

the reviewing licensee shall fully review those documents and shall prepare a report that discusses the findings of the review with any supporting calculations and sketches. The reviewing licensee would then seal/stamp and sign the report. The report would make reference to and/or be attached to the subject document(s) reviewed.

(6) Nothing in this section requires the stamping of plans/designs by employees of local health districts acting in their capacity as on-site inspectors/reviewers, whether or not licensed under chapter 18.210 RCW.

[Statutory Authority: RCW 18.210.050, 18.210.060, 01-11-102, § 196-33-500, filed 5/21/01, effective 6/21/01.]

Title 204 WAC STATE PATROL (COMMISSION ON EQUIPMENT)

Chapters

204-38 **Flashing amber lamps.**
204-96 **Vehicle impounds.**

Chapter 204-38 WAC FLASHING AMBER LAMPS

WAC

204-38-030 Definitions.
204-38-040 Mounting of lamps.
204-38-050 Use of lamps.

WAC 204-38-030 Definitions. (1) "Flashing" lamps shall include those lamps which emit a beam of light which is broken intermittently and regularly by use of an electronic or electric switch, a rotating reflector, a rotating lamp, or a strobe lamp.

(2) "Other construction and maintenance vehicles" shall mean those vehicles owned or operated by a private company which is in the process of providing highway construction or maintenance services or is working in conjunction with any public utility.

(3) "Pilot cars" shall mean those vehicles which are used to provide escort for overlegal size loads upon the roadways of this state.

(4) "Public utilities vehicles" shall mean those vehicles used for construction, operations, and maintenance, and which are owned or operated by a public or private utility, including, but not limited to, companies providing water, electricity, natural gas, telephone, and television cable services, and railroads.

(5) "Tow trucks" shall mean those vehicle engaged in removing disabled or abandoned vehicles from the roadway and which are used primarily for that purpose.

(6) "Animal control vehicles" shall mean those vehicles, either publicly or privately owned, which are used primarily for transportation of animals to or from animal shelters, humane society facilities, or veterinary medicine facilities.

(7) "Hazardous materials response team vehicles" shall mean those vehicles either publicly or privately owned which are used for responding to hazardous materials incidents.

(8) "Search and rescue team vehicles" shall mean those vehicles either publicly or privately owned which are used for responding to search and rescue situations.

(9) "Rural newspaper carrier vehicles" shall mean those vehicles driven on rural roads by carriers delivering newspapers on their route.

(10) "Oversize units" shall mean a vehicle towing a load that exceeds legal dimensions which may be equipped with flashing amber lights in addition to any other lights required by law.

[Statutory Authority: RCW 46.61.688, 01-11-118, § 204-38-030, filed 5/22/01, effective 6/22/01. Statutory Authority: RCW 46.37.005, 46.37.280, 00-03-023, § 204-38-030, filed 1/10/00, effective 2/10/00. Statutory Authority: RCW 46.37.300, 94-17-167, § 204-38-030, filed 8/24/94, effective 9/24/94; 92-11-032, § 204-38-030, filed 5/15/92, effective 6/15/92. Statutory Authority: RCW 46.37.280, 81-10-038 (Order 81-04-01), § 204-38-030, filed 4/30/81; 80-06-083 (Order 80-05-2), § 204-38-030, filed 5/28/80.]

WAC 204-38-040 Mounting of lamps. One or more flashing amber lamps may be mounted on public utilities vehicles, other construction and maintenance vehicles, pilot cars, tow trucks, animal control vehicles, hazardous materials response team vehicles, search and rescue team vehicles, and rural newspaper carrier vehicles, and vehicles towing a load that exceeds legal dimensions. The lamp(s) shall be mounted and shall be of sufficient intensity so as to be clearly visible to approaching traffic for at least five hundred feet in normal sunlight.

The provisions of WAC 204-72-030 and 204-72-040 shall be adhered to as they relate to the mounting of warning lamps.

[Statutory Authority: RCW 46.61.688, 01-11-118, § 204-38-040, filed 5/22/01, effective 6/22/01. Statutory Authority: RCW 46.37.005, 46.37.280, 00-03-023, § 204-38-040, filed 1/10/00, effective 2/10/00. Statutory Authority: RCW 46.37.300, 92-11-032, § 204-38-040, filed 5/15/92, effective 6/15/92. Statutory Authority: RCW 46.37.280, 81-10-038 (Order 81-04-01), § 204-38-040, filed 4/30/81; 80-06-083 (Order 80-05-2), § 204-38-040, filed 5/28/80.]

WAC 204-38-050 Use of lamps. Flashing amber lamps shall be used on the vehicles described in WAC 204-38-040 only when such vehicles are actually involved in construction, maintenance, or operations which require that warning be given to ensure the protection of the motoring public or the work crew. Warning lamps shall not be illuminated while traveling to or from the site of operations. For the purposes of tow truck operations, the site of operations shall be only that place where vehicles are attached to or detached from the tow truck. Lamps on pilot cars shall be illuminated only while the vehicle is actually providing escort service. Lamps on rural newspaper delivery vehicles shall only be illuminated when the vehicle is traveling on the delivery route. Lamps on over-size units may be illuminated when traveling on public roadways.

Nothing in this chapter shall relieve the operator of any vehicle from displaying any other light or warning device required by statute or regulation, and nothing herein shall permit any vehicle operator to disregard any traffic law. To be considered approved equipment for use under the provi-

sions of this section, all devices must meet the criteria established in RCW 46.37.320. In descending order of preference, these are:

- (1) Conformance to Federal Motor Vehicle Safety Standards, or, if none,
- (2) Conformance to current standards and specifications of the Society of Automotive Engineers, or, if none,
- (3) Certified for compliance by any recognized organization or agency such as, but not limited to, the American National Standards Institute, the Society of Automotive Engineers, or the American Association of Motor Vehicle Administrators.

[Statutory Authority: RCW 46.61.688, 01-11-118, § 204-38-050, filed 5/22/01, effective 6/22/01. Statutory Authority: RCW 46.37.005, 46.37.280, 00-03-023, § 204-38-050, filed 1/10/00, effective 2/10/00. Statutory Authority: RCW 46.37.320, 88-15-055 (Order 88-02-ESR), § 204-38-050, filed 7/18/88. Statutory Authority: RCW 46.37.280, 81-10-038 (Order 81-04-01), § 204-38-050, filed 4/30/81; 80-06-083 (Order 80-05-2), § 204-38-050, filed 5/28/80.]

Chapter 204-96 WAC VEHICLE IMPOUNDS

WAC

204-96-010 Vehicle impounds.

WAC 204-96-010 Vehicle impounds. When a driver of a vehicle is arrested for a violation of:

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| RCW 46.61.502 | Driving under the influence, |
| RCW 46.61.504 | Physical control of vehicle under the influence, |
| RCW 46.20.342 | Driving while license suspended or revoked, Operation of motor vehicle under other license/permit prohibited while suspended or revoked, |

the arresting officer shall cause the vehicle to be impounded.

If the driver is arrested for a violation of RCW 46.20.342 (1)(c) (3rd degree suspended/revoked) and has no convictions for violations of RCW 46.20.342 in the past five years, the vehicle shall be impounded, but no suspended driver hold shall be placed on the vehicle. If the driver is also the registered owner then the vehicle shall be held until all outstanding penalties, fines, and forfeitures owed by him/her are satisfied. The driver/registered owner must present proof from a court of law that he/she has no outstanding penalties, fines, or forfeitures.

If the driver is arrested for a violation of RCW 46.20.342 (1)(c) (3rd degree suspended/revoked) and has any prior convictions for violations of RCW 46.20.342 in the past five years, the vehicle shall be held for thirty days.

If the driver of the vehicle is arrested for a violation of RCW 46.20.342 (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has no convictions for violations of RCW 46.20.342 in the past five years, the vehicle shall be held for thirty days.

If the driver of the vehicle is arrested for a violation of RCW 46.20.342 (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has been convicted of a violation of

RCW 46.20.342 (1)(a) or (b) in the past five years, the vehicle shall be held for sixty days.

If the driver of the vehicle is arrested for a violation of RCW 46.20.342 (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has been convicted of a violation of RCW 46.20.342 (1)(a) or (b) two or more times in the past five years, the vehicle shall be held for ninety days.

The release of all vehicles impounded under this WAC shall be governed by RCW 46.55.120. Commercially rented vehicles may be impounded, however no suspended driver holds shall be placed upon the vehicle. The rental company shall be notified by phone.

A vehicle may be released prior to the mandated hold period if the employer or spouse of the arrested driver establishes significant economic or personal hardship with the district commander of the district in which the vehicle was impounded. In making a hardship determination, the district commander shall consider public safety factors, including the driver's criminal history and driving record. All hardship release requests shall be in writing. Any denial or approval of a hardship release shall be in writing and shall include factors considered by the district commander in reaching the decision.

A vehicle may be released prior to the mandated hold period if the registered owner of a vehicle loaned to another person is able to demonstrate to the district commander of the district in which the vehicle was impounded that he/she had no knowledge that the person to whom the vehicle was loaned did not have valid driving privileges within the state of Washington, is willing to swear to this lack of knowledge under penalty of the perjury laws of the state of Washington and further agrees that this hardship determination, if allowed, is available only one time in the state of Washington. The registered owner of the loaned vehicle also agrees that he/she shall pay any and all towing fees, storage fees and administrative fees to the towing company before the vehicle is released. In addition, in the event a hardship is granted, the registered owner of the loaned vehicle agrees that he/she will comply with the conditions set forth on the form(s) provided by the Washington state patrol prior to loaning the vehicle to any individual in the future.

[Statutory Authority: RCW 46.55.113 and 46.55.120, 01-05-098, § 204-96-010, filed 2/20/01, effective 3/23/01; 00-18-006, § 204-96-010, filed 8/24/00, effective 8/24/00; 99-18-026, § 204-96-010, filed 8/24/99, effective 9/24/99.]

Title 208 WAC

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Chapters 208-418

Fees charged to credit unions and other persons.

208-460

Member business loans.

208-512

Banks and trust companies.

208-514

Mutual savings banks.

208-528

**New state banks and trust companies—
Application and investigation.**