
HOUSE BILL 2663

State of Washington

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By Representatives G. Cole, Winsley, R. King, Jones, Prentice, Jacobsen and Ludwig

Read first time 01/23/92. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to employee safety in late night retail
2 establishments; amending RCW 49.22.020 and 49.22.030; adding new
3 sections to chapter 49.22 RCW; and prescribing penalties.

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

5 **Sec. 1.** RCW 49.22.020 and 1989 c 357 s 3 are each amended to read
6 as follows:

7 In addition to providing crime prevention training as provided in
8 (~~section 2 of this act~~) section 3 of this act, all employers
9 operating late night retail establishments shall:

10 (1) Post a conspicuous sign in the window or door which states that
11 there is a safe on the premises and it is not accessible to the
12 employees on the premises and that the cash register contains only the
13 minimal amount of cash needed to conduct business: PROVIDED, That an
14 employer shall not be subject to penalties under RCW 49.22.030 for

1 having moneys in the cash register in excess of the minimal amount
2 needed to conduct business;

3 (2) ((Sø)) Arrange all material posted in the window or door so as
4 to provide a clear and unobstructed view of the cash register, provided
5 the cash register is otherwise in a position visible from the street;

6 (3) Have a drop-safe, limited access safe, or comparable device on
7 the premises; ((and))

8 (4) Operate the outside lights for that portion of the parking area
9 that is necessary to accommodate customers during all night hours the
10 late night retail establishment is open, if the late night retail
11 establishment has a parking area for its customers; and

12 (5) Operate the outside lights for that portion of the parking area
13 that is used by employees during all night hours the late night retail
14 establishment is open plus one hour after closing of the establishment.

15 **Sec. 2.** RCW 49.22.030 and 1989 c 357 s 4 are each amended to read
16 as follows:

17 (1) The requirements of this chapter shall be implemented and
18 enforced, including rules, citations, violations, penalties, appeals,
19 and other administrative procedures by the director of the department
20 of labor and industries pursuant to the Washington industrial safety
21 and health act of 1973, chapter 49.17 RCW.

22 (2) The department may bring, with or without prior administrative
23 proceedings, an action in violation of this chapter in the superior
24 court to enjoin acts or practices in violation of this chapter and to
25 enforce compliance with this chapter, or rule or order under this
26 chapter.

27 NEW SECTION. **Sec. 3.** A new section is added to chapter 49.22 RCW
28 to read as follows:

1 All employers operating late night retail establishments shall
2 provide crime prevention training to their employees. The crime
3 prevention training shall be a part of the accident prevention program
4 requirements imposed under the Washington industrial safety and health
5 act of 1973, chapter 49.17 RCW, and shall be limited to:

6 (1) Providing a training manual developed and distributed by the
7 department to employers or a manual that has been certified by the
8 department pursuant to this section containing security policies,
9 safety and security procedures, and personal safety and crime avoidance
10 techniques; and

11 (2) Attendance at a training seminar or training video presentation
12 developed and distributed by the department or at a training seminar or
13 training video presentation certified by the department under this
14 section.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 49.22 RCW
16 to read as follows:

17 It is the sole responsibility of the employer to comply with the
18 provisions of this chapter: PROVIDED, That no employer is subject to
19 the penalties for noncompliance with section 3 of this act if the
20 training manual was provided to employees and the employer gave written
21 notice to the employees of the time, date, and place of the training
22 seminar or video presentation.

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 49.22 RCW
24 to read as follows:

25 A late night retail establishment that violates this chapter is
26 subject to the following civil penalties:

27 (1) A written citation for a first violation;

1 (2) A civil penalty of one hundred dollars for a first repeated
2 violation of section 3 of this act or RCW 49.22.020 (1), (2), (3), or
3 (4);

4 (3) A civil penalty of five hundred dollars per violation for two
5 or more repeat violations of section 3 of this act or RCW 49.22.020
6 (1), (2), (3), or (4).