

SSB 6160 - H COMM AMD

By Committee on General Government & Information Technology

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 46.37.640 and 2003 c 33 s 1 are each amended to
4 read as follows:

5 (1) "Air bag" means an inflatable restraint system or portion of
6 an inflatable restraint system (~~installed in a motor vehicle~~)
7 including, but not limited to, the cushion material, cover, sensors,
8 controllers, inflators, and wiring that (a) operates in the event of
9 a crash and (b) is designed in accordance with federal motor vehicle
10 safety standards for the specific make, model, and year of the motor
11 vehicle in which it is or will be installed.

12 (2) "Previously deployed air bag" means an inflatable restraint
13 system or portion of the system that has been activated or inflated
14 as a result of a collision or other incident involving the vehicle.

15 (3) "Nondeployed salvage air bag" means an inflatable restraint
16 system or portion of an inflatable restraint system that has not been
17 previously activated or inflated as a result of a collision or other
18 incident involving the vehicle.

19 (4) "Counterfeit air bag" means a replacement motor vehicle
20 inflatable occupant restraint system, including all component parts
21 including, but not limited to, the cushion material, cover, sensors,
22 controllers, inflators, and wiring, displaying a mark identical or
23 similar to the genuine mark of a motor vehicle manufacturer without
24 authorization from the manufacturer.

25 (5) "Nonfunctional air bag" means a replacement motor vehicle
26 inflatable occupant restraint system, including all component parts
27 including, but not limited to, the cushion material, cover, sensors,
28 controllers, inflators, and wiring, which: (a) Was previously
29 deployed or damaged; (b) has an electric fault that is detected by
30 the vehicle air bag diagnostic system after the installation
31 procedure is completed; or (c) includes any part or object including,
32 but not limited to, a counterfeit or repaired air bag cover,

1 installed in a motor vehicle to mislead the owner or operator of the
2 motor vehicle into believing that a functional air bag has been
3 installed.

4 **Sec. 2.** RCW 46.37.650 and 2011 c 96 s 33 are each amended to
5 read as follows:

6 (1)(a) It is unlawful for a person ((is guilty of a gross
7 misdemeanor if he or she knew or reasonably should have known that an
8 air bag he or she installs or reinstalls in a vehicle for
9 compensation, or distributes as an auto part)), with criminal
10 negligence, to manufacture or import a motor vehicle air bag, that:
11 (i) Is a counterfeit air bag, (ii) is a nonfunctional air bag, (iii)
12 is a previously deployed or damaged air bag that is part of an
13 inflatable restraint system, or (iv) otherwise does not meet all
14 applicable federal safety standards for an air bag. This subsection
15 does not apply to nondeployed salvage air bags that meet the
16 requirements of RCW 46.37.660(1).

17 ((+2)) (b) A person ((found guilty under subsection (1) of this
18 section shall be punished by a fine of not more than five thousand
19 dollars or by confinement in the county jail for up to three hundred
20 sixty four days, or both)) in violation of this subsection is guilty
21 of a class C felony if the criminal negligence caused bodily injury
22 as defined in RCW 9A.04.110 or death to another person.

23 (c) A person in violation of this subsection is guilty of a class
24 C felony, regardless if the criminal negligence caused harm to
25 another.

26 (2)(a) It is unlawful for a person, in a reckless manner, to
27 sell, offer for sale, install, or reinstall a device in a vehicle for
28 compensation, or distribute as an auto part, or replace a motor
29 vehicle air bag, that: (i) Is a counterfeit air bag, (ii) is a
30 nonfunctional air bag, (iii) is a previously deployed or damaged air
31 bag that is part of an inflatable restraint system, or (iv) otherwise
32 does not meet all applicable federal safety standards for an air bag.
33 This subsection does not apply to nondeployed salvage air bags that
34 meet the requirements of RCW 46.37.660(1).

35 (b) A person in violation of this subsection is guilty of a class
36 C felony if the reckless manner caused bodily injury as defined in
37 RCW 9A.04.110 or death to another person.

38 (c) A person in violation of this subsection is guilty of a class
39 C felony, regardless if the reckless manner caused harm to another.

1 **Sec. 3.** RCW 46.37.660 and 2003 c 33 s 3 are each amended to read
2 as follows:

3 (1)(a) Whenever an air bag that is part of a previously deployed
4 inflatable restraint system is replaced by either a new air bag that
5 is part of an inflatable restraint system or a nondeployed salvage
6 air bag that is part of an inflatable restraint system, the air bag
7 must conform to the original equipment manufacturer requirements and
8 the installer must verify that the self-diagnostic system for the
9 inflatable restraint system indicates that the entire inflatable
10 restraint system is operating properly.

11 (b) A person in violation of this subsection (1) is guilty of a
12 class C felony if the violation caused bodily injury as defined in
13 RCW 9A.04.110 or death to another person.

14 (c) A person in violation of this subsection (1) is guilty of a
15 class C felony, regardless if the violation caused harm to another.

16 (2)(a) No person may sell, install, or reinstall in any motor
17 vehicle any device that causes the vehicle's diagnostic system to
18 inaccurately indicate that the vehicle is equipped with a functional
19 air bag when a counterfeit air bag, a nonfunctional air bag, or no
20 air bag is installed. This subsection does not apply to nondeployed
21 salvage air bags that meet the requirements of subsection (1) of this
22 section.

23 (b) A person in violation of this subsection (2) is guilty of a
24 class C felony if the violation caused bodily injury as defined in
25 RCW 9A.04.110 or death to another person.

26 (c) A person in violation of this subsection (2) is guilty of a
27 class C felony, regardless if the violation caused harm to another.

28 **Sec. 4.** RCW 46.63.020 and 2014 c 124 s 9 are each amended to
29 read as follows:

30 Failure to perform any act required or the performance of any act
31 prohibited by this title or an equivalent administrative regulation
32 or local law, ordinance, regulation, or resolution relating to
33 traffic including parking, standing, stopping, and pedestrian
34 offenses, is designated as a traffic infraction and may not be
35 classified as a criminal offense, except for an offense contained in
36 the following provisions of this title or a violation of an
37 equivalent administrative regulation or local law, ordinance,
38 regulation, or resolution:

- 1 (1) RCW 46.09.457(1)(b)(i) relating to a false statement
2 regarding the inspection of and installation of equipment on wheeled
3 all-terrain vehicles;
- 4 (2) RCW 46.09.470(2) relating to the operation of a nonhighway
5 vehicle while under the influence of intoxicating liquor or a
6 controlled substance;
- 7 (3) RCW 46.09.480 relating to operation of nonhighway vehicles;
- 8 (4) RCW 46.10.490(2) relating to the operation of a snowmobile
9 while under the influence of intoxicating liquor or narcotics or
10 habit-forming drugs or in a manner endangering the person of another;
- 11 (5) RCW 46.10.495 relating to the operation of snowmobiles;
- 12 (6) Chapter 46.12 RCW relating to certificates of title,
13 registration certificates, and markings indicating that a vehicle has
14 been destroyed or declared a total loss;
- 15 (7) RCW 46.16A.030 and 46.16A.050(3) relating to the nonpayment
16 of taxes and fees by failure to register a vehicle and falsifying
17 residency when registering a motor vehicle;
- 18 (8) RCW 46.16A.520 relating to permitting unauthorized persons to
19 drive;
- 20 (9) RCW 46.16A.320 relating to vehicle trip permits;
- 21 (10) RCW 46.19.050(1) relating to knowingly providing false
22 information in conjunction with an application for a special placard
23 or license plate for disabled persons' parking;
- 24 (11) RCW 46.19.050(8) relating to illegally obtaining a parking
25 placard, special license plate, special year tab, or identification
26 card;
- 27 (12) RCW 46.19.050(9) relating to sale of a parking placard,
28 special license plate, special year tab, or identification card;
- 29 (13) RCW 46.20.005 relating to driving without a valid driver's
30 license;
- 31 (14) RCW 46.20.091 relating to false statements regarding a
32 driver's license or instruction permit;
- 33 (15) RCW 46.20.0921 relating to the unlawful possession and use
34 of a driver's license;
- 35 (16) RCW 46.20.342 relating to driving with a suspended or
36 revoked license or status;
- 37 (17) RCW 46.20.345 relating to the operation of a motor vehicle
38 with a suspended or revoked license;

1 (18) RCW 46.20.410 relating to the violation of restrictions of
2 an occupational driver's license, temporary restricted driver's
3 license, or ignition interlock driver's license;

4 (19) RCW 46.20.740 relating to operation of a motor vehicle
5 without an ignition interlock device in violation of a license
6 notation that the device is required;

7 (20) RCW 46.20.750 relating to circumventing an ignition
8 interlock device;

9 (21) RCW 46.25.170 relating to commercial driver's licenses;

10 (22) Chapter 46.29 RCW relating to financial responsibility;

11 (23) RCW 46.30.040 relating to providing false evidence of
12 financial responsibility;

13 (24) RCW 46.35.030 relating to recording device information;

14 (25) RCW 46.37.435 relating to wrongful installation of
15 sunscreening material;

16 (26) RCW 46.37.650 relating to the manufacture, importation,
17 sale, ((resale,)) distribution, or installation of a counterfeit air
18 bag, nonfunctional air bag, or previously deployed or damaged air
19 bag;

20 (27) RCW 46.37.660 relating to the sale or installation of a
21 device that causes a vehicle's diagnostic system to inaccurately
22 indicate that the vehicle has a functional air bag when a counterfeit
23 air bag, nonfunctional air bag, or no air bag is installed;

24 (28) RCW 46.37.671 through 46.37.675 relating to signal
25 preemption devices;

26 ((+28)) (29) RCW 46.37.685 relating to switching or flipping
27 license plates, utilizing technology to flip or change the appearance
28 of a license plate, selling a license plate flipping device or
29 technology used to change the appearance of a license plate, or
30 falsifying a vehicle registration;

31 ((+29)) (30) RCW 46.44.180 relating to operation of mobile home
32 pilot vehicles;

33 ((+30)) (31) RCW 46.48.175 relating to the transportation of
34 dangerous articles;

35 ((+31)) (32) RCW 46.52.010 relating to duty on striking an
36 unattended car or other property;

37 ((+32)) (33) RCW 46.52.020 relating to duty in case of injury to
38 or death of a person or damage to an attended vehicle;

39 ((+33)) (34) RCW 46.52.090 relating to reports by repairers,
40 storage persons, and appraisers;

1 (~~(34)~~) (35) RCW 46.52.130 relating to confidentiality of the
2 driving record to be furnished to an insurance company, an employer,
3 and an alcohol/drug assessment or treatment agency;
4 (~~(35)~~) (36) RCW 46.55.020 relating to engaging in the
5 activities of a registered tow truck operator without a registration
6 certificate;
7 (~~(36)~~) (37) RCW 46.55.035 relating to prohibited practices by
8 tow truck operators;
9 (~~(37)~~) (38) RCW 46.55.300 relating to vehicle immobilization;
10 (~~(38)~~) (39) RCW 46.61.015 relating to obedience to police
11 officers, flaggers, or firefighters;
12 (~~(39)~~) (40) RCW 46.61.020 relating to refusal to give
13 information to or cooperate with an officer;
14 (~~(40)~~) (41) RCW 46.61.022 relating to failure to stop and give
15 identification to an officer;
16 (~~(41)~~) (42) RCW 46.61.024 relating to attempting to elude
17 pursuing police vehicles;
18 (~~(42)~~) (43) RCW 46.61.212(4) relating to reckless endangerment
19 of emergency zone workers;
20 (~~(43)~~) (44) RCW 46.61.500 relating to reckless driving;
21 (~~(44)~~) (45) RCW 46.61.502 and 46.61.504 relating to persons
22 under the influence of intoxicating liquor or drugs;
23 (~~(45)~~) (46) RCW 46.61.503 relating to a person under age
24 twenty-one driving a motor vehicle after consuming alcohol;
25 (~~(46)~~) (47) RCW 46.61.520 relating to vehicular homicide by
26 motor vehicle;
27 (~~(47)~~) (48) RCW 46.61.522 relating to vehicular assault;
28 (~~(48)~~) (49) RCW 46.61.5249 relating to first degree negligent
29 driving;
30 (~~(49)~~) (50) RCW 46.61.527(4) relating to reckless endangerment
31 of roadway workers;
32 (~~(50)~~) (51) RCW 46.61.530 relating to racing of vehicles on
33 highways;
34 (~~(51)~~) (52) RCW 46.61.655(7) (a) and (b) relating to failure to
35 secure a load;
36 (~~(52)~~) (53) RCW 46.61.685 relating to leaving children in an
37 unattended vehicle with the motor running;
38 (~~(53)~~) (54) RCW 46.61.740 relating to theft of motor vehicle
39 fuel;

1 ((+54+)) (55) RCW 46.64.010 relating to unlawful cancellation of
2 or attempt to cancel a traffic citation;

3 ((+55+)) (56) RCW 46.64.048 relating to attempting, aiding,
4 abetting, coercing, and committing crimes;

5 ((+56+)) (57) Chapter 46.65 RCW relating to habitual traffic
6 offenders;

7 ((+57+)) (58) RCW 46.68.010 relating to false statements made to
8 obtain a refund;

9 ((+58+)) (59) Chapter 46.70 RCW relating to unfair motor vehicle
10 business practices, except where that chapter provides for the
11 assessment of monetary penalties of a civil nature;

12 ((+59+)) (60) Chapter 46.72 RCW relating to the transportation of
13 passengers in for hire vehicles;

14 ((+60+)) (61) RCW 46.72A.060 relating to limousine carrier
15 insurance;

16 ((+61+)) (62) RCW 46.72A.070 relating to operation of a limousine
17 without a vehicle certificate;

18 ((+62+)) (63) RCW 46.72A.080 relating to false advertising by a
19 limousine carrier;

20 ((+63+)) (64) Chapter 46.80 RCW relating to motor vehicle
21 wreckers;

22 ((+64+)) (65) Chapter 46.82 RCW relating to driver's training
23 schools;

24 ((+65+)) (66) RCW 46.87.260 relating to alteration or forgery of
25 a cab card, letter of authority, or other temporary authority issued
26 under chapter 46.87 RCW;

27 ((+66+)) (67) RCW 46.87.290 relating to operation of an
28 unregistered or unlicensed vehicle under chapter 46.87 RCW.

29 **Sec. 5.** RCW 9.94A.515 and 2015 c 261 s 11 are each amended to
30 read as follows:

31 TABLE 2

32 CRIMES INCLUDED WITHIN EACH
33 SERIOUSNESS LEVEL

34 XVI Aggravated Murder 1 (RCW 10.95.020)

35 XV Homicide by abuse (RCW 9A.32.055)

36 Malicious explosion 1 (RCW

37 70.74.280(1))

1 Murder 1 (RCW 9A.32.030)
2 XIV Murder 2 (RCW 9A.32.050)
3 Trafficking 1 (RCW 9A.40.100(1))
4 XIII Malicious explosion 2 (RCW
5 70.74.280(2))
6 Malicious placement of an explosive 1
7 (RCW 70.74.270(1))
8 XII Assault 1 (RCW 9A.36.011)
9 Assault of a Child 1 (RCW 9A.36.120)
10 Malicious placement of an imitation
11 device 1 (RCW 70.74.272(1)(a))
12 Promoting Commercial Sexual Abuse of
13 a Minor (RCW 9.68A.101)
14 Rape 1 (RCW 9A.44.040)
15 Rape of a Child 1 (RCW 9A.44.073)
16 Trafficking 2 (RCW 9A.40.100(3))
17 XI Manslaughter 1 (RCW 9A.32.060)
18 Rape 2 (RCW 9A.44.050)
19 Rape of a Child 2 (RCW 9A.44.076)
20 Vehicular Homicide, by being under the
21 influence of intoxicating liquor or
22 any drug (RCW 46.61.520)
23 X Child Molestation 1 (RCW 9A.44.083)
24 Criminal Mistreatment 1 (RCW
25 9A.42.020)
26 Indecent Liberties (with forcible
27 compulsion) (RCW
28 9A.44.100(1)(a))
29 Kidnapping 1 (RCW 9A.40.020)
30 Leading Organized Crime (RCW
31 9A.82.060(1)(a))
32 Malicious explosion 3 (RCW
33 70.74.280(3))
34 Sexually Violent Predator Escape (RCW
35 9A.76.115)

1 IX Abandonment of Dependent Person 1
2 (RCW 9A.42.060)
3 Assault of a Child 2 (RCW 9A.36.130)
4 Explosive devices prohibited (RCW
5 70.74.180)
6 Hit and Run—Death (RCW
7 46.52.020(4)(a))
8 Homicide by Watercraft, by being under
9 the influence of intoxicating liquor
10 or any drug (RCW 79A.60.050)
11 Inciting Criminal Profiteering (RCW
12 9A.82.060(1)(b))
13 Malicious placement of an explosive 2
14 (RCW 70.74.270(2))
15 Robbery 1 (RCW 9A.56.200)
16 Sexual Exploitation (RCW 9.68A.040)
17 VIII Arson 1 (RCW 9A.48.020)
18 Commercial Sexual Abuse of a Minor
19 (RCW 9.68A.100)
20 Homicide by Watercraft, by the
21 operation of any vessel in a reckless
22 manner (RCW 79A.60.050)
23 Manslaughter 2 (RCW 9A.32.070)
24 Promoting Prostitution 1 (RCW
25 9A.88.070)
26 Theft of Ammonia (RCW 69.55.010)
27 Vehicular Homicide, by the operation of
28 any vehicle in a reckless manner
29 (RCW 46.61.520)
30 VII Air bag diagnostic systems (causing
31 bodily injury or death) (RCW
32 46.37.660(2)(b))
33 Air bag replacement requirements
34 (causing bodily injury or death)
35 (RCW 46.37.660(1)(b))

1 Burglary 1 (RCW 9A.52.020)
2 Child Molestation 2 (RCW 9A.44.086)
3 Civil Disorder Training (RCW
4 9A.48.120)
5 Manufacture or import counterfeit,
6 nonfunctional, damaged, or
7 previously deployed air bag
8 (causing bodily injury or death)
9 (RCW 46.37.650(1)(b))
10 Sale, install, reinstall counterfeit,
11 nonfunctional, damaged, or
12 previously deployed airbag (RCW
13 46.37.650(2)(b))
14 Dealing in depictions of minor engaged
15 in sexually explicit conduct 1
16 (RCW 9.68A.050(1))
17 Drive-by Shooting (RCW 9A.36.045)
18 Homicide by Watercraft, by disregard
19 for the safety of others (RCW
20 79A.60.050)
21 Indecent Liberties (without forcible
22 compulsion) (RCW 9A.44.100(1)
23 (b) and (c))
24 Introducing Contraband 1 (RCW
25 9A.76.140)
26 Malicious placement of an explosive 3
27 (RCW 70.74.270(3))
28 Negligently Causing Death By Use of a
29 Signal Preemption Device (RCW
30 46.37.675)
31 Sending, bringing into state depictions
32 of minor engaged in sexually
33 explicit conduct 1 (RCW
34 9.68A.060(1))
35 Unlawful Possession of a Firearm in the
36 first degree (RCW 9.41.040(1))

1 Use of a Machine Gun in Commission
2 of a Felony (RCW 9.41.225)
3 Vehicular Homicide, by disregard for
4 the safety of others (RCW
5 46.61.520)
6 VI Bail Jumping with Murder 1 (RCW
7 9A.76.170(3)(a))
8 Bribery (RCW 9A.68.010)
9 Incest 1 (RCW 9A.64.020(1))
10 Intimidating a Judge (RCW 9A.72.160)
11 Intimidating a Juror/Witness (RCW
12 9A.72.110, 9A.72.130)
13 Malicious placement of an imitation
14 device 2 (RCW 70.74.272(1)(b))
15 Possession of Depictions of a Minor
16 Engaged in Sexually Explicit
17 Conduct 1 (RCW 9.68A.070(1))
18 Rape of a Child 3 (RCW 9A.44.079)
19 Theft of a Firearm (RCW 9A.56.300)
20 Unlawful Storage of Ammonia (RCW
21 69.55.020)
22 V Abandonment of Dependent Person 2
23 (RCW 9A.42.070)
24 Advancing money or property for
25 extortionate extension of credit
26 (RCW 9A.82.030)
27 Air bag diagnostic systems (RCW
28 46.37.660(2)(c))
29 Air bag replacement requirements
30 (RCW 46.37.660(1)(c))
31 Bail Jumping with class A Felony
32 (RCW 9A.76.170(3)(b))
33 Child Molestation 3 (RCW 9A.44.089)

1 Manufacture or import counterfeit,
2 nonfunctional, damaged, or
3 previously deployed air bag (RCW
4 46.37.650(1)(c))
5 Sale, install, reinstall counterfeit,
6 nonfunctional, damaged, or
7 previously deployed airbag (RCW
8 46.37.650(2)(c))
9 Criminal Mistreatment 2 (RCW
10 9A.42.030)
11 Custodial Sexual Misconduct 1 (RCW
12 9A.44.160)
13 Dealing in Depictions of Minor
14 Engaged in Sexually Explicit
15 Conduct 2 (RCW 9.68A.050(2))
16 Domestic Violence Court Order
17 Violation (RCW 10.99.040,
18 10.99.050, 26.09.300, 26.10.220,
19 26.26.138, 26.50.110, 26.52.070, or
20 74.34.145)
21 Driving While Under the Influence
22 (RCW 46.61.502(6))
23 Extortion 1 (RCW 9A.56.120)
24 Extortionate Extension of Credit (RCW
25 9A.82.020)
26 Extortionate Means to Collect
27 Extensions of Credit (RCW
28 9A.82.040)
29 Incest 2 (RCW 9A.64.020(2))
30 Kidnapping 2 (RCW 9A.40.030)
31 Perjury 1 (RCW 9A.72.020)
32 Persistent prison misbehavior (RCW
33 9.94.070)
34 Physical Control of a Vehicle While
35 Under the Influence (RCW
36 46.61.504(6))

1 Possession of a Stolen Firearm (RCW
2 9A.56.310)
3 Rape 3 (RCW 9A.44.060)
4 Rendering Criminal Assistance 1 (RCW
5 9A.76.070)
6 Sending, Bringing into State Depictions
7 of Minor Engaged in Sexually
8 Explicit Conduct 2 (RCW
9 9.68A.060(2))
10 Sexual Misconduct with a Minor 1
11 (RCW 9A.44.093)
12 Sexually Violating Human Remains
13 (RCW 9A.44.105)
14 Stalking (RCW 9A.46.110)
15 Taking Motor Vehicle Without
16 Permission 1 (RCW 9A.56.070)
17 IV Arson 2 (RCW 9A.48.030)
18 Assault 2 (RCW 9A.36.021)
19 Assault 3 (of a Peace Officer with a
20 Projectile Stun Gun) (RCW
21 9A.36.031(1)(h))
22 Assault by Watercraft (RCW
23 79A.60.060)
24 Bribing a Witness/Bribe Received by
25 Witness (RCW 9A.72.090,
26 9A.72.100)
27 Cheating 1 (RCW 9.46.1961)
28 Commercial Bribery (RCW 9A.68.060)
29 Counterfeiting (RCW 9.16.035(4))
30 Endangerment with a Controlled
31 Substance (RCW 9A.42.100)
32 Escape 1 (RCW 9A.76.110)
33 Hit and Run—Injury (RCW
34 46.52.020(4)(b))

1 Hit and Run with Vessel—Injury
2 Accident (RCW 79A.60.200(3))
3 Identity Theft 1 (RCW 9.35.020(2))
4 Indecent Exposure to Person Under Age
5 Fourteen (subsequent sex offense)
6 (RCW 9A.88.010)
7 Influencing Outcome of Sporting Event
8 (RCW 9A.82.070)
9 Malicious Harassment (RCW
10 9A.36.080)
11 Possession of Depictions of a Minor
12 Engaged in Sexually Explicit
13 Conduct 2 (RCW 9.68A.070(2))
14 Residential Burglary (RCW 9A.52.025)
15 Robbery 2 (RCW 9A.56.210)
16 Theft of Livestock 1 (RCW 9A.56.080)
17 Threats to Bomb (RCW 9.61.160)
18 Trafficking in Stolen Property 1 (RCW
19 9A.82.050)
20 Unlawful factoring of a credit card or
21 payment card transaction (RCW
22 9A.56.290(4)(b))
23 Unlawful transaction of health coverage
24 as a health care service contractor
25 (RCW 48.44.016(3))
26 Unlawful transaction of health coverage
27 as a health maintenance
28 organization (RCW 48.46.033(3))
29 Unlawful transaction of insurance
30 business (RCW 48.15.023(3))
31 Unlicensed practice as an insurance
32 professional (RCW 48.17.063(2))
33 Use of Proceeds of Criminal
34 Profiteering (RCW 9A.82.080 (1)
35 and (2))

1 Vehicle Prowling 2 (third or subsequent
2 offense) (RCW 9A.52.100(3))
3 Vehicular Assault, by being under the
4 influence of intoxicating liquor or
5 any drug, or by the operation or
6 driving of a vehicle in a reckless
7 manner (RCW 46.61.522)
8 Viewing of Depictions of a Minor
9 Engaged in Sexually Explicit
10 Conduct 1 (RCW 9.68A.075(1))
11 Willful Failure to Return from Furlough
12 (RCW 72.66.060)
13 III Animal Cruelty 1 (Sexual Conduct or
14 Contact) (RCW 16.52.205(3))
15 Assault 3 (Except Assault 3 of a Peace
16 Officer With a Projectile Stun Gun)
17 (RCW 9A.36.031 except subsection
18 (1)(h))
19 Assault of a Child 3 (RCW 9A.36.140)
20 Bail Jumping with class B or C Felony
21 (RCW 9A.76.170(3)(c))
22 Burglary 2 (RCW 9A.52.030)
23 Communication with a Minor for
24 Immoral Purposes (RCW
25 9.68A.090)
26 Criminal Gang Intimidation (RCW
27 9A.46.120)
28 Custodial Assault (RCW 9A.36.100)
29 Cyberstalking (subsequent conviction or
30 threat of death) (RCW 9.61.260(3))
31 Escape 2 (RCW 9A.76.120)
32 Extortion 2 (RCW 9A.56.130)
33 Harassment (RCW 9A.46.020)
34 Intimidating a Public Servant (RCW
35 9A.76.180)

1 Introducing Contraband 2 (RCW
2 9A.76.150)
3 Malicious Injury to Railroad Property
4 (RCW 81.60.070)
5 Mortgage Fraud (RCW 19.144.080)
6 Negligently Causing Substantial Bodily
7 Harm By Use of a Signal
8 Preemption Device (RCW
9 46.37.674)
10 Organized Retail Theft 1 (RCW
11 9A.56.350(2))
12 Perjury 2 (RCW 9A.72.030)
13 Possession of Incendiary Device (RCW
14 9.40.120)
15 Possession of Machine Gun or Short-
16 Barreled Shotgun or Rifle (RCW
17 9.41.190)
18 Promoting Prostitution 2 (RCW
19 9A.88.080)
20 Retail Theft with Special Circumstances
21 1 (RCW 9A.56.360(2))
22 Securities Act violation (RCW
23 21.20.400)
24 Tampering with a Witness (RCW
25 9A.72.120)
26 Telephone Harassment (subsequent
27 conviction or threat of death) (RCW
28 9.61.230(2))
29 Theft of Livestock 2 (RCW 9A.56.083)
30 Theft with the Intent to Resell 1 (RCW
31 9A.56.340(2))
32 Trafficking in Stolen Property 2 (RCW
33 9A.82.055)
34 Unlawful Hunting of Big Game 1 (RCW
35 77.15.410(3)(b))

1 Unlawful Imprisonment (RCW
2 9A.40.040)
3 Unlawful Misbranding of Food Fish or
4 Shellfish 1 (RCW 69.04.938(3))
5 Unlawful possession of firearm in the
6 second degree (RCW 9.41.040(2))
7 Unlawful Taking of Endangered Fish or
8 Wildlife 1 (RCW 77.15.120(3)(b))
9 Unlawful Trafficking in Fish, Shellfish,
10 or Wildlife 1 (RCW
11 77.15.260(3)(b))
12 Unlawful Use of a Nondesignated
13 Vessel (RCW 77.15.530(4))
14 Vehicular Assault, by the operation or
15 driving of a vehicle with disregard
16 for the safety of others (RCW
17 46.61.522)
18 Willful Failure to Return from Work
19 Release (RCW 72.65.070)
20 II Commercial Fishing Without a License
21 1 (RCW 77.15.500(3)(b))
22 Computer Trespass 1 (RCW 9A.52.110)
23 Counterfeiting (RCW 9.16.035(3))
24 Engaging in Fish Dealing Activity
25 Unlicensed 1 (RCW 77.15.620(3))
26 Escape from Community Custody
27 (RCW 72.09.310)
28 Failure to Register as a Sex Offender
29 (second or subsequent offense)
30 (RCW 9A.44.130 prior to June 10,
31 2010, and RCW 9A.44.132)
32 Health Care False Claims (RCW
33 48.80.030)
34 Identity Theft 2 (RCW 9.35.020(3))
35 Improperly Obtaining Financial
36 Information (RCW 9.35.010)

1 Malicious Mischief 1 (RCW 9A.48.070)
2 Organized Retail Theft 2 (RCW
3 9A.56.350(3))
4 Possession of Stolen Property 1 (RCW
5 9A.56.150)
6 Possession of a Stolen Vehicle (RCW
7 9A.56.068)
8 Retail Theft with Special Circumstances
9 2 (RCW 9A.56.360(3))
10 Scrap Processing, Recycling, or
11 Supplying Without a License
12 (second or subsequent offense)
13 (RCW 19.290.100)
14 Theft 1 (RCW 9A.56.030)
15 Theft of a Motor Vehicle (RCW
16 9A.56.065)
17 Theft of Rental, Leased, or Lease-
18 purchased Property (valued at one
19 thousand five hundred dollars or
20 more) (RCW 9A.56.096(5)(a))
21 Theft with the Intent to Resell 2 (RCW
22 9A.56.340(3))
23 Trafficking in Insurance Claims (RCW
24 48.30A.015)
25 Unlawful factoring of a credit card or
26 payment card transaction (RCW
27 9A.56.290(4)(a))
28 Unlawful Participation of Non-Indians
29 in Indian Fishery (RCW
30 77.15.570(2))
31 Unlawful Practice of Law (RCW
32 2.48.180)
33 Unlawful Purchase or Use of a License
34 (RCW 77.15.650(3)(b))

1 Unlawful Trafficking in Fish, Shellfish,
2 or Wildlife 2 (RCW
3 77.15.260(3)(a))
4 Unlicensed Practice of a Profession or
5 Business (RCW 18.130.190(7))
6 Voyeurism (RCW 9A.44.115)
7 I Attempting to Elude a Pursuing Police
8 Vehicle (RCW 46.61.024)
9 False Verification for Welfare (RCW
10 74.08.055)
11 Forgery (RCW 9A.60.020)
12 Fraudulent Creation or Revocation of a
13 Mental Health Advance Directive
14 (RCW 9A.60.060)
15 Malicious Mischief 2 (RCW 9A.48.080)
16 Mineral Trespass (RCW 78.44.330)
17 Possession of Stolen Property 2 (RCW
18 9A.56.160)
19 Reckless Burning 1 (RCW 9A.48.040)
20 Spotlighting Big Game 1 (RCW
21 77.15.450(3)(b))
22 Suspension of Department Privileges 1
23 (RCW 77.15.670(3)(b))
24 Taking Motor Vehicle Without
25 Permission 2 (RCW 9A.56.075)
26 Theft 2 (RCW 9A.56.040)
27 Theft of Rental, Leased, or Lease-
28 purchased Property (valued at two
29 hundred fifty dollars or more but
30 less than one thousand five hundred
31 dollars) (RCW 9A.56.096(5)(b))
32 Transaction of insurance business
33 beyond the scope of licensure
34 (RCW 48.17.063)
35 Unlawful Fish and Shellfish Catch
36 Accounting (RCW 77.15.630(3)(b))

1 Unlawful Issuance of Checks or Drafts
2 (RCW 9A.56.060)
3 Unlawful Possession of Fictitious
4 Identification (RCW 9A.56.320)
5 Unlawful Possession of Instruments of
6 Financial Fraud (RCW 9A.56.320)
7 Unlawful Possession of Payment
8 Instruments (RCW 9A.56.320)
9 Unlawful Possession of a Personal
10 Identification Device (RCW
11 9A.56.320)
12 Unlawful Production of Payment
13 Instruments (RCW 9A.56.320)
14 Unlawful Releasing, Planting,
15 Possessing, or Placing Deleterious
16 Exotic Wildlife (RCW
17 77.15.250(2)(b))
18 Unlawful Trafficking in Food Stamps
19 (RCW 9.91.142)
20 Unlawful Use of Food Stamps (RCW
21 9.91.144)
22 Unlawful Use of Net to Take Fish 1
23 (RCW 77.15.580(3)(b))
24 Unlawful Use of Prohibited Aquatic
25 Animal Species (RCW
26 77.15.253(3))
27 Vehicle Prowl 1 (RCW 9A.52.095)
28 Violating Commercial Fishing Area or
29 Time 1 (RCW 77.15.550(3)(b))

30 NEW SECTION. **Sec. 6.** The legislature finds that the practices
31 covered by this act are matters vitally affecting the public interest
32 for the purpose of applying the consumer protection act, chapter
33 19.86 RCW. A violation of this act is not reasonable in relation to
34 the development and preservation of business and is an unfair or
35 deceptive act in trade or commerce and an unfair method of

1 competition for the purpose of applying the consumer protection act,
2 chapter 19.86 RCW.

3 NEW SECTION. **Sec. 7.** If specific funding for the purposes of
4 this act, referencing this act by bill or chapter number, is not
5 provided by June 30, 2016, in the supplemental omnibus operating
6 appropriations act, this act is null and void."

7 Correct the title.

EFFECT: (1) Modifies the definition of nondeployed salvage air bag to include a portion of an inflatable restraint system that has not been previously activated or inflated as a result of a collision or other incident, thereby excluding the installation of those parts from the crimes in the bill involving the sale and installation of air bags not meeting certain standards.

(2) Makes it a criminal offense for a person, in a reckless manner (instead of with criminal negligence), to sell or install a previously deployed airbag in a motor vehicle.

(3) Adds a null and void clause.

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