

CHAPTER 309.

[S. H. B. 137.]

MOTOR VEHICLES: REGULATION OF OPERATION.

AN ACT relating to vehicles and regulating the operation thereof upon the highways of this state; providing for traffic signals and control thereof; providing for the proper equipment and devices to be used thereon, and for the inspection thereof; prescribing the powers and duties of certain officers, the collection, distribution and expenditure of fees; defining offenses and fixing penalties; making appropriations and repealing conflicting act and parts of acts.

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

SECTION 1. This act shall be known and cited as the regulation vehicle operation act of the State of Washington. Name of act.

SEC. 2. The words and phrases herein used shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning. Definitions.

(a) "Vehicle." Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway excepting devices moved by human power or used exclusively upon stationary rails or tracks. Vehicle.

(b) "Motor Vehicle." Every vehicle, as herein defined, which is self-propelled. Motor vehicle.

(c) "Motorcycle." A motor vehicle of two or three wheels intended for the carrying of one, two or three persons, or operated by one person for the carrying of parcels or packages. Motorcycle.

(d) "Motor Truck." Every motor vehicle designed or used (1) for the transportation of commodities, merchandise, produce, freight or animals; (2) for drawing or pulling one or more independent vehicles or trailers in the transportation of com- Motor truck.

modities, merchandise, produce, freight or animals upon a public highway.

Trailer.

(e) "Trailer." Any vehicle without motive power which is attached to a motor vehicle for the purpose of being drawn or propelled by such motor vehicle.

Semi-trailer.

(f) "Semi-Trailer." Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

Public highway.

(g) "Public Highway." Every way or place of whatever nature open as a matter of right to the use of the public for the purposes of vehicular travel. The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons.

Highway.

Private highway, road, etc.

(h) "Private highway, road, street, way or driveway." Every road or driveway not open to the use of the public for purposes of vehicular travel.

State highways.

(i) "State Highways." All primary roads and all hard-surfaced secondary roads in the state highway system, as defined by the 1913 legislature of this state, and subsequently amended.

Intersection.

(j) "Intersection." The area embraced within the prolongation of the lateral curb lines or, if none, then the lateral boundary lines of two or more highways which join one another at an angle, whether or not one such highway crosses the other.

Director of traffic.

(k) "Director of Traffic." For the purposes of this act the chief of the state highway patrol shall be designated as the director of traffic.

Peace officer.

(l) "Peace Officer." Any officer authorized by law to execute criminal process or to make arrest for the violation of the statutes generally or of any particular statutes relative to the public highways of this state.

(m) "Residence District." The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred feet or more is mainly occupied by dwellings or by dwellings and buildings in use for business. Residence district.

(n) "Business District." The territory contiguous to a highway when fifty per cent or more of the frontage thereon, for a distance of three hundred feet or more is occupied by buildings in use for business. Business district.

(o) "Pneumatic Tires." All tires inflated with compressed air. Pneumatic tires.

(p) "Solid Rubber Tires." All tires made of rubber other than pneumatic tires. Solid rubber tires.

(q) "Metal Tires." All tires the surface of which in contact with the highway is wholly or partly metal or other hard, non-resilient material. Metal tires.

(r) "Owner." A person who holds the legal title of a vehicle or in the event of a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right to purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this act. Also including any person, firm, corporation or association renting a motor vehicle or having the exclusive use thereof, under a lease or otherwise, for a period of greater than 30 days. Owner.

(s) "Person." Every natural person, firm, copartnership, association or corporation. Person.

(t) The word "axle" when used in this act shall be held to mean any axle supported by one or more wheels or any combination of two or more axles built in the same or approximately the same Axle.

line, or in the same or approximately the same plane normal to the frame of the vehicle.

Wheel base.

(u) The words "wheel base" when used in this act shall be held to mean the horizontal distance between any two axles.

Six-wheel motor trucks.

(v) The words "six-wheel motor trucks" when used in this act shall be held to mean a motor truck equipped with six wheels which are directly or indirectly attached to the frame of the vehicle.

Local authorities.

(w) "Local Authorities." Includes the officers of counties, cities, or towns or other municipal subdivisions of the state having control, power or authority over any of the subject matter embraced in this act.

Gender, etc., of words—construction.

(x) Words herein used in the present tense shall include the future tense; and in the masculine shall include the feminine and neuter genders; and in the singular shall include the plural; and in the plural shall include the singular.

Care in driving.

SEC. 3. (a) Every person operating or driving a vehicle of any character upon a public highway of this state shall drive the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of the traffic, condition of brakes, weight of vehicle, grade and width of highway, condition of surface and freedom of obstruction to view ahead, and so as not to unduly or unreasonably endanger the life, limb, property or other rights of any person entitled to the use of the street or highway and in no event at a speed greater than forty miles an hour.

Maximum speed of 40 miles.

(b) Subject to the provisions of subdivision (a) of this section and except in those instances where a lower speed is specified in this act, it shall be lawful for the driver of a vehicle to drive the same at a speed not exceeding the following:

1. Fifteen miles an hour in traversing a grade crossing of any steam, electric or street railway when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last one hundred feet of his approach to such crossing he does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet in both directions from such crossing: *Provided*, That all vehicles transporting passengers for hire or transporting school children over the public highway shall stop before traversing such grade crossing. Whenever any person driving a vehicle approaches an interurban or steam railway grade crossing and a clearly visible and positive signal gives warning of the immediate approach of a railway train or car, it shall be unlawful for the driver of the vehicle to fail to bring the vehicle to a complete stop before traversing such grade crossing;

Rate of speed at crossings.

Carriers for hire and of school children to stop at crossings.

Unlawful to cross before stopping in face of warning signal.

2. Fifteen miles an hour in traversing an intersection of highways when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last one hundred feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of three hundred feet from such intersection;

Speed at highway intersections.

3. Fifteen miles an hour in traversing or going around curves or corners of a highway when the driver's view is obstructed within a distance of two hundred feet along such highway in the direction in which he is proceeding;

Speed on curves or at corners of highways.

4. Fifteen miles an hour when passing a school house, on school days, between 8 a. m. and 5 p. m. It shall be the duty of every person operating or

Speed when passing school house.

driving any motor vehicle upon any highway of this state to come to a full stop before passing any bus or stage loading or discharging school children;

Speed within city or town.

5. Twenty-five miles an hour within the limits of any incorporated city or town.

Speed in excess of limit prima facie evidence of violation of act.

(c) In all charges for violation of this section, speeds in excess of those set forth in subdivision (b) of this section shall be taken as *prima facie* but not as conclusive evidence of a violation of this section, and every notice to appear and every complaint charging a violation of this section shall specify approximately the speed at which the defendant is alleged to have driven and exactly the lawful speed at the time and place of the alleged offense.

Recitals in complaint.

Local authorities authorized to increase speed.

(d) Local authorities in their respective jurisdictions are hereby authorized in their discretion to increase the speed which shall be *prima facie* lawful upon highways at the entrance to which vehicles are by ordinance of such local authorities required to stop before entering or crossing such highways. Local authorities shall place and maintain upon all highways upon which the permissible speed is increased adequate signs giving notice of such special regulations and shall also place and maintain upon each and every highway intersecting any said highway, appropriate stop signs which shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.

Warning signs by local authorities.

Speed of motor trucks equipped with pneumatic tires.

SEC. 4. It shall be unlawful to operate any motor truck having a gross weight, including load, exceeding three thousand pounds, equipped with pneumatic tires over or along the highways of this state at a greater rate of speed than twenty-five miles per hour; or any motor truck having two axles and a gross weight including load as hereinafter provided, equipped or partially equipped with

solid rubber tires, at a greater rate of speed than the following:

| | |
|---|-------------------|
| 4,000 pounds and under..... | 25 miles per hour |
| Over 4,000 pounds and up to 8,000 pounds..... | 20 miles per hour |
| Over 8,000 pounds and up to 12,000 pounds..... | 18 miles per hour |
| Over 12,000 pounds and up to 16,000 pounds..... | 16 miles per hour |
| Over 16,000 pounds and up to 20,000 pounds.... | 14 miles per hour |
| Over 20,000 pounds and up to 24,000 pounds.... | 12 miles per hour |

It shall be unlawful for any person, firm or corporation to operate any vehicle or combination of vehicles equipped or partially equipped with solid rubber tires of a gross weight, including load, as hereinafter provided at a greater rate of speed than that stated in the following tables for the class and gross weight, including load, of vehicle or combination of vehicles stated:

Speed schedule of solid rubber tired vehicles.

Vehicles or combinations of vehicles having three or four axles:

| | |
|---|-------------------|
| 24,000 pounds and under..... | 20 miles per hour |
| Over 24,000 pounds and up to 28,000 pounds.... | 18 miles per hour |
| Over 28,000 pounds and up to 32,000 pounds.... | 16 miles per hour |
| Over 32,000 pounds and up to 38,000 pounds.... | 14 miles per hour |
| Over 38,000 pounds and up to 42,500 pounds for vehicles having three axles..... | 12 miles per hour |
| Over 38,000 pounds and up to 44,000 pounds for vehicles having four axles..... | 12 miles per hour |

Vehicles or combinations of vehicles having five axles:

| | |
|--|-------------------|
| 30,000 pounds and under..... | 20 miles per hour |
| Over 30,000 pounds and up to 35,000 pounds.... | 18 miles per hour |
| Over 35,000 pounds and up to 40,000 pounds.... | 16 miles per hour |
| Over 40,000 pounds and up to 46,000 pounds.... | 14 miles per hour |
| Over 46,000 pounds and up to 51,000 pounds.... | 12 miles per hour |

Vehicles or combinations of vehicles having six axles:

| | |
|--|-------------------|
| 36,000 pounds and under..... | 20 miles per hour |
| Over 36,000 pounds and up to 41,000 pounds.... | 18 miles per hour |
| Over 41,000 pounds and up to 46,000 pounds.... | 16 miles per hour |
| Over 46,000 pounds and up to 51,000 pounds.... | 14 miles per hour |
| Over 51,000 pounds and up to 56,000 pounds.... | 12 miles per hour |

Provided, That any vehicle or combination of vehicles having three or more axles and not more than six axles, and having a gross weight, including load, on any two adjacent axles that falls within the gross weights, including loads, hereinbefore pro-

vided in the table of speeds for a motor truck, shall not be operated at a greater rate of speed than the corresponding rate of speed in the table of speeds for a motor truck hereinbefore provided.

Rate of speed on bridge.

Provided, That it shall be unlawful to operate any vehicle or combination of vehicles having a gross weight, including load, of 12,000 pounds or more over or on any bridge on a public highway at a greater rate of speed than 8 miles per hour.

Passenger carrier limited to 40 miles on unpaved highway.

It shall be unlawful to operate or drive any motor vehicle used for carrying passengers for hire and having a capacity for more than ten passengers at a speed faster than forty miles per hour on and over any unpaved highway.

Metal tired vehicles :

It shall be unlawful to operate or drive any vehicle or combination of vehicles equipped with metal tires over or on any public highway at a greater rate of speed than the following :

Speed schedule.

2,500 pounds gross weight, including load, or less10 miles per hour
Over 2,500 pounds gross weight, including load, and not over 7,000 pounds gross weight, including load..... 6 miles per hour

Coasting on down grade.

It shall be unlawful to operate any motor truck or combination of vehicles on a descending grade by throwing out the clutch and coasting.

Powers of city or town to regulate speed on curves.

SEC. 5. No city council or other governing authorities of any city or town shall have the power to pass or enforce any ordinance, rule or regulation requiring a slower rate of speed than that specified in this act at which vehicles may be operated along and over the public highways of such city or town or regulating the use of roads, streets and highways thereof contrary to or inconsistent with the provisions of this act; and all such ordinances, rules and regulations now in force are hereby declared to be void and of no effect: *Provided, however*, That on any portion of any road, street or highway where

on account of sharp curvature, highway construction or repairs, excessive traffic, or other permanent or temporary cause, it is deemed inadvisable for vehicles to operate at the maximum speed allowed by this act, the governing authorities of such city or town, or the county commissioners on county highways outside cities and towns, may regulate such speed by order, rule or regulation hereafter adopted: *Provided*, Such order, rule or regulation shall not limit the speed in any one case to less than ten miles per hour, and the governing authorities or the board of county commissioners shall cause to be posted at either end of such portion of said highways, signs of sufficient size to be easily read, setting forth the speed allowed and stating by whose order said regulations are made, and thereafter it shall be unlawful for any person to violate any such order, rule or regulation.

Post signs.

SEC. 6. The state highway committee may regulate the speed of motor vehicles on any part of the state highway where a speed less than the maximum speed allowed by this act is determined advisable on account of sharp curvature, excessive traffic or other permanent cause. The state highway engineer may regulate the speed of motor vehicles on any part of the state highway where a speed less than the maximum speed allowed by this act is determined advisable on account of highway construction or repairs, excessive traffic or other temporary cause. The state highway engineer shall cause to be posted at either end of any part of the state highway where the speed is regulated, signs of sufficient size to be easily read, setting forth the speed allowed and stating by whose order said regulations are made and thereafter it shall be unlawful for any person to violate any such order, rule or regulation.

Highway committee may regulate speed on account of curves, traffic, etc.

Speed regulation account of highway construction, etc.

Highway engineer to post signs.

Speed traps
prohibited

SEC. 7. No evidence as to the speed of a vehicle operated on a highway by any person arrested for violation of the provisions of this act or a city or town ordinance or regulation shall be admitted in evidence in any court at the subsequent trial of such person in case such evidence relates to or is based upon the maintenance or use of a speed trap. A "speed trap" within the meaning of this section is a particular section of or distance on any highway the length of which has been or is measured off or otherwise designated or determined and the limits of which are within the vision of an officer or officers who calculate the speed of a vehicle passing through such speed trap by using the elapsed time during which such vehicle travels between the entrance and exit of such speed trap.

Speed trap
defined.

Weight
limit.

SEC. 8. It shall be unlawful for any person, firm or corporation to operate any vehicle of four wheels or less or any device not equipped with wheels over and along the roads in this state whose gross weight, including load, is more than 24,000 pounds, or any vehicle having a greater weight, including load, than 18,500 pounds on one axle, or any vehicle having a combined weight, including load, of over 800 pounds per inch width of tire upon any wheel concentrated upon the surface of the highway (said width of tire in the case of solid rubber tires to be measured between the flanges of the rim), or any vehicle or combination of vehicles whose gross weight including load is in excess of the following or whose wheel base or wheel bases are less than the following:

Solid
rubber tires.

Any vehicle having a gross weight, including load, of 12,000 pounds or more shall have a wheel base of not less than 10 feet.

Any vehicle or combination of vehicles having three axles and a gross weight, including load, on all axles of more than 24,000 pounds and not more

than 42,500 pounds, shall have a wheel base between the first and second axles of not less than 10 feet, and between the second and third axles of not less than 12 feet. The gross weight, including load, of any vehicle or combination of vehicles having three axles shall not exceed 42,500 pounds.

Any vehicle or combination of vehicles having four axles and a gross weight, including load, on all axles of more than 24,000 pounds and not more than 44,000 pounds shall have a wheel base between the first and second axles of not less than ten feet, between the second and third axles of not less than six feet six inches and between the third and fourth axles of not less than twelve feet. The gross weight, including load, on the third and fourth axles of a vehicle or combination of vehicles having four axles shall not exceed 20,000 pounds or 10,000 pounds on either axle. The gross weight, including load, of any vehicle or combination of vehicles having four axles shall not exceed 44,000 pounds.

Any vehicle or combination of vehicles having five axles and a gross weight, including load, on all axles of more than 24,000 pounds and not more than 51,000 pounds shall have a wheel base between the first and second axles of not less than ten feet, between the second and third axles of not less than twelve feet, between the third and fourth axles of not less than six feet six inches and between the fourth and fifth axles of not less than twelve feet. The gross weight, including load, on the third, fourth and fifth axles of any vehicle or combination of vehicles having five axles shall not exceed 27,000 pounds nor 9,000 pounds on any one of the third, fourth or fifth axles. The gross weight, including load, of any vehicle or combination of vehicles having five axles shall not exceed 51,000 pounds.

Any vehicle or combination of vehicles, having six axles and a gross weight, including load, on all

axles of more than 24,000 pounds and not more than 56,000 pounds, shall have a wheel base between the first and second axles of not less than ten feet, between the second and third axles of not less than six feet six inches, between the third and fourth axles of not less than twelve feet, between the fourth and fifth axles of not less than six feet six inches and between the fifth and sixth axles of not less than twelve feet. The gross weight, including load, on the third, fourth, fifth and sixth axles shall not exceed 32,000 pounds nor 8,000 pounds on any one of the third, fourth, fifth or sixth axles. The gross weight, including load, of any vehicle or combination of vehicles having six axles shall not exceed 56,000 pounds.

Six wheel
motor truck
weight limit.

SEC. 9. It shall be unlawful for any person, firm, or corporation to operate any six wheel motor truck over and along the roads in this state whose gross weight, including load, is more than 27,500 pounds or having a greater weight, including load, than 11,000 pounds on one axle, or having a combined weight, including load, of over 800 pounds per inch width of tire upon any wheel (said width of tire in the case of solid rubber tires to be measured between the flanges of the rim), or any six wheel motor truck or any combination of vehicles which includes a six wheel motor truck whose gross weight, including load, is in excess of the following or whose wheel base or wheel bases are less than the following:

The wheel base between the front axle and the second axle shall be not less than twelve feet.

The wheel base between the second and third axles shall be not less than three feet six inches.

The wheel base between the rear axle of a six wheel motor truck and the axle of a trailer having one axle shall be not less than twelve feet and the

gross weight of the trailer on the trailer axle, including load, shall not be greater than 18,500 pounds.

The wheel base between the rear axle of a six wheel motor truck and the front axle of a trailer having two axles shall not be less than six feet six inches, and the wheel base of the trailer shall be not less than twelve feet, and the gross weight including load on the trailer shall not exceed 20,000 pounds nor 10,000 pounds on either axle.

Six wheel trucks shall be constructed so that the load distribution on any one wheel shall not exceed the average load for all wheels by more than 15% when one wheel is approximately 3 inches above or below the plane passing through the points of contact of the other three wheels with the surface of the road.

Distribution
of weight
prescribed.

SEC. 10. The wheel base between the rear axle of a truck and the front axle of a trailer having two axles and the wheel base between two trailers having two axles to each trailer shall not be less than six feet six inches. Each trailer shall have a chain or steel cable connection to the motor vehicle, or other trailer drawing it, in addition to the draw bar connection which chain connection shall have sufficient strength to hold the trailer or trailers on the maximum grade on which the vehicles are to be operated; trailers shall not whip, weave or oscillate: *Provided*, That, in special cases, vehicles that do not come within the classifications herein prescribed, or vehicles whose gross weight, including load, exceeds those herein prescribed, or where overhanging loads are necessary, or vehicles whose over all width and length are in excess of the maximum herein prescribed, or special equipment may operate over a definite route under special written permits, which must be first obtained and under such terms and conditions as to time, route, equipment, speed and otherwise as shall be determined by: The state high-

Trailers.

Vehicles
not within
classification,
overhanging
loads, etc.—
special
permits.

way engineer if it is desired to use a state highway; the county commissioners if it is desired to use a county road; and the city or town council if it is desired to use a city or town street; from which officer or officers such permit shall be obtained in the respective cases. *Provided*, That such permit or permits shall in no way relieve the person, firm or corporation of full liability for any damages to the highway or any damages to any person or property incurred by reason of the operation under the terms of the permit or permits. *Provided*, That no motor truck or trailer shall be driven over or on a public highway with a load exceeding the licensed capacity, except as provided in this section.

No vehicle whose width over all, including load, exceeds eight feet shall be driven over or on a public highway (farm machinery moving from one farm or section of farm to another not included). No vehicle designed for the carrying of passengers shall be operated upon any public highway having any luggage, package, trunk, crate, box or any other load carried thereon extending beyond the line of the hub caps on the left side of such vehicle nor extending more than six inches beyond the line of the hub caps on the right side thereof; and no vehicle having two axles and having a length of more than thirty-five feet shall be driven over or on a public highway; and no vehicle or combination of vehicles having more than two axles and having a length including load of more than eighty-five feet shall be driven over or on a public highway; and no vehicle or combination of vehicles having more than six axles shall be driven over or on a public highway: *Provided, further*, Upon the conviction of any person, firm or corporation for the violation of the provisions of sections 4, 8, 9 or of this section or any part thereof, a fine shall be imposed of not less than twenty-five dollars (\$25): *Provided, further*,

Permit does not relieve from liability.

No overload on truck or trailer without permit.

Width.

Luggage carrier, boxes, etc., on left side prohibited.

Length.

Violation.

Penalty.

Upon the conviction of any person, firm or corporation for a second violation of the provisions of sections 4, 8, 9 or of this section or any part thereof, the court or judge before whom such conviction is had may in its or his discretion impose a fine of not to exceed fifty dollars (\$50) and shall in addition to any fine imposed suspend the certificate of registration covering the vehicle involved in such violation for a period of thirty days, and upon a third conviction, the court or judge may in its or his discretion impose a fine of not to exceed one hundred dollars (\$100) and shall in addition to any fine imposed suspend certificate of registration covering the vehicle involved in such violation for a period of three months.

Fines.

Suspension of registration certificate.

It shall be unlawful for any person, firm or corporation to operate any vehicle equipped with metal tires over and along any paved public highway in this state whose gross weight including load is more than 10,000 pounds or any vehicle having a gross weight, including load, of over 625 pounds per inch width of tire.

Load limit.

Metal tired vehicle.

It shall be unlawful for any person, firm or corporation to operate over and along any public highway any vehicle equipped with tires of solid rubber or other elastic material and having upon the wheels thereof any tire of a less thickness of solid rubber or other equally elastic material or composition than will insure and maintain a cushion of elastic material between the surface of the highway and every metal part of every wheel of such vehicle of not less than the following:

Load limits for solid rubber tires.

(a) When the gross weight, including load, on any one wheel is less than 6,000 pounds, one and one-quarter inches.

Schedule.

(b) When the gross weight, including load, on any one wheel is 6,000 pounds or more, one and one half inches.

Anti-skid
chains.

It shall be unlawful for any person, firm, or corporation to operate over and along any paved public highway or bridge any motor truck equipped with solid tires and anti-skid chains whose strands are more than six inches apart or equipped with any other device that will produce serious impact or otherwise damage the pavement.

Mirror to
give driver
view of rear.

SEC. 11. Every owner or operator of any vehicle so constructed or loaded as to prevent an unobstructed view directly to the rear, used on the public highways of this state, shall equip such vehicle with a mirror or other device to enable the driver thereof to have such clear and unobstructed view of the rear as will enable him to obey the "rules of the road" and traffic regulations when overtaken by any other vehicle.

Posters,
cards, etc., on
windshield
prohibited.

SEC. 12. It shall be unlawful for any person to drive any vehicle upon a highway with any sign, poster, card, sticker or other non-transparent material upon the front windshield, side wings, side or rear windows of such motor vehicle other than a certificate or other device required to be so displayed by law.

Windshield
swipe
required.

Every windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from an exterior portion of the windshield sufficient to afford the operator clear vision ahead, which device shall be controlled or operated by the driver of the motor vehicle.

Signaling
device
required.

SEC. 13. Every motor vehicle shall be provided with a suitable bell or horn or other signaling device which shall be rung or blown as a signal or warning to any person or whenever there is danger of collision or accident. It shall be unlawful for any person to use on any motor vehicle any gong or siren whistle unless such vehicle is used as an ambulance or is operated by a police department, fire

Siren
forbidden
on other
than
ambulances,
etc.

department, sheriff, state highway patrolman, or patrol wagons, ambulances, fire patrols, fire engines, and fire apparatus which shall, in all cases, with due regard to the safety of the public, have the right of way, all provisions of this act to the contrary notwithstanding, but such right of way shall not protect the driver of any such vehicle from the consequences of the arbitrary exercise of such right or from liability for injuries wilfully inflicted. Any gong or siren whistle attached to any motor vehicle, except as permitted in this section shall be *prima facie* evidence of the unlawful use of such gong or siren whistle.

Fire engines, etc., have right of way.

SEC. 14. All equipment required by this act to be examined and approved shall be so examined and approved by a commission, to be known as the "commission on equipment," which shall consist of the director of licenses, the director of traffic, and the state highway engineer.

Equipment to be examined by "commission on equipment."

The commission before approving any equipment may require a certificate of approval from the bureau of standards of the department of commerce of the United States, (if the said equipment is such that can be submitted to the said bureau of standards for inspection) and such other tests as said commission may deem necessary.

May require certificate from U. S. bureau of standards.

The commission is hereby authorized to adopt, apply and enforce such reasonable rules and regulations as will expedite the enforcement of the provisions of this act relating to the inspection and approval of equipment. The commission is hereby authorized to adopt, apply and enforce such reasonable rules and regulations governing, and to fix and demand payment of such fees for, vehicles not otherwise provided for in this act.

To adopt regulations on inspection and approval of equipment.

Fix fees.

The commission shall have authority to license adjusters and designate adjusting stations and prescribe reasonable rules and regulations for their

License adjusters.

Regulate charges of adjusters.

operation and for the charges to be made for such adjusting and to revoke such license for failure, refusal or neglect to comply with such rules and regulations.

Unauthorized designation as testing or adjusting station unlawful.

It shall be unlawful for any person to display any sign or other advertisement that purports to designate said person as conducting a testing or adjusting station for automotive equipment unless so authorized by the commission.

Mechanical hand and arm signals.

SEC. 15. It shall be unlawful for any person to operate a vehicle upon the public highways of this state having thereon any mechanical or electric device intended or used for the purpose of indicating, and as a substitute for, hand and arm signals in right and left turns and stopping, unless the same shall have been approved by the commission on equipment. Any person, firm or corporation may submit a mechanical or electric signal device to the commission on equipment for its inspection and approval. Application for such inspection and approval shall be filed with the state treasurer, accompanied by a fee of \$50.00. Upon receipt of such application and fee the state treasurer shall endorse thereon his duplicate receipt for such fee, and transmit such application to the director of licenses. All such fees shall be paid into the state treasury and deposited in a special fund to be known as the "signal device testing fund" which fund is hereby created in the state treasury. The commission on equipment shall not approve any stop signal device unless such device when used upon a vehicle shall give a signal plainly visible for a distance of at least 100 feet to the rear of such vehicle nor any device intended to give a signal that the vehicle upon which it is used is about to turn unless such device when used upon a vehicle clearly indicates the direction in which such vehicle is to be turned, which signal shall be plainly visible at least 100

Application for inspection and approval.

Fee.

Signal device testing fund.

feet to the rear of the vehicle upon which the same is used. Whenever the said commission shall approve a signal device as meeting the requirements of this section it shall give to the applicant a certificate of approval.

Certificate
of approval.

SEC. 16. Every motor vehicle or combination of vehicles operated or driven upon the public highways of this state, shall be equipped with brakes as follows:

Brakes
required.

Motorcycles shall be equipped with one brake capable of controlling the vehicle at all times.

Vehicles or combinations of vehicles having two, three or four axles shall be equipped with two independently operated brakes controlling the wheels of one axle, either of which shall be capable of controlling the vehicle or combination of vehicles at all times.

Vehicles or combinations of vehicles having five or six axles; the wheels on the second axle shall be equipped with two independently operated brakes; the wheels on the fifth axle of a vehicle or combination of vehicles having five axles and the wheels on the fourth and sixth axles of a vehicle or combination of vehicles having six axles shall be equipped with either air, hydraulic, oil or electric brakes; either brake on the wheels of the second axle when operated in connection with the brakes on the wheels of the fifth axle of a vehicle or combination of vehicles having five axles and either brake on the wheels of the second axle when operated in connection with brakes on the wheels of the fourth and sixth axles of a vehicle or combination of vehicles having six axles shall be capable of controlling the vehicle or combination of vehicles at all times.

All brake equipment shall be subject to the approval of the commission on equipment.

SEC. 17. Every motor vehicle using an internal combustion engine shall use an exhaust muffler, and

Use of
muffler.

the same shall not be cut out or disconnected. For the purposes of this section a muffler shall be defined as follows:

Muffler defined.

“Muffler.” “A series of pipes or chambers properly proportioned to allow the exhaust gases of an internal combustion motor to expand and cool to a degree of noiseless expulsion.”

Safety chains fastening loads.

SEC. 18. It shall be unlawful to operate any power driven motor truck upon the highways of this state without having the load thereon securely fastened and protected by safety chains or other device. The director of traffic is hereby authorized to promulgate and adopt reasonable rules and regulations as to what shall constitute adequate and safe chains or other device or their method of attachment or application.

Light equipment requirements.

SEC. 19. Every vehicle when upon any public highway within this state during the period from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible a person, vehicle or other substantial object on the highway at a distance of two hundred feet ahead shall be equipped with lighted lamps and/or lighted headlights as herein respectively provided for this class of vehicles and subject to such exceptions as are set forth in this act.

Headlights.

Headlights and side lights—candle power, etc.

SEC. 20. (a) Every motor vehicle other than a motorcycle or farm tractor and except as otherwise provided herein shall be equipped with two headlights of approximately equal candle power at the front of and on opposite sides of such vehicle. Such headlights shall be so attached to such motor vehicle that the centers thereof shall be not more than 50 inches above the level surface upon which the vehicle stands.

(b) The term "headlight" as used herein shall denote a light located upon the front or other portion of a vehicle the rays of which are projected forward other than a "side light" or "spot light."

"Headlight,"
"side light,"
"spot light."

(c) Motor vehicles may also be equipped with two "side lights" but no more or less. The term "side light" shall include any lights upon a motor vehicle other than headlight lights or spot lights the rays of which project forward, or such other signal light of such color and design as the Washington department of public works may by rule require or permit on public carriers. No electric lamps or bulbs shall be used in any "side light" which exceeds four candle power.

Side light
equipment.

Side light
defined.

SEC. 21. The headlights of motor vehicles shall be so constructed, arranged and adjusted that they will at all times mentioned in this act and under normal atmospheric conditions produce ample driving light for the use of the operator of such vehicle but will not project a glaring or dazzling light to persons approaching such lights or to persons whom such headlights may approach. Headlights shall be presumed to comply with the provisions of this section:

Headlights—
requirements
as to
construction,
etc.

(a) When the vehicle upon which they are affixed is fully loaded;

(b) When such headlights are affixed to such vehicle in the manner required by this act;

(c) When they are of a type or are equipped with lens reflectors or control device upon which certificate of approval has been issued by the commission on equipment as provided in this act;

(d) When used in accordance with the instructions contained in or accompanying such certificate;

(e) And when the light projected by such headlights shall be as follows:

(1) In the median vertical plane, parallel to the lamps on a level with the centers of the lamps,

not less than one thousand eight hundred nor more than six thousand apparent candle power.

(2) In the median vertical plane, one degree of arc below the level of the center of the lamps, not less than seven thousand two hundred apparent candle power and there shall not be less than seven thousand two hundred apparent candle power anywhere on the horizontal line through this point one degree to the left or to the right of this point.

(3) In the median vertical plane, one degree of arc above the level of the center of the lamps, not more than two thousand four hundred nor less than eight hundred apparent candle power.

(4) Four degrees of arc to the left of the median vertical plane and one degree of arc above the level of the center of the lamps not more than eight hundred apparent candle power.

(5) One and one-half degrees of arc below the level of the center of the lamps and three degrees of arc to the left and to the right respectively of the median vertical plane not less than five thousand apparent candle power nor less than this amount anywhere on the line connecting these two points.

(6) Three degrees of arc below the level of the center of the lamps and six degrees of arc to the left and to the right, respectively, of the median vertical plane not less than two thousand apparent candle power nor less than this amount anywhere on the line connecting those two points.

Tests of
depressible
beam
headlights.

SEC. 22. (a) Depressible beam headlights shall be tested in pairs and the main or upper beams of such headlights shall meet the requirements as to light intensity and distribution provided in the foregoing specifications for fixed beam headlights. (The depressed or lower beams shall meet the requirements as to light intensity and distribution provided in (b) of this section for auxiliary driving lights.)

(b) The term "auxiliary driving light" as used herein shall denote a light located upon the front or other portion of a vehicle, the rays of which are projected forward, other than a side light or spot light. Auxiliary driving lights shall be tested singly or in pairs as designed to be used and shall meet the following requirements as to light intensity and distribution:

Auxiliary
driving
light
defined.

Test
requirements.

1. In the median vertical plane, one degree of arc above the level of the centers of the lights, not more than eight hundred nor less than three hundred apparent candle power.

2. Four degrees of arc to the left of the median vertical plane and one degree of arc above the level of the centers of the lights, not more than four hundred apparent candle power.

3. Three degrees of arc to the left and to the right, respectively, of the median vertical plane and one and one-half degrees of arc below the level of the centers of the lights, not more than two thousand nor less than eight hundred apparent candle power.

4. Six degrees of arc to the left and to the right, respectively, of the median vertical plane and three degrees of arc below the level of the centers of the lights, not less than two thousand apparent candle power, nor less than this amount anywhere on the line connecting these two points.

5. In no direction shall there be more than twenty-five thousand apparent candle power. In the case of both headlights and auxiliary driving lights the commission on equipment shall, in determining whether a device is likely in practice to prove unsafe or impracticable, inspect for defects such as:

Unnecessary loss of light in the device due to absorption or diffusion; abnormal or unduly complicated adjustment; unstable or bad mechanical construction; unduly bright or dark areas or exces-

sive contrast in the illuminated field; indefinite pattern at top of beam making aiming uncertain.

Signal
lights—
requirements.

(c) Signal lights shall be tested singly and shall meet the following requirements as to light intensity and distribution:

1. On a line perpendicular to the center of the light face a minimum average brightness of two candle power per square inch over a minimum illuminated area of three and one-half square inches.

2. At all points at an angle of thirty degrees to the perpendicular through the center of the light face a minimum average brightness of fifteen hundredths candle power per square inch over a minimum illuminated area of three and one-half square inches.

3. In no direction shall there be more than twenty-five apparent candle power.

Tail or
rear lights—
requirements.

(d) Every motor vehicle and every trailer or semi-trailer which is being drawn at the end of a train of vehicles at the times and under the conditions specified herein, shall display at the rear a red light plainly visible under normal atmospheric conditions for a distance of 500 feet toward the rear.

(e) Rear lights shall be tested singly and shall meet the following requirements as to construction, light intensity and distribution:

1. Rear lights shall emit a red light which on a line perpendicular to the center of the light face shall be not less than one-tenth apparent candle power, and which in all directions at thirty degrees to the perpendicular through the center of the light face shall be not less than five-hundredths apparent candle power. In no direction shall there be more than five apparent candle power.

2. The rear light shall have an opening covered with colorless glass sufficiently large to permit light to cover the entire surface of the registration number plate, which for the purpose of the test shall be

represented by a plane surface sixteen inches long by six and one-half inches wide in the case of a device for motor vehicles and ten inches long by five inches wide in the case of a device for motorcycles.

3. The registration plate holder shall be an integral part of the light and constructed in such a manner that the major portion of the light incident at any point on the registration plate shall make an angle of not less than eight degrees with the plane of the plate.

4. The light shall be weather and dust proof and so constructed as to withstand the shock and vibration to which it is ordinarily subjected in use.

5. When tested with a bulb of two spherical candle power the illumination as measured on white blotting paper placed in the location of the registration plate shall not be less than five-tenths foot-candles at any point and the ratio of maximum to minimum shall not exceed thirty.

6. In the case of rear lights the commission will, in determining whether a device is likely in practice to prove unsafe or impracticable, inspect for defects such as: unstable or bad mechanical construction; unduly dark or bright areas or excessive contrast in the illumination on the registration number plate; shut-off of illumination within one and one-half inches of the plate measured perpendicular to the plane of the plate at the edge farthest from the lamp.

SEC. 23. When any headlight lens, reflector, or headlight control device intended to enable a headlight to comply with the provisions of this act, shall be used or intended or proposed for use upon any motor vehicle or for sale for such use or purpose, such headlight lens, reflector, or headlight control device shall be submitted to the commission on equipment for approval or disapproval as herein provided.

Headlight control devices to be submitted to commission for approval.

Application. To obtain such approval, application, upon a form to be prepared and furnished by the director of licenses, shall be filed with the state treasurer and shall be accompanied by a draft, money order or certified bank check for the sum of \$10 and when tests are to be made such additional amount as such test costs, and two pairs of such headlight lens, reflector, or headlight control devices. Upon receipt of any such application, the state treasurer shall endorse thereon his duplicate receipt for the fee and transmit the application and the two pairs of such headlight lens, reflector, or headlight control device to the director of licenses. The commission shall make or cause to be made such tests as it may deem necessary to determine whether such headlight lens, reflector, or headlight control device complies with the requirements of this act. In making or causing to be made such tests, the commission may designate in writing such testing agencies, either within or without the State of Washington, for that purpose and the tests made by such agencies may be used and considered by the commission in granting or refusing such certificates of approval. The commission shall within thirty days from the date of any application report its findings in writing to the applicant. In the event it shall find the headlight lens, reflector, or headlight control device complies with the requirements of this act, the commission shall issue to the applicant a certificate of approval. If it shall find that the headlight lens, reflector, or headlight control device submitted does not comply with the requirements of this act, the commission shall so notify the applicant in writing by registered mail. All headlight lenses, reflectors, or headlight control devices so examined shall remain in the office of the director of licenses, properly labeled, and a complete record of the investigation and findings shall be filed in said office.

Costs of tests.

Tests.

Testing agencies.

Report of Commission.

Certificate of approval.

Retention of devices examined.

The director of licenses shall transmit a copy of every certificate of approval of headlight lens, reflector or headlight control device issued by the commission together with a copy of the instructions accompanying the same and in connection therewith, to the county clerk of every county within the State of Washington, who shall file the same, and to every city or town police department, the sheriff of each county and the director of traffic.

Copy of certificate to county and city officers.

Whenever the director of licenses shall receive one or more complaints in writing that any headlight lens, reflector or headlight control device sold commercially which may hereafter or which has heretofore been approved by the commission does not under ordinary conditions of use comply with requirements of this act the commission in its discretion may upon notice to the manufacturer thereof require that such headlight lens, reflector or headlight control device shall be retested to determine whether or not such headlight lens, reflector or headlight control device meets with the requirements of this act. If the same is approved the director of licenses shall issue without further fee a new certificate of approval. From and after December 31, 1927, it shall be unlawful to sell or offer for sale any headlight lens, reflector or headlight control device unless it is of a type which shall be approved by the commission on equipment under the provisions of this act and unless such device is accompanied by a printed sheet of instructions describing the device in detail, its method of mounting and adjustment, candle power limitations of lamps to be used and any other adjustment that may be necessary to insure its conformity with the requirements of this act. Such instructions shall be printed with photograph of (a) lens or control device, (b) pattern of light from one headlight both with and without the device, showing the relation of the pat-

Complaint approved device not meeting requirements.

Retest.

New certificate of approval.

Unlawful to sell lens, reflector, or headlight control device of unapproved type.

tern of light as projected in each case at a height equal to the height of the center of such headlight, and with the headlight adjusted for tilt and focus exactly as required to conform with the requirements of this act.

Sale of vehicle unlawful if headlights not comply with law.

It shall be unlawful from and after December 31, 1927, to sell or offer for sale any new motor vehicle with headlights which do not comply with the provisions of this act.

Unlawful to sell headlight devices.

After December 31, 1927, it shall be unlawful to use on any highway in this state any headlight lens, lamp, reflector or headlight control device which shall not have been approved by the commission on equipment as in this act provided.

Use of equipment previously approved.

Provided, Nothing in this act shall be construed as preventing the use on a motor vehicle of any headlight, device or equipment heretofore approved by the said commission and until December 31, 1927, unless such approval is revoked in accordance with the provisions hereof.

Motorcycle headlight.

SEC. 24. Every motorcycle at the times and under the conditions specified herein shall be equipped with at least one lighted headlight and not more than two which shall conform to the provisions of this act relating to headlights for automobiles.

Acetylene headlights.

SEC. 25. Any motor vehicle equipped with acetylene headlights shall be deemed to have complied with the provisions of this act, concerning headlights, anything to the contrary notwithstanding, when such vehicle has two acetylene lamps at the front portion thereof, of approximately equal candle power which shall be lighted at the times and under the conditions specified in this act and are fitted with clear plane glass fronts, bright six inch spherical mirrors and standard acetylene five-eighths foot burners, not more and not less, and which must throw sufficient light ahead to make clearly visible

Regulation of use.

all vehicles, persons or substantial objects upon the roadway within a distance of two hundred (200) feet but must not project a glaring or dazzling light to persons approaching such lights or to persons whom such headlights may approach.

Any motorcycle equipped with an acetylene headlight shall be deemed to have complied with the provisions of this act, anything to the contrary notwithstanding, when such motorcycle has one acetylene lamp at the front thereof, which shall be lighted at the times and under the conditions specified in this act, and is fitted with a clear plane glass front, bright, six-inch spherical mirror and a standard acetylene one-half or five-eighths foot burner, and which must throw sufficient light ahead to make clearly visible all vehicles, persons or substantial objects upon the roadway within a distance of one hundred fifteen feet but must not project a glaring or dazzling light to persons approaching such light or to persons whom such headlight may approach.

SEC. 26. Every bicycle at the times and under the conditions stated in this act shall be equipped with a light visible under normal atmospheric conditions at least three hundred feet in the direction toward which such bicycle is facing, and shall also carry at the rear of such bicycle a reflex mirror or a lamp exhibiting a red light plainly visible under normal atmospheric conditions for a distance of at least two hundred feet toward the rear.

Bicycles—
Light and
mirror
equipment.

SEC. 27. Every motor vehicle and every trailer or semi-trailer which is being drawn at the end of a train of vehicles at the times and under the conditions specified herein shall carry at the rear a lighted lamp exhibiting a red light plainly visible under normal atmospheric conditions for a distance of 500 feet toward the rear and so constructed and placed that the number plate carried on the rear of such

Trailers—
Rear lights.

To illuminate number plate.

motor vehicle or trailer shall be illuminated by a white light in such manner that the number plate thereon can be plainly distinguished under normal atmospheric conditions at a distance of not less than 50 feet towards the rear. The lens of such rear light shall not be less than one and three-fourths inches in diameter, and each such rear light shall be equipped with a lamp bulb producing not less than 2 nor more than 4 candle power of light.

Side lights on long vehicles.

SEC. 28. Side lights on long vehicles or combinations of vehicles having gross or overall lengths in excess of 20 feet, shall at the time and under the conditions specified herein carry at the left side and near the rear thereof a lighted lamp exhibiting a red light towards the rear and a white light towards the front; both of which lights shall be plainly visible under normal atmospheric conditions for a distance of 500 feet. Except in cases of vehicles disabled between the corporate limits of cities and/or towns and being removed directly from the place where the same were disabled, all vehicles being towed shall exhibit the side lights as required in this section.

Towed vehicles.

Front lights for vehicles not enumerated.

SEC. 29. All vehicles not hereinbefore required to be equipped with lights shall at the times and under the conditions specified in this act carry at the front thereof one or more lighted lamps or lanterns exhibiting a white light so arranged that said lamps or lanterns shall be plainly visible under normal atmospheric conditions for a distance of not less than 500 feet from in front of such vehicle and each such vehicle shall carry at the rear a red light which shall be plainly visible under like conditions for a distance of not less than 500 feet from the rear of such vehicle.

Spotlight defined.

SEC. 30. The term "spotlight" as used herein shall denote any light on a motor vehicle the rays

of which are projected forward except headlights and side lights.

All spotlights used on motor vehicles, other than motor trucks shall be affixed to such vehicle in such manner that the centers thereof shall not be less than 24 inches nor more than sixty inches above the level surface upon which the vehicle stands and shall be so constructed and arranged that no portion of the main substantially parallel beam of light shall rise to higher than a parallel position with the level surface of the highway upon which the vehicle stands and directly ahead of such vehicle. Such main substantially parallel beam of light shall at all times while such vehicle is upon the paved or main traveled portion of the highway be directed downward and to the right so as to illuminate the right side of the highway or pavement directly in front of such vehicle. The provisions of this section shall not apply to police or fire department vehicles.

Spotlights—
requirements
as to use.

The provisions of this section shall apply to motor trucks in all respects except that spotlights thereon may be affixed in such manner that the centers thereof shall not be more than 72 inches above the level surface upon which the vehicle stands.

Motor truck
spotlights.

Not more than one spot light shall be placed, secured or used upon any motor vehicle at one time: *Provided, however,* That it shall be permissible to have attached to any motor vehicle one fog light. The term "fog light" when used with respect to motor vehicles shall mean a light fixed to the motor vehicle no higher than 36 inches nor lower than 12 inches above the level surface upon which the vehicle stands and which said light is stationary and not subject to control from the driver's seat, and which said light shall be so fixed that the main substantially parallel beam of light shall at all times be directed downward and to the right so as to illuminate the right side of the paving or main traveled por-

Fog light
defined.

How used.

tion of the highway for a distance of not more than 125 feet directly in front of such vehicle.

Business or residence district—
Lights not required when car not moving.

SEC. 31. Whenever there is sufficient light within the lateral boundaries of the public highway within a business or residence district as herein defined to reveal all persons, vehicles or substantial objects within said boundaries for a distance of two hundred feet, no lights shall be required to be displayed on any vehicle upon a public highway while the same is not in motion: *Provided*, That a right hand wheel of such standing vehicle is located within twelve inches of the right hand curb.

Car not moving—
when lights displayed.

Outside of a business or residence district as herein defined and during the times specified in this act wherein lights are required, a rear light and dimmed headlights or side lights must be displayed.

Load extending beyond rear of vehicle.

SEC. 32. (a) Whenever any vehicle shall be loaded with any material in such a manner that any portion of such load extends toward the rear three feet or more beyond the rear of the body or bed of such vehicle there shall be displayed at the extreme rear end of the load at the times and under the conditions specified in this act in addition to the ordinary rear light hereinbefore required to be displayed, a red light of not less than three inches in diameter plainly visible under normal atmospheric conditions at least 200 feet from the rear and at all other times while such vehicle is upon the public highway and a red flag or cloth not less than 16 inches square shall be displayed at the extreme rear of said load as a warning signal to persons operating vehicles approaching from the rear.

Display warning signal.

Overhanging load.

(b) Whenever any vehicle shall be loaded with any article, implement of husbandry or any material in such a manner that any portion of such load or of such vehicle extends more than one foot beyond the front hub cap on the left side of such vehicle as pro-

vided herein there shall be displayed at the extreme left side of such vehicle or such load at the times and under the conditions specified in this act a lighted lantern or other light plainly visible under normal atmospheric conditions for at least two hundred feet from in front and for a like distance from the rear of such vehicle. No such light shall project a light greater than four apparent candle power.

Must display light.

SEC. 33. It shall be unlawful for any person driving or having the immediate control of any vehicle to drive the same upon any public highway with any red light visible directly in front thereof. This section shall not apply to police or fire department vehicles.

Front red light unlawful.

SEC. 34. Every vehicle, drawn or propelled by horses, mules or other animal power shall, when driven on any public highway within this state during the hours of darkness, have fixed or carried thereon in some conspicuous place on the left side of said vehicle at least one light so fixed or carried that the light therefrom may be seen both from the front and rear of said vehicle.

Animal drawn vehicles.

Light required.

SEC. 35. It shall be unlawful for any person, firm or corporation to sell, offer for sale or have in his or its possession with intention to sell for use on motor vehicles any lamp bulb having a candle power in excess of 32 candle power.

Lamp bulbs unlawful to sell.

SEC. 36. It shall be the duty of every person operating or driving any motor or other vehicle or any animal upon any public highway where any peace officer displaying his star or badge is at the time discharging the duty of regulating and directing traffic in his locality, to obey all signals of such officer directing such driver to take a certain direction or to stop or to otherwise proceed for the safety of the public, and to comply with all lawful orders of such officer.

To obey traffic officers.

Appointment
of highway
patrolmen.

SEC. 37. The director of traffic shall appoint a sufficient number of competent persons to act as highway patrolmen, may remove them for cause, determine their compensation and define their duties. Each of said highway patrolmen shall, during the period he is actually engaged in the performance of his duty, have and exercise all the powers of peace officers for the purpose of enforcing all motor vehicle laws, rules and regulations, and for any violation or attempted violation thereof by any person in his presence, may arrest such person without warrant and may serve any process lawfully issued by the courts, order of the director of traffic, the director of licenses, the highway committee and the department of public works, in enforcing the provisions of the motor vehicle laws, rules and regulations of the state.

Powers.

Director of
traffic to
investigate
motor
vehicle
accidents.

The director of traffic may investigate the cause of any accident in which any motor vehicle is involved and for this purpose may send one or more highway patrolmen, not in uniform, into other states. With the permission and consent of the sheriff of any county or the chief of police of any city or town, the director of traffic is hereby authorized to employ temporarily and deputize any deputy sheriff or police officer to investigate any auto theft matters or other violations of this act and any such officer or officers so employed or deputized shall have the authority of a highway patrolman, and are hereby required to use reasonable diligence in ascertaining whether the owners and operators of motor vehicles are complying with the provisions of this act.

Deputize
police officers
in auto theft
investiga-
tions.

Refusal to
give name to
peace officer
or to stop.

SEC. 38. Any person who while operating or in charge of a motor vehicle shall refuse when requested by a peace officer to give his name and address and the name and address of the owner of such motor vehicle, or who shall give a false name and address or who shall refuse or neglect to stop when

signaled to stop by any peace officer who is in uniform and who displays his badge conspicuously on the outside of his outer garment, or who refuses on demand of such officer to produce his license to operate such vehicle on demand of such officer or his certificate of registration or to permit such officer to take the license or certificate in hand for the purpose of examination or who refuses on demand of a peace officer, without a reasonable excuse, to deliver his license to operate motor vehicles or the certificate of registration of any motor vehicle operated or owned by him or the number plates furnished by the director of licenses for said motor vehicle, or who refuses or neglects to produce his license when requested by a court, shall be punished by a fine of not less than \$25.00 or more than \$100.00.

When signaled, etc.

Penalty.

SEC. 39. It shall be the duty of every person operating or driving any motor or other vehicle along or over the narrow way in any park, pass or defile, to fully comply with all regulations requiring vehicles to proceed in one direction only as the signboards and regulations upon such narrow ways, passes and defiles shall indicate. The direction in which all vehicles shall so proceed may be determined by the park commissioners in parks and by the county commissioners or other legally constituted authorities with respect to narrow passes and defiles within their respective jurisdictions, and when so declared shall be so conspicuously marked with signs as to indicate the rules and regulations in regard thereto and the direction in which all vehicles shall so travel.

Observance of regulations requiring vehicles to proceed in one direction over narrow way in park, etc.

Signs marking way.

SEC. 40. The operator of any motor vehicle entering upon an arterial main traveled highway, from a public or private highway, road, street, way or driveway, shall yield the right of way to vehicles on such arterial highway and shall come to a full stop thereat when and where signs, posts or other markers so direct or indicate. It is hereby made the duty

Vehicles on arterial highway have right of way.

Vehicles entering to come to stop.

Signs to be placed.

of the state highway engineer, the county commissioners of the various counties and the governing authorities of the various cities, towns and townships in the State of Washington, on or before July 1, 1927, officially to designate and file with the state director of traffic and the county auditor, or city, town or township clerk of their respective county, city, town or township, a map or maps plainly showing the highways, roads, streets and avenues which shall be considered for the purpose of this act as arterial main traveled highways. All state highways shall be considered arterial main traveled highways.

Maps to be filed of arterial highways.

Rules of the road.

SEC. 41. It shall be the duty of every person using the highways of this state to observe the "rules of the road" as hereinafter prescribed:

Pass to the right in opposite directions.

(1) Vehicles, and persons driving or riding any animals, proceeding in opposite directions shall pass to the right giving one-half of the road to each.

Pass to the left going in the same direction.

(2) Vehicles proceeding in the same direction on overtaking another vehicle or overtaking any person riding or driving any animal shall pass to the left; *Provided, however,* A variance in good faith from the rules herein relating to the turning to the left of a vehicle when overtaking another vehicle, or any person riding or driving an animal, going in the same direction where the exigencies of the situation permit, shall not subject the offender to arrest under the criminal provisions of this act; but it shall be unlawful for any person to pass any moving vehicle or animal overtaken unless he has a clear view ahead of not less than two hundred yards.

Clear view ahead.

Speed of vehicles passing each other.

(3) The overtaking vehicle shall maintain its speed until clear of the vehicle or animal overtaken and the vehicle or animal being overtaken shall turn to the right and give one-half of the road, and shall not increase its speed while being passed.

Signal to pass.

(4) The signal of an intention to pass shall be

given by one blast or stroke of the horn or other signaling device.

(5) Should the overtaken vehicle then not give way, three such blasts or signals shall be given, and upon the failure to comply therewith, the overtaking vehicle may at the next suitable place safe for both vehicles go by without further signal.

(6) Pedestrians on the public highways shall travel on and along the left side of said highway, and the pedestrians upon meeting an oncoming vehicle shall step off the paved or main traveled portion of the highway.

Pedestrians
on left side.

(7) It shall be the duty of every person operating or driving any motor or other vehicle, or riding or driving any animal along or over any public highway when approaching any curve of such highway where for any reason a clear view for a distance of three hundred feet cannot be had, to hold such vehicle under control and to give signals with frequent blasts or strokes of a horn or other signaling device, and to keep to the extreme inside of all curves to the right and to the extreme outside of all curves to the left.

Approaching
curves.

(8) It shall be unlawful to operate or drive any vehicle or combination of vehicles over or along any pavement or gravel or crushed rock surface on a public highway with one wheel or all of the wheels off of the pavement or gravel or crushed rock surface except for the purpose of stopping off the pavement or gravel or crushed rock surface.

All wheels
on pavement
when in
motion.

(9) Whenever any persons driving any vehicle shall meet on any public highway in this state, the persons so meeting shall seasonably turn their vehicles to the right of the center of the road, to permit each vehicle to pass without interfering with or interrupting the other.

Meeting
vehicle, turn
to right.

(10) It shall be the duty of every person operating or driving any motor or other vehicle or riding

Approaching intersections,

keep to right.

Signals explained.

or driving any animal along or over any public highway and approaching any intersection of a street, road or highway, with the intention of turning thereat to the right, to keep to the extreme right, and with the intention of turning thereat to the left to proceed to any point beyond the center of the intersection before turning. And it shall be the duty of every such person about to turn from a standstill or while in motion to give a timely signal from the left side of such motor vehicle, indicating the direction in which he intends to turn as follows: If he intends to turn to the left he shall extend his arm in a horizontal position from the left side of such motor vehicle for a reasonable length of time; if he intends to turn to the right he shall extend his arm with the forearm raised at right angles from the left side of such motor vehicle for a reasonable length of time and every such signal shall commence at a point not less than fifty feet before the turn is made. And it shall be the duty of every person operating or driving any vehicle along or over any public highway and intending to stop, to extend his arm from the left side of the motor vehicle or other vehicle or animal and extend downward for a reasonable length of time before stopping.

Use of mechanical signaling devices.

Mechanical devices capable of producing signals as to the intention of the driver to stop or turn such vehicle and approved by the commission on equipment may be used.

(11) All vehicles operated on the highways of this state which are so constructed that hand and arm signals given by the driver are not visible at the rear of said vehicle, must be equipped with a suitable mechanical or electrical device approved by the commission on equipment capable of displaying unmistakable signals as to the intention of the driver to stop or turn such vehicle.

(12) It shall be the duty of any person in charge

of any vehicle or animal moving along and upon any public highway to keep such vehicle or animal as closely as practicable to the right hand boundary of such highway to allow more swiftly moving vehicles reasonably free passage to the left. And it shall be the duty of every person operating a motor vehicle upon any such highway, on receiving a signal given by raising the hand from a person riding, leading or driving in the opposite direction any animal or animals to bring such motor vehicle immediately to a stop and remain stationary so long as may be reasonable, to allow such animal or animals to pass; and if traveling in the same direction as any such animal or animals to use reasonable caution in passing same; and in case any such animal appears to be badly frightened, or the person operating such motor vehicle is signaled so to do, he shall cause the motor of such vehicle to cease running so long as shall be reasonably necessary to prevent accidents and insure the safety of others.

Keep close to right hand boundary of highway.

Passing animals.

No person owning or in control of any live stock shall voluntarily or negligently permit any such live stock to stray upon or remain unaccompanied by a person in charge or control thereof upon a public highway.

Straying live stock.

No person shall feed, pasture or camp with any such live stock upon, over or across any public highway without keeping a sufficient number of herders on continual duty to keep open the road to permit at all times the ready passage of vehicles.

Camping with live stock upon highway.

Live stock being driven to market or from one place to another over or along any public highway in this state shall have the right of way over any motor vehicle, but any person in charge of such live stock shall use reasonable diligence to open the road for traffic.

Driving stock to market.

It shall be unlawful to transport any living animal on the running board, fenders, hood or other

Living animal on running board.

outside part of any vehicle unless suitable harness, cage, carrier or guard rail be provided and so attached as to reasonably protect such animal from falling or being thrown therefrom.

Freight carrier and trailer—distance behind another carrier.

(13) It shall be unlawful for the driver of any motor vehicle designed, used or maintained primarily for the purpose of transporting property when such motor vehicle is drawing a trailer to follow another such motor vehicle and trailer so closely that the second motor vehicle or any portion thereof is closer than 100 feet to the first vehicle and its trailer or any portion of either of them when upon any public highway outside of a business or residence district.

Approaching highway intersections.

(14) Drivers, when approaching public highway intersections, shall look out for and give right of way to vehicles on their right, simultaneously approaching a given point within the intersection, and whether such vehicles first enter and reach the intersection or not: *Provided*, This paragraph shall not apply to drivers on arterial highways.

Passing schoolhouse.

SEC. 42. Failure upon the part of the operator of any motor vehicle to exercise due care and caution in compliance with all traffic laws and requirements in passing a schoolhouse, on school days, between 8:00 a. m. and 5:00 p. m., shall be *prima facie* evidence of reckless driving.

Reckless driving.

Public vehicles to be conspicuously marked.

SEC. 43. It shall be the duty of every public officer and department having charge of any automobile or other motor vehicle owned by the State of Washington or any county, city, town or other public body in this state and used in the public business, except automobiles used by the highway patrol, the sheriff's office, police department, constable, fire marshals and game-wardens, to cause to be painted upon such automobile or other motor vehicle, in letters of contrasting colors, in a conspicuous place on the left side of the car, not less than two by two

and one-half inches in size, the words "State of Washington" or the name of such county, city, town or other public body, together with the name of the department or office upon the business of which said automobile or other motor vehicle is used.

SEC. 44. Any state, county, city, town or other public officer, either elective or appointed, being the officer or head of a department in a public office and having the direction, control and supervision of the use, operation and marking of a publicly owned car or cars, as defined in this act, who shall direct, authorize, or permit any vehicle under his control, direction or supervision, to be used, driven or operated without being marked as in this act provided, shall be guilty of a misdemeanor.

Permitting use of public car without being marked.

Penalty.

SEC. 45. It shall be unlawful for any person to drive a motor vehicle in a reckless manner over and along the public highways of this state. For the purpose of this section, to drive in a reckless manner shall be construed to mean the operation of a motor vehicle upon the public highways of this state in such manner as to endanger or inconvenience unnecessarily other users of such highway.

Reckless driving.

SEC. 46. It shall be unlawful for any person to drive, propel, draw, move, convey or transport, or cause to be driven, propelled, drawn, moved, conveyed or transported over, upon, along or across any public street, road, or highway, without the corporate limits of any city of the first class, any vehicle or object which, with or without its load, shall be of such weight, or which shall have any wheel or tires so made, constructed, formed or shaped, placed, or so equipped with spikes, cleats, lugs or other attachments or projections as to destroy or permanently injure such street, road or highway, or the surface, foundation or other part thereof, and it shall be unlawful for any person to drive, propel,

Overloaded vehicle, or one so equipped as to injure highway—use unlawful.

draw, move, convey, or transport, or cause to be driven, propelled, drawn, moved, conveyed or transported, over, upon, along or across any public street, road, or highway without the corporate limits of cities of the first class, any automobile, auto truck, or motor propelled vehicle which with or without its load shall weigh more than twenty-four thousand pounds. All road supervisors, county and municipal officers and their deputies are hereby vested with the powers and duties of sheriffs in preventing violations of this section and in making arrests therefor.

Vehicle standing or parked on highway.

SEC. 47. No person shall park or leave standing any vehicle whether attended or unattended upon the paved or improved or main traveled portion of any public highway when it is practicable to park or leave such vehicle standing off of the road or improved or main traveled portion of such highway; *Provided*, In no event shall any person park or leave standing any vehicle whether attended or unattended upon any public highway unless a clear and unobstructed width of not less than 16 feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for the free passage of other vehicles thereon. Whenever any peace officer shall find a vehicle standing upon a public highway in violation of the provisions of this act he is hereby authorized to move such vehicle to a position permitted in this section. The provisions of this section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of the public highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

Clearance required.

Disabled vehicles.

It shall be unlawful for any person to leave any disabled vehicle standing on any traveled portion of any highway of this state at any time between one-half hour after sunset and one-half hour before sun-

rise without having a red light displayed on the rear end of such vehicle at the side thereof nearest the center of the highway. It shall be unlawful for any person to stop or park a vehicle on any curve upon any portion of the paved, improved or main traveled portion of any public highway unless such vehicle is so mechanically disabled as to be impossible of being removed from such position by the driver, or operator or the passengers in such vehicle.

Must display rear light.

Stop or park on curve.

SEC. 48. It shall be unlawful for any person, firm or corporation to build, erect, establish, operate, maintain or conduct along side any of the public highways of this state, any platform, box, stand, or any other temporary or permanent device or structure to be used for the purpose of receiving from or delivering to any vehicle, mail, milk cans, vegetables, fruits, merchandise, produce or commodities of any character, unless a permit is first obtained from the state highway engineer, if a state highway is involved, and/or the county commissioners, if a county highway is involved. The state highway engineer and the county commissioners of each county are hereby authorized to adopt, amend and enforce all rules and regulations necessary to carry out the provisions of this section.

Platform, etc., along side highway.

Unlawful without permit.

Rules to govern.

SEC. 49. It shall be unlawful for any person to operate a motor vehicle upon the highways of this state when such person has in his or her embrace another person which prevents the free and unhampered operation of the car. Any person violating the provisions of this section shall be deemed guilty of reckless driving and shall be punished accordingly as in this act provided.

"One arm driving."

Embracing if prevents free operation of car unlawful.

SEC. 50. Every person operating or driving any motor or other vehicle or riding or driving any animal upon the public highway and coming in contact with any pedestrian, vehicle or other object on such

One causing accident or injury to render aid and make report.

highway, shall stop and render such aid and assistance as may be required, and in case of injury to any person or damage to any vehicle or property, the driver of any vehicle so involved, or any occupant thereof shall, if requested, furnish the driver of any other vehicle involved or any occupant of such vehicle or any witness to the accident, or in case of an injured pedestrian, to such pedestrian or witness, the certificate of registration, the plate number of his vehicle, the true name and address of the owner, the name and address and the operator's license number of the driver, and the name and address of each occupant of such vehicle; and it shall likewise be the duty of any witness of any such accident to furnish to the driver or occupant of any such vehicle or to any other person concerned in said accident upon request, his name and address; and it shall be unlawful for either party to a collision, whether resulting from a mistake in judgment or arising from accident, to move away from the place of such collision or accident without complying with the provisions of this section. None of the information required by this section to be given shall be construed as fixing liability or fault or negligence of either party, but shall be the means of identification of the facts and circumstances only.

Non-compliance unlawful.

Duty to render assistance to injured.

Violation.

Penalty.

It shall also be the duty of such operator or driver to render to any such persons all necessary assistance, including the carrying of such person or persons to a physician or surgeon for medical or surgical treatment if such treatment is required or if such carrying is requested by the person struck or any occupant of such vehicle collided with. Any person violating any of the provisions of this section is punishable by imprisonment in the state penitentiary not exceeding five years or in the county jail not exceeding one year or by fine not exceeding \$5,000.00 or by both fine and imprisonment.

SEC. 51. It shall be unlawful for any person to operate a motor vehicle upon the highways of this state while under the influence of intoxicating liquor or of any narcotic drug. Upon a first conviction for violation of the provisions of this section, the court shall impose a fine of not less than fifty dollars (\$50.00) or thirty days in jail, or both, nor more than five hundred dollars (\$500.00) or six months in jail, or both. Upon a second conviction for a violation of the provisions of this section, it shall be the duty of the court to impose a fine of not more than one thousand dollars (\$1,000.00) or the imprisonment of the defendant in the county jail for not more than one year or by both such fine and imprisonment.

Operating car while under influence of intoxicants or narcotics.

Penalty.

SEC. 52. It shall be unlawful for a manufacturer, dealer, distributor, or any person, firm or corporation, to publish or advertise, to offer for publication or advertisement, or to consent or be a party to the publication or advertisement of the time consumed or speed attained by a motor vehicle between given points or over given or designated distances, upon public highways of this state, when such published or advertised time consumed or speed attained shall indicate an average rate of speed between given points or over given or designated distances in excess of the maximum rate provided in this act. Conviction for a violation of any of the provisions of this section shall be *prima facie* evidence of a violation of the provisions of this act relating to reckless driving and exceeding the speed limits and shall subject the person, firm or corporation to the penalties in such cases provided.

Unlawful to publish or advertise time consumed by car over certain distance if indicate average speed rate exceeding maximum.

Penalty.

SEC. 53. (a) It shall be a misdemeanor for any person to violate any of the provisions of this act unless such violation is by this act or other law of this state declared to be a felony or a gross misdemeanor.

Penalties for violations.

(b) Unless another penalty is in this act pro-

vided, every person convicted of a misdemeanor for violation of any provision of this act shall be punished accordingly, either by fine or imprisonment or both such fine and imprisonment.

Suspending
operator's
license.

The judge may in his discretion, in addition to the penalties prescribed for misdemeanor, suspend or revoke the operator's license for a period of not to exceed six months.

Disposition
of fines.

SEC. 54. Twenty-five per cent. of all fines and forfeitures collected for violation of the provisions of this act shall be paid into the permanent highway maintenance fund of the county wherein collected and the balance thereof shall be paid into the state parks and parkway fund.

Saving
section.

SEC. 55. This act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action or proceeding had or commenced in a civil or criminal cause before this act or its respective provisions take effect, but such actions or proceedings may be prosecuted and continued with the same effect and under the provisions of law effective at the time the act was done, ratified or confirmed, or the right accrued or established, or the action or proceeding had, are commenced.

See ch. 96,
L. 1921;
ch. 181,
L. 1923.

SEC. 56. All acts or parts of acts in conflict with the provisions hereof are hereby repealed as of the date upon which the respective provisions hereof shall as herein provided or by operation of law become effective.

Partial
validity.

SEC. 57. If any section or provision or part thereof of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Passed the House March 10, 1927.

Passed the Senate March 8, 1927.

Approved by the Governor March 19, 1927.