2) An applicant must, as of the date his/her application is filed with the department, possess the requisite two years (twenty-four months) and three thousand hours of verifiable real estate appraisal experience.

(3) An application and the nonrefundable application fee shall be valid for six months from receipt by the department. An applicant may correct any discrepancies in the application other than experience during this six-month period. After six months, if the applicant has not met the prerequisites to sit for the licensure or certification examination, the applicant must submit a new application with the appropriate fee.

(4) Dishonored checks will be considered as an incomplete application.

(5) An applicant shall forfeit all examination fees for any examination or examinations for which the applicant has applied and does not take for any reason, other than through the fault or mistake of the department of licensing or the approved testing agency.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-020, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030 (1)(14) and chapter 18.40 RCW. 92-18-018, § 308-125-020, filed 8/24/92, effective 9/24/92. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-020, filed 2/5/91, effective 3/8/91.]

WAC 308-125-030 Examination prerequisite general classification. The general real estate appraiser classification applies to the appraisal of all types of real property.

(1) As a prerequisite to taking the examination for certification as a state-certified general real estate appraiser, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than one hundred sixty-five classroom hours of courses in subjects related to real estate appraisal approved by the director. Each applicant must successfully complete a thirty classroom hour course in the basic principles of real estate appraising and a fifteen classroom hour course in the Uniform Standards of Professional Appraisal Practice as part of the one hundred sixty-five classroom hours of course work.

(2) An original certification as a state-certified general real estate appraiser shall not be issued to any person who does not possess two years (twenty-four months) of experience as a full-time real estate appraiser in Washington or in another state having comparable certification requirements within the five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however, a minimum of two years (twenty-four months) is required.

(3) To fulfill the experience requirement, a candidate must have at least fifteen hundred hours, accumulated over the previous five years, of nonresidential appraisal experience.

(4) The content for courses required prerequisite to taking the examination for certification as a state certified general real estate appraiser must include coverage of all topics listed below, with particular emphasis on the appraisal of nonresidential properties:

- (a) Influences on real estate value.
- (b) Legal considerations in appraisal.
- (c) Types of value.
- (d) Economic principles.
- (e) Real estate markets and analysis.
- (f) Valuation process.
- (g) Property description.
- (h) Highest and best use analysis.
- (i) Appraisal math and statistics.
- (j) Sales comparison approach.
- (k) Site value.
- (l) Cost approach.
- (m) Income approach.
- (i) Estimation of income and expenses.
- (ii) Operation statement ratios.
- (iii) Direct capitalization.

- (iv) Cash flow estimates.
- (v) Measures of cash flow.
- (vi) Discounted cash flow analysis.
- (n) Valuation of partial interests.
- (o) Appraisal standards and ethics.
- (p) Narrative report writing.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-030, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030 (1)(14) and chapter 18.40 RCW. 92-18-018, § 308-125-030, filed 8/24/92, effective 9/24/92. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-030, filed 2/5/91, effective 3/8/91.]

WAC 308-125-035 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-125-040 Examination prerequisite state-certified residential classification. The state-certified residential real estate appraiser classification applies to appraisals of all types of residential property of one to four units without regard to transaction value or complexity and nonresidential property having a transaction value less than two hundred fifty thousand dollars.

(1) As a prerequisite to taking the examination for certification as a state-certified residential real estate appraiser, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than one hundred twenty classroom hours of courses in subjects related to real estate appraisal approved by the director. Each applicant must successfully complete a thirty classroom hour course in the basic principles of real estate appraising and a fifteen classroom hour course in the Uniform Standards of Professional Appraisal Practice as part of the one hundred twenty classroom hours of course work.

(2) An original certification as a state-certified residential real estate appraiser shall not be issued to any person who does not possess two years of experience as a full time real estate appraiser in Washington or in another state having comparable certification requirements within five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however a minimum of two years (twenty-four months) is required.

(3) The content for courses required prerequisite to taking the examination for certification as a state-certified residential real estate appraiser must include coverage of all the topics listed below with particular emphasis on the appraisal of one to four unit residential properties:

- (a) Influences on real estate value.
- (b) Legal considerations in appraisal.
- (c) Types of value.
- (d) Economic principles.
- (e) Real estate markets and analysis.
- (f) Valuation process.
- (g) Property description.
- (h) Highest and best use analysis.
- (i) Appraisal statistical concepts.
- (j) Sales comparison approach.
- (k) Site value.
- (l) Cost approach.

- (m) Income approach.
- (i) Gross rent multiplier analysis.
- (ii) Estimation of income and expenses.
- (iii) Operating expense ratios.
- (iv) Direct capitalization.
- (n) Valuation of partial interests.
- (o) Appraisal standards and ethics.
- (p) Narrative report writing.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

[Statutory Authority: RCW 18.140.030(1). 94-01-002, § 308-125-040, filed 12/1/93, effective 1/1/94; 93-17-020, § 308-125-040, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-23-007, § 308-125-040, filed 11/7/91, effective 12/8/91; 91-04-074, § 308-125-040, filed 2/5/91, effective 3/8/91.]

WAC 308-125-045 Examination prerequisite state-licensed classification. The state-licensed real estate appraiser classification applies to appraisal of noncomplex one to four residential units having a transaction value less than one million dollars and complex one to four residential units having a transaction value less than two hundred fifty thousand dollars and nonresidential property having a transaction value less than two hundred fifty thousand dollars.

(1) As a prerequisite to taking the examination for certification as a state-licensed real estate appraiser, an applicant shall present evidence satisfactory to the director that he/she has successfully completed not less than seventy-five classroom hours of courses in subjects related to real estate appraisal approved by the director. Each applicant must successfully complete a thirty classroom hour course in the basic principles of real estate appraising and a fifteen classroom hour course in the Uniform Standards of Professional Appraisal Practice as part of the seventy-five classroom hours of course work.

(2) An original certification as a state-licensed real estate appraiser shall not be issued to any person who does not possess two years of experience as a full-time real estate appraiser in Washington or in another state having comparable certification requirements within five years immediately preceding the filing of the application for examination and certification. An applicant may accumulate the required experience over the preceding five years; however a minimum of two years (twenty-four months) is required.

(3) The content for courses required prerequisite to taking the examination for certification as a state-licensed real estate appraiser must include coverage of all the topics listed below with particular emphasis on the appraisal of one to four unit residential properties:

- (a) Influences on real estate value.
- (b) Legal considerations in appraisal.
- (c) Types of value.
- (d) Economic principles.
- (e) Real estate markets and analysis.
- (f) Valuation process.
- (g) Property description.
- (h) Highest and best use analysis.
- (i) Appraisal statistical concepts.
- (j) Sales comparison approach.
- (k) Site value.
- (l) Cost approach.

- (m) Income approach.
- (i) Gross rent multiplier analysis.
- (ii) Estimation of income and expenses.
- (iii) Operating expense ratios.
- (n) Valuation of partial interests.
- (o) Appraisal standards and ethics.

Preexamination review seminars or examination preparation seminars will not be approved for clock hour credit.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-045, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-23-007, § 308-125-045, filed 11/7/91, effective 12/8/91.]

WAC 308-125-050 Educational courses—Preexamination. (1) In order for courses to be accepted under WAC 308-125-030(1), 308-125-040(1), and 308-125-045(1), courses must:

- (a) Be a minimum of fifteen classroom hours in length;
- (b) Include an examination; and
- (c) Be directly related to real estate appraising.

(2) The following limitations may apply to course work submitted to the department for approval:

(a) A correspondence course may be acceptable to meet classroom hour requirements only if each course meets the following conditions:

(i) The course has been presented by an accredited college or university which offers correspondence courses in other disciplines;

(ii) An individual successfully completes a written examination administered at a location by an official approved by the college or university; and

(iii) The content and length of the course meet the requirements for real estate appraisal-related courses established by the appraiser qualifications board and approved by the director.

(b) Video and remote television educational courses may be used to meet the classroom hour requirements only if each course meets the following conditions:

(i) The course has been presented by an accredited college or university which offers similar courses in other disciplines;

(ii) An individual successfully completes a written examination administered at a location by an official approved by the college or university; and

(iii) The content and length of the course meet the requirements for real estate appraisal-related courses established by the appraiser qualifications board and approved by the director.

(c) An applicant shall not receive "dual credit" for courses that have the same or very similar content and are deemed comparable by the department, even if an applicant completes the courses through different course providers.

(3) For the purposes of this section, only those courses completed within the ten years immediately preceding the date of application will be accepted for meeting educational requirements.

(4) Copies of official transcript of college records or certificates of course completion will be considered as satisfactory evidence for education requirements.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-050, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-050, filed 2/5/91, effective 3/8/91.]

WAC 308-125-060 Alternate to classroom hours, requirement preexamination. An applicant may receive education credit by achieving a passing score on an examination that is identical to that administered upon completion of an educational offering approved by the director. This refers to those instances where the examination is challenged without attendance at the offering. Credit for the examination must be obtained by July 1, 1990.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-060, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-060, filed 2/5/91, effective 3/8/91.]

WAC 308-125-065 Education/experience credit for teachers of approved real estate appraisal courses. (1) An applicant may receive education credit for teaching an approved real estate appraisal course. One hour of education credit for each hour of teaching an approved real estate appraisal course shall be given.

(2) An applicant may receive experience credit for teaching an approved real estate appraisal course. One hour of experience credit for each hour of teaching an approved real estate appraisal course shall be given.

(3) Once an applicant has received credit for teaching an approved real estate appraisal course, an applicant shall not receive credit for teaching that course or any substantially similar course on any subsequent occasion.

(4) Credit for teaching an approved real estate appraisal course may be used to satisfy education or experience credit, but shall not be used to satisfy both.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-065, filed 8/10/93, effective 9/10/93.]

WAC 308-125-070 Experience requirements. (1) A minimum of two years (twenty-four months) full-time experience is required. To attain the requisite experience an applicant may accumulate hours worked during the preceding five years; however, no more than fifteen hundred hours may be credited in any twelve-month period.

(2) Any work product claimed for experience credit dated January 1, 1990, and later shall conform to the Uniform Standards of Professional Appraisal Practice.

(3) Any work product claimed for experience credit dated prior to January 1, 1990, shall conform to the following standards:

(a) Reports shall be in writing.

(b) Reports shall contain the legal address of the subject property.

(c) Reports shall state the effective date of the appraisal.

(d) Reports shall contain a definition of value to be estimated.

(e) Reports shall contain a certification signed by the appraiser.

(f) Reports shall contain a description of the site, land, or buildings as applicable.

(g) Reports shall address all three approaches to value by either utilization of the approach or indication that the approach is not applicable or inappropriate to the specific property.

(h) Reports shall include adjustments and the value of the direct sales for the direct sales approach, which either

sets forth the reasoning for value or states that the value is evident in ancillary supporting documentation or the report.

(i) Reports shall include analysis of market rents, expenses, vacancy rates, and capitalization rates when the income approach is used.

(j) Reports shall include analysis of building costs and site value when the cost approach is used.

(k) Reports shall include reasoning and supporting documentation for the final value estimate.

(l) Reports shall be signed and dated by the appraiser.

(4) An appraiser applying for certification must verify his/her completion of the required experience via affidavit, under oath subject to penalty of perjury on a form provided by the department.

To demonstrate experience the department may require submission of a log which details hours claimed for experience credit. The department may also require an affidavit from an employer concerning the applicant's length of experience.

(5) An appraiser performing appraisal work enabling the appraiser to apply for appraisal experience on an hourly basis, includes, but is not limited to, the following:

Fee and staff appraisal, ad valorem tax appraisal, review appraisal, appraisal analyst, real estate counseling, highest and best use analysis, feasibility analysis/study, market analysis/ study, teacher of appraisal courses.

(6) The department reserves the right to contact an employer for confirmation of experience claimed. This will require an employer to confirm via affidavit the experience of an applicant.

(7) The department may request submission of written reports or file memoranda claimed by the applicant in the applicant's application for experience credit.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-070, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030 (1)(14) and chapter 18.40 RCW. 92-18-018, § 308-125-070, filed 8/24/92, effective 9/24/92. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-070, filed 2/5/91, effective 3/8/91.]

WAC 308-125-085 Temporary practice. (1) A real estate appraiser from another state who is licensed or certified by another state may apply for registration to receive temporary licensing or certification in Washington by paying a fee and filing a notarized application with the department on a form provided by the department.

(2) Licensing and certification privileges granted under the provisions of this section shall expire ninety days from issuance. Licensing or certification shall not be renewed, nor shall an applicant receive more than two registrations within any twelve-month period.

(3) Persons granted temporary licensing or certification privileges under this section shall not advertise or otherwise hold themselves out as being licensed or certified by the state of Washington.

(4) Persons granted temporary licensure or certification are subject to all provisions under this chapter. A temporary permit issued under this section allows an appraiser to perform independent appraisal services required by a contract for appraisal services submitted to the department with the application for temporary permit.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-085, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030 (1)(14)

and chapter 18.40 RCW. 92-18-018, § 308-125-085, filed 8/24/92, effective 9/24/92.]

WAC 308-125-090 Continuing education required.

(1) As a prerequisite to renewal of certification or licensure, the holder of a certificate or license shall present evidence satisfactory to the director of successful completion of the continuing education requirements of this section.

(2) The continuing education requirements for renewal of certification or licensure shall be the completion by the applicant of twenty classroom hours of instruction in courses or seminars which have received the approval of the director. Courses must be completed within the term of certification or licensure immediately preceding renewal.

(3) In order for courses or seminars to be accepted under subsection (2) of this section, the course or seminar must be a minimum of four hours in length and be directly related to real estate appraising.

(4) An examination is not required for courses or seminars taken for continuing education classroom hours.

(5) The requirement under subsection (2) of this section may be met by participation other than as a student in educational process and programs approved by the director including teaching, program development, and authorship of textbooks and other written instructional materials.

(6) Courses or seminars taken to satisfy the continuing education requirement for general real estate appraisers, should include coverage of real estate appraisal related topics, such as:

- (a) Ad valorem taxation.
- (b) Arbitrations.
- (c) Business courses related to practice of real estate.
- (d) Construction estimating.
- (e) Ethics and standards of professional practice.
- (f) Land use planning, zoning, and taxation.
- (g) Management, leasing, brokerage, timesharing.
- (h) Property development.
- (i) Real estate appraisal (valuations/evaluations).
- (j) Real estate financing and investment.
- (k) Real estate law.
- (l) Real estate litigation.
- (m) Real estate related computer applications.
- (n) Real estate securities and syndication.
- (o) Real property exchange.
- (p) Such other presentations approved by the director.

(7) Courses or seminars taken to satisfy the continuing education requirement for residential real estate appraisers should include coverage of real estate appraisal related topics, such as:

- (a) Ad valorem taxation.
- (b) Business courses related to practice of real estate.
- (c) Construction estimation.
- (d) Ethics and standards of professional practice.
- (e) Land use planning, zoning, taxation.
- (f) Property development.
- (g) Real estate financing and investment.
- (h) Real estate law.
- (i) Real estate related computer applications.
- (j) Real estate securities and syndication.
- (k) Real property exchange.
- (l) Real estate feasibility and marketability studies.
- (m) Such other presentations approved by the director.

(n) Real estate securities and syndication.
 (o) Real estate property exchange.
 (p) Such other presentations approved by the director.
 (8) Courses or seminars taken to satisfy the continuing education requirement for licensed real estate appraisers should include coverage of real estate appraisal related topics, such as:

(a) Ad valorem taxation.
 (b) Arbitration.
 (c) Business courses related to practice of real estate appraisal.

(d) Construction estimating.
 (e) Ethics and standards of professional practice.
 (f) Land use planning, zoning, and taxation.
 (g) Management, leasing brokerage, timesharing.
 (h) Property development.
 (i) Real estate appraisal (valuations/evaluations).
 (j) Real estate law.
 (k) Real estate litigation.
 (l) Real estate financing and investment.
 (m) Real estate appraisal related computer applications.
 (n) Real estate securities and syndication.
 (o) Real property exchange.
 (p) Such other presentations approved by the director.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-090, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-090, filed 2/5/91, effective 3/8/91.]

WAC 308-125-100 Course approval requirements.

(1) For purpose of this section prior to July 1, 1992, the director will approve the following courses required prerequisite to sitting for the examination: *Provided*, That courses must satisfy the requirements of WAC 308-125-050.

(a) Courses offered at college or universities, vocational-technical schools, community colleges, and other state or federal agencies will be accepted by the director;

(b) Courses offered by other providers such as real estate appraisal or real estate organizations or proprietary schools must be reviewed and approved by the director.

(2) For purposes of this section, after July 1, 1992, the director will approve the following courses required prerequisite to sitting for the examination and continuing education: *Provided*, That courses must satisfy the requirements of WAC 308-125-030, 308-125-040, 308-125-045, 308-125-050, and 308-125-090:

(a) Courses taken at colleges or universities, vocational-technical schools, community colleges, and state or federal agencies will be accepted by the director;

(b) Courses offered by other providers such as real estate appraisal or real estate organizations or proprietary schools must be reviewed and approved by the director: *Provided*, That all courses offered by providers under this subsection after July 1, 1992, must be preapproved by the director in order to qualify.

(3) Copies of official transcripts of college records or certificates of completion will be considered as satisfactory evidence for education requirements.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-100, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-100, filed 2/5/91, effective 3/8/91.]

WAC 308-125-110 Address change. It is the responsibility of each applicant state-licensed and certified real estate appraiser to notify the department of licensing, real estate appraiser program unit, of a change of business address. Change of address notification shall be made within ten days of the change of address.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-110, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-110, filed 2/5/91, effective 3/8/91.]

WAC 308-125-130 Application, certification, licensure, and reexamination. (1) An applicant who has satisfied the prerequisite to sit for the licensure or certification examination must complete the examination within six months of approval date by the department.

(2) Any applicant who has passed the licensure or certification examination must become licensed or certified within six months from the date of such examination. Failure to comply with this provision will necessitate the submission of a new application, application fee, and the taking and passing of another examination prior to licensure or certification.

(3) An applicant who has failed the examination, or failed to appear for a scheduled examination, may apply for reexamination provided the required reexamination fee is submitted. The examination approval notice shall be valid for reexamination for a period of no more than six months after date of issuance.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-130, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030 (1)(14) and chapter 18.40 RCW. 92-18-018, § 308-125-130, filed 8/24/92, effective 9/24/92. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-130, filed 2/5/91, effective 3/8/91.]

WAC 308-125-140 Passing exam score. A minimum scaled score of seventy is required to pass the real estate appraiser examination.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-140, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-140, filed 2/5/91, effective 3/8/91.]

WAC 308-125-160 Repealed. See Disposition Table at beginning of this chapter.

WAC 308-125-180 Reciprocity. A person licensed or certified as a real estate appraiser under the rules or laws of another state may obtain certification in the state of Washington when the following condition is met:

The state in which the appraiser is licensed or certified has an appraiser licensure or certification program which meets federal guidelines and the state has a written reciprocal agreement with the state of Washington.

A person seeking licensure or certification under this section must provide a notarized statement from the state in which the person is licensed or certified establishing licensure or certification.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-180, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-180, filed 2/5/91, effective 3/8/91.]

WAC 308-125-190 Examination required—Scope.

The director shall approve an examination for licensure and certification of real estate appraisers. This examination may be prepared and administered within a state agency, or the director may request bids for contracts to prepare and administer the exam. Such requests for proposals shall be done in accordance with the state law.

(1) The director will determine the scope of the examination and provide information concerning the scope of the examination to an individual upon request.

(2) If the director determines to seek proposals for testing services, the director will establish criteria for evaluating the proposals.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-190, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-190, filed 2/5/91, effective 3/8/91.]

WAC 308-125-210 Required records—Accessibility of records to the department of licensing. All appraisers certified or licensed under chapter 18.140 RCW must retain records required by the Uniform Standards of Professional Appraisal Practice for a minimum of five years. Such records will be subject to random audit by the department without notice and must be readily available for inspection by a representative of the department.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-210, filed 8/10/93, effective 9/10/93. Statutory Authority: RCW 18.140.030. 91-04-074, § 308-125-210, filed 2/5/91, effective 3/8/91.]

WAC 308-125-225 Meetings—Notice. The real estate appraiser advisory committee meets at the call of the director. Individuals desiring notice of the date, time, location, and agenda of the meetings must make a written request to the real estate appraiser program.

[Statutory Authority: RCW 18.140.030(1). 93-17-020, § 308-125-225, filed 8/10/93, effective 9/10/93.]

Chapter 308-330 WAC**WASHINGTON MODEL TRAFFIC ORDINANCE****WAC**

308-330-005	Purpose of this chapter.
308-330-010	Amendments to this chapter automatically included.
308-330-030	Uniformity in application.
308-330-100	Chapter 46.04 RCW (Definitions) adopted by reference.
308-330-109	Bus.
308-330-112	Bus stop.
308-330-115	City.
308-330-118	Demolish.
308-330-121	Department.
308-330-123	Director.
308-330-127	Holidays.
308-330-133	Loading zone.
308-330-136	Official time standard.
308-330-139	Ordinance.
308-330-142	Parking meter.
308-330-145	Parking meter space.
308-330-148	Parking meter zone.
308-330-151	Passenger loading zone.
308-330-154	Planting strip.
308-330-157	Police or police officer.
308-330-160	Police chief or chief of police.
308-330-163	Police department.
308-330-169	School bus zone.

308-330-172	Service parking.
308-330-175	Street.
308-330-178	Taxicab.
308-330-181	Taxicab stand.
308-330-184	Tow truck operator.
308-330-187	Traffic division.
308-330-190	U-turn.
308-330-195	RCW sections adopted—Livestock.
308-330-197	RCW sections adopted—Off road and nonhighway vehicles.
308-330-200	RCW sections adopted—Snowmobiles.
308-330-205	Public employees to obey traffic regulations.
308-330-210	Police administration.
308-330-215	Duty of traffic division.
308-330-220	Authority of police and fire department officials.
308-330-225	Records of traffic violations.
308-330-230	Traffic division to investigate accidents.
308-330-235	Traffic accident studies.
308-330-240	Traffic accident reports.
308-330-245	Traffic division to submit annual traffic safety report.
308-330-250	Police department to administer bicycle licenses.
308-330-255	Police department to regulate parking meters.
308-330-260	Traffic engineer.
308-330-265	Traffic engineer—Authority.
308-330-270	Local authority—Authority.
308-330-275	Traffic safety commission—Powers and duties.
308-330-300	RCW sections adopted—Certificates of ownership and registrations.
308-330-305	RCW sections adopted—Vehicle licenses.
308-330-307	RCW sections adopted—Driver licenses identicards.
308-330-309	RCW sections adopted—Uniform Commercial Driver's License Act.
308-330-310	RCW sections adopted—Financial responsibility.
308-330-312	RCW sections adopted—Mandatory liability insurance.
308-330-314	RCW sections adopted—Vehicle inspection.
308-330-316	RCW sections adopted—Vehicle lighting and other equipment.
308-330-320	RCW sections adopted—Size, weight, load.
308-330-322	RCW sections adopted—Transportation of hazardous materials.
308-330-325	RCW sections adopted—Accidents, reports.
308-330-327	RCW sections adopted—Hulk haulers and scrap processors.
308-330-329	RCW sections adopted—Rental car businesses.
308-330-330	RCW sections adopted—Motor vehicle wreckers.
308-330-360	Owner of record presumed liable for costs when vehicle abandoned—Exception.
308-330-365	Contract with registered disposer to dispose of vehicles and hulks—Compliance required.
308-330-370	Stolen and abandoned vehicles—Reports of—Recovery, report required, penalty—Disposition.
308-330-375	Disposition of abandoned junk motor vehicles.
308-330-400	Provisions of chapter refer to vehicles upon highway—Exception.
308-330-403	Required obedience to traffic ordinance.
308-330-406	RCW sections adopted—Abandoned, unauthorized, and junk vehicle tow truck operators.
308-330-408	RCW sections adopted—Traffic laws, signs, signals, markings.
308-330-409	Traffic control devices required—Stopping, standing, and parking.
308-330-412	Crossing new pavement and markings.
308-330-415	RCW sections adopted—Right of way.
308-330-421	RCW sections adopted—Starting and stopping.
308-330-423	RCW sections adopted—Speed restrictions.
308-330-425	RCW sections adopted—Reckless driving, vehicular homicide and assault.
308-330-430	Obedience to angle-parking signs or markings.
308-330-433	Parking not to obstruct traffic.
308-330-436	Parking for certain purposes unlawful.
308-330-439	Standing in passenger loading zone.
308-330-442	Standing in loading zone.
308-330-445	Standing in a tow-away zone.
308-330-448	Violating permits for loading or unloading at an angle to the curb.
308-330-451	Standing or parking on one-way roadways.

308-330-454	Stopping, standing, and parking of buses and taxicabs regulated.
308-330-457	Restricted use of bus stops and taxicab stands.
308-330-460	Right of way for parking.
308-330-462	RCW sections adopted—Stopping, standing, and parking.
308-330-464	RCW sections adopted—Operation and restrictions.
308-330-466	Funeral processions.
308-330-469	When permits required for parades and processions.
308-330-472	Interfering with processions.
308-330-475	Boarding or alighting from vehicles.
308-330-478	Unlawful riding.
308-330-481	RCW sections adopted—Operation of nonmotorized vehicles.
308-330-500	Bicycle license required.
308-330-505	Bicycle license application.
308-330-510	Issuance of bicycle license.
308-330-515	Attachment of bicycle license plate or decal.
308-330-520	Inspection of bicycles.
308-330-525	Renewal of bicycle license.
308-330-530	Bicycle transfer of ownership.
308-330-535	Bicycle rental agencies.
308-330-540	Bicycle dealers.
308-330-545	Bicycles—Obedience to traffic control devices.
308-330-550	Bicycles—Parking.
308-330-555	Bicycles—Riding on sidewalks.
308-330-560	Bicycles—Penalties.
308-330-565	Unclaimed bicycles.
308-330-600	Parking meter spaces.
308-330-610	Parking meters—Deposit of coins and time limits.
308-330-620	Parking meters—Use of slugs prohibited.
308-330-630	Tampering with parking meter.
308-330-640	Parking meters—Rule of evidence.
308-330-650	Parking meters—Application of proceeds.
308-330-660	Service parking.
308-330-700	RCW sections adopted—Disposition of traffic infractions.
308-330-705	RCW sections adopted—Enforcement.
308-330-710	Penalties.
308-330-720	Citation on illegally parked vehicle.
308-330-730	Failure to comply with traffic citation attached to parked vehicle.
308-330-740	Presumption in reference to illegal parking.
308-330-800	RCW sections adopted—Traffic control devices.
308-330-810	RCW sections adopted—Limited access facilities.
308-330-815	RCW sections adopted—Alcoholic beverage control.
308-330-820	RCW sections adopted—Guide and service dogs.
308-330-825	RCW sections adopted—Littering.
308-330-910	Uniformity of interpretation.

WAC 308-330-005 Purpose of this chapter. The purpose of this chapter is to encourage highway safety and uniform traffic laws by authorizing the department of licensing to adopt a comprehensive compilation of sound, uniform traffic laws to serve as a guide which local authorities may adopt by reference or any part thereof, including all future amendments or additions thereto. Any local authority which adopts this chapter by reference may at any time exclude any section or sections from this chapter which it does not desire to include in its local traffic ordinance. This chapter is not intended to deny any local authority its legislative power, but rather to enhance safe and efficient movement of traffic throughout the state by having current, uniform traffic laws available.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-005, filed 12/13/93, effective 7/1/94.]

WAC 308-330-010 Amendments to this chapter automatically included. The addition of any new section to, or amendment or repeal of any section in, this chapter

shall be deemed to amend any city, town, or county ordinance which has adopted by reference to this chapter or any part thereof, and it shall not be necessary for the legislative authority of any city, town, or county to take any action with respect to such addition, amendment, or repeal notwithstanding the provisions of RCW 35.21.180, 35A.12.140, 35A.13.180, and 36.32.120(7).

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-010, filed 12/13/93, effective 7/1/94.]

WAC 308-330-030 Uniformity in application. The provisions of this chapter relating to the operation of vehicles shall be applicable and uniform upon all persons operating vehicles upon the public highways of this state, except as otherwise specifically provided.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-030, filed 12/13/93, effective 7/1/94.]

WAC 308-330-100 Chapter 46.04 RCW (Definitions) adopted by reference. All sections of chapter 46.04 RCW as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-100, filed 12/13/93, effective 7/1/94.]

WAC 308-330-109 Bus. "Bus" means every motor vehicle designed for carrying more than ten passengers and used for transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-109, filed 12/13/93, effective 7/1/94.]

WAC 308-330-112 Bus stop. "Bus stop" means a fixed portion of the highway parallel and adjacent to the curb to be reserved exclusively for buses for layover in operating schedules or while waiting for, loading, or unloading passengers: *Provided*, That such bus provides regularly scheduled service within the jurisdiction of the local authority.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-112, filed 12/13/93, effective 7/1/94.]

WAC 308-330-115 City. "City" means every incorporated city and town.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-115, filed 12/13/93, effective 7/1/94.]

WAC 308-330-118 Demolish. "Demolish" means to destroy completely by use of a hydraulic baler and shears, or a shredder.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-118, filed 12/13/93, effective 7/1/94.]

WAC 308-330-121 Department. "Department" means the department of licensing unless otherwise specified in this chapter.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-121, filed 12/13/93, effective 7/1/94.]

WAC 308-330-123 Director. "Director" means the director of licensing unless the director of a different department of government is specified.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-123, filed 12/13/93, effective 7/1/94.]

WAC 308-330-127 Holidays. "Holidays" include the first day of January, commonly called New Year's Day; the third Monday in January, commonly called Martin Luther King Jr. day; the third Monday of February, being celebrated as the anniversary of the birth of George Washington; the thirtieth day of May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the fourth Thursday in November, to be known as Thanksgiving Day; the twenty-fifth day of December, commonly called Christmas Day; and any other day specified by ordinance by the local authority to be a holiday. Whenever any holiday falls upon a Sunday, the following Monday shall be a holiday.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-127, filed 12/13/93, effective 7/1/94.]

WAC 308-330-133 Loading zone. "Loading zone" means a space reserved for the exclusive use of vehicles during the loading or unloading of property or passengers.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-133, filed 12/13/93, effective 7/1/94.]

WAC 308-330-136 Official time standard. "Official time standard" means, whenever certain hours are named, standard time or daylight saving time as may be in current use within the jurisdiction of the local authority.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-136, filed 12/13/93, effective 7/1/94.]

WAC 308-330-139 Ordinance. "Ordinance" means a city or town ordinance or a county ordinance or resolution.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-139, filed 12/13/93, effective 7/1/94.]

WAC 308-330-142 Parking meter. "Parking meter" means any mechanical device or meter placed or erected adjacent to a parking meter space, for the purpose of regulating or controlling the period of time of occupancy of such parking meter space by any vehicle. Each parking meter installed shall indicate by proper legend the legal parking time and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking. Each meter shall bear a legend indicating the days and hours when the requirement to deposit coins therein shall apply, the value of the coins to be deposited, and the limited period of time for which parking is lawfully permitted in the parking meter space in which such meter is located.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-142, filed 12/13/93, effective 7/1/94.]

WAC 308-330-145 Parking meter space. "Parking meter space" means any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by appropriate markings on the pavement and/or the curb.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-145, filed 12/13/93, effective 7/1/94.]

WAC 308-330-148 Parking meter zone. "Parking meter zone" means any highway or part thereof or any off-street parking lot on which parking meters are installed and in operation.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-148, filed 12/13/93, effective 7/1/94.]

WAC 308-330-151 Passenger loading zone. "Passenger loading zone" means a place reserved for the exclusive use of vehicles while receiving or discharging passengers.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-151, filed 12/13/93, effective 7/1/94.]

WAC 308-330-154 Planting strip. "Planting strip" means that portion of a highway lying between the constructed curb, or edge of the roadway, and the property line exclusive of the sidewalk area.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-154, filed 12/13/93, effective 7/1/94.]

WAC 308-330-157 Police or police officer. "Police or police officer" includes the police officers of a city, a town, marshal, or the sheriff and his/her deputies of a county whichever is applicable, but when the term sheriff is used in this chapter, it shall only mean the sheriff.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-157, filed 12/13/93, effective 7/1/94.]

WAC 308-330-160 Police chief or chief of police. "Police chief or chief of police" includes the police chief or chief police officer of a city, a town marshal, or the sheriff of a county, whichever is applicable, but when the term sheriff is used in this chapter, it shall only mean the sheriff.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-160, filed 12/13/93, effective 7/1/94.]

WAC 308-330-163 Police department. "Police department" includes the police department of a city or town or the sheriff's office of a county whichever is applicable, but when the term sheriff is used in this chapter, it shall only mean the sheriff.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-163, filed 12/13/93, effective 7/1/94.]

WAC 308-330-169 School bus zone. "School bus zone" means a designated portion of the highway along the curb reserved for loading and unloading school buses during designated hours.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-169, filed 12/13/93, effective 7/1/94.]

WAC 308-330-172 Service parking. "Service parking" means the use of a parking meter space while rendering service in cleaning, painting, adjusting, or making minor repairs or replacements in or to buildings or building equipment or to public utilities.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-172, filed 12/13/93, effective 7/1/94.]

WAC 308-330-175 Street. "Street" means a "city street."

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-175, filed 12/13/93, effective 7/1/94.]

WAC 308-330-178 Taxicab. "Taxicab" means a motor vehicle for hire used for the transportation of persons for compensation, and not operated exclusively over a fixed route or between fixed termini.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-178, filed 12/13/93, effective 7/1/94.]

WAC 308-330-181 Taxicab stand. "Taxicab stand" means a fixed portion of a highway set aside for taxicabs to stand or wait for passengers.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-181, filed 12/13/93, effective 7/1/94.]

WAC 308-330-184 Tow truck operator. "Tow truck operator" means a person, firm, partnership, association, or corporation which, in its course of business, provides towing services for vehicles and automobile hulks.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-184, filed 12/13/93, effective 7/1/94.]

WAC 308-330-187 Traffic division. "Traffic division" means the traffic division of the police department of the local authority, or in the event a traffic division is not established, then said term whenever used in this chapter shall be deemed to refer to the police department of the local authority.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-187, filed 12/13/93, effective 7/1/94.]

WAC 308-330-190 U-turn. "U-turn" means turning a vehicle so as to proceed in the opposite direction on the same roadway.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-190, filed 12/13/93, effective 7/1/94.]

WAC 308-330-195 RCW sections adopted—Livestock. The following sections of the Revised Code of Washington (RCW) pertaining to livestock on highway right-of-way as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 16.24.065, and 16.24.070.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-195, filed 12/13/93, effective 7/1/94.]

WAC 308-330-197 RCW sections adopted—Off road and nonhighway vehicles. The following sections of the Revised Code of Washington (RCW) pertaining to off road and nonhighway vehicles as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.09.020, 46.09.120, 46.09.130, 46.09.140, and 46.09.180.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-197, filed 12/13/93, effective 7/1/94.]

WAC 308-330-200 RCW sections adopted—Snowmobiles. The following sections of the Revised Code of Washington (RCW) pertaining to snowmobiles as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.10.010, 46.10.090, 46.10.100, 46.10.110, 46.10.120, 46.10.130, 46.10.140, and 46.10.190.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-200, filed 12/13/93, effective 7/1/94.]

WAC 308-330-205 Public employees to obey traffic regulations. The provisions of this chapter shall apply to the drivers of all vehicles owned or operated by the United States, the state, or any county, city, town, district, or any other political subdivision of the state, subject to such specific exceptions as are set forth in this chapter.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-205, filed 12/13/93, effective 7/1/94.]

WAC 308-330-210 Police administration. There is established in the police department of the local authority a traffic division to be under the control of a police officer appointed by, and directly responsible to, the chief of police.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-210, filed 12/13/93, effective 7/1/94.]

WAC 308-330-215 Duty of traffic division. It shall be the duty of the traffic division with such aid as may be rendered by other members of the police department to enforce the traffic regulations of the local authority, to make arrests for traffic violations, to investigate accidents and to cooperate with the traffic engineer and other officers of the local authority in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon the said division by this chapter and the traffic ordinances of the local authority.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-215, filed 12/13/93, effective 7/1/94.]

WAC 308-330-220 Authority of police and fire department officials. (1) Officers of the police department or such officers as are assigned by the chief of police are authorized to direct all traffic by voice, hand, or signal in conformance with law: *Provided*, That in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct

traffic as conditions may require notwithstanding the provisions of law.

(2) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-220, filed 12/13/93, effective 7/1/94.]

WAC 308-330-225 Records of traffic violations. (1) The police department or the traffic division thereof shall keep a record of all violations of the traffic ordinances of the local authority or of the state motor vehicle laws of which any person has been charged, with the exception of illegal parking or standing violations, together with a record of the final disposition of all such alleged offenses. Such records shall be so maintained as to show all types of violations and the total of each. Such records shall accumulate during at least a five-year period, and from that time on the records shall be maintained complete for at least the most recent five-year period.

(2) All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record of all such forms shall be kept.

(3) Records and reports concerning a person shall be available upon request only to that particular person requesting such record or report concerning himself, or the legal guardian thereof, the parent of a minor, or any authorized representative of such interested party, or the attorney or insurer thereof.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-225, filed 12/13/93, effective 7/1/94.]

WAC 308-330-230 Traffic division to investigate accidents. It shall be the duty of the traffic division, assisted by other members of the police department, to investigate traffic accidents, to arrest, and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-230, filed 12/13/93, effective 7/1/94.]

WAC 308-330-235 Traffic accident studies. Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the traffic engineer in conducting studies of such accidents and in determining remedial measures.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-235, filed 12/13/93, effective 7/1/94.]

WAC 308-330-240 Traffic accident reports. The traffic division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and the information of the traffic engineer.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-240, filed 12/13/93, effective 7/1/94.]

WAC 308-330-245 Traffic division to submit annual traffic safety report. The traffic division shall annually

prepare a traffic report which shall be filed with the appointing authority of the local authority. Such report shall contain information on traffic matters in the local authority as follows:

(1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;

(2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police;

(3) The plans and recommendations of the division for future traffic safety activities.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-245, filed 12/13/93, effective 7/1/94.]

WAC 308-330-250 Police department to administer bicycle licenses. The police department or some other office or department designated by the local authority shall administer the bicycle license regulations required by this chapter.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-250, filed 12/13/93, effective 7/1/94.]

WAC 308-330-255 Police department to regulate parking meters. The police department shall be responsible for the regulation, control, operation, and use of parking meters installed in all parking meter zones.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-255, filed 12/13/93, effective 7/1/94.]

WAC 308-330-260 Traffic engineer. (1) The office of traffic engineer is established: *Provided*, That if there is no traffic engineer, then the engineer of the local authority shall serve as traffic engineer in addition to his/her other functions, and shall exercise the powers and duties with respect to traffic as provided in this chapter: *Provided further*, That if there is no engineer in the local authority, then the appointing authority shall designate a person to exercise such powers and duties.

(2) It shall be the general duty of the traffic engineer to determine the installation and maintenance of traffic control devices, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering investigations of traffic conditions, to plan the operation of traffic on the highways of the local authority, to cooperate with other officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by any ordinances of the local authority.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-260, filed 12/13/93, effective 7/1/94.]

WAC 308-330-265 Traffic engineer—Authority. The traffic engineer is authorized:

(1) To place and maintain official traffic control devices when and as required under the traffic ordinances or resolutions of the local authority to make effective the provisions of said ordinances or resolutions, and may place and maintain such additional official traffic control devices as he/she may deem necessary to regulate, warn, or guide traffic under the traffic ordinances or resolutions of the local authority;

(2) To place and maintain official traffic control devices as he/she may deem necessary to regulate, warn, or guide traffic for construction, detours, emergencies, and special conditions;

(3) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his/her opinion there is particular danger to pedestrians crossing the roadway, and in such other places as he/she may deem necessary;

(4) To establish safety zones of such kind and character and at such places as he/she may deem necessary for the protection of pedestrians;

(5) To mark traffic lanes upon the roadway of any highway where a regular alignment of traffic is necessary;

(6) To regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner;

(7) To place official traffic control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, in accordance with the provisions of this chapter, and such course to be traveled as so indicated may conform to or be other than as prescribed by law;

(8) To determine those intersections at which drivers of vehicles shall not make a right, left, or U-turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted;

(9) To erect and maintain stop signs, yield signs, or other official traffic control devices to designate arterial highways or to designate intersection or other roadway junctions at which vehicular traffic on one or more of the roadways shall yield or stop and yield before entering the intersection or junction, except as provided in RCW 46.61.195;

(10) To issue special permits to authorize the backing of a vehicle to the curb for the purpose of loading or unloading property subject to the terms and conditions of such permit. Such permits may be issued either to the owner or lessee of real property alongside the curb or to the owner of the vehicle and shall grant to such person the privilege as therein stated and authorized by this section;

(11) To erect signs indicating no parking upon both sides of a highway when the width of the improved roadway does not exceed twenty feet, or upon one side of a highway as indicated by such signs when the width of the improved roadway is between twenty and twenty-eight feet;

(12) To determine when standing or parking may be permitted upon the left-hand side of any roadway when the highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway and to erect signs giving notice thereof;

(13) To determine and designate by proper signs places not exceeding one hundred feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic;

(14) To determine the location of loading zones, passenger loading zones, and tow-away zones and shall place

and maintain appropriate signs or curb markings supplemented with the appropriate words stenciled on the curb indicating the same and stating the hours during which the provisions of this chapter are applicable;

(15) To establish bus stops, bus stands, taxicab stands, and stands for other for hire vehicles on such highways in such places and in such number as he/she shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs or by curb markings supplemented with the appropriate words stenciled on the curb;

(16) To erect and maintain official traffic control devices on any highway or part thereof to impose gross weight limits on the basis of an engineering and traffic investigation;

(17) To erect and maintain official traffic control devices on any highway or part thereof to prohibit the operation of trucks exceeding ten thousand pounds gross weight on the basis of an engineering and traffic investigation: *Provided*, That such devices shall not prohibit necessary local operation on such highways for the purpose of making a pickup or delivery;

(18) To erect and maintain official traffic control devices on any highway or part thereof to impose vehicle size restrictions on the basis of an engineering and traffic investigation;

(19) To determine and designate those heavily traveled highways upon which shall be prohibited any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic on the basis of an engineering and traffic investigation and shall erect appropriate official traffic control devices giving notice thereof;

(20) To install parking meters in the established parking meter zones upon the curb adjacent to each designated parking space;

(21) To designate the parking space adjacent to each parking meter for which such meter is to be used by appropriate markings upon the curb and/or the pavement of the highway;

(22) To post appropriate signs making it unlawful for pedestrians to cross highways in certain crosswalks when such crossing would endanger either pedestrian or vehicular traffic using the highway;

(23) To test new or proposed traffic control devices under actual conditions of traffic.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-265, filed 12/13/93, effective 7/1/94.]

WAC 308-330-270 Local authority—Authority.

After an engineering and traffic investigation by the traffic engineer, the local authority may by resolution:

(1) Decrease maximum speed limits pursuant to RCW 46.61.415;

(2) Increase maximum speed limits pursuant to RCW 46.61.415;

(3) Determine and declare the maximum speed limits on arterial highways pursuant to RCW 46.61.415;

(4) Determine and declare upon what highways angle parking shall be permitted pursuant to RCW 46.61.575(3);

(5) Prohibit, regulate, or limit, stopping, standing, or parking of vehicles on any highway at all times or during such times as shall be indicated by official traffic control devices;

(6) Determine and declare parking meter zones upon those highways or parts thereof where the installation of parking meters will be necessary to regulate parking;

(7) Close any highway or part thereof temporarily to any or all traffic;

(8) Determine and declare one-way highways pursuant to RCW 46.61.135;

(9) Determine and declare arterial highways pursuant to RCW 46.61.195 and 46.61.435.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-270, filed 12/13/93, effective 7/1/94.]

WAC 308-330-275 Traffic safety commission—Powers and duties. (1) There is established a traffic safety commission to serve without compensation, consisting of the traffic engineer, the chief of police, or, in his/her discretion as his/her representative, the chief of the traffic division or other cognizant member of the police department, one representative each from the engineer's office and the attorney's office, and such number of other officers of the local authority and representatives of unofficial bodies as may be determined and appointed by the appointing authority of the local authority. The chair of the commission shall be appointed by such appointing authority and may be removed by such authority.

(2) It shall be the duty of the traffic safety commission, and to this end it shall have authority within the limits of the funds at its disposal, to coordinate traffic activities, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the legislative body of the local authority and to the traffic engineer, the chief of the traffic division, and other officials, ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-275, filed 12/13/93, effective 7/1/94.]

WAC 308-330-300 RCW sections adopted—Certificates of ownership and registrations. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle certificates of ownership and registrations as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.12.070, 46.12.080, 46.12.101, 46.12.102, 46.12.260, 46.12.300, 46.12.310, 46.12.320, 46.12.330, 46.12.340, 46.12.350, and 46.12.380.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-300, filed 12/13/93, effective 7/1/94.]

WAC 308-330-305 RCW sections adopted—Vehicle licenses. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle licenses as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.16.010, 46.16.011,

46.16.022, 46.16.023, 46.16.025, 46.16.028, 46.16.030, 46.16.048, 46.16.088, 46.16.135, 46.16.140, 46.16.145, 46.16.170, 46.16.180, 46.16.240, 46.16.260, 46.16.290, 46.16.316, 46.16.381, 46.16.390, 46.16.500, 46.16.505, 46.16.595, and 46.16.710.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-305, filed 12/13/93, effective 7/1/94.]

WAC 308-330-307 RCW sections adopted—Driver licenses identicards. The following sections of the Revised Code of Washington (RCW) pertaining to driver licenses identification cards as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.20.021, 46.20.022, 46.20.025, 46.20.027, 46.20.031, 46.20.041, 46.20.045, 46.20.190, 46.20.220, 46.20.308, 46.20.336, 46.20.338, 46.20.342, 46.20.343, 46.20.344, 46.20.391, 46.20.394, 46.20.410, 46.20.420, 46.20.430, 46.20.435, 46.20.500, 46.20.510, 46.20.550, and 46.20.750.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-307, filed 12/13/93, effective 7/1/94.]

WAC 308-330-309 RCW sections adopted—Uniform Commercial Driver's License Act. The following sections of the Revised Code of Washington (RCW) pertaining to the Uniform Commercial Driver's License Act as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.25.010, 46.25.020, 46.25.030, 46.25.040, 46.25.050, 46.25.110, 46.25.120, and 46.25.170.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-309, filed 12/13/93, effective 7/1/94.]

WAC 308-330-310 RCW sections adopted—Financial responsibility. The following section of the Revised Code of Washington (RCW) pertaining to financial responsibility as now or hereafter amended is hereby adopted by reference as a part of this chapter in all respects as though such section were set forth herein in full: RCW 46.29.605.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-310, filed 12/13/93, effective 7/1/94.]

WAC 308-330-312 RCW sections adopted—Mandatory liability insurance. The following sections of the Revised Code of Washington (RCW) pertaining to mandatory liability insurance as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as through such sections were set forth herein in full: RCW 46.30.010, 46.30.020, 46.30.030, and 46.30.040.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-312, filed 12/13/93, effective 7/1/94.]

WAC 308-330-314 RCW sections adopted—Vehicle inspection. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle inspection as now or hereafter amended are hereby adopted by reference as a

part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.32.060 and 46.32.070.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-314, filed 12/13/93, effective 7/1/94.]

WAC 308-330-316 RCW sections adopted—Vehicle lighting and other equipment. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle lighting and other equipment as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.37.010, 46.37.020, 46.37.030, 46.37.040, 46.37.050, 46.37.060, 46.37.070, 46.37.080, 46.37.090, 46.37.100, 46.37.110, 46.37.120, 46.37.130, 46.37.140, 46.37.150, 46.37.160, 46.37.170, 46.37.180, 46.37.184, 46.37.185, 46.37.186, 46.37.187, 46.37.188, 46.37.190, 46.37.193, 46.37.196, 46.37.200, 46.37.210, 46.37.215, 46.37.220, 46.37.230, 46.37.240, 46.37.260, 46.37.270, 46.37.280, 46.37.290, 46.37.300, 46.37.310, 46.37.340, 46.37.351, 46.37.360, 46.37.365, 46.37.369, 46.37.375, 46.37.380, 46.37.390, 46.37.400, 46.37.410, 46.37.420, 46.37.423, 46.37.424, 46.37.425, 46.37.430, 46.37.435, 46.37.440, 46.37.450, 46.37.460, 46.37.465, 46.37.467, 46.37.470, 46.37.480, 46.37.490, 46.37.500, 46.37.510, 46.37.513, 46.37.517, 46.37.520, 46.37.522, 46.37.523, 46.37.524, 46.37.525, 46.37.527, 46.37.528, 46.37.529, 46.37.530, 46.37.535, 46.37.537, 46.37.539, 46.37.540, 46.37.550, 46.37.560, 46.37.570, 46.37.590, 46.37.600, 46.37.610, and 46.37.620.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-316, filed 12/13/93, effective 7/1/94.]

WAC 308-330-320 RCW sections adopted—Size, weight, load. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle size, weight, and load as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.44.010, 46.44.015, 46.44.020, 46.44.030, 46.44.034, 46.44.036, 46.44.037, 46.44.041, 46.44.042, 46.44.047, 46.44.050, 46.44.060, 46.44.070, 46.44.090, 46.44.091, 46.44.092, 46.44.093, 46.44.095, 46.44.096, 46.44.105, 46.44.120, 46.44.130, 46.44.140, 46.44.170, 46.44.173, 46.44.175, and 46.44.180.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-320, filed 12/13/93, effective 7/1/94.]

WAC 308-330-322 RCW sections adopted—Transportation of hazardous materials. The following section of the Revised Code of Washington (RCW) pertaining to transportation of hazardous materials as now or hereafter amended is hereby adopted by reference as a part of this chapter in all respects as though such section were set forth herein in full: RCW 46.48.170.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-322, filed 12/13/93, effective 7/1/94.]

WAC 308-330-325 RCW sections adopted—Accidents, reports. The following sections of the Revised Code of Washington (RCW) pertaining to accidents and

accident reports as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.52.010, 46.52.020, 46.52.030, 46.52.040, 46.52.070, 46.52.080, 46.52.088, 46.52.090, and 46.52.100.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-325, filed 12/13/93, effective 7/1/94.]

WAC 308-330-327 RCW sections adopted—Hulk haulers and scrap processors. The following sections of the Revised Code of Washington (RCW) pertaining to hulk haulers and scrap processors as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.79.010 and 46.79.120.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-327, filed 12/13/93, effective 7/1/94.]

WAC 308-330-329 RCW sections adopted—Rental car businesses. The following section of the Revised Code of Washington (RCW) pertaining to rental car businesses as now or hereafter amended is hereby adopted by reference as a part of this chapter in all respects as though such section were set forth herein in full: RCW 46.87.023.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-329, filed 12/13/93, effective 7/1/94.]

WAC 308-330-330 RCW sections adopted—Motor vehicle wreckers. The following section of the Revised Code of Washington (RCW) pertaining to motor vehicle wreckers as now or hereafter amended is hereby adopted by reference as a part of this chapter in all respects as though such section were set forth herein in full: RCW 46.80.010.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-330, filed 12/13/93, effective 7/1/94.]

WAC 308-330-360 Owner of record presumed liable for costs when vehicle abandoned—Exception. (1) The abandonment of any vehicle or automobile hulk shall constitute a prima facie presumption that the last owner of record is responsible for such abandonment and thus liable for any costs incurred in removing, storing, and disposing of any abandoned vehicle.

(2) A registered owner transferring a vehicle shall be relieved from personal liability under this section if within five days of the transfer he/she transmits to the department a seller's report of sale on a form prescribed by the director.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-360, filed 12/13/93, effective 7/1/94.]

WAC 308-330-365 Contract with registered disposer to dispose of vehicles and hulks—Compliance required. (1) The local authority may contract with any tow truck operator who is engaged in removing and storing of vehicles and who is registered as a registered disposer by the department for the purpose of disposing of certain automobile hulks, abandoned junk motor vehicles, and abandoned vehicles.

(2) Any registered disposer under contract to the local authority for the removing and storing of vehicles or hulks

shall comply with the administrative regulations relative to the handling and disposing of vehicles or hulks as may be promulgated by the local authority or the director.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-365, filed 12/13/93, effective 7/1/94.]

WAC 308-330-370 Stolen and abandoned vehicles—Reports of—Recovery, report required, penalty—Disposition. It shall be the duty of the chief of police to report immediately to the chief of the Washington state patrol all motor vehicles reported to them as stolen or recovered, upon forms to be provided by the chief of the Washington state patrol.

In the event that any motor vehicle reported as stolen has been recovered, failure of the person so reporting the same as stolen to report the recovery thereof to the chief of police to whom such motor vehicle was reported as stolen is a traffic infraction.

It shall be the duty of the chief of police to report to the chief of the Washington state patrol all vehicles or automobile hulks found abandoned on a highway or at any other place and the same shall, at the direction of a law enforcement officer, be placed in the custody of a registered disposer.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-370, filed 12/13/93, effective 7/1/94.]

WAC 308-330-375 Disposition of abandoned junk motor vehicles. (1) Notwithstanding any other provision of law, the chief of police on his/her own volition, or upon request from a private person having the right to possession of property upon which an abandoned junk motor vehicle has been left, shall inspect and may authorize the disposal of an abandoned junk motor vehicle. The chief of police shall record the make of such vehicle, the serial number if available, and shall also detail the damaged or missing equipment to substantiate a fair market value as scrap only. He/she shall prepare in duplicate for each such abandoned junk motor vehicle as an authorization to dispose on a form provided by the director. He/she shall issue the original copy of such authorization to dispose to any licensed hulk hauler, motor vehicle wrecker, or scrap processor for the purpose of acquiring an abandoned junk motor vehicle: *Provided*, That such acquisition is for the purpose of ultimate transfer to and demolition by a licensed scrap processor.

(2) Any moneys arising from the disposal of abandoned junk motor vehicles shall be deposited in the county general fund.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-375, filed 12/13/93, effective 7/1/94.]

WAC 308-330-400 Provisions of chapter refer to vehicles upon highway—Exception. The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

(1) Where a different place is specifically referred to in a given section;

(2) The provisions of RCW 46.52.010, 46.52.020, 46.52.030, 46.52.070, 46.52.080, 46.52.090, and 46.61.500

through 46.61.515 shall apply upon highways and elsewhere throughout the jurisdiction of the local authority.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-400, filed 12/13/93, effective 7/1/94.]

WAC 308-330-403 Required obedience to traffic ordinance. It is unlawful for any person to do any act forbidden or fail to perform any act required by this chapter.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-403, filed 12/13/93, effective 7/1/94.]

WAC 308-330-406 RCW sections adopted—Abandoned, unauthorized, and junk vehicle tow truck operators. The following sections of the Revised Code of Washington (RCW) pertaining to abandoned, unauthorized, and junk vehicle tow truck operators as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.55.010, 46.55.020, 46.55.030, 46.55.035, 46.55.037, 46.55.040, 46.55.050, 46.55.060, 46.55.063, 46.55.070, 46.55.080, 46.55.085, 46.55.090, 46.55.100, 46.55.105, 46.55.110, 46.55.113, 46.55.120, 46.55.130, 46.55.140, 46.55.150, 46.55.160, 46.55.170, 46.55.230, 46.55.240, and 46.55.910.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-406, filed 12/13/93, effective 7/1/94.]

WAC 308-330-408 RCW sections adopted—Traffic laws, signs, signals, markings. The following sections of the Revised Code of Washington (RCW) pertaining to obedience to and effect of traffic laws, traffic signs, signals and markings as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.005, 46.61.015, 46.61.020, 46.61.021, 46.61.022, 46.61.024, 46.61.025, 46.61.030, 46.61.035, 46.61.050, 46.61.055, 46.61.060, 46.61.065, 46.61.070, 46.61.072, 46.61.075, 46.61.080, 46.61.085, and 46.61.220.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-408, filed 12/13/93, effective 7/1/94.]

WAC 308-330-409 Traffic control devices required—Stopping, standing, and parking. No prohibition, regulation, or limitation relating to stopping, standing, or parking imposed under this chapter or any ordinance of the local authority for which traffic control devices are required shall be effective unless official traffic control devices are erected and in place at the time of any alleged offense.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-409, filed 12/13/93, effective 7/1/94.]

WAC 308-330-412 Crossing new pavement and markings. No person shall ride or drive any animal, bicycle, or vehicle, across any newly made pavement or freshly applied markings on any highway when a sign, cone marker, or other warning device is in place warning persons not to drive across such pavement or marking.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-412, filed 12/13/93, effective 7/1/94.]

WAC 308-330-415 RCW sections adopted—Right of way. The following sections of the Revised Code of Washington (RCW) pertaining to vehicles and pedestrians use of roadways, right of way, rights and duties as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.100, 46.61.105, 46.61.110, 46.61.115, 46.61.120, 46.61.125, 46.61.130, 46.61.135, 46.61.140, 46.61.145, 46.61.150, 46.61.155, 46.61.160, 46.61.180, 46.61.185, 46.61.190, 46.61.195, 46.61.200, 46.61.202, 46.61.205, 46.61.210, 46.61.215, 46.61.230, 46.61.235, 46.61.240, 46.61.245, 46.61.250, 46.61.255, 46.61.260, 46.61.261, 46.61.264, 46.61.266, and 46.61.269.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-415, filed 12/13/93, effective 7/1/94.]

WAC 308-330-421 RCW sections adopted—Starting and stopping. The following sections of the Revised Code of Washington (RCW) pertaining to turning, starting, signals on stopping and turning, and special stops as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.290, 46.61.295, 46.61.300, 46.61.305, 46.61.310, 46.61.315, 46.61.340, 46.61.345, 46.61.350, 46.61.355, 46.61.365, 46.61.370, 46.61.371, 46.61.372, 46.61.375, and 46.61.385.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-421, filed 12/13/93, effective 7/1/94.]

WAC 308-330-423 RCW sections adopted—Speed restrictions. The following sections of the Revised Code of Washington (RCW) pertaining to speed restrictions as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.400, 46.61.415, 46.61.425, 46.61.427, 46.61.428, 46.61.435, 46.61.440, 46.61.445, 46.61.450, 46.61.455, 46.61.460, 46.61.465, 46.61.470, and 46.61.475.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-423, filed 12/13/93, effective 7/1/94.]

WAC 308-330-425 RCW sections adopted—Reckless driving, vehicular homicide and assault. The following sections of the Revised Code of Washington (RCW) pertaining to reckless driving, driving while under the influence of intoxicating liquor or any drug, vehicular homicide and assault as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.500, 46.61.502, 46.61.504, 46.61.506, 46.61.515, 46.61.517, 46.61.519, 46.61.5191, 46.61.5195, 46.61.525, 46.61.530, 46.61.535, and 46.61.540.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-425, filed 12/13/93, effective 7/1/94.]

WAC 308-330-430 Obedience to angle-parking signs or markings. Upon those highways which have been signed or marked for angle-parking, no person shall park or stand

a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-430, filed 12/13/93, effective 7/1/94.]

WAC 308-330-433 Parking not to obstruct traffic. (1) No person shall park a vehicle upon a highway in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

(2) No person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-433, filed 12/13/93, effective 7/1/94.]

WAC 308-330-436 Parking for certain purposes unlawful. (1) No person shall park any vehicle upon any highway for the principle of:

- (a) Displaying advertising;
- (b) Displaying such vehicle for sale;
- (c) Selling merchandise from such vehicle, except when authorized.

(2) No person shall park any vehicle upon any roadway for the principle purpose of washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-436, filed 12/13/93, effective 7/1/94.]

WAC 308-330-439 Standing in passenger loading zone. No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during hours when the regulations applicable to the loading zone are effective, and then only for a period not to exceed three minutes.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-439, filed 12/13/93, effective 7/1/94.]

WAC 308-330-442 Standing in loading zone. (1) No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious unloading and delivery or pickup and loading of property in any place marked as a loading zone during hours when the provisions applicable to such zone are in effect. In no case shall the stop for loading and unloading of property exceed thirty minutes.

(2) The driver of a vehicle may stop temporarily at a loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter such zone to load or unload property.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-442, filed 12/13/93, effective 7/1/94.]

WAC 308-330-445 Standing in a tow-away zone. No person shall stop, stand, or park a vehicle in a place marked as a tow-away zone during hours when the provisions applicable to such zone are in effect.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-445, filed 12/13/93, effective 7/1/94.]

WAC 308-330-448 Violating permits for loading or unloading at an angle to the curb. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any permit issued by the traffic engineer for the backing of a vehicle to the curb for the purpose of loading or unloading property.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-448, filed 12/13/93, effective 7/1/94.]

WAC 308-330-451 Standing or parking on one-way roadways. In the event a highway includes two or more separate roadways, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-451, filed 12/13/93, effective 7/1/94.]

WAC 308-330-454 Stopping, standing, and parking of buses and taxicabs regulated. (1) The operator of a bus shall not stand or park such vehicle upon any highway at any place other than a designated bus stop. This provision shall not prevent the operator of a bus from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers or their baggage.

(2) The operator of a bus shall enter a bus stop or passenger loading zone on a highway in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not farther than eighteen inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

(3) The operator of a taxicab shall not stand or park such vehicle upon any highway at any place other than in a designated taxicab stand. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-454, filed 12/13/93, effective 7/1/94.]

WAC 308-330-457 Restricted use of bus stops and taxicab stands. No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except the driver of a passenger vehicle may temporarily stop there for the purpose of, or while actually engaged in, loading or unloading passengers when such stopping does not interfere with any bus, or taxicab waiting to enter or about to enter such stop or stand.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-457, filed 12/13/93, effective 7/1/94.]

WAC 308-330-460 Right of way for parking. The driver of any vehicle who first begins driving or maneuvering his/her vehicle into a vacant parking space shall have a prior right of way to park in such place, and it shall be unlawful for another driver to attempt to deprive him/her thereof by blocking his/her access or otherwise. For the purpose of establishing right of way in this section it shall be considered proper to back into any but a front-in angle parking space.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-460, filed 12/13/93, effective 7/1/94.]

WAC 308-330-462 RCW sections adopted—Stopping, standing, and parking. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle stopping, standing, and parking as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.560, 46.61.570, 46.61.575, 46.61.581, 46.61.582, 46.61.583, and 46.61.590.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-462, filed 12/13/93, effective 7/1/94.]

WAC 308-330-464 RCW sections adopted—Operation and restrictions. The following sections of the Revised Code of Washington (RCW) pertaining to the operation of vehicles and the restriction of certain acts and practices of vehicle operators and passengers as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.600, 46.61.605, 46.61.606, 46.61.608, 46.61.610, 46.61.611, 46.61.612, 46.61.614, 46.61.615, 46.61.620, 46.61.625, 46.61.630, 46.61.635, 46.61.640, 46.61.645, 46.61.655, 46.61.660, 46.61.665, 46.61.670, 46.61.675, 46.61.680, 46.61.685, 46.61.687, 46.61.688, 46.61.690, 46.61.700, 46.61.710, 46.61.720, and 46.61.730.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-464, filed 12/13/93, effective 7/1/94.]

WAC 308-330-466 Funeral processions. (1) A funeral procession shall proceed to the place of interment by the most direct route which is both legal and practicable.

(2) A funeral procession shall be accompanied by adequate escort vehicles for traffic control purposes as determined by the chief of police.

(3) All motor vehicles in a funeral procession shall be identified by having their headlights turned on or by such other method as may be determined and designated by the chief of police.

(4) All motor vehicles in a funeral procession shall be operated as near to the right-hand edge of the roadway as is practicable and shall follow the vehicle ahead as close as is practicable and safe.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-466, filed 12/13/93, effective 7/1/94.]

WAC 308-330-469 When permits required for parades and processions. With the exception of funeral processions and parades of the armed forces of the United

States, the military forces of this state, and the forces of the police and fire departments, no processions or parades shall be conducted on the highways within the jurisdiction of the local authority except in accordance with a permit issued by the chief of police and such other regulations as are set forth in this chapter which may be applicable.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-469, filed 12/13/93, effective 7/1/94.]

WAC 308-330-472 Interfering with processions. (1)

No person shall unreasonably interfere with a procession.

(2) No person shall operate a vehicle that is not part of a procession between the vehicles of the procession. This provision shall not apply at intersections where traffic is controlled by traffic control devices unless a police officer is present at such intersections to direct traffic so as to preserve the continuity of the procession.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-472, filed 12/13/93, effective 7/1/94.]

WAC 308-330-475 Boarding or alighting from vehicles. No person shall board or alight from any vehicle while such vehicle is in motion.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-475, filed 12/13/93, effective 7/1/94.]

WAC 308-330-478 Unlawful riding. No person shall ride upon any portion of a vehicle not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-478, filed 12/13/93, effective 7/1/94.]

WAC 308-330-481 RCW sections adopted—Operation of nonmotorized vehicles. The following sections of the Revised Code of Washington (RCW) pertaining to the operation of nonmotorized vehicles as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.750, 46.61.755, 46.61.758, 46.61.760, 46.61.765, 46.61.770, 46.61.775, and 46.61.780.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-481, filed 12/13/93, effective 7/1/94.]

WAC 308-330-500 Bicycle license required. No person who resides within the jurisdiction of the local authority shall ride or propel a bicycle on any highway or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate or decal is attached thereto as provided in WAC 308-330-500 through 308-330-540.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-500, filed 12/13/93, effective 7/1/94.]

WAC 308-330-505 Bicycle license application. Application for a bicycle license and license plate or decal shall be made upon a form provided by and to the chief of

police. An annual license fee as prescribed by the local authority shall be paid to the local authority before each license or renewal thereof is granted. Duplicate license plates or decals may be supplied for the same cost as the original plate or decal in the event of loss of the plate or decal.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-505, filed 12/13/93, effective 7/1/94.]

WAC 308-330-510 Issuance of bicycle license. (1)

The chief of police upon receiving proper application therefor is authorized to issue a bicycle license which shall be effective for one calendar year.

(2) The chief of police shall not issue a license for any bicycle when he/she knows or has reasonable grounds to believe that the applicant is not the owner of, or entitled to the possession of, such bicycle.

(3) The chief of police shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and a record of all bicycle license fees collected by him.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-510, filed 12/13/93, effective 7/1/94.]

WAC 308-330-515 Attachment of bicycle license plate or decal. (1) The chief of police, upon issuing a bicycle license, shall also issue a license plate or decal bearing the license number assigned to the bicycle, and the name of the local authority.

(2) Such license plate or decal shall be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.

(3) No person shall remove a license plate or decal from a bicycle during the period for which issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any highway within the jurisdiction of the local authority.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-515, filed 12/13/93, effective 7/1/94.]

WAC 308-330-520 Inspection of bicycles. The chief of police, or an officer assigned such responsibility, may inspect each bicycle before licensing the same and may refuse a license for any bicycle which he/she determines is in unsafe mechanical condition.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-520, filed 12/13/93, effective 7/1/94.]

WAC 308-330-525 Renewal of bicycle license. Upon the expiration of any bicycle license, the same may be renewed upon application and payment of the same fee as upon an original application.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-525, filed 12/13/93, effective 7/1/94.]

WAC 308-330-530 Bicycle transfer of ownership. Upon the sale or other transfer of a licensed bicycle, the licensee shall remove the license plate or decal and shall either surrender the same to the chief of police or may upon proper application, but without payment of additional fee,

have such plate or decal assigned to another bicycle owned by the applicant.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-530, filed 12/13/93, effective 7/1/94.]

WAC 308-330-535 Bicycle rental agencies. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate or decal is attached thereto as provided herein and such bicycle is equipped with the equipment required by RCW 46.61.780.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-535, filed 12/13/93, effective 7/1/94.]

WAC 308-330-540 Bicycle dealers. Every person engaged in the business of buying or selling new or second-hand bicycles shall make a report to the chief of police of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof, and number of license plate or decal, if any, found thereon.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-540, filed 12/13/93, effective 7/1/94.]

WAC 308-330-545 Bicycles—Obedience to traffic control devices. (1) Any person operating a bicycle shall obey the instructions of official traffic control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the directions of any such sign, except where such person dismounts from the bicycle at the right-hand curb or as close as is practicable to the right edge of the right-hand shoulder to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-545, filed 12/13/93, effective 7/1/94.]

WAC 308-330-550 Bicycles—Parking. No person shall park a bicycle upon a highway other than:

- (1) Off the roadway except in designated areas;
- (2) Upon the sidewalk in a rack to support the bicycle;
- (3) Against a building; or
- (4) In such manner as to afford the least obstruction to pedestrian traffic.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-550, filed 12/13/93, effective 7/1/94.]

WAC 308-330-555 Bicycles—Riding on sidewalks. (1) No person shall ride a bicycle upon a sidewalk in a business district.

(2) A person may ride a bicycle on any other sidewalk or any roadway unless restricted or prohibited by traffic control devices.

(3) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-555, filed 12/13/93, effective 7/1/94.]

WAC 308-330-560 Bicycles—Penalties. Violation of any provision of WAC 308-330-500 through 308-330-540 is a traffic infraction.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-560, filed 12/13/93, effective 7/1/94.]

WAC 308-330-565 Unclaimed bicycles. All unclaimed bicycles in the custody of the police department shall be disposed of as provided in chapter 63.32 RCW.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-565, filed 12/13/93, effective 7/1/94.]

WAC 308-330-600 Parking meter spaces. No person shall park a vehicle in any designated parking meter space during the restricted or regulated time applicable to the parking meter zone in which such meter is located so that any part of such vehicle occupies more than one such space or protrudes beyond the markings designating such space, except that a vehicle which is of a size too large to be parked within a single designated parking meter space shall be permitted to occupy two adjoining parking meter spaces when coins shall have been deposited in the parking meter for each space so occupied as is required for the parking of other vehicles in such spaces.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-600, filed 12/13/93, effective 7/1/94.]

WAC 308-330-610 Parking meters—Deposit of coins and time limits. (1) No person shall park a vehicle in any parking meter space alongside of and next to which a parking meter has been installed during the restricted and regulated time applicable to the parking meter zone in which such meter is located unless a United States coin or coins of the appropriate denomination as indicated on the parking meter shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and said meter has been placed in operation.

(2) No person shall permit a vehicle within his/her control to be parked in any parking meter space during the restricted and regulated time applicable to the parking meter zone in which such meter is located while the parking meter for such space indicates by signal that the lawful parking time in such space has expired. This provision shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin or coins in such meter.

(3) No person shall park a vehicle in any parking meter space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, irrespective of the number or amounts of the coins deposited in such meter.

(4) The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this chapter prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-610, filed 12/13/93, effective 7/1/94.]

WAC 308-330-620 Parking meters—Use of slugs prohibited. No person shall deposit or attempt to deposit in any parking meter any bent coin, slug, button, or any other device or substance as substitutes for United States coins.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-620, filed 12/13/93, effective 7/1/94.]

WAC 308-330-630 Tampering with parking meter. No person shall deface, injure, tamper with, open, or wilfully break, destroy, or impair the usefulness of any parking meter.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-630, filed 12/13/93, effective 7/1/94.]

WAC 308-330-640 Parking meters—Rule of evidence. The parking or standing of any motor vehicle in a parking space, at which space the parking meter displays the sign or signal indicating illegal parking, shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this chapter.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-640, filed 12/13/93, effective 7/1/94.]

WAC 308-330-650 Parking meters—Application of proceeds. (1) The coins required to be deposited in parking meters are levied and assessed as fees to cover the regulation and control of parking upon highways, the costs of parking meters, their installation, inspection, supervision, operation, repair, and maintenance, control and use of parking spaces, and regulating the parking of vehicles in parking meter zones; and the costs of acquiring, establishing, improving, maintaining, and operating public off-street parking facilities.

(2) The coins deposited in parking meters shall be collected by the duly authorized agents of the local authority and shall be deposited by them as directed by the local authority.

(3) The local authority shall pay from the moneys collected from parking meters the costs for any parking meters purchased and installed as provided herein, and expenses incurred for their installation, inspection, service, supervision, repair, and maintenance, for making collections from such parking meters, and for the enforcement of provisions herein applicable to parking meter zones. The net proceeds derived from the operation of parking meters after the payment of such costs and expenses, may be used for parking studies and for the acquisition, establishment, improvement, maintenance, and operation of public off-street parking facilities.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-650, filed 12/13/93, effective 7/1/94.]

WAC 308-330-660 Service parking. The chief of police is authorized to issue a permit for service parking upon payment of the fee prescribed by the local authority and upon the following conditions:

(1) Application shall be made to the chief of police on such forms as the chief of police shall prescribe. The applicant shall set forth the applicant's business and the necessity for such permit. The chief of police shall investigate the facts as necessary.

(2) If it appears that a necessity exists, the chief of police may authorize the issuance of such permit under the conditions prescribed in this section.

(3) Upon issuance of the permit, the permittee shall be issued a hood to use in covering any parking meter. As many hoods may be issued upon payment of the prescribed fee as the chief of police deems necessary or convenient for the applicant. The hood shall be provided with a padlock, tow keys, and an identification card attached with a blank space thereon.

(4) Upon entering any parking meter space available, the permittee shall place the hood over the parking meter and lock the same and shall indicate in such blank space the exact place where the service work is being rendered.

(5) The permittee shall not place the hood over any meter when the space is occupied by another vehicle, and shall before vacating the space at the conclusion of the work remove the hood. The hood shall not be allowed to remain in place for over one hour when the space is not occupied by an authorized vehicle, nor shall it be allowed to remain in place after 6:00 p.m. on any weekday or on any Sunday or holiday. It shall not be used during hours when parking or stopping in the parking meter space is prohibited. No vehicle licensed as a passenger car shall be parked in the space covered by the hooded parking meter.

(6) The chief of police may revoke any permit if the service parking hood is used for any purpose other than that authorized in this section or for any violation of this chapter. Upon revocation, the hood shall immediately be returned to the police department and all fees paid shall be forfeited. Police officers finding such hood in use shall investigate the use being made thereof, and if it is found in violation of this section shall report the facts to the chief of police.

(7) Any permit issued under this section shall, unless revoked, be valid for a period of one year.

(8) The permittee shall also pay a deposit in an amount prescribed by the local authority at the time of issuance of the hood, padlock, and keys, which shall remain the property of the local authority. In case a hood, a padlock, or key becomes lost or destroyed or so defaced that it is no longer usable, the permittee shall forfeit deposit.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-660, filed 12/13/93, effective 7/1/94.]

WAC 308-330-700 RCW sections adopted—Disposition of traffic infractions. The following sections of the Revised Code of Washington (RCW) pertaining to the disposition of traffic infractions as now or hereafter amended are hereby adopted by such reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.63.010, 46.63.020, 46.63.030, 46.63.040, 46.63.060, 46.63.070, 46.63.080, 46.63.090, 46.63.100, 46.63.110, 46.63.120, 46.63.130, 46.63.140, and 46.63.151.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-700, filed 12/13/93, effective 7/1/94.]

WAC 308-330-705 RCW sections adopted—Enforcement. The following sections of the Revised Code of Washington (RCW) pertaining to traffic enforcement agencies as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.64.010, 46.64.015, 46.64.025, 46.64.030, 46.64.035, 46.64.048, and 46.64.050.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-705, filed 12/13/93, effective 7/1/94.]

WAC 308-330-710 Penalties. Unless another penalty is expressly provided by law, any person found to have committed an act designated a traffic infraction under the provisions of these rules shall be punished by a penalty of not more than two hundred fifty dollars.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-710, filed 12/13/93, effective 7/1/94.]

WAC 308-330-720 Citation on illegally parked vehicle. Whenever any motor vehicle without driver is found parked, standing, or stopped in violation of this chapter, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-720, filed 12/13/93, effective 7/1/94.]

WAC 308-330-730 Failure to comply with traffic citation attached to parked vehicle. If a violator of any provision of this chapter on stopping, standing, or parking does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days, the clerk of the traffic court shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him/her of the violation and warning him/her that in the event such letter is disregarded for a period of five days, a warrant of arrest will be issued.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-730, filed 12/13/93, effective 7/1/94.]

WAC 308-330-740 Presumption in reference to illegal parking. (1) In any prosecution charging a violation of any law or regulation governing the stopping, standing, or parking of a vehicle, proof that the particular vehicle described in the complaint was stopping, standing, or parking in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such violation, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(2) The foregoing stated presumption shall apply only when the procedure as prescribed in WAC 308-330-720 and 308-330-730 has been followed.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-740, filed 12/13/93, effective 7/1/94.]

WAC 308-330-800 RCW sections adopted—Traffic control devices. The following sections of the Revised Code of Washington (RCW) pertaining to traffic control devices as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 47.36.060, 47.36.110, 47.36.180, 47.36.200, and 47.36.220.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-800, filed 12/13/93, effective 7/1/94.]

WAC 308-330-810 RCW sections adopted—Limited access facilities. The following sections of the Revised Code of Washington (RCW) pertaining to limited access facilities as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 47.52.010, 47.52.011, 47.52.040, 47.52.110, and 47.52.120.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-810, filed 12/13/93, effective 7/1/94.]

WAC 308-330-815 RCW sections adopted—Alcoholic beverage control. The following sections of the Revised Code of Washington (RCW) pertaining to drinking in public conveyance as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 66.44.240 and 66.44.250.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-815, filed 12/13/93, effective 7/1/94.]

WAC 308-330-820 RCW sections adopted—Guide and service dogs. The following sections of the Revised Code of Washington (RCW) pertaining to guide and service dogs as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 70.84.020, 70.84.021, and 70.84.040.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-820, filed 12/13/93, effective 7/1/94.]

WAC 308-330-825 RCW sections adopted—Littering. The following section of the Revised Code of Washington (RCW) pertaining to littering as now or hereafter amended is hereby adopted by reference as a part of this chapter in all respects as though such section were set forth herein in full: RCW 70.93.060.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-825, filed 12/13/93, effective 7/1/94.]

WAC 308-330-910 Uniformity of interpretation. This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those local authorities which enact it.

[Statutory Authority: RCW 46.90.010. 94-01-082, § 308-330-910, filed 12/13/93, effective 7/1/94.]