

The secretary or his designee, or any other interested person may petition the appropriate court for the appointment of the secretary or his designee. Any such petition by the secretary or his designee shall be without cost and without fee. If appointed, the secretary or his designee may serve without bond. This act shall not affect the prior right to act as administrator of a veterans' estate of such persons as are denominated in RCW 11.28.120(1) and (2), nor shall this act affect the appointment of executor made in the last will of any veteran, nor shall this act apply to estates larger than \$7500.

Passed the Senate February 8, 1972.

Passed the House February 7, 1972.

Approved by the Governor February 17, 1972.

Filed in Office of Secretary of State February 17, 1972.

CHAPTER 5
[Engrossed Senate Bill No. 88]
MOTOR VEHICLES
SPECIAL MOBILE EQUIPMENT,
SPRAY OR FERTILIZER APPLICATORS AND AUXILIARIES

AN ACT Relating to motor vehicle equipment; amending section 30, chapter 154, Laws of 1963 and RCW 46.04.552; and amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 3, chapter 27, Laws of 1969 and RCW 46.16.010; and declaring an emergency.

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

Section 1. Section 30, chapter 154, Laws of 1963 and RCW 46.04.552 are each amended to read as follows:

"Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: Ditch digging apparatus, spray or fertilizer applicator rigs designed and used exclusively for spraying or fertilization in the conduct of agricultural operations and nurse rigs or equipment auxiliary to the use of and designed or modified for the fueling, repairing or loading of spray and fertilizer applicator rigs, well boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth moving carry-alls and scrapers, power shovels and draglines, and self-propelled cranes and earth moving equipment. The term does not

include house trailers, dump trucks, truck mounted transit mixers, cranes or shovels or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Sec. 2. Section 46.16.010, chapter 12, Laws of 1961 as last amended by section 3, chapter 27, Laws of 1969 and RCW 46.16.010 are each amended to read as follows:

It shall be unlawful for a person to operate any vehicle over and along a public highway of this state without first having obtained and having in full force and effect a current and proper vehicle license and display vehicle license number plates therefor as by this chapter provided: PROVIDED, That these provisions shall not apply to farm vehicle as defined in RCW 46.04.181 if operated within a radius of fifteen miles of the farm where principally used or garaged, farm tractors and farm implements including trailers designed as cook or bunk houses used exclusively for animal herding temporarily operating or drawn upon the public highways, and trailers used exclusively to transport farm implements from one farm to another during the daylight hours or at night when such equipment has lights that comply with the law: PROVIDED FURTHER, That these provisions shall not apply to special mobile equipment and to equipment defined as follows:

"Special highway construction equipment" is any vehicle which is designed and used primarily for grading of highways, paving of highways, earth moving, and other construction work on highways and which is not designed or used primarily for the transportation of persons or property on a public highway and which is only incidentally operated or moved over the highway. It includes, but is not limited to, road construction and maintenance machinery so designed and used such as portable air compressors, air drills, asphalt spreaders, bituminous mixers, bucket loaders, track laying tractors, ditchers, leveling graders, finishing machines, motor graders, paving mixers, road rollers, scarifiers, earth moving scrapers and carryalls, lighting plants, welders, pumps, power shovels and draglines, self-propelled and tractor-drawn earth moving equipment and machinery, including dump trucks and tractor-dump trailer combinations which either (1) are in excess of the legal width or (2) which, because of their length, height or unladen weight, may not be moved on a public highway without the permit specified in RCW 46.44.090 and which are not operated laden except within the boundaries of the project limits as defined by the contract, and other similar types of construction equipment, or (3) which are driven or moved upon a public highway only for the purpose of crossing such highway from one property to another, provided such movement does not exceed five hundred feet and the vehicle is equipped with wheels or pads which will not damage the roadway

surface.

Exclusions:

"Special highway construction equipment" does not include any of the following:

Dump trucks originally designed to comply with the legal size and weight provisions of this code notwithstanding any subsequent modification which would require a permit, as specified in RCW 46.44.090, to operate such vehicles on a public highway, including trailers, truck-mounted transit mixers, cranes and shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government, and shall take effect immediately.

Passed the Senate January 24, 1972.

Passed the House February 7, 1972.

Approved by the Governor February 17, 1972.

Filed in Office of Secretary of State February 17, 1972.

CHAPTER 6

[Senate Bill No. 97]

DEPARTMENT OF EMERGENCY SERVICES--
EMERGENCY SERVICES ADVISORY COUNCIL--
LOCAL ORGANIZATION

AN ACT Relating to state government; designating a new name, department of emergency services, for the department of civil defense; and adding new sections to chapter 178, Laws of 1951 and to chapter 38.52 RCW.

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

NEW SECTION. Section 1. There is added to chapter 178, Laws of 1951 and to chapter 38.52 RCW a new section to read as follows:

On and after the effective date of this act, the state department of civil defense shall be known and designated as the department of emergency services which shall administer the program of civil defense in the state of Washington as provided for in this chapter. All local organizations, organized and performing civil defense functions pursuant to RCW 38.52.070, shall henceforth change their name and be called the department/division of emergency services. The advisory council created pursuant to RCW 38.52.040 shall hereafter be known and designated as the emergency services advisory council.

NEW SECTION. Sec. 2. There is added to chapter 178, Laws of