
HOUSE BILL 2612

State of Washington

55th Legislature

1998 Regular Session

By Representatives Zellinsky, K. Schmidt, Huff, Chandler, Fisher and O'Brien

Read first time 01/16/98. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to statutes authorizing the Washington state
2 patrol; amending RCW 43.43.010, 43.43.020, 43.43.330, and 43.43.350;
3 adding a new section to chapter 43.43 RCW; and repealing RCW 43.43.370
4 and 43.43.380.

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

6 **Sec. 1.** RCW 43.43.010 and 1965 c 8 s 43.43.010 are each amended to
7 read as follows:

8 There shall be a department of state government known as the
9 "Washington state patrol." The chief thereof shall be known as the
10 chief of the Washington state patrol(~~(, and members thereof shall be~~
11 ~~known as Washington state patrol officers)~~).

12 **Sec. 2.** RCW 43.43.020 and 1983 c 144 s 1 are each amended to read
13 as follows:

14 (1) The governor, with the advice and consent of the senate, shall
15 appoint the chief of the Washington state patrol, determine ((his)) the
16 chief's compensation, and may remove ((him)) the chief at will.

17 (2) The department of the Washington state patrol will be organized
18 into bureaus that promote efficient and effective performance of the

1 duties the department is charged by statute to administer. The
2 department's budget structure will match the department's
3 organizational structure.

4 (3)(a) The chief shall appoint ((a sufficient number of competent
5 persons to act as)) Washington state patrol officers, may remove them
6 for cause, as provided in this chapter, and shall make promotional
7 appointments, ((determine their compensation, and define their rank and
8 duties,)) as hereinafter provided.

9 (b) The chief may appoint an assistant chief, and up to four bureau
10 commanders.

11 (c) The chief may appoint staff or technical officers as the chief
12 deems necessary for the efficient operation of the department, and
13 assign the rank the chief deems necessary for the position for the
14 duration of the assignment. Staff or technical officers without line
15 command assignment and whose duties are of a special or technical
16 nature will hold their staff or technical ranks on a continuing
17 probationary basis; however, staff or technical officers, if otherwise
18 eligible, shall not be prevented from taking the line promotion
19 examinations, and qualifying for promotion whenever the examinations
20 may be held. If a staff or technical officer returns to the line
21 operations, the officer will return in the rank that the officer holds
22 in the line command, unless promoted to a higher rank through
23 examination and appointment as provided in this chapter.

24 (d) The assistant chief, the four bureau commanders, and the staff
25 and technical officers may be returned to their respective ranks at the
26 time their appointments end, as determined by the chief.

27 (e) Commissioned officer pay schedules will include speciality pay
28 and will be updated whenever there is a compensation change.

29 (4) The chief may appoint administrative staff as may be necessary
30 for the general administration of the department in accordance with
31 chapter 41.06 RCW.

32 (5) The chief may appoint employees of the Washington state patrol
33 to serve as special deputies, with such restricted police authority as
34 the chief shall designate as being necessary and consistent with their
35 assignment to duty. Such appointment and conferral of authority shall
36 not qualify said employees for membership in the Washington state
37 patrol retirement system, nor shall it grant tenure of office as a
38 regular officer of the Washington state patrol.

1 (~~The chief may personally appoint, with the consent of the state
2 treasurer, employees of the office of the state treasurer who are
3 qualified under the standards of the criminal justice training
4 commission, or who have comparable training and experience, to serve as
5 special deputies. The law enforcement powers of any special deputies
6 appointed in the office of the state treasurer shall be designated by
7 the chief and shall be restricted to those powers necessary to provide
8 for state-wide security of the holdings or property of or under the
9 custody of the office of the state treasurer. These appointments may
10 be revoked by the chief at any time and shall be revoked upon the
11 written request of the state treasurer or by operation of law upon
12 termination of the special deputy's employment with the office of the
13 state treasurer or thirty days after the chief who made the appointment
14 leaves office. The chief shall be civilly immune for the acts of such
15 special deputies. Such appointment and conferral of authority shall
16 not qualify such employees for membership in the Washington state
17 patrol retirement system, nor shall it grant tenure of office as a
18 regular officer of the Washington state patrol.))~~)

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.43 RCW
20 to read as follows:

21 The state patrol may provide traffic services, including fatal,
22 injury accident investigation, and emergency call response, to counties
23 as agreed upon by contract under chapter 39.34 RCW. The actual time
24 spent on the contracts will be calculated and reported monthly to the
25 office of financial management and the legislature. The state patrol
26 may require reimbursement from a county for additional services
27 requested.

28 **Sec. 4.** RCW 43.43.330 and 1993 c 155 s 1 are each amended to read
29 as follows:

30 Appropriate examinations shall be conducted for the promotion of
31 commissioned patrol officers to the rank of sergeant ((and)),
32 lieutenant, and captain. The examinations shall be prepared and
33 conducted under the supervision of the chief of the Washington state
34 patrol, who shall cause at least thirty days written notice thereof to
35 be given to all patrol officers eligible for such examinations. The
36 written notice shall specify the expected type of examination and
37 relative weights to be assigned if a combination of tests is to be

1 used. Examinations shall be given once every two years, or whenever
2 the eligible list becomes exhausted as the case may be. After the
3 giving of each such examination a new eligible list shall be compiled
4 replacing any existing eligible list for such rank. Only grades
5 attained in the last examination given for a particular rank shall be
6 used in compiling each eligible list therefor. The chief, or in
7 ~~((his))~~ the chief's discretion a committee of three individuals
8 appointed by ~~((him))~~ the chief, shall prepare and conduct the
9 examinations, and thereafter grade and evaluate them in accordance with
10 the following provisions, or factors: For promotion to the rank of
11 sergeant ~~((or))~~, lieutenant, or captain, the examination shall consist
12 of one or more of the following components: (1) Oral examination; (2)
13 written examination; (3) service rating; (4) personnel record; (5)
14 assessment center or other valid tests that measures the skills,
15 knowledge, and qualities needed to perform these jobs. A cutoff score
16 may be set for each testing component that allows only those scoring
17 above the cutoff on one component to proceed to take a subsequent
18 component.

19 **Sec. 5.** RCW 43.43.350 and 1969 ex.s. c 20 s 2 are each amended to
20 read as follows:

21 Eligibility for examination or promotion shall be determined as
22 follows:

23 Patrol officers with one year of probationary experience, in
24 addition to three years experience as a regular patrolman, shall be
25 eligible for examination for the rank of sergeant; patrol officers with
26 one year of probationary experience in the rank of sergeant, in
27 addition to two years as a regular sergeant, shall be eligible for
28 examination for the rank of lieutenant. Patrol officers with one year
29 of experience in the rank of lieutenant are eligible for examination
30 for the rank of captain.

31 NEW SECTION. **Sec. 6.** The following acts or parts of acts are each
32 repealed:

- 33 (1) RCW 43.43.370 and 1965 c 8 s 43.43.370; and
34 (2) RCW 43.43.380 and 1965 c 8 s 43.43.380.

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