

Failure to
comply with
permit.

Notice to
permittee.

SEC. 3. Upon failure of the applicant to construct or maintain the particular approach road, facility, thing or appurtenance, in accordance with the conditions of the permit and in accordance with the rules and regulations of the said Director therefor, the Director of Highways may, after the expiration of thirty (30) days following transmittal of a written notice to the applicant, remove all installations upon the right of way at the expense of the applicant, which expense may be recovered from the applicant by the Director of Highways for the state in any court of competent jurisdiction.

Passed the Senate March 9, 1947.

Passed the House March 7, 1947.

Approved by the Governor March 19, 1947.



CHAPTER 202.

[S. B. 98.]

LIMITED ACCESS HIGHWAY FACILITIES.

AN ACT providing for the planning, designation, use, regulation, alteration, construction, improvement, maintenance and vacation of limited access highway facilities; the acquisition of lands therefor; the restriction of intersections and control of approaches; the establishment of local service roads; the prohibition of certain acts pertaining to limited access highway facilities and provisions for penalties therefor; and declaring an emergency.

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

Definition.

"Limited
access
facility."

SECTION 1. For the purposes of this act, a "limited access facility" is defined as a highway or street especially designed or designated for through traffic, and over, from or to which owners or occupants of abutting land, or other persons, have no right or easement, or only a limited right or easement of access, light, air or view by reason of the fact that their property abuts upon such limited access

facility, or for any other reason to accomplish the purpose of a limited access facility. Such highways or streets may be parkways, from which trucks, busses, and other commercial vehicles shall be excluded; or they may be freeways open to use by all customary forms of street and highway traffic. "New locations" is defined as a new highway or new street and for the purposes of this act shall not apply to existing highways and streets.

"Parkways."

"Freeways."

"New locations."

SEC. 2. The highway authorities of the state, counties and incorporated cities and towns, acting alone or in cooperation with each other, or with any Federal, state or local agency, or any other state having authority to participate in the construction and maintenance of highways, are hereby authorized to plan, designate, establish, regulate, vacate, alter, improve, construct, maintain and provide limited access facilities on new locations for public use wherever such authority or authorities are of the opinion that traffic conditions, present or future, will justify such special facilities: *Provided*, That within incorporated cities and towns and upon county roads within counties, such authority shall be subject to the consent of such local authorities as may be provided by law. Said highway authorities of the state, counties, and incorporated cities and towns, in addition to the specific powers granted in this act, shall also have, and may exercise, relative to limited access facilities, any and all additional authority, now or hereafter vested in them relative to highways or streets within their respective jurisdictions; said units may regulate, restrict or prohibit the use of such limited access facilities by the various classes of vehicles or traffic in a manner consistent with section 1 of this act: *Provided further*, That whenever said highway authorities designate and establish a limited access highway and such highway connects with an existing highway, then

Authority to establish, construct, etc.

Local authorities may consent.

May regulate use.

Existing highway excluded.

such existing highway under no consideration shall be determined a "new location."

Design.

SEC. 3. The highway authorities of the state, counties and incorporated cities and towns are authorized to so design any limited access facility and to so regulate, restrict or prohibit access as to best serve the traffic for which such facility is intended; and the determination of design by such authority shall be conclusive and final. In this connection such highway authorities are authorized to divide and separate any limited access facility into separate roadways by the construction of raised curbings, central dividing sections, or other physical separations, or by designating such separate roadways by signs, markers, stripes and the proper lane for such traffic by appropriate signs, markers, stripes and other devices. No person shall have any right of ingress or egress to, from or across limited access facilities to or from abutting lands, except at such designated points at which access may be permitted by said highway authorities upon such terms and conditions as may be specified from time to time.

Construction.

Signs.

Ingress and egress.

Access limited.

Rights of way.

SEC. 4. For the purpose of this act the highway authorities of the state, counties and incorporated cities and towns, respectively, or in cooperation one with the other, may acquire private or public property and property rights for limited access facilities and service roads, including rights of access, air, view and light, by gift, devise, purchase, or condemnation, in the same manner as such authorities are now or hereafter may be authorized by law to acquire property or property rights in connection with highways and streets within their respective jurisdictions. All property rights acquired under the provisions of this act shall be in fee simple. In the acquisition of property or property rights for any limited access facility or portion thereof, or for any service road in connection therewith, the state, county, incorporated city

Rights acquired.

and town authority may, in its discretion, acquire an entire lot, block or tract of land, if by so doing the interest of the public will be best served, even though said entire lot, block or tract is not immediately needed for the limited access facility.

Acquisition
of entire
tract.

SEC. 5. Court proceedings necessary to acquire property or property rights for purposes of this act shall take precedence over all other causes not involving the public interest in all Courts to the end that the provision for limited access facilities may be expedited.

Court
proceedings
take
precedence.

SEC. 6. The highway authority of the state, county, incorporated city and town may designate and establish limited access highways only on new locations. Any such designation or establishment shall, by the respective authorities making such designation or establishment, be entered upon the records or minutes of such authorities in the customary manner for the keeping of such records or minutes. The state, counties and incorporated cities and towns shall have authority to provide for the elimination of sections at grade of limited access facilities with existing state or county roads, and with city or town streets, by grade separation or service road, or by closing off such roads and streets at the right of way boundary line of such limited access facility; and after the establishment of any such facility, no highway or street which is not part of said facility, shall intersect the same at grade. No city or town street, county road or state highway, or any other public or private way, shall be opened into or connect with any such limited access facility without the consent and previous approval of the highway authority for the state, county, incorporated city or town having jurisdiction over such limited access facility. Such consent and approval shall be given only if the public interest shall be served thereby.

Limited
to new
locations.

To be
entered on
minutes or
records.

Grade
separations
and service
roads.

Intersec-
tions.

Consent
necessary for
intersection
with limited
access
facility.

Right of access must be acquired.

SEC. 7. No public highway shall be constructed as a limited access facility except upon the waiver, purchase or condemnation of the abutting owner's right of access thereto as herein provided.

Agreements between authorities.

SEC. 8. The highway authorities of the state, counties, incorporated cities and towns are authorized to enter into agreements with each other, or with the Federal Government, respecting the financing, planning, establishment, improvement, construction, maintenance, use, regulation or vacation of limited access facilities in their respective jurisdictions to facilitate the purposes of this act.

Local service roads.

SEC. 9. In connection with the development of any limited access facility the state, county or incorporated city or town highway authorities are authorized to plan, designate, establish, use, regulate, alter, improve, construct, maintain and vacate local service roads and streets, or to designate as local service roads and streets any existing road or street, and to exercise jurisdiction over service roads in the same manner as is authorized for limited access facilities under the terms of this act. If, in their opinion such local service roads and streets are necessary or desirable, such local service roads or streets shall be separated from the limited access facility by such means or devices designated as necessary or desirable by the proper authority.

To be signed and marked.

SEC. 10. After the opening of any new and additional limited access highway facility, or after the designation and establishment of any existing street or highway, as included the particular highways and streets or those portions thereof designated and established, shall be physically marked and indicated as follows: By the erection and maintenance of such signs as in the opinion of the respective authorities may be deemed proper, indicating to drivers of vehicles that they are entering a limited access area and that they are leaving a limited access area.

SEC. 11. After the opening of any new and additional limited access highway facility, or after the designation and establishment of any existing street or highway, as included it shall be unlawful for any person (1) to drive a vehicle over, upon, or across any curb, central dividing section or other separation or dividing line on limited access facilities; (2) to make a left turn or a semicircular or U-turn except through an opening provided for that purpose in the dividing curb section, separation or line; (3) to drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation section, or line; (4) to drive any vehicle into the limited access facility from a local service road except through an opening provided for that purpose in the dividing curb, or dividing section or dividing line which separates such service road from the limited access facility proper. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and upon arrest and conviction therefor, shall be punished by a fine of not less than five dollars (\$5) nor more than one hundred dollars (\$100), or by imprisonment in the city or county jail for not less than five (5) days nor more than ninety (90) days, or by both such fine and imprisonment.

Unlawful
acts.

Violations.

Punishment.

SEC. 12. If any section, provision, or clause of this act shall be declared invalid or inapplicable to any person or circumstance, such invalidity or inapplicability shall not be construed to affect the portions not so held or persons or circumstances not so affected. All laws or portions of laws inconsistent with the policy and provisions of this act are hereby repealed to the extent of such inconsistency in its application to limited access facilities provided for in this act.

Saving
clause.

SEC. 13. This act is necessary for the immediate preservation of the public peace, health and safety and for the support of the state government and its

Effective
immediately.

existing public institutions and shall take effect immediately.

Passed the Senate March 9, 1947.

Passed the House March 7, 1947.

Approved by the Governor March 19, 1947.

CHAPTER 203.

[S. B. 149.]

REAL ESTATE BROKERS AND SALESMEN.

AN ACT relating to real estate brokers and real estate salesmen; and amending section 11, chapter 252, Laws of 1941 as last amended by section 3, chapter 111, Laws of 1945; sections 12 and 16, chapter 252, Laws of 1941 as amended by sections 4 and 6, chapter 111, Laws of 1945; sections 18 and 19, chapter 252, Laws of 1941 as last amended by sections 7 and 8, chapter 111, Laws of 1945; section 22, chapter 252, Laws of 1941; section 26, chapter 252, Laws of 1941 as amended by section 7, chapter 118, Laws of 1943; section 27, chapter 252, Laws of 1941 (secs. 8340-34, -35, -39, -41, -42, -45, -49, and -50, Rem. Rev. Stat.; secs. 836-21, -23, -31, -35, -37, -43, -51, and -53, PPC).

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

SECTION 1. Section 11, chapter 252, Laws of 1941 as last amended by section 3, chapter 111, Laws of 1945 (sec. 8340-34, Rem. Rev. Stat.; sec. 836-21, PPC) is amended to read as follows:

Application.

Section 11. Any person desiring to carry on the business or act in the capacity of a real estate broker or real estate salesman shall make application to the Director for license therefor upon a form to be prescribed and furnished by the Director giving his full name and business address. With this application to the Director, the applicant shall:

Broker.

Salesman.

Fee.

(a) Pay a license fee of five dollars (\$5) to the State Treasurer: *Provided, however,* That if an application for renewal license is not received by the Director on or before January 1st of each year, the license fee for a renewal license shall be ten dollars

Renewal.