

SEC. 3. Any person violating any order, rule or regulation promulgated pursuant to this act shall, upon conviction thereof, be guilty of a misdemeanor. Penalty.

SEC. 4. *Effective Date; Termination.* This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately, and it shall remain in force until the convening of the next regular or special session of the state legislature. Effective immediately. Termination.

Passed the House March 10, 1943.

Passed the Senate March 9, 1943.

Approved by the Governor March 22, 1943.

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## CHAPTER 243.

[ H. B. 45. ]

### EMERGENCY TRANSPORTATION POWERS OF WAR COUNCIL.

AN ACT relating to the transportation of persons and property within the state, granting certain emergency war powers to the War Council for the purpose of facilitating the transportation of persons and property and in order to conserve and providently utilize vital transportation equipment, materials, and supplies, especially rubber, providing penalties, and prescribing the period of effectiveness thereof.

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

SECTION 1. *Declaration of Policy.* By reason of the war in which the United States is engaged and in order to insure the continued availability and use of facilities needed for transportation of persons and property which is deemed essential to the prosecution of war or to the domestic war-time economy of the state or of the United States, it is hereby found and declared to be necessary, in the interest of the defense of the state and of the United States, that a War Council, consisting of the Governor, the Lieu- Emergency powers granted.

tenant Governor and the Insurance Commissioner, is hereby created and granted the emergency powers conferred by this act.

Transportation powers.

Cooperate with federal agencies.

Make rules.

Make rules for traffic movement.

Rules have effect of law.

Rules to supersede inconsistent acts.

Powers designated but not limited.

**SEC. 2. *Emergency Transportation Powers of War Council.***

(a) The War Council is authorized and empowered to cooperate with any Federal officer or agency directly or indirectly charged with the responsibility of facilitating the transportation of persons or property or concerned with the conservation or provident utilization of vital transportation equipment, material or supplies. In furtherance of such cooperation, the War Council is empowered to make, amend, and rescind such orders, rules and regulations as it may deem advisable.

(b) As a means of aiding the prompt and continuous movement of traffic concerned with the national war effort or the needs of the domestic wartime economy, the War Council is empowered to make, amend and rescind such orders, rules and regulations as it may deem advisable for such purposes.

(c) Any order, rule or regulation, promulgated by the War Council under this act, shall, upon being filed in the office of the Secretary of State have the force and effect of law.

(d) To the extent of any inconsistency therewith, the provisions of this act and of any order, rule or regulation issued under this act, shall supersede, for the effective period of this act, or until such order, rule or regulation is rescinded, whichever event occurs first, any provision of any other statute or of any ordinance, rule or regulation which is inconsistent with this act or with any order, rule or regulation issued under the authority of this act.

(e) The authority conferred upon the War Council shall include, but shall not be limited to, the power to (1) prescribe a system of staggered hours of employment in congested areas as a means

of facilitating the transportation of persons to and from their places of employment; (2) prescribe the maximum rates of speed at which any motor vehicle may be operated on any road, highway or street in the state; (3) prescribe the sizes and weights of such motor vehicles; (4) suspend the application of any statute or regulation levying or assessing any license or other fee, or requiring the issuance of any temporary or other permit or license, insofar as such statute or regulation relates to the entry into or the privilege of operation in this state of any motor vehicle, including busses and house trailers, registered in any other state and with respect to which a valid and unexpired license has been issued by the other state, and (5) prescribe measures for the conservation of vital transportation equipment, materials, and supplies, especially rubber.

Stagger work hours.

Maximum speeds.

Sizes and weights.

Suspend fees.

Conserve equipment.

(f) The power conferred upon the War Council by this act shall be exercised only to the extent that any such exercise of power (1) does not conflict with any law of the United States or (2) does not contravene the exercise of any lawful power of, or interfere or conflict with any national transportation policy established by, the President or any officer or agency of the United States designated by the President to exercise authority with respect to transportation facilities, the movement of traffic or the conservation and provident utilization of vital transportation equipment, materials or supplies.

When powers may be exercised.

(g) No order, rule or regulation shall be made, amended or rescinded by the War Council under the provisions of this act except with the unanimous consent of the members thereof.

Unanimous action required.

SEC. 3. The War Council may delegate any of the powers herein conferred upon it to one or more agencies of state government as designated by said council. Such agency may exercise any powers so

Council may delegate powers.

delegated as fully and completely as if such powers were hereby specifically vested in such agency.

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

**Saving clause.** SEC. 5. *Severability.* If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

**Short title.** SEC. 6. *Short Title.* The short title of this act is "Emergency Transportation Act of 1943."

**Effective immediately.** SEC. 7. *Effective Date; Termination.* This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately, and it shall remain in force until the convening of the next regular or special session of the state legislature.

Passed the House March 10, 1943.

Passed the Senate March 9, 1943.

Approved by the Governor March 22, 1943.