

CHAPTER 155.

[House Bill No. 234.]

MOTOR VEHICLES—RULES OF THE ROAD.

AN ACT relating to rules of the road; adding new sections to chapter 12, Laws of 1961 and chapter 46.04 RCW; amending section 46.37.190, chapter 12, Laws of 1961 as amended by section 14, chapter 154, Laws of 1963 and RCW 46.37-.190; amending section 1, chapter 16, Laws of 1963 and RCW 46.48.011; amending section 3, chapter 16, Laws of 1963 and RCW 46.48.013; and amending section 46.56.040, chapter 12, Laws of 1961 and RCW 46.56.040; repealing section 46.04.070, chapter 12, Laws of 1961 and RCW 46.04.070; section 46.04.390, chapter 12, Laws of 1961 and RCW 46.04-.390; section 46.04.430, chapter 12, Laws of 1961 and RCW 46.04.430; section 46.04.520, chapter 12, Laws of 1961 and RCW 46.04.520; section 46.04.610, chapter 12, Laws of 1961 and RCW 46.04.610; section 46.08.040, chapter 12, Laws of 1961 and RCW 46.08.040; section 46.08.050, chapter 12, Laws of 1961 and RCW 46.08.050; section 46.20.260, chapter 12, Laws of 1961 and RCW 46.20.260; sections 46.47.010 through 46.47.090, chapter 12, Laws of 1961 and RCW 46.47.010 through 46.47.090; section 46.48.027, chapter 12, Laws of 1961 and RCW 46.48.027; section 46.48.130, chapter 12, Laws of 1961 as amended by section 1, chapter 203, Laws of 1961 and RCW 46.48.130; section 46.48.140, chapter 12, Laws of 1961 and RCW 46.48.140; sections 46.48.260 through 46.48-.330, chapter 12, Laws of 1961 and RCW 46.48.260 through 46.48.330; section 46.56.010, chapter 12, Laws of 1961 and RCW 46.56.010; section 46.56.020, chapter 12, Laws of 1961 and RCW 46.56.020; section 46.56.050, chapter 12, Laws of 1961 and RCW 46.56.050; section 46.56.060, chapter 12, Laws of 1961 and RCW 46.56.060; section 46.56.080, chapter 12, Laws of 1961 and RCW 46.56.080; section 46.56.090, chapter 12, Laws of 1961 and RCW 46.56.090; section 46.56.110, chapter 12, Laws of 1961 and RCW 46.56.110; section 46.56-.120, chapter 12, Laws of 1961 and RCW 46.56.120; sections 46.56.140 through 46.56.180, chapter 12, Laws of 1961 and RCW 46.56.140 through 46.56.180; section 46.60.010, chapter 12, Laws of 1961 and RCW 46.60.010; section 46.60.020, chapter 12, Laws of 1961 as amended by section 50, chapter 3, Laws of 1963 extraordinary session and RCW 46.60-.020; sections 46.60.040 through 46.60.140, chapter 12, Laws of 1961 and RCW 46.60.040 through 46.60.140; section 46.60-.150, chapter 12, Laws of 1961 as amended by section 46, chapter 3, Laws of 1963 extraordinary session and RCW 46.60.150; section 46.60.160, chapter 12, Laws of 1961 as amended by section 1, chapter 118, Laws of 1961 and RCW

46.60.160; section 46.60.170, chapter 12, Laws of 1961 as amended by section 47, chapter 3, Laws of 1963 extraordinary session and RCW 46.60.170; sections 46.60.180 through 46.60.250, chapter 12, Laws of 1961 and RCW 46.60.180 through 46.60.250; sections 46.60.280 through 46.60.310, chapter 12, Laws of 1961 and RCW 46.60.280 through 46.60.310; section 46.60.320, chapter 12, Laws of 1961 as amended by section 1, chapter 125, Laws of 1963, and RCW 46.60.320; section 46.60.350, chapter 12, Laws of 1961 and RCW 46.60.350; sections 47.36.140 through 47.36.170, chapter 13, Laws of 1961 and RCW 47.36.140 through 47.36.170; section 47.52.030, chapter 13, Laws of 1961 and RCW 47.52.030; and providing penalties; declaring certain signs, signals or markings public nuisances and providing for the removal thereof; directing the recodification of certain RCW sections; and adding new sections to chapter 12, Laws of 1961 and providing for a new chapter in Title 46 of the revised code of Washington to be organized under enumerated captions.

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

Motor vehicles
—Rules of the
road. Provi-
sions refer to
vehicles upon
highways—
Exceptions.

SECTION 1. The provisions of this amendatory act relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

(1) Where a different place is specifically referred to in a given section.

(2) The provisions of RCW 46.52.010 through 46.52.090 and sections 59 through 63 of this amendatory act shall apply upon highways and elsewhere throughout the state.

Obedience
required—
Unlawful acts,
omissions, as
misdemeanors.

SEC. 2. It is unlawful and, unless otherwise declared in this amendatory act with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this amendatory act.

Obedience to
police officers,
flagmen.

SEC. 3. No person shall wilfully fail or refuse to comply with any lawful order or direction of any duly authorized flagman or any police officer invested by law with authority to direct, control or regulate traffic.

SEC. 4. Every person riding an animal or driving any animal-drawn vehicle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this amendatory act except those provisions of this amendatory act which by their very nature can have no application.

Persons riding animals, driving animal-drawn vehicles.

SEC. 5. Unless specifically made applicable, the provisions of this amendatory act except those contained in sections 59 through 63 of this amendatory act shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of a highway but shall apply to such persons and vehicles when traveling to or from such work.

Persons working on highways—Exception.

SEC. 6. (1) The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this section, but subject to the conditions herein stated.

Authorized emergency vehicles.

(2) The driver of an authorized emergency vehicle may:

(a) Park or stand, irrespective of the provisions of this amendatory act;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the maximum speed limits so long as he does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions herein granted to an authorized emergency vehicle shall apply only when such vehicle is making use of audible and visual signals meeting the requirements of section 53 of this

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road.
Authorized
emergency
vehicles.

amendatory act, except that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle.

(4) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

Obedience to
and required
traffic-control
devices.

SEC. 7. (1) The driver of any vehicle and every pedestrian shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this amendatory act, unless otherwise directed by a traffic or police officer, subject to the exception granted the driver of an authorized emergency vehicle in this amendatory act.

(2) No provision of this amendatory act for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible or visible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.

(3) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this amendatory act, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

(4) Any official traffic-control device placed pursuant to the provisions of this amendatory act and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this amendatory act,

unless the contrary shall be established by competent evidence.

SEC. 8. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

Traffic-control
signal legend.

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(c) Unless otherwise directed by a pedestrian-control signal, as provided in section 9 of this amendatory act, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be

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—Rules of the
road. Traffic-
control signal
legend.

exhibited immediately thereafter when vehicular traffic shall not enter the intersection.

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian-control signal as provided in section 9 of this amendatory act, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown: *Provided*, That such traffic may, after stopping cautiously proceed to make a right turn from a one-way or two-way street into a two-way street or into a one-way street carrying traffic in the direction of the right turn; or a left turn from a one-way or two-way street into a one-way street carrying traffic in the direction of the left turn; unless a sign posted by competent authority prohibits such movement; but vehicular traffic making such turns shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(b) Unless otherwise directed by a pedestrian-control signal as provided in section 9 of this amendatory act, pedestrians facing a steady red signal alone shall not enter the roadway.

(4) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made,

but in the absence of any such sign or marking the stop shall be made at the signal.

SEC. 9. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place such signals shall indicate as follows: Pedestrian-control signals.

(1) WALK—Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.

(2) DON'T WALK—No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety island while the don't walk signal is showing.

(3) Pedestrian-control signals having the "Wait" legend in use on the effective date of this amendatory act shall be deemed authorized signals and shall indicate the same as the "Don't Walk" legend. Whenever such pedestrian-control signals are replaced the legend "Wait" shall be replaced by the legend "Don't Walk".

SEC. 10. (1) Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows: Flashing signals.

(a) FLASHING RED (STOP SIGNAL). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or, if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(b) FLASHING YELLOW (CAUTION SIGNAL). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed

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signals.

through the intersection or past such signal only with caution.

(2) This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in section 46 of this amendatory act.

Lane-direction
control signals.

SEC. 11. When lane-direction-control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown.

Display of
unauthorized
signs, signals
or markings.

SEC. 12. (1) No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of an official traffic-control device or any railroad sign or signal.

(2) No person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

(3) This section shall not be deemed to prohibit the erection upon private property adjacent to highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

(4) Every such prohibited sign, signal or marking is hereby declared to be a public nuisance and the authority having jurisdiction over the highway is hereby empowered to remove the same or cause it to be removed without notice.

Interference
with official
traffic-control

SEC. 13. No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down

or remove any official traffic-control device or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

devices or
railroad signs
or signals.

SEC. 14. No traffic control signal or device shall be erected or maintained upon any city street designated as forming a part of the route of a primary state highway or secondary state highway unless first approved by the state highway commission.

Commission
to approve
devices on
those city
streets part of
state highway
route.

SEC. 15. (1) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

Drive on right
side of road-
way—
Exceptions.

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(b) When an obstruction exists making it necessary to drive to the left of the center of the highway; provided, any person so doing shall yield the right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;

(c) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or

(d) Upon a roadway designated and signposted for one-way traffic.

(2) Upon all roadways any vehicle proceeding slower than the legal maximum speed or at a speed slower than necessary for safe operation at the time and place and under the conditions then existing, shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection, exit, or into a private road or driveway when such left turn is legally permitted.

(3) Upon any roadway having four or more lanes for moving traffic and providing for two-way move-

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road. Drive on
right side of
roadway—
Exceptions.

ment of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection (1) (b) hereof.

Passing
vehicles
proceeding in
opposite
direction.

SEC. 16. Drivers of vehicles proceeding in opposite directions shall pass to the right of each other, and upon roadways having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main-traveled portion of the roadway as nearly as possible.

Overtaking of
vehicles on
the left.

SEC. 17. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:

(1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

(2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

When over-
taking on the
right is
permitted.

SEC. 18. (1) The driver of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn;

(b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction;

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles.

(2) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main-traveled portion of the roadway.

SEC. 19. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by the provisions of sections 15 through 27 of this amendatory act and unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within two hundred feet of any approaching vehicle.

Limitations in overtaking on the left.

SEC. 20. (1) No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

Further limitations on driving to left of center roadway.

(a) When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

(b) When approaching within one hundred feet of or traversing any intersection or railroad grade crossing;

(c) When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct or tunnel.

(2) The foregoing limitations shall not apply upon a one-way roadway.

Motor vehicles
—Rules of the
road. No-
passing zones.

SEC. 21. (1) The state highway commission and local authorities are hereby authorized to determine those portions of any highway under their respective jurisdictions where overtaking and passing or driving to the left of the roadway would be especially hazardous and may indicate the beginning and end of such zones by means of a solid barrier paint line of contrasting color parallel, adjacent, and to the right of the painted barrier line of the traffic lane in which the vehicle is operating. When such markings are in place and clearly visible to an ordinarily observant person every driver of a vehicle shall obey the directions thereof.

(2) Where signs or markings are in place to define a no-passing zone as set forth in subsection (1) above no driver shall at any time drive on the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length.

One-way road-
ways and
rotary traffic
islands.

SEC. 22. (1) The state highway commission may designate any state highway or any separate roadway under its jurisdiction and local authorities may designate any city street or county road under their respective jurisdictions for one-way traffic and shall erect appropriate signs giving notice thereof.

(2) Upon a roadway designated and signposted for one-way traffic a vehicle shall be driven only in the direction designated.

(3) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

SEC. 23. Whenever any roadway has been divided into two or more clearly marked lanes for traffic the following rules in addition to all others consistent herewith shall apply.

Driving on roadways lined for traffic.

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(2) Upon a roadway which is divided into three lanes and provides for two-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction when such center lane is clear of traffic within a safe distance, or in preparation for making a left turn or where such center lane is at the time allocated exclusively to traffic moving in the same direction that the vehicle is proceeding and such allocation is designated by official traffic-control devices.

(3) Official traffic-control devices may be erected directing slow moving or other specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of every such device.

(4) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway and drivers of vehicles shall obey the directions of every such device.

SEC. 24. (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

Following too closely.

Motor vehicles
—Rules of the
road. Follow-
ing too closely.

(2) The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle.

(3) Motor vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

Driving on
divided
highways.

SEC. 25. Whenever any highway has been divided into two or more roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section or by two parallel yellow barrier stripes four inches or more apart so installed as to control vehicular traffic, every vehicle shall be driven only upon the right-hand roadway unless directed or permitted to use another roadway by official traffic-control devices or police officers. No vehicle shall be driven over, across or within any such dividing space, barrier or section, or yellow barrier stripes, except through an opening in such physical barrier or dividing section or space or yellow barrier stripes, or at a crossover or intersection as established, unless specifically prohibited by public authority.

Restricted
access.

SEC. 26. No person shall drive a vehicle onto or from any limited access roadway except at such

entrances and exits as are established by public authority.

SEC. 27. The state highway commission may by resolution or order, and local authorities may by ordinance or resolution, with respect to any limited access roadway under their respective jurisdictions prohibit the use of any such roadway by funeral processions, or by parades, pedestrians, bicycles or other nonmotorized traffic, or by any person operating a motor-driven cycle.

Restrictions on use of controlled-access highways.

The state highway commission or the local authority adopting any such prohibitory regulation shall erect and maintain official signs on the limited access roadway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

SEC. 28. The driver of a vehicle approaching an intersection shall look out for and yield the right of way to any vehicle on his right simultaneously approaching the intersection regardless of which vehicle first reaches and enters the intersection.

Right of way—Vehicles approaching or entering intersection.

The right of way rule declared in this section is modified at arterial highways and otherwise as stated in this amendatory act.

SEC. 29. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

Right of way—Vehicle turning left.

SEC. 30. (1) Preferential right of way at an intersection may be indicated by stop signs or yield signs as authorized in RCW 47.36.110.

Right of way—Vehicle entering stop or yield intersection.

(2) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by

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road. Right of
way—Vehicle
entering stop
or yield
intersection.

a stop sign shall stop as required by section 50 subsection (2) of this amendatory act, and after having stopped shall yield the right of way to any vehicle which has entered the intersection from another highway or which is approaching so closely on said highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

(3) The driver of a vehicle approaching a yield sign shall in obedience to such sign slow down to a speed reasonable for the existing conditions and shall yield the right of way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection: *Provided*, That if such a driver is involved in a collision with a vehicle in the intersection, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield right of way.

Right of way—
Vehicle enter-
ing highway
from private
road.

SEC. 31. The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles approaching on said highway.

Right of way—
Operation of
vehicles on
approach of
authorized
emergency
vehicles.

SEC. 32. (1) Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of section 53 of this amendatory act, or of a police vehicle properly and lawfully making use of an audible signal only the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(2) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

SEC. 33. Pedestrians shall be subject to traffic-control signals at intersections as provided in section 9 of this amendatory act, and at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this amendatory act.

Pedestrians
subject to
traffic
regulations.

SEC. 34. (1) When traffic-control signals are not in place or not in operation the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

Pedestrians'
right of way
in crosswalks.

(2) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

(3) Subsection (1) above shall not apply under the conditions stated in section 35 subsection (2) of this amendatory act.

(4) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

SEC. 35. (1) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

Pedestrians—
Crossing at
other than
crosswalks.

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Pedestrians—
Crossing at
other than
crosswalks.

(2) Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

(3) Between adjacent intersections at which traffic-control signals are in operation pedestrians shall not cross at any place except in a marked crosswalk.

(4) No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements.

(5) No pedestrian shall cross a roadway at an unmarked crosswalk where an official sign prohibits such crossing.

Pedestrians—
Drivers to
exercise due
care.

SEC. 36. Notwithstanding the foregoing provisions of this amendatory act every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

Pedestrians on
roadways.

SEC. 37. (1) Where sidewalks are provided it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(2) Where sidewalks are not provided any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction and upon meeting an oncoming vehicle shall step clear of the roadway.

Pedestrians
soliciting rides
or business.

SEC. 38. (1) No person shall solicit by word or sign or by any other means for himself or for another a ride from the occupant of any vehicle.

(2) It shall be unlawful for the driver of a vehicle to offer or give a ride to any person soliciting a ride upon or along a public highway.

(3) The provisions of subsections (1) and (2) above shall not be construed to prevent a person upon a public highway from soliciting, or a driver of a vehicle from giving a ride where an emergency actually exists, nor to prevent a person from signaling or requesting transportation from a passenger carrier for the purpose of becoming a passenger thereon for hire.

(4) No person shall stand in a roadway for the purpose of soliciting employment or business from the occupant of any vehicle.

(5) No person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.

SEC. 39. No vehicle shall at any time be driven through or within a safety zone.

Driving in safety zone prohibited.

SEC. 40. The driver of a vehicle intending to turn at an intersection shall do so as follows:

Required position and method of turning at intersection.

(1) Right turns. Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(2) Left turns on two-way roadways. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn

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position and
method of
turning at
intersection.

shall be made in that portion of the intersection to the left of the center of the intersection.

(3) Left turns on other than two-way roadways. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle and after entering the intersection the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

(4) Local authorities in their respective jurisdictions may cause markers, buttons or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when markers, buttons or signs are so placed no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs.

Turning on
curve or crest
of grade
prohibited.

SEC. 41. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet within residence or business districts and within one thousand feet in all other locations.

Starting
parked
vehicle.

SEC. 42. No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

Turning
movements,
required
signals.

SEC. 43. (1) No person shall turn a vehicle at an intersection unless the vehicle is in proper posi-

tion upon the roadway as required in section 40 of this amendatory act, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinafter provided.

(2) A signal of intention to turn right or left when required shall be given continuously during not less than the last one hundred feet traveled by the vehicle before turning.

(3) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

(4) The signals provided for in section 44 subsection (2) of this amendatory act, shall be used to indicate an intention to turn, change lanes, or start from a parked position and shall not be flashed on one side only on a parked or disabled vehicle, or flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear.

SEC. 44. (1) Any stop or turn signal when required herein shall be given either by means of the hand and arm or by signal lamps, except as otherwise provided in subsection (2) hereof.

Signals by
hand or arm
or signal
lamps.

(2) Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, signal lamps when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet. The latter measurements shall apply

to any single vehicle, also to any combination of vehicles.

Motor vehicles
--Rules of the
road. Method
of giving hand
and arm
signals.

SEC. 45. All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- (1) Left turn. Hand and arm extended horizontally.
- (2) Right turn. Hand and arm extended upward.
- (3) Stop or decrease speed. Hand and arm extended downward.

Obedience to
signal indicat-
ing approach
of train.

SEC. 46. (1) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop within fifty feet but not less than fifteen feet from the nearest rail of such railroad, and shall not proceed until he can do so safely. The foregoing requirements shall apply when:

- (a) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
- (b) A crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
- (c) An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

(2) No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

All vehicles
must stop at
certain rail-
road grade
crossings.

SEC. 47. The state highway commission and local authorities within their respective jurisdictions are hereby authorized to designate particularly dangerous highway grade crossings of railroads and to erect stop signs thereat. When such stop signs are erected the driver of any vehicle shall stop within

fifty feet but not less than fifteen feet from the nearest rail of such railroad and shall proceed only upon exercising due care.

SEC. 48. (1) The driver of any motor vehicle carrying passengers for hire, other than a passenger car, or of any school bus carrying any school child, or of any vehicle carrying explosive substances or flammable liquids as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty feet but not less than fifteen feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required herein and upon proceeding when it is safe to do so the driver of any said vehicle shall cross only in such gear of the vehicle that there will be no necessity for changing gears while traversing such crossing and the driver shall not shift gears while crossing the track or tracks.

Certain vehicles must stop at all railroad grade crossings.

(2) No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed.

SEC. 49. (1) No person shall operate or move any crawler-type tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of ten or less miles per hour or a vertical body or load clearance of less than one-half inch per foot of the distance between any two adjacent axles or in any event of less than nine inches, measured above the level surface of a roadway, upon or across any tracks at a railroad grade crossing without first complying with this section.

Moving heavy equipment at railroad grade crossings.

(2) Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than fifteen

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crossings.

feet nor more than fifty feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

(3) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car. If a flagman is provided by the railroad, movement over the crossing shall be under his direction.

Stop signs and
yield signs.

SEC. 50. (1) Preferential right of way at an intersection may be indicated by stop signs or yield signs as authorized in RCW 47.36.110.

(2) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

(3) The driver of a vehicle approaching a yield sign if required for safety to stop shall stop before entering the crosswalk on the near side of the intersection or, in the event there is no crosswalk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

Emerging
from alley,
driveway or
building.

SEC. 51. The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alleyway or drive-

way, and shall yield the right of way to any pedestrian as may be necessary to avoid collision, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway.

SEC. 52. (1) The driver of a vehicle upon overtaking or meeting from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus when there is in operation on said school bus a visual signal as specified in section 53 of this amendatory act and said driver shall not proceed until such school bus resumes motion or is signaled by the school bus driver to proceed or the visual signals are no longer activated.

Overtaking
and passing
school bus.

(2) Every school bus shall bear upon the front and rear thereof plainly visible signs containing the words "SCHOOL BUS" in letters not less than eight inches in height, and in addition shall be equipped with visual signals meeting the requirements of section 53 of this amendatory act which shall be actuated by the driver of said school bus whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children, except:

(a) When school children do not have to cross a highway and the bus is stopped completely off the main traveled portion of the roadway; or

(b) When the bus is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic control signal; or

(c) When the bus is stopped at school for the purpose of receiving or discharging school children and school children are not required to cross the roadway.

(3) The driver of a vehicle upon a highway divided into separate roadways as provided in section 25 of this amendatory act, need not stop upon

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taking and
passing school
bus.

meeting or passing a school bus which is on a separate roadway or when upon a limited access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

RCW 46.37.190
amended.

SEC. 53. Section 46.37.190, chapter 12, Laws of 1961 as amended by section 14, chapter 154, Laws of 1963 and RCW 46.37.190 are each amended to read as follows:

Vehicle equip-
ment, lighting.
Red lights—
—Emergency
vehicles—
School buses—
Police vehicles—
—Sirens on
emergency
vehicles.

(1) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive marking required by this chapter, be equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.

(2) Every school bus shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with a "stop" signal upon a background not less than fourteen by eighteen inches displaying the word "stop" in letters of distinctly contrasting colors not less than eight inches high, and shall further be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level and these lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight.

(3) A police vehicle when used as an authorized emergency vehicle may but need not be equipped with alternately flashing red lights specified herein.

(4) The alternately flashing lighting described in subsections (2) and (3) of this section shall not be used on any vehicle other than a school bus or an authorized emergency vehicle.

(5) The use of the signal equipment described herein shall impose upon drivers of other vehicles the obligation to yield right of way and stop as prescribed in section 32 of this amendatory act and section 52 of this amendatory act.

SEC. 54. Section 1, chapter 16, Laws of 1963 and RCW 46.48.011 are each amended to read as follows:

RCW 46.48.011 amended.

(1) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

Speed. General criterion stated— Maximum speed limits specified —Duty to drive at reduced speed.

(2) Except when a special hazard exists that requires lower speed for compliance with subsection (1) of this section, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits.

(a) Twenty-five miles per hour on city and town streets;

(b) Fifty miles per hour on county roads;

(c) Sixty miles per hour on state highways.

The maximum speed limits set forth in this section may be altered as authorized in RCW 46.48.012, section 55 of this amendatory act, and 46.48.014.

(3) The driver of every vehicle shall, consistent with the requirements of subsection (1) of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when

special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

RCW 46.48.013 amended.

Motor vehicles. Speed. Alteration of maximum speed limits. Increase by state highway commission.

SEC. 55. Section 3, chapter 16, Laws of 1963 and RCW 46.48.013 are each amended to read as follows:

(1) Subject to subsection (2) below the state highway commission may increase the maximum speed limit on any part of a limited access highway constructed under chapter 47.52 RCW to not more than seventy miles per hour whenever said commission determines upon the basis of an engineering and traffic investigation that such greater speed is reasonable and safe under the circumstances existing on such part of the highway. The greater maximum limit so determined shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

(2) The maximum speed limit for vehicles over ten thousand pounds gross weight and vehicles in combination shall not exceed sixty miles per hour and may be established at a lower limit by the state highway commission as provided in RCW 46.48.012.

(3) The word "trucks" used by the state highway commission on signs giving notice of maximum speed limits shall mean vehicles over ten thousand pounds gross weight and all vehicles in combination.

Speed limits in city or town, procedure for reducing.

SEC. 56. Any existing city or town ordinance establishing a speed limit on a state highway within the city or town in conflict with subsection (2) (c) of section 54 of this amendatory act shall continue in effect not to exceed six months from the effective

date of this amendatory act during which time the city or town council may enact a reduced speed limit for such state highway subject to the provisions of subsection (4) of RCW 46.48.014.

SEC. 57. No person shall operate any motor-driven cycle at any time mentioned in RCW 46.37.020 at a speed greater than thirty-five miles per hour unless such motor-driven cycle is equipped with a head lamp or lamps which are adequate to reveal a person or vehicle at a distance of three hundred feet ahead.

Motor-driven cycles, maximum speed without lamps.

SEC. 58. (1) In every charge of violation of any speed regulation in this amendatory act the complaint, also the summons or notice to appear, shall specify the approximate speed at which the defendant is alleged to have driven, also the maximum speed applicable within the district or at the location.

Driving delinquencies. Charging violations to indicate speed.

(2) *Any provision of this amendatory act declaring maximum speed limitations shall not be construed to relieve the plaintiff in any action from the burden of proving negligence on the part of the defendant.*

SEC. 59. (1) Any person who drives any vehicle in wilful or wanton disregard for the safety of persons or property is guilty of reckless driving.

Reckless driving.

(2) The license or permit to drive or any non-resident privilege of any person convicted of reckless driving shall be suspended by the department of licenses for not less than thirty days.

SEC. 60. (1) It is unlawful for any person who is under the influence of or affected by the use of intoxicating liquor or of any narcotic drug to drive or be in actual physical control of any vehicle upon the public highways.

Persons under the influence of intoxicating liquor.

(2) In any criminal prosecution for a violation of the provisions of this section relating to driving a vehicle while under the influence of intoxicating

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of intoxicating
liquor.

liquor, the amount of alcohol in the defendant's blood at the time alleged as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

(a) If there was at that time 0.05 percent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor;

(b) If there was at that time in excess of 0.05 percent but less than 0.15 percent by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;

(c) If there was at that time 0.15 percent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.

(3) The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor. Nothing herein contained shall be construed as requiring any person to submit to a chemical analysis of his blood, and the refusal to submit to such an analysis shall not be admissible in evidence in any criminal prosecution for a violation of the provisions of this section or in any civil action.

(4) Evidence of the chemical analysis or scientific breath test of any kind of such person's blood shall not be admissible unless such person shall have been advised by the person giving the test before giving the test that such person has the constitutional right not to submit to such test. Evidence taken in

violation of this act shall not be admitted in evidence in any criminal or civil proceeding.

SEC. 61. It is unlawful and punishable as provided in section 62 of this amendatory act for any person who is an habitual user of or under the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle to drive a vehicle within this state. The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section.

Person under the influence of drugs.

SEC. 62. (1) Every person who is convicted of a violation of (a) driving a motor vehicle while under the influence of intoxicating liquor or (b) driving a motor vehicle while under the influence of a narcotic drug, or under the influence of any other drug to a degree which renders the driver incapable of safely driving a motor vehicle shall be punished by imprisonment for not less than five days nor more than one year, and by a fine of not less than fifty dollars nor more than five hundred dollars.

Penalties for driving motor vehicle while under the influence of intoxicating liquor or drugs—Administrative action.

On a second or subsequent conviction of either offense within a five year period he shall be punished by imprisonment for not less than thirty days nor more than one year and by a fine of not less than one hundred dollars nor more than one thousand dollars, and neither the jail sentence nor the fine shall be suspended. If such person at the time of a second or subsequent conviction is without a license or permit because of a previous suspension or revocation, the minimum mandatory sentence shall be ninety days in jail and a two hundred dollar fine. The penalty so imposed shall not be suspended.

(2) The license or permit to drive or any non-resident privilege of any person convicted of either of the offenses named in subsection (1) above shall:

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(a) Be suspended by the department of licenses for not less than thirty days;

(b) On a second conviction under either such offense within a five year period, be suspended by the department for not less than sixty days after the termination of such person's jail sentence;

(c) On a third or subsequent conviction under either such offense within a five year period, be revoked by the department.

(3) In any case provided for in this section, where a driver's license is to be revoked or suspended, such revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case such conviction is sustained on appeal such revocation or suspension shall take effect as of the date that the conviction becomes effective for other purposes.

RCW 46.56.040 amended.

SEC. 63. Section 46.56.040, chapter 12, Laws of 1961 and RCW 46.56.040 are each amended to read as follows:

Negligent homicide by means of a motor vehicle.

(1) When the death of any person shall ensue within one year as a proximate result of injury received by the driving of any vehicle by any person while under the influence of or affected by intoxicating liquor or narcotic drugs or by the operation of any vehicle in a reckless manner or with disregard for the safety of others, the person so operating such vehicle shall be guilty of negligent homicide by means of a motor vehicle.

(2) Any person convicted of negligent homicide by means of a motor vehicle shall be punished by imprisonment in the state penitentiary for not more than twenty years, or by imprisonment in the county jail for not more than one year, or by fine of not more than one thousand dollars, or by both fine and imprisonment.

SEC. 64. (1) Upon any highway outside of incorporated cities and towns no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the main-traveled part of the highway.

Stopping, standing or parking outside unincorporated city or town.

(2) This section shall not apply to the driver of any vehicle which is disabled while on the main-traveled portion of a highway in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

SEC. 65. (1) Whenever any police officer finds a vehicle standing upon a highway in violation of any of the provisions of section 64 of this amendatory act, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the main-traveled part of such highway.

Officers authorized to remove illegally stopped vehicles.

(2) Whenever any police officer finds a vehicle unattended upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

(3) The charge for removal of a vehicle as authorized in subsections (1) and (2) above shall be fixed by the governmental agency having traffic law enforcement jurisdiction over the portion of highway where such vehicle was found. Such governmental agency may perform the removal service directly or through a private firm. A private firm providing such removal services shall post the authorized charges therefor prominently at its place of business. The costs incurred in the removal of such a vehicle shall be paid by the vehicle's owner and shall be a lien upon the vehicle until paid.

Motor vehicles
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road. Stopping,
standing or
parking pro-
hibited in
specified
places.

SEC. 66. (1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

(a) Stop, stand or park a vehicle:

(i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(ii) On a sidewalk or street planting strip;

(iii) Within an intersection;

(iv) On a crosswalk;

(v) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone.

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(viii) On any railroad tracks; or

(ix) At any place where official signs prohibit stopping.

(b) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge a passenger or passengers:

(i) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;

(ii) Within fifteen feet of a fire hydrant;

(iii) Within twenty feet of a crosswalk;

(iv) Within thirty feet upon the approach to any flashing signal, stop sign, yield sign, or traffic-control signal located at the side of a roadway;

(v) Within twenty feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance; or

(vi) At any place where official signs prohibit standing.

(c) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:

(i) Within fifty feet of the nearest rail of a railroad crossing; or

(ii) At any place where official signs prohibit parking.

(2) Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places, but such limitation and restriction shall be by city ordinance or county resolution or order of the state highway commission upon public highways under their respective jurisdictions.

(3) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such a distance as is unlawful.

SEC. 67. (1) Except as otherwise provided in this section, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches of the right-hand curb or edge of the roadway.

Additional
parking regu-
lations.

(2) Except when otherwise provided by local ordinance, every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches of the right-hand curb or edge of the roadway, or its left-hand wheels within twelve inches of the left-hand curb or edge of the roadway.

(3) Local authorities may by ordinance or resolution permit angle parking on any roadway, except that angle parking shall not be permitted on any federal-aid or state highway unless the state high-

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—Rules of the
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parking
regulations.

way commission has determined by resolution or order that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.

(4) The state highway commission with respect to highways under its jurisdiction may place signs prohibiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion, as evidenced by resolution or order, such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand or park any vehicle in violation of the restrictions stated on such signs.

Unattended
motor vehicle.

SEC. 68. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key and effectively setting the brake thereon and, when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway.

Limitations on
backing.

SEC. 69. (1) The driver of a vehicle shall not back the same unless such movement can be made with safety and without interfering with other traffic.

(2) The driver of a vehicle shall not back the same upon any shoulder or roadway of any limited access highway.

Riding on
motorcycle.

SEC. 70. A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another

seat firmly attached to the rear or side of the operator.

SEC. 71. (1) No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

Obstruction to driver's view or driving mechanism.

(2) No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

SEC. 72. No person shall open the door of a motor vehicle on the side adjacent to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle adjacent to moving traffic for a period of time longer than necessary to load or unload passengers.

Opening and closing vehicle door.

SEC. 73. No person or persons shall occupy any trailer while it is being moved upon a public highway, except a person occupying a proper position for steering a trailer designed to be steered from a rear-end position.

Riding in house trailers.

SEC. 74. (1) The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral.

Coasting prohibited.

(2) The driver of a commercial motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

SEC. 75. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Following fire apparatus prohibited.

Motor vehicles
—Rules of the
road. Crossing
fire hose.

SEC. 76. No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, or private driveway, to be used at any fire or alarm of fire, without the consent of the fire department official in command.

Putting glass,
etc., on high-
way pro-
hibited.

SEC. 77. (1) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.

(2) Any person who drops, or permits to be dropped or thrown, upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.

(3) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

Parent or
guardian not
to permit dis-
obedience by
child.

SEC. 78. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this amendatory act.

Violations,
misdemeanors
—Application
of bicycle
regulations.

SEC. 79. (1) It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in sections 79 through 85 of this amendatory act.

(2) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

Traffic laws
apply to
persons riding
bicycles.

SEC. 80. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this amendatory act, except as to special regulations in sections 79 through 85 of this amendatory act and except as to those provisions of this amendatory act which by their nature can have no application.

SEC. 81. (1) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

Riding on bicycles.

(2) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

SEC. 82. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway.

Clinging to vehicles.

SEC. 83. (1) Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

Bicycles—
Riding on
roadways and
bicycle paths.

(2) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

(3) Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

SEC. 84. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars.

Bicycles—
Carrying
articles.

SEC. 85. (1) Every bicycle when in use during the hours of darkness as defined in RCW 46.37.020 shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front and with a red reflector on the rear of a type approved by the state commission on equipment which shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of

Lamps and
other equip-
ment on
bicycles.

five hundred feet to the rear may be used in addition to the red reflector.

(2) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

New section. SEC. 86. There is added to chapter 12, Laws of 1961 and chapter 46.04 RCW a new section to read as follows:

Motor vehicles. Definitions. Bicycle defined. Bicycle means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than twenty inches in diameter.

New section. SEC. 87. There is added to chapter 12, Laws of 1961 and chapter 46.04 RCW a new section to read as follows:

Highway defined. Highway means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

New section. SEC. 88. There is added to chapter 12, Laws of 1961 and chapter 46.04 RCW a new section to read as follows:

Official traffic device defined. Official traffic-control devices means all signs, signals, markings and devices not inconsistent with Title 46 RCW placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

New section. SEC. 89. There is added to chapter 12, Laws of 1961 and chapter 46.04 RCW a new section to read as follows:

Police officer defined. Police officer means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

New section. SEC. 90. There is added to chapter 12, Laws of 1961 and chapter 46.04 RCW a new section to read as follows:

School bus means every motor vehicle used regularly to transport children to and from school or in connection with school activities, which is subject to the requirements set forth in the most recent edition of "Specifications for School Buses" published by the state superintendent of public instruction, but does not include buses operated by common carriers in urban transportation of school children.

School bus defined.

SEC. 91. Section 46.04.070, chapter 12, Laws of 1961 and RCW 46.04.070; section 46.04.390, chapter 12, Laws of 1961 and RCW 46.04.390; section 46.04.430, chapter 12, Laws of 1961 and RCW 46.04.430; section 46.04.520, chapter 12, Laws of 1961 and RCW 46.04.520; section 46.04.610, chapter 12, Laws of 1961 and RCW 46.04.610; section 46.08.040, chapter 12, Laws of 1961 and RCW 46.08.040; section 46.08.050, chapter 12, Laws of 1961 and RCW 46.08.050; section 46.20.260, chapter 12, Laws of 1961 and RCW 46.20.260; sections 46.47.010 through 46.47.090, chapter 12, Laws of 1961 and RCW 46.47.010 through 46.47.090; section 46.48.027, chapter 12, Laws of 1961 and RCW 46.48.027; section 46.48.130, chapter 12, Laws of 1961 as amended by section 1, chapter 203, Laws of 1961 and RCW 46.48.130; section 46.48.140, chapter 12, Laws of 1961 and RCW 46.48.140; sections 46.48.260 through 46.48.330, chapter 12, Laws of 1961 and RCW 46.48.260 through 46.48.330; section 46.56.010, chapter 12, Laws of 1961 and RCW 46.56.010; section 46.56.020, chapter 12, Laws of 1961 and RCW 46.56.020; section 46.56.050, chapter 12, Laws of 1961 and RCW 46.56.050; section 46.56.060, chapter 12, Laws of 1961 and RCW 46.56.060; section 46.56.080, chapter 12, Laws of 1961 and RCW 46.56.080; section 46.56.090, chapter 12, Laws of 1961 and RCW 46.56.090; section 46.56.110, chapter 12, Laws of 1961 and RCW 46.56.110; section 46.56.120, chapter 12, Laws of 1961 and RCW 46.56.120; sections 46.56.140 through 46.56.180, chapter 12, Laws of 1961 and RCW 46.56.140 through

Repeal.

Motor vehicles
—Rules of the
road. Repeal.

46.56.180; section 46.60.010, chapter 12, Laws of 1961 and RCW 46.60.010; section 46.60.020, chapter 12, Laws of 1961 as amended by section 50, chapter 3, Laws of 1963 extraordinary session and RCW 46.60.020; sections 46.60.040 through 46.60.140, chapter 12, Laws of 1961 and RCW 46.60.040 through 46.60.140; section 46.60.150, chapter 12, Laws of 1961 as amended by section 46, chapter 3, Laws of 1963 extraordinary session and RCW 46.60.150; section 46.60.160, chapter 12, Laws of 1961 as amended by section 1, chapter 118, Laws of 1961 and RCW 46.60.160; section 46.60.170, chapter 12, Laws of 1961 as amended by section 47, chapter 3, Laws of 1963 extraordinary session and RCW 46.60.170; sections 46.60.180 through 46.60.250, chapter 12, Laws of 1961 and RCW 46.60.180 through 46.60.250; sections 46.60.280 through 46.60.310, chapter 12, Laws of 1961 and RCW 46.60.280 through 46.60.310; section 46.60.320, chapter 12, Laws of 1961 as amended by section 1, chapter 125, Laws of 1963, and RCW 46.60.320; section 46.60.350, chapter 12, Laws of 1961 and RCW 46.60.350; sections 47.36.140 through 47.36.170, chapter 13, Laws of 1961 and RCW 47.36.140 through 47.36.170; section 47.52.030, chapter 13, Laws of 1961 and RCW 47.52.030 are each hereby repealed.

New chapter—
Organization
under enumer-
ated
captions.

SEC. 92. Sections 1 through 52 and 54 through 86 of this amendatory act are added to chapter 12, Laws of 1961 and shall constitute a new chapter in Title 46 of the Revised Code of Washington and sections 54, 55 and 63 as herein amended and RCW 46.48.012, 46.48.014, 46.48.015, 46.48.016, 46.48.023, 46.48.025, 46.48.026, 46.48.041, 46.48.046, 46.48.050, 46.48.060, 46.48.080, 46.48.110, 46.48.120, 46.48.150, 46.48.160, 46.48.340, 46.56.030, 46.56.070, 46.56.100, 46.56.130, 46.56.135, 46.56.190, 46.56.200, 46.56.210, 46.56.220, 46.56.230, 46.56.240, 46.60.260, 46.60.270, 46.60.330, 46.60.340 shall be recodified as and be a part of said chapter. The sections of the new chapter shall be or-

ganized under the following captions: "OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS", "TRAFFIC SIGNS, SIGNALS AND MARKINGS", "DRIVING ON RIGHT SIDE OF ROADWAY—OVERTAKING AND PASSING—USE OF ROADWAY", "RIGHT OF WAY", "PEDESTRIANS' RIGHTS AND DUTIES", "TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING", "SPECIAL STOPS REQUIRED", "SPEED RESTRICTIONS", "RECKLESS DRIVING, DRIVING WHILE INTOXICATED AND NEGLIGENT HOMICIDE BY VEHICLE", "STOPPING, STANDING AND PARKING", "MISCELLANEOUS RULES", and "OPERATION OF BICYCLES AND PLAY VEHICLES". Such captions shall not constitute any part of the law.

SEC. 93. If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected. Severability.

Passed the House April 20, 1965.

Passed the Senate April 21, 1965.

Approved by the Governor April 29, 1965, with the exception of section 58 (2) which was vetoed.

NOTE: Governor's explanation of partial veto is as follows:

Veto message.

"House Bill No. 234 enacts a modern traffic regulation statute and brings together all Rules of the Road in one place. I have vetoed subsection (2) of section 58 of House Bill No. 234 because I believe it inadvertently changes the law of the State of Washington in a manner totally unintended by the legislature.

"As originally drafted this subsection restated the existing law that the plaintiff has the burden of proving that negligence of the defendant was the 'proximate cause of an accident.' This language made it clear that the subsection referred only to civil cases. A floor amendment adopted by the House of Representatives deleted part of the language so that subsection (2) of section 58 as amended states:

'Any provision of this amendatory act declaring maximum speed limitations shall not be construed to relieve the plaintiff in any action from the burden of proving negligence on the part of the defendant.'

Veto message.

"I am convinced that as a result of the amendment, the subsection alters the present rule of law that violation of the maximum speed laws constitutes negligence as a matter of law in civil suits. This would alter the burden of proof which an injured person now has to meet to obtain compensation from the one causing the injury. If the legislature wishes to make this change, it should be accomplished after consideration of its merits, not as an unintended consequence of an amendment made for another purpose.

"Subsection (2) of section 58 as it now exists, further creates ambiguity by referring only to the burden of proof which the plaintiff must meet, even though contributory negligence of the plaintiff may be raised by the defendant. If a change in the law were desirable, it should apply equally to either party to a lawsuit having the burden of proving negligence, and not just to the plaintiff.

"I am also concerned that subsection (2) in its present form may apply to criminal charges of violations of maximum speed laws. The remainder of section 58 refers only to criminal actions, and subsection (2) refers to any action in which maximum speed laws are drawn in question. I am sure the legislature did not intend to create any possibility that proof of negligence in addition to proof of excessive speed would be necessary in order to obtain a conviction under the maximum speed laws.

"By vetoing subsection (2) of section 58, I believe the law of the state on this subject will remain unchanged as the legislature intended. With the exception of subsection (2) of section 58 of House Bill No. 234, which is vetoed, the remainder of the bill is approved."

DANIEL J. EVANS,
Governor.