

making any such diagnosis, interpretation or explanation.

Passed the Senate March 6, 1943.

Passed the House March 10, 1943.

Approved by the Governor March 20, 1943.

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## CHAPTER 241.

[ H. B. 39. 1

### AIR RAIDS.

AN ACT relating to blackouts and other precautionary measures against air raids and other forms of attack during the existing state of war, and prescribing penalties.

*Be it enacted by the Legislature of the State of Washington:*

War Council  
to direct  
attack  
precautions.

SECTION 1. *Blackouts and Other Precautionary Measures Against Air Raids and Other Forms of Attack.*

Precautions  
designated.

(a) To protect life and property, a War Council, consisting of the Governor, the Lieutenant-Governor and the Insurance Commissioner is hereby created, authorized and empowered to carry out, throughout the state or in any area thereof, precautionary measures against air raids and other forms of attack, including practice blackouts, blackouts, radio silences, and such other measures as will suppress any activity which may assist an enemy and such other precautionary measures as will prevent or minimize the loss of life or injury to persons and property which might result from such attacks, and to make, amend, or rescind such orders, rules, and regulations as may be deemed necessary in connection therewith: *Provided*, That no such action, order, rule or regulation shall be inconsistent with any action, order, rule, or regulation of the armed forces of the United States or of the Federal Director of Civilian Defense. Blackouts and radio silences shall

Make rules.

Consistent  
with Federal  
rules.

be carried out only in such areas, at such times, and for such period, as shall be designated by air raid warnings or orders with respect thereto issued by the United States Army, or its duly designated agency, and only under such conditions and in such manner as shall be consistent with any such warning or order; and practice blackouts shall be held only when and as authorized by the United States Army or its duly designated agency.

Army to designate areas and times.

(b) The War Council is authorized to delegate in writing, whenever it shall determine the circumstances warrant, the authority granted by this act to carry out precautionary measures to such agencies or persons as it may designate or appoint for such purpose, or as may be designated or appointed for such purpose pursuant to orders, rules, or regulations promulgated pursuant to this act, and to modify or revoke such authority at any time.

May delegate authority.

(c) The War Council is further authorized to act in concert with the authorities of other states to effect such synchronization and uniformity of blackouts and other precautionary measures as may be necessary to carry out the intent and purpose of this act.

Cooperate with other states.

(d) To protect life and property, the governing body of each political subdivision of the state is hereby authorized to carry out in its jurisdiction such precautionary measures as may be ordered by the War Council and such additional precautionary measures as such governing body may deem necessary, and to make, amend, or rescind such orders, rules, and regulations as may be deemed necessary in connection therewith, subject, however, to the limitations and provisions of paragraph (a) of this section: *Provided, however,* That no such action, order, rule, or regulation shall be inconsistent with any action, order, rule, or regulation taken or promulgated by the War Council or by the Armed Forces of the United States or their duly designated

Subdivisions of state to carry out measures.

Consistent with federal rules.

agency, or by the Federal Director of Civilian Defense.

May provide uniformity.

(e) Without limiting the generality of the foregoing provisions, the orders, rules, and regulations authorized in paragraphs (a) and (d) hereof may include provisions respecting uniform air raid signals, the control of vehicular and pedestrian traffic, evacuation of persons, congregation of persons in public places or buildings, lighting and noises of all kinds; and provisions as to the recruitment, qualifications, training, equipment, powers, rights, duties, privileges and immunities of persons authorized to be appointed pursuant to section 2 hereof.

Enforcement.

(f) The law enforcing authorities of the state and of the political subdivisions thereof shall enforce the orders, rules, and regulations issued pursuant to this act.

Auxiliary defense agencies.

SEC. 2. *Auxiliary Defense Agencies.* The chief executive and/or governing body of each political subdivision of the state may appoint and remove, or provide for the appointment and removal of, air raid wardens, auxiliary fire and police personnel and other civilian defense workers; but no such appointment or removal shall be made to or from positions under the appointive authority of the Armed Forces of the United States or the Federal Director of Civilian Defense.

State and subdivisions immune from liability.

SEC. 3. *Immunity from Liability.*

(a) Neither the state nor any political subdivision of the state, nor the agents or representatives of the state or any political subdivision thereof, shall be liable for personal injury or property damage sustained by any person appointed or acting as a civilian defense worker, or member of any agency engaged in civilian defense activity. The foregoing shall not affect the right of any person to receive benefits or compensation to which he might otherwise be entitled under the workmen's compensation law or any pension law or any act of Congress.

(b) Neither the state nor any political subdivision of the state, nor, except in cases of willful misconduct, the agents or representatives of the state nor any political subdivision thereof, nor any civilian defense worker nor member of any agency engaged in any civilian defense activity, complying with, or attempting to comply with this act, or any order, rule, or regulation promulgated pursuant to the provisions of this act or pursuant to any ordinance relating to blackouts or other precautionary measures enacted by any political subdivision of the state shall be liable for the death of or injury to persons or for damage to property as a result of such activity.

Workers immune from liability except for willful misconduct.

SEC. 4. *Penalties.* Any person violating any order, rule, or regulation promulgated pursuant to this act shall, upon conviction thereof, be guilty of a misdemeanor.

Penalties.

SEC. 5. *Short Title.* This act may be cited as the "Air Raid Precautions Act."

Short title.

SEC. 6. *Effective Date; Termination.* This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately, and it shall remain in force until the convening of the next regular or special session of the state legislature.

Effective immediately.

Termination.

Passed the House March 10, 1943.

Passed the Senate March 9, 1943.

Approved by the Governor March 22, 1943.