finds at the expiration of six months that the fireman is unable to return to and perform his duties, then he shall be retired as herein provided.

Passed the Senate February 26, 1957.
Passed the House March 6, 1957.
Approved by the Governor March 13, 1957.

CHAPTER 83.
[ Sub. S. B. 156. ]

CITY AND TOWN STREETS AS PART OF STATE HIGHWAYS.

AN ACT relating to city and town streets that form a part of state highways, setting forth the authority of the state highway commission therefor; amending sections 2 and 3, chapter 179, Laws of 1955 and RCW 47.24.010 and 47.24.020 and declaring an emergency.

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

Section 1. Sections 2 and 3, chapter 179, Laws of 1955 (heretofore divided and codified as RCW 47.24.010 and 47.24.020) are divided and amended as set forth in sections 2 and 3 of this act.

Sec. 2. (RCW 47.24.010) The state highway commission shall determine what streets, together with bridges thereon and wharves necessary for use for ferriage of motor vehicle traffic in connection with such streets, if any, in any incorporated cities and towns shall form a part of the route of state highways and between the first and fifteenth days of July of each year the state highway commission shall certify to the state auditor and to the clerk of each city or town, by brief description, the streets, together with bridges thereon and wharves, if any, in such city or town which are designated as forming a part of the route of any state highway; and all such streets, including curbs and gutters and street in-
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intersections and such bridges and wharves, shall be
constructed and maintained by the state highway
commission from any state funds available therefor.

Sec. 3. (RCW 47.24.020) The jurisdiction, con-
trol and duty of the state and city or town with re-
spect to such streets shall be as follows:

(1) The state highway commission shall have no
authority to change or establish any grade of any
such street without approval of the governing body
of such city or town, except with respect to limited
access facilities established by the state highway
commission;

(2) The city or town shall exercise full respon-
sibility for the control over any such street beyond
the curbs and if no curb is installed, beyond that
portion of the highway used for highway purposes:
Provided, That within incorporated cities and towns
the title to a limited access facility, after purchase
and construction by the state alone, shall vest in the
state, and the Washington state highway commission
shall exercise full jurisdiction, responsibility and
control to, and over, such facility as provided in chap-
ter 47.52 RCW, as amended;

(3) The state highway commission shall have
authority to prohibit the suspension of signs, ban-
ners, or decorations above the portion of such street
between the curbs or portion used for highway pur-
poses up to a vertical height of twenty feet above the
surface of the roadway;

(4) The city or town shall at its own expense
maintain all underground facilities in such streets,
and shall have the right to construct such additional
underground facilities as may be necessary in such
streets;

(5) The city or town shall have the right to grant
the privilege to open the surface of any such street,
but all damage occasioned thereby shall promptly
be repaired either by the city or town itself or at its direction;

(6) The city or town at its own expense shall provide street illumination and shall clean all such streets, including storm sewer inlets and catch basins, and remove all snow, except that the state shall when necessary plow the snow on the roadway: Provided, That in cities and towns having a population of fifteen thousand or less according to the latest federal census, the state, when necessary for public safety, shall assume, at its expense, responsibility, for the stability of the slopes of cuts and fills and the embankments within the right of way to protect the roadway itself: Provided further, That the state shall install, maintain and operate all illuminating facilities on any limited access facility, together with their interchanges, located within the corporate limits of any city or town, and shall assume and pay the costs of all such installation, maintenance and operation incurred after November 1, 1954;

(7) The state highway commission shall have the right to utilize all storm sewers on such highways without cost; and if new storm sewer facilities are necessary in construction of new streets by the state highway commission, the cost of such facilities shall be borne by the state and/or city as may be mutually agreed upon between the state highway commission and the governing body of the city or town;

(8) Cities and towns shall have exclusive right to grant franchises, not in conflict with state laws, over, beneath and upon such streets but the state highway commission shall be authorized to enforce in an action brought in the name of the state any condition of any franchise which a city or town shall have granted on such street: Provided, That no franchise for transportation of passengers in motor vehicles shall be granted on such streets without the
approval of the state highway commission but the state highway commission shall not refuse to approve such franchise unless another street conveniently located and of strength of construction to sustain travel of such vehicles is accessible;

(9) Every franchise or permit granted any person by a city or town for use of any portion of such street by a public utility shall require the grantee or permittee to restore, repair and replace to its original condition any portion of the street damaged or injured by it;

(10) The city or town shall have the right to issue overload or overwidth permits for vehicles to operate on such streets or roads subject to regulations printed and distributed to the cities and towns by the state highway commission;

(11) Cities and towns shall regulate and enforce all traffic and parking restrictions on such streets, but all regulations adopted shall be subject to the approval of the state highway commission before becoming effective. Traffic control and parking regulations heretofore adopted by a city or town not identical with state laws shall become null and void unless approved by the state highway commission within one year after March 21, 1949;

(12) The state highway commission shall erect, control and maintain at state expense all route markers, and directional signs, except street signs, on such streets;

(13) The state highway commission shall install, operate, maintain and control at state expense all traffic control signals, signs and traffic control devices for the purpose of regulating both pedestrian and motor vehicular traffic on, entering upon, or leaving state highways in cities and towns having a population of fifteen thousand or less according to the latest federal census: Provided, That such cities and towns may submit to the state highway commis-
City streets as highways. Jurisdiction, control of such streets.

Provido.

sion a plan for traffic control signals, signs and traffic control devices desired by them, indicating the location, nature of installation, or type thereof, or a proposed amendment to such an existing plan or installation, and the state highway commission shall consult with the cities or towns concerning the same prior to installing such signals, signs, or devices. Cities and towns having a population in excess of fifteen thousand according to the latest federal census shall install, maintain, operate and control such signals, signs and devices at their own expense, subject to approval of the state highway commission for the installation and type only. For the purpose of this subdivision striping, lane marking and channelization are considered traffic control devices;

(14) All revenue from parking meters placed on such streets shall belong to the city or town;

(15) Rights of way for such streets shall be acquired by either the city or town or by the state as shall be mutually agreed upon. Costs of acquiring rights of way may be at the sole expense of the state or at the expense of the city or town or at the expense of the state and the city or town as may be mutually agreed upon. Title to all rights of way so acquired shall vest in the city or town: Provided, That no vacation, sale or rental of any unused portion of any such street shall be made by the city or town without the approval of the state highway commission; and all revenue derived from sale, vacation or rental of such rights of way shall be shared by the city or town and the state in the same proportion as the purchase costs were shared;

(16) If any city or town shall fail to perform any of its obligations as set forth in this section or in any cooperative agreement entered into with the state highway commission for the maintenance of a city or town street forming part of the route of a state highway, the state highway commission may notify
the mayor of such town to perform such necessary maintenance within thirty days. If the city or town within such thirty days shall fail to perform such maintenance or fail to authorize the state highway commission to perform such maintenance as provided by RCW 47.24.050, the state highway commission may perform such maintenance. The state auditor shall pay the cost of such maintenance on vouchers submitted by the state highway commission and deduct the cost from any sums in the motor vehicle fund credited or to be credited to such city or town.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 19, 1957.
Passed the House March 5, 1957.
Approved by the Governor March 13, 1957.

CHAPTER 84.
[S. B. 192]
POLICE RELIEF AND PENSIONS.

An Act relating to pensions for retired police officers and their widows, amending section 1, chapter 45, Laws of 1945, as last amended by section 3, chapter 69, Laws of 1955, and RCW 41.20.050; and amending section 2, chapter 24, Laws of 1937, as last amended by section 5, chapter 69, Laws of 1955, and RCW 41.20.060; and amending section 3, chapter 24, Laws of 1937, as last amended by section 6, chapter 69, Laws of 1955, and RCW 41.20.080.

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

SECTION 1. Section 1, chapter 45, Laws of 1945, as last amended by section 3, chapter 69, Laws of 1955, and RCW 41.20.050, are each amended to read as follows: