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HOUSE BILL 2465

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State of Washington

59th Legislature

2006 Regular Session

By Representatives Lovick, Kessler, P. Sullivan, Haler and O'Brien;  
by request of Washington State Patrol

Prefiled 1/6/2006. Read first time 01/09/2006. Referred to  
Committee on Transportation.

1 AN ACT Relating to vehicle equipment standards related to original  
2 equipment installed; and amending RCW 46.37.010, 46.37.070, and  
3 46.37.200.

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

5 **Sec. 1.** RCW 46.37.010 and 2005 c 213 s 7 are each amended to read  
6 as follows:

7 (1) It is a traffic infraction for any person to drive or move, or  
8 for ~~((the))~~ a vehicle owner to cause or knowingly permit to be driven  
9 or moved, on any highway any vehicle or combination of vehicles  
10 ~~((which))~~ that:

11 (a) Is in such unsafe condition as to endanger any person ~~((, or~~  
12 ~~which does not contain those parts or))~~;

13 (b) Is not at all times equipped with such lamps and other  
14 equipment in proper working condition and adjustment as required ~~((in))~~  
15 by this chapter or ~~((in regulations))~~ by rules issued by ~~((the chief~~  
16 ~~of))~~ the Washington state patrol ~~((, or which is equipped in any~~  
17 ~~manner))~~;

18 (c) Contains any parts in violation of this chapter or ~~((the state~~  
19 ~~patrol's regulations, or))~~ rules issued by the Washington state patrol.

1        (2) It is a traffic infraction for any person to do any act  
2 forbidden or fail to perform any act required under this chapter or  
3 ~~((the state patrol's regulations))~~ rules issued by the Washington state  
4 patrol.

5        ~~((+2))~~ (3) Nothing contained in this chapter or the state patrol's  
6 regulations shall be construed to prohibit the use of additional parts  
7 and accessories on any vehicle not inconsistent with the provisions of  
8 this chapter or the state patrol's regulations.

9        ~~((+3))~~ (4) The provisions of the chapter and the state patrol's  
10 regulations with respect to equipment on vehicles shall not apply to  
11 implements of husbandry, road machinery, road rollers, or farm tractors  
12 except as herein made applicable.

13        ~~((+4))~~ (5) No owner or operator of a farm tractor, self-propelled  
14 unit of farm equipment, or implement of husbandry shall be guilty of a  
15 crime or subject to penalty for violation of RCW 46.37.160 as now or  
16 hereafter amended unless such violation occurs on a public highway.

17        ~~((+5))~~ (6) It is a traffic infraction for any person to sell or  
18 offer for sale vehicle equipment which is required to be approved by  
19 the state patrol as prescribed in RCW 46.37.005 unless it has been  
20 approved by the state patrol.

21        ~~((+6))~~ (7) The provisions of this chapter with respect to  
22 equipment required on vehicles shall not apply to motorcycles or motor-  
23 driven cycles except as herein made applicable.

24        ~~((+7))~~ (8) This chapter does not apply to off-road vehicles used  
25 on nonhighway roads.

26        ~~((+8))~~ (9) This chapter does not apply to vehicles used by the  
27 state parks and recreation commission exclusively for park maintenance  
28 and operations upon public highways within state parks.

29        ~~((+9))~~ (10) Notices of traffic infraction issued to commercial  
30 drivers under the provisions of this chapter with respect to equipment  
31 required on commercial motor vehicles shall not be considered for  
32 driver improvement purposes under chapter 46.20 RCW.

33        ~~((+10))~~ (11) Whenever a traffic infraction is chargeable to the  
34 owner or lessee of a vehicle under subsection (1) of this section, the  
35 driver shall not be arrested or issued a notice of traffic infraction  
36 unless the vehicle is registered in a jurisdiction other than  
37 Washington state, or unless the infraction is for an offense that is  
38 clearly within the responsibility of the driver.

1        (~~(11)~~) (12) Whenever the owner or lessee is issued a notice of  
2 traffic infraction under this section the court may, on the request of  
3 the owner or lessee, take appropriate steps to make the driver of the  
4 vehicle, or any other person who directs the loading, maintenance, or  
5 operation of the vehicle, a codefendant. If the codefendant is held  
6 solely responsible and is found to have committed the traffic  
7 infraction, the court may dismiss the notice against the owner or  
8 lessee.

9        **Sec. 2.** RCW 46.37.070 and 1977 ex.s. c 355 s 7 are each amended to  
10 read as follows:

11        (1) After January 1, 1964, every motor vehicle, trailer,  
12 semitrailer, and pole trailer shall be equipped with two or more stop  
13 lamps meeting the requirements of RCW 46.37.200, except that passenger  
14 cars manufactured or assembled prior to January 1, 1964, shall be  
15 equipped with at least one such stop lamp. On a combination of  
16 vehicles, only the stop lamps on the rearmost vehicle need actually be  
17 seen from the distance specified in RCW 46.37.200(1).

18        (2) After January 1, 1960, every motor vehicle, trailer,  
19 semitrailer and pole trailer shall be equipped with electric turn  
20 signal lamps meeting the requirements of RCW 46.37.200(2), except that  
21 passenger cars, trailers, semitrailers, pole trailers, and trucks less  
22 than eighty inches in width, manufactured or assembled prior to January  
23 1, 1953, need not be equipped with electric turn signal lamps.

24        (3) Every passenger car manufactured or assembled after September  
25 1, 1985; and every passenger truck, passenger van, or passenger sports  
26 utility vehicle manufactured or assembled after September 1, 1993, must  
27 be equipped with a rear center high-mounted stop lamp meeting the  
28 requirements of RCW 46.37.200(3).

29        **Sec. 3.** RCW 46.37.200 and 1977 ex.s. c 355 s 17 are each amended  
30 to read as follows:

31        (1) Any vehicle may be equipped and when required under this  
32 chapter shall be equipped with a stop lamp or lamps on the rear of the  
33 vehicle which shall display a red or amber light, or any shade of color  
34 between red and amber, visible from a distance of not less than one  
35 hundred feet and on any vehicle manufactured or assembled after January

1 1, 1964, three hundred feet to the rear in normal sunlight, and which  
2 shall be actuated upon application of a service brake, and which may  
3 but need not be incorporated with one or more other rear lamps.

4 (2) Any vehicle may be equipped and when required under RCW  
5 46.37.070(2) shall be equipped with electric turn signals which shall  
6 indicate an intention to turn by flashing lights showing to the front  
7 and rear of a vehicle or on a combination of vehicles on the side of  
8 the vehicle or combination toward which the turn is to be made. The  
9 lamps showing to the front shall be mounted on the same level and as  
10 widely spaced laterally as practicable and, when signaling, shall emit  
11 amber light: PROVIDED, That on any vehicle manufactured prior to  
12 January 1, 1969, the lamps showing to the front may emit white or amber  
13 light, or any shade of light between white and amber. The lamp showing  
14 to the rear shall be mounted on the same level and as widely spaced  
15 laterally as practicable, and, when signaling, shall emit a red or  
16 amber light, or any shade of color between red and amber. Turn signal  
17 lamps shall be visible from a distance of not less than five hundred  
18 feet to the front and rear in normal sunlight. Turn signal lamps may,  
19 but need not be, incorporated in other lamps on the vehicle.

20 (3) Any vehicle may be equipped and when required under this  
21 chapter shall be equipped with a center high-mounted stop lamp mounted  
22 on the center line of the rear of the vehicle. These stop lamps shall  
23 display a red light visible from a distance of not less than three  
24 hundred feet to the rear in normal sunlight, and shall be actuated upon  
25 application of a service brake, and may not be incorporated with any  
26 other rear lamps.

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