

Exhibit Number: 3

The following exhibit is several assorted documents that exceeds the 10-page limit therefore it cannot be scanned. A small portion has been scanned to aid in your research for information. The exhibit is on file at the Montana Historical Society and can be viewed there.



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Overview



The goal of the School Zone Safety Program is to save lives and prevent serious injuries in and around school zones in Washington State.

The Traffic Safety Commission provides funds for school zone speed enforcement, school patrols and guard programs, and innovative approaches to school zone safety. Each elementary school in Washington is so is their school zone. Parking lot safety, needed engineering improvements, and law enforcement topped the list of concerns expressed by elementary school principals in WTSC's March 2001 statewide survey.

- ▶ Seat Belts
 - ▶ Child Passenger Safety
 - ▶ Drunk and Drugged Driving
 - ▶ Teens at the Wheel
 - ▶ Corridor Traffic Safety Program
 - ▶ Walking & Biking
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 - ▶ Local Programs
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 - ▶ Statistics & Research

Contact Information:
 Lynn Drake, Program Manager
 (360) 586-3484 • FAX (360) 586-6489
 email: ldrake@wtsc.wa.gov

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Washington Traffic Safety Commission

Driving Directions to Washington Traffic Safety Commission
1000 South Cherry Street
Olympia, WA 98504-0944

From I-5 Southbound: Take Exit 105B and follow signs to Port of Olympia. At second intersection (I Union) turn left. Go one block (cross railroad tracks) and turn right at Cherry Street. Washington Traffic Safety Commission office is gray and blue building on the right with parking at the far end of the building.

From I-5 Northbound: Take Exit 105, follow signs to Port of Olympia, staying to the right. At first light at intersection of Plum and Union turn left. Go one block (cross railroad tracks) and turn right at Cherry Street. Washington Traffic Safety Commission office is gray and blue building on the right with parking at the far end of the building.

The Traffic Safety Commission offers many programs, including the following:

Community DUI & Traffic Safety Programs

- Gina Beretta, Program Manager, 360-753-4175
gberetta@wtsc.wa.gov

Corridor Safety

- Marv Ryser, Program Manager, 360-586-3870
mryser@wtsc.wa.gov
- Monica Petersen-Smith, Program Manager, 360-664-3192
mpetersen@wtsc.wa.gov

Emergency Management Services

- Dick Nuse, Program Manager, 360-664-8426
dnuse@wtsc.wa.gov

Impaired Driving

- Dick Nuse, Program Manager, 360-664-8426
dnuse@wtsc.wa.gov

Military Traffic Safety

- Monica Petersen-Smith, Program Manager, 360-664-3192
mpetersen@wtsc.wa.gov

Occupant Protection – Seat Belts & Child Safety Seats

- Angie Ward, Program Manager, 360-753-0877
award@wtsc.wa.gov

Pedestrian, Bicycle & Motorcycle Safety

- Lynn Drake, Program Manager, 360-586-3484
ldrake@wtsc.wa.gov

Police Traffic Services

- Penny Nerup, Program Manager, 360-753-3022
pnerup@wtsc.wa.gov

Public Information & Education

- Jonna VanDyk, Public Information Officer, 360-586-0297
jvandyk@wtsc.wa.gov
- Mark Medalen, Public Information Officer, 360-586-3871
mmedalen@wtsc.wa.gov

School Zone & Pupil Transportation Safety

- Lynn Drake, Program Manager, 360-586-3484
ldrake@wtsc.wa.gov

Senior Driver Program

- Gina Beretta, Program Manager, 360-753-4175
gberetta@wtsc.wa.gov

Traffic Records & Research

- Phil Salzberg, Research Director, 360-586-3873
psalzberg@wtsc.wa.gov

Traffic Safety Legislation

- Steve Lind, Deputy Director, 360-753-6538
slind@wtsc.wa.gov

Youth & College Programs

- Gina Beretta, Program Manager, 360-753-4175
gberetta@wtsc.wa.gov

SPECIAL PROJECTS:

Suspended Drivers

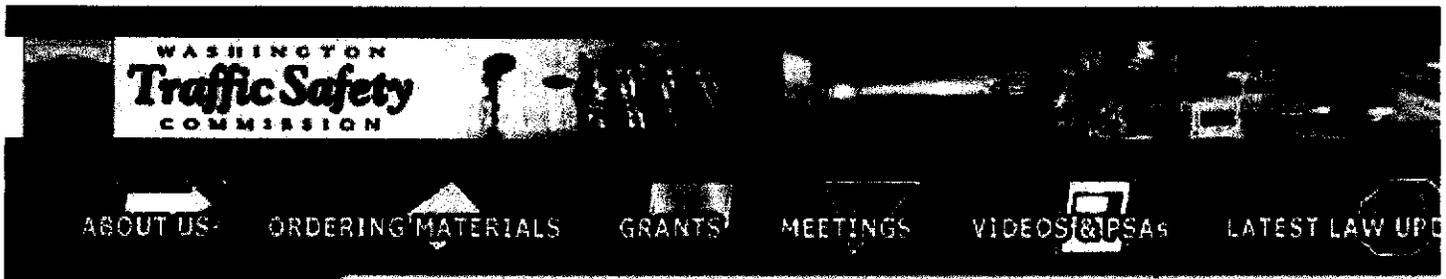
- Gina Beretta, Program Manager, 360-753-4175
gberetta@wtsc.wa.gov

Graduated (Intermediate) License Implementation

- Monica Petersen-Smith, Program Manager, 360-664-3192
mpetersen@wtsc.wa.gov

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Issues

As drivers approach a school, they find a lot of activity-school buses turning, students walking or biki patrol members helping kids cross the street, cars pulling in along the side of the road, and of course drivers who are also dropping kids off. In the parking lot the confusion increases-kids dart out between cars, long lines of cars block parking spaces, and the exit backs up. Sometimes picking up and dropj from school can be chaotic.

What's a School Zone? The 600-foot school zone is designated by two signs, both 300 feet on either marked crosswalk. The speed limit in a school zone is 20 m.p.h. You should remember that fines are traffic violations committed within the school zone.

There are four kinds of marked school zones that tell you when you must drive 20 m.p.h:

- When Children are Present
- From 8 am to 5:30 pm *7:30AM - 5:30PM*
- When Flagged
- When Flashing

However your school zone is marked, you can trust that if you're bringing your kids to school or picki the 20 m.p.h. speed limit is in effect-even if the sign has not yet been flagged!

Contacts/Links

Professionals and volunteers in your community can provide you with a wealth of information and he these people to help train new safety patrol members or when you need solutions to problems. Get c with your community.

- Local Police Officer or Sheriff's Deputy
- Washington State Patrol Officer
- Education Service District Risk Manger
- School District Safety Committee Representative
- City Council Member or County Commissioner
- Parent Teacher Organization Representative
- Parents, staff members, and community members interested in school zone safety issues

Statewide Resources

Washington Traffic Safety Commission

Lynn Drake
 Pedestrian, Bicycle, and School Zone Safety Program Manager
 P.O. Box 40944, 1000 S. Cherry
 Olympia, WA 98504-0944
 (360) 586-3484
 email: ldrake@wtsc.wa.gov

Office of Superintendent of Public Instruction

Sue Carnahan, Director
 Pupil Transportation and Traffic Safety Education
 P.O. Box 47200
 Olympia, WA 98405-7200
 (360) 753-0235
 email: scarnahan@ospi.wednet.edu

Safety Patrol Supplies

AAA Washington

Janet Ray, Managing Director of Corporate Communications
1745 114th Avenue SE, Bellevue, WA 98004
For safety patrol products: (425) 646-2075
For Hall of Fame Program: (425) 646-2055

Inland Automobile Association

(AAA affiliate from Walla Walla, Spokane
and all areas east of the Columbia River)
Ed Sharman, Managing Director of Corporate Communications
1717 W. Fourth Ave, Spokane, WA 99204
For safety patrol products: (509) 358-6920

Alpine Products, Inc.

117 G. Street SW
Auburn, WA 98001
(253) 351-9828

KCDA-King County Director's Association

John Endicott
18639 80th Avenue South
Kent, WA 98032
(425) 251-8115 ext. 129

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Latest Laws



In this section is important information and specific guidelines about some of the latest traffic laws to be enacted in Washington State. To find out more about a particular law, click on the applicable link to the right.

- [Intermediate Drivers' License Law](#)
- [Pedestrian - Crosswalk Laws](#)
- [Child Passenger Safety Laws](#)
- [Seatbelt Laws](#)
- [School Zones - Speeding Laws](#)
- [Drinking and Driving Laws](#)
- [Under 21 Drinking and Driving Laws](#)
- [School Bus Laws](#)

Intermediate Drivers' License Law

RCW 46.20.075 **Intermediate license.**

- (1) An intermediate license authorizes the holder to drive a motor vehicle under the conditions specified in this section. An applicant for an intermediate license must be at least sixteen years of age and:
- (a) Have possessed a valid instruction permit for a period of not less than six months;
 - (b) Have passed a driver licensing examination administered by the department;
 - (c) Have passed a course of driver's education in accordance with the standards established in RCW 46.20.100;
 - (d) Present certification by his or her parent, guardian, or employer to the department stating (i) that the applicant has had at least fifty hours of driving experience, ten of which were at night, during which the driver was supervised by a person at least twenty-one years of age who has had a valid driver's license for at least three years, and (ii) that the applicant has not been issued a notice of traffic infraction or cited for a traffic violation that is pending at the time of the application for the intermediate license;
 - (e) Not have been convicted of or found to have committed a traffic violation within the last six months before the application for the intermediate license; and
 - (f) Not have been adjudicated for an offense involving the use of alcohol or drugs during the period the applicant held an instruction permit.
- (2) For the first six months after the issuance of an intermediate license or until the holder reaches eighteen years of age, whichever occurs first, the holder of the license may not operate a motor vehicle that is carrying any passengers under the age of twenty who are not members of the holder's immediate family as defined in RCW 42.17.020. For the remaining period of the intermediate license, the holder may not operate a motor vehicle that is carrying more than three passengers who are under the age of twenty who are not members of the holder's immediate family.
- (3) The holder of an intermediate license may not operate a motor vehicle between the hours of 1 a.m. and 5 a.m. except when the holder is accompanied by a parent, guardian, or a licensed driver who is at least twenty-

(a) "Contribution" includes:

- (i) A loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or anything of value, including personal and professional services for less than full consideration;
- (ii) An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political committee, or their agents;
- (iii) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising prepared by a candidate, a political committee, or its authorized agent;
- (iv) Sums paid for tickets to fund-raising events such as dinners and parties, except for the actual cost of the consumables furnished at the event.

(b) "Contribution" does not include:

- (i) Standard interest on money deposited in a political committee's account;
- (ii) Ordinary home hospitality;
- (iii) A contribution received by a candidate or political committee that is returned to the contributor within five business days of the date on which it is received by the candidate or political committee;
- (iv) A news item, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by a person whose business is that news medium, and that is not controlled by a candidate or a political committee;
- (v) An internal political communication primarily limited to the members of or contributors to a political party organization or political committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;
- (vi) The rendering of personal services of the sort commonly performed by volunteer campaign workers, and incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars per person paid for by the worker. "Volunteer services," for the purposes of this section, means services or labor for which the individual is not compensated by any person;
- (vii) Messages in the form of reader boards, banners, or yard or window signs displayed on a person's own property or property occupied by a person. However, a facility used for such political advertising for which rental charge is normally made must be reported as an in-kind contribution and counts towards any applicable contribution limit of the person providing the facility;
- (viii) Legal or accounting services rendered to or on behalf of:
 - (A) A political party or caucus political committee if the person paying for the services is the regular employer of the person rendering such services; or
 - (B) A candidate or an authorized committee if the person paying for the services is the regular employer of the individual rendering the services and if the services are solely for the purpose of ensuring compliance with state election or public disclosure laws.

(c) Contributions other than money or its equivalent are deemed to have a monetary value equivalent to the fair market value of the contribution. Services or property or rights furnished at less than their fair market value for the purpose of assisting any candidate or political committee are deemed a contribution. Such a contribution must be reported as an in-kind contribution at its fair market value and counts towards any applicable contribution limit of the provider.

- (15) "Elected official" means any person elected at a general or special election to any public office, and any person appointed to fill a vacancy in any such office.
- (16) "Election" includes any primary, general, or special election for public office and any election in which a ballot proposition is submitted to the voters: PROVIDED, That an election in which the qualifications for voting include other than those requirements set forth in Article VI, section 1 (Amendment 63) of the Constitution of the state of Washington shall not be considered an election for purposes of this chapter.
- (17) "Election campaign" means any campaign in support of or in opposition to a candidate for election to public office and any campaign in support of, or in opposition to, a ballot proposition.
- (18) "Election cycle" means the period beginning on the first day of December after the date of the last previous general election for the office that the candidate seeks and ending on November 30th after the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on November 30th after the special election.
- (19) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure. The term "expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made. The term "expenditure" shall not include the partial or complete repayment by a candidate or political committee of the principal of a loan, the receipt of which loan has been properly reported.
- (20) "Final report" means the report described as a final report in RCW 42.17.080(2).
- (21) "General election" for the purposes of RCW 42.17.640 means the election that results in the election of a person to a state office. It does not include a primary.
- (22) "Gift," is as defined in RCW 42.52.010.

(23) "Immediate family" includes the spouse, dependent children, and other dependent relatives, if living in the household. For the purposes of RCW 42.17.640 through 42.17.790, and of RCW 46.20.075, "immediate family" means an individual's spouse, and child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual and the spouse of any such person and a child, stepchild, grandchild, parent, stepparent, grandparent, brother, half brother, sister, or half sister of the individual's spouse and the spouse of any such person.

(24) "Independent expenditure" means an expenditure that has each of the following elements:

- (a) It is made in support of or in opposition to a candidate for office by a person who is not (i) a candidate for that office, (ii) an authorized committee of that candidate for that office, (iii) a person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office, or (iv) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;
- (b) The expenditure pays in whole or in part for political advertising that either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies the candidate without using the candidate's name; and
- (c) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of five hundred dollars or more. A series of expenditures, each of which is under five hundred dollars, constitutes one independent expenditure if their cumulative value is five hundred dollars or more.

(25)

- (a) "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family as defined for purposes of RCW 42.17.640 through 42.17.790, or an association to which the individual belongs.
- (b) A treasurer or a candidate is not an intermediary for purposes of the committee that the treasurer or candidate serves.
- (c) A professional fund-raiser is not an intermediary if the fund-raiser is compensated for fund-raising services at the usual and customary rate.
- (d) A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

(26) "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter that may be the subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses are pending approval by the governor.

(27) "Lobby" and "lobbying" each mean attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state Administrative Procedure Act, chapter 34.05 RCW. Neither "lobby" nor "lobbying" includes an association's or other organization's act of communicating with the members of that association or organization.

(28) "Lobbyist" includes any person who lobbies either in his or her own or another's behalf.

(29) "Lobbyist's employer" means the person or persons by whom a lobbyist is employed and all persons by whom he or she is compensated for acting as a lobbyist.

(30) "Person" includes an individual, partnership, joint venture, public or private corporation, association, federal state, or local governmental entity or agency however constituted, candidate, committee, political committee, political party, executive committee thereof, or any other organization or group of persons, however organized.

(31) "Person in interest" means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, the term "person in interest" means and include: the parent or duly appointed legal representative.

(32) "Political advertising" includes any advertising displays, newspaper ads, billboards, signs, brochures, articles, tabloids, flyers, letters, radio or television presentations, or other means of mass communication, used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.

(33) "Political committee" means any person (except a candidate or an individual dealing with his or her own funds or property) having the expectation of receiving contributions or making expenditures in support of, or opposition to, any candidate or any ballot proposition.

(34) "Primary" for the purposes of RCW 42.17.640 means the procedure for nominating a candidate to state office under chapter 29A.52 RCW or any other primary for an election that uses, in large measure, the procedures established in chapter 29A.52 RCW.

(35) "Public office" means any federal, state, county, city, town, school district, port district, special district, or other state political subdivision elective office.

(36) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. For the office of the secretary of the senate and the office of the chief clerk of the house of representatives, public records means legislative records as defined in RCW 40.14.100 and also means the following: All budget and financial records; personnel leave, travel, and payroll records; records of legislative sessions; reports submitted to the legislature; and any other record designated a

public record by any official action of the senate or the house of representatives.

(37) "Recall campaign" means the period of time beginning on the date of the filing of recall charges under RCW 29A.56.120 and ending thirty days after the recall election.

(38) "State legislative office" means the office of a member of the state house of representatives or the office of member of the state senate.

(39) "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, attorney general, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

(40) "State official" means a person who holds a state office.

(41) "Surplus funds" mean, in the case of a political committee or candidate, the balance of contributions that remain in the possession or control of that committee or candidate subsequent to the election for which the contributions were received, and that are in excess of the amount necessary to pay remaining debts incurred by the committee or candidate prior to that election. In the case of a continuing political committee, "surplus funds" mean those contributions remaining in the possession or control of the committee that are in excess of the amount necessary to pay all remaining debts when it makes its final report under RCW 42.17.065.

(42) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

As used in this chapter, the singular shall take the plural and any gender, the other, as the context requires.

NEW SECTION. Sec. 3. Section 2 of this act takes effect July 1, 2004.

Child Passenger Safety Laws

RCW 46.61.687

Child passenger restraint required – Conditions – Exceptions – Penalty for violation – Dismissal –

Noncompliance not negligence. (1) Whenever a child who is less than sixteen years of age is being transported in a motor vehicle that is in operation and that is required by RCW 46.37.510 to be equipped with a safety belt system in a passenger seating position, the driver of the vehicle shall keep the child properly restrained as follows:

- (a) If the child is less than six years old and/or sixty pounds and the passenger seating position equipped with a safety belt system allows sufficient space for installation, then the child will be restrained in a child restraint system that complies with standards of the United States department of transportation and that is secured in the vehicle in accordance with instructions of the manufacturer of the child in accordance with instructions of the manufacturer of the child restraint system;
- (b) If the child is less than one year of age or weighs less than twenty pounds, the child shall be properly restrained in a rear-facing infant seat;
- (c) If the child is more than one but less than four years of age or weighs less than forty pounds but at least twenty pounds, the child shall be properly restrained in a forward facing child safety seat restraint system;
- (d) If the child is less than six but at least four years of age or weighs less than sixty pounds but at least forty pounds, the child shall be properly restrained in a child booster seat;
- (e) If the child is six years of age or older or weighs more than sixty pounds, the child shall be properly restrained with the motor vehicle's safety belt properly adjusted and fastened around the child's body or an appropriately fitting booster seat; and
- (f) Enforcement of (a) through (e) of this subsection is subject to a visual inspection by law enforcement to determine if the child restraint system in use is appropriate for the child's individual height, weight, and age. The visual inspection for usage of a forward facing child safety seat must ensure that the seat in use is equipped with a four-point shoulder harness system. The visual inspection for usage of a booster seat must ensure that the seat belt properly fits across the child's lap and the shoulder strap crosses the center of the child's chest. The visual inspection for the usage of a seat belt by a child must ensure that the lap belt properly fits across the child's lap and the shoulder strap crosses the center of the child's chest. In determining violations, consideration to the above criteria must be given in conjunction with the provisions of (a) through (e) of this subsection. The driver of a vehicle transporting a child who is under the age of six years old or weighs less than sixty pounds, when the vehicle is equipped with a passenger side air bag supplemental restraint system, and the air bag system is activated, shall transport the child in the back seat positions in the vehicle where it is practical to do so.

(2) A person violating subsection (1)(a) through (e) of this section may be issued a notice of traffic infraction under chapter 46.63 RCW. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system or a child booster seat, as appropriate, within seven days to the jurisdiction issuing the notice and the person has not previously had a violation of this section dismissed, the jurisdiction shall dismiss the notice of traffic infraction.

(3) Failure to comply with the requirements of this section shall not constitute negligence by a parent or legal

guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action.

(4) This section does not apply to: (a) For hire vehicles, (b) vehicles designed to transport sixteen or less passengers, including the driver, operated by auto transportation companies, as defined in RCW 81.68.010, (c) vehicles providing customer shuttle service between parking, convention, and hotel facilities, and airport terminals, and (d) school buses.

(5) As used in this section "child booster seat" means a child passenger restraint system that meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213 that is designed to elevate a child to properly sit in a federally approved lap/shoulder belt system.

(6) The requirements of subsection (1)(a) through (e) of this section do not apply in any seating position where there is only a lap belt available and the child weighs more than forty pounds.

NOTES:

Intent – 2000 c 190: "The legislature recognizes that fewer than five percent of all drivers use child booster seat for children over the age of four years. The legislature also recognizes that seventy-one percent of deaths resulting from car accidents could be eliminated if every child under the age of sixteen used an appropriate child safety seat, booster seat, or seat belt. The legislature further recognizes the National Transportation Safety Board's recommendations that promote the use of booster seats to increase the safety of children under eight years of age. Therefore, it is the legislature's intent to decrease deaths and injuries to children by promoting safety education and injury prevention measures, as well as increasing public awareness on ways to maximize the protection of children in vehicles." [2000 c 190 = 1.]

Short title – 2000 c 190: "This act may be known and cited as the Anton Skeen Act." [2000 c 190 = 5.] Effective date – 2000 c 190: "This act takes effect July 1, 2002." [2000 c 190 = 6.] Construction – Application of rules –

Severability – 1987 c 330: See notes following RCW 28B.12.050.

Severability – 1983 c 215: See note following RCW 46.37.505.

Standards for child passenger restraint systems: RCW 46.37.505.

Seatbelt Laws

RCW 46.61.688

Safety belts, use required – Penalties – Exemptions.

(1) For the purposes of this section, the term "motor vehicle" includes:

- (a) "Buses," meaning motor vehicles with motive power, except trailers, designed to carry more than ten passengers;
- (b) "Multipurpose passenger vehicles," meaning motor vehicles with motive power, except trailers, designed to carry ten persons or less that are constructed either on a truck chassis or with special features for occasional off-road operation;
- (c) "Passenger cars," meaning motor vehicles with motive power, except multipurpose passenger vehicles, motorcycles, or trailers, designed for carrying ten passengers or less; and
- (d) "Trucks," meaning motor vehicles with motive power, except trailers, designed primarily for the transportation of property.

(2) This section only applies to motor vehicles that meet the manual seat belt safety standards as set forth in federal motor vehicle safety standard 208. This section does not apply to a vehicle occupant for whom no safety belt is available when all designated seating positions as required by federal motor vehicle safety standard 208 are occupied.

(3) Every person sixteen years of age or older operating or riding in a motor vehicle shall wear the safety belt assembly in a properly adjusted and securely fastened manner.

(4) No person may operate a motor vehicle unless all child passengers under the age of sixteen years are either (a) Wearing a safety belt assembly or (b) are securely fastened into an approved child restraint device.

(5) A person violating this section shall be issued a notice of traffic infraction under chapter 46.63 RCW. A finding that a person has committed a traffic infraction under this section shall be contained in the driver's abstract but shall not be available to insurance companies or employers.

(6) Failure to comply with the requirements of this section does not constitute negligence, nor may failure to wear a safety belt assembly be admissible as evidence of negligence in any civil action.

(7) This section does not apply to an operator or passenger who possesses written verification from a licensed physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons.

(8) The state patrol may adopt rules exempting operators or occupants of farm vehicles, construction equipment and vehicles that are required to make frequent stops from the requirement of wearing safety belts.

[2002 c 328 § 2; (2002 c 328 § 1 expired July 1, 2002); 2000 c 190 § 3; 1990 c 250 § 58; 1986 c 152 § 1.]

NOTES:

Expiration date – 2002 c 328 § 1: "Section 1 of this act expires July 1, 2002." [2002 c 328 § 3.]

Effective date – 2002 c 328 § 2: "Section 2 of this act takes effect July 1, 2002." [2002 c 328 § 4.]