

CHAPTER 163.

[S. B. 208.]

DISPOSITION OF MOTOR VEHICLE FUND.

AN ACT relating to the use and maintenance of public highways and expenditures from the motor vehicle fund, and amending Section 18 of Chapter 96 of the Laws of 1921 (Section 6330 of Remington's Compiled Statutes) as amended by Chapter 185, Laws Extraordinary Session 1925, and declaring that this act shall take effect immediately.

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

SECTION 1. That section 18 of chapter 96 of the Laws of 1921 (section 6330 of Remington's Compiled Statutes) as amended by chapter 185 Laws Extraordinary Session of 1925, be amended to read as follows:

Amends
§ 6330, Rem.
Comp. Stat.

Section 18. There is hereby created in the state treasury a state fund to be known as the "motor vehicle fund." All fees collected by the state treasurer, as herein provided, shall be paid into the state treasury and placed to the credit of the motor vehicle fund, from which shall be paid or transferred annually:

Motor
vehicle
fund
created.

Annual
payments
from.

(a) The amount required to be repaid to the counties entirely surrounded by water, as provided by law.

Island
counties.

(b) To each city of the first or second class in the state in which there are streets forming a part of the route of any primary state highway through such city, there shall be remitted by the state auditor, annually, by warrant drawn on the state treasurer and payable from the motor vehicle fund, a sum equal to five hundred dollars (\$500.00) per mile, less any vouchered amounts for maintenance and/or repairs, as hereinafter authorized, for each mile of primary state highway in such city, to be expended for the maintenance and improvement and repair of

First and
second class
cities.

the streets forming a part of the route of the state highways in such city.

Third or fourth class cities.

(c) To each city of the third or fourth class in which there are paved streets forming a part of the route of any primary state highway through such city, there shall be remitted by the state auditor, annually, by warrant drawn on the state treasurer and payable from the motor vehicle fund, a sum equal to five hundred dollars (\$500.00) per mile, less any vouchered amounts for maintenance and/or repairs, as hereinafter authorized, for each mile of paved primary state highway in such city, to be expended for the maintenance and improvement and repair of the paved streets forming a part of the primary state highways in such city.

State highway engineer to permit expenditure on other streets.

(d) The state highway engineer may give the city authorities permission to expend said maintenance money upon the other streets in such city provided repairs and improvements on streets forming state highways are maintained as near as possible equal to the standard of the original construction, subject to the approval and direction of the state highway engineer. When the repair of any damaged portion of the state highway street is delayed for an unreasonable length of time the state highway engineer shall notify the proper authorities of such city to make the necessary repairs within a specified time not to exceed thirty days. Non-compliance with this notice will authorize the state highway engineer to direct the state highway department to make the necessary repairs to the extent of, and not to exceed, the amount of the allotment made to such city during the fiscal year, and forward a statement of the cost of such repairs and/or maintenance to the state auditor and the state treasurer directing this amount be paid from the motor vehicle fund on proper voucher for material and labor, and deducted from any monies due such city as hereinbefore set

Delay.

Notice.

Noncompliance.

forth in (b) and (c) of this section. There shall be submitted to the state highway engineer not later than the fifth day of January of each year a certified statement by the city clerk of each city affected by the foregoing provisions showing in detail the repairs and/or improvements made on streets forming the state highway in such city and the amount of money expended on such repairs and/or improvements during the calendar year last passed. The state shall maintain the roadway of all unpaved streets, or portions thereof, forming a part of the route of any primary state highway through cities of the 3rd and 4th class, in the manner provided by law for the maintenance of primary state highways outside of incorporated cities and towns: *Provided*, This act shall not be construed to include the maintenance of sidewalks, cross-walks, structures and drainage facilities, including repairs of damage caused by water, sewer or gas mains, and telephone conduits.

Statement
of repairs
and improve-
ments.

State to
maintain
in 3rd and
4th class
cities.

The state highway engineer shall determine what streets in cities form a part of the route of any primary state highway and shall, between the fifteenth day of February and the fifteenth day of March of each year, certify in duplicate, one copy to the state treasurer, and one copy to the clerk of each city affected by the foregoing provisions, the number of miles of such constructed highways within such city forming a part of the route of a primary state highway.

State
highway
engineer to
determine.

(e) The balance remaining in the motor vehicle fund, after the payments and remittances hereinabove provided for, less any sums appropriated for administrative expenses in the office of the state treasurer, the department of licenses and the office of the state highway engineer, and any sums distributed to counties for construction and/or maintenance of county roads, shall be applied annually to

Balance
in fund.

construction and/or paving and maintenance of the state primary highways, and the construction of secondary state highways, as provided by appropriation.

Effective immediately.

SEC. 2. This act is necessary for the immediate support of the existing public institutions of the state, and shall take effect immediately.

Passed the Senate March 5, 1929.

Passed the House March 11, 1929.

Approved by the Governor March 20, 1929.

CHAPTER 164.

[S. B. 228.]

COMMISSION MERCHANT FUND.

AN ACT transferring certain monies in and to be paid into the state treasury and abolishing the commission merchant fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect immediately.

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

Monies transferred to general fund.

SECTION 1. That all monies in the state treasury to the credit of the commission merchant fund on the first day of May, 1929, and all monies thereafter paid into the state treasury for, or to the credit of, the commission merchant fund, shall be and are hereby transferred to, and placed in, the general fund in the state treasury.

Appropriations paid from general fund.

SEC. 2. That from and after the first day of April, 1929, all appropriations made by the twenty-first legislature from the commission merchant fund shall be paid out of monies in the general fund.

Abolished.

SEC. 3. That from and after the first day of May, 1929, the commission merchant fund in the state treasury shall be and is hereby abolished.