

CHAPTER 69.

[Engrossed House Bill No. 420.]

MOTOR FREIGHT CARRIERS.

AN ACT relating to motor freight carriers; amending section 81.80.010, chapter 14, Laws of 1961 and RCW 81.80.010; amending section 81.80.060, chapter 14, Laws of 1961 as amended by section 40, chapter 170, Laws of 1965 extraordinary session and RCW 81.80.060; and amending section 81.80.260, chapter 14, Laws of 1961 and RCW 81.80.260.

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

RCW 81.80.010 amended.

Section 1. Section 81.80.010, chapter 14, Laws of 1961 and RCW 81.80.010 are each amended to read as follows:

Transportation. Motor freight carriers. Definitions.

When used in this chapter:

(1) "Person" means and includes an individual, firm, copartnership, corporation, company, association or their lessees, trustees or receivers.

(2) "Motor vehicle" means any truck, trailer, semitrailer, tractor, dump truck which uses a hydraulic or mechanical device to dump or discharge its load or any self-propelled or motor driven vehicle used upon any public highway of this state for the purpose of transporting property, but not including baggage, mail and express transported on the vehicles of auto transportation companies carrying passengers.

(3) "Public highway" means every street, road or highway in this state.

(4) "Common carrier" means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies.

(5) "Contract carrier" shall include all motor vehicle operators not included under the terms "common carrier" and "private carrier" as herein defined in paragraph (4) and paragraph (6), and further shall include any person who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(6) A "private carrier" is a person who transports by his own motor vehicle, with or without compensation therefor, property which is owned or is being bought or sold by such person, or property of which such person is the seller, purchaser, lessee or bailee where such transportation is incidental to and in furtherance of some other primary business conducted by such person in good faith.

(7) "Motor carrier" means and includes "common carrier," "contract carrier," "private carrier" and "exempt carrier" as herein defined.

(8) "Exempt carrier" means any person operating a vehicle exempted from certain provisions of this chapter under RCW 81.80.040.

(9) "Vehicle" means every device capable of being moved upon a public highway and in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rail or tracks.

"Common carrier" and "contract carrier" shall include persons engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation over the public highways of the state of Washington as brokers or forwarders.

Sec. 2. Section 81.80.060, chapter 14, Laws of 1961 as amended by section 40, chapter 170, Laws of 1965 extraordinary session and RCW 81.80.060 are each amended to read as follows:

RCW 81.80.060
amended.

Motor freight
carriers—Com-
bination of
services.

Every person who engages for compensation to perform a combination of services a substantial portion of which includes transportation of property of others upon the public highways shall be subject to the jurisdiction of the commission as to such transportation and shall not engage upon the same without first having obtained a common carrier or contract carrier permit to do so. Every person engaging in such a combination of services shall advise the commission what portion of the consideration is intended to cover the transportation service and if the agreement covering the combination of services is in writing, the rate and charge for such transportation shall be set forth therein. The rates or charges for the transportation services included in such combination of services shall be subject to control and regulation by the commission in the same manner that the rates of common and contract carriers are now controlled and regulated. Any person engaged in extracting, processing and hauling materials exclusively for the maintenance, construction or improvement of a public highway shall not be deemed to be performing a combination of services.

NOTE: See also section 77, chapter 145, Laws of 1967 ex. sess.

RCW 81.80.260
amended.

Sec. 3. Section 81.80.260, chapter 14, Laws of 1961 and RCW 81.80.260 are each amended to read as follows:

Multi-class
operation.

It shall be unlawful for any person to operate any vehicle at the same time in more than one class of operation, except upon approval of the commission and a finding that such operation will be in the public interest.

No "exempt carrier" as such shall transport property for compensation except as hereinabove provided.

Severability.

Sec. 4. If any provision of this 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.

Passed the House March 8, 1967.

Passed the Senate March 7, 1967.

Approved by the Governor March 21, 1967.

CHAPTER 70.

[Reengrossed House Bill No. 55.]

PUBLIC WORKS CONTRACTS.

AN ACT relating to public works contracts; amending section 2, chapter 183, Laws of 1923 and RCW 39.04.020; and amending section 1, chapter 207, Laws of 1909 as amended by section 1, chapter 28, Laws of 1915 and RCW 39.08.010; and adding a new section.

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

Section 1. Section 2, chapter 183, Laws of 1923 and RCW 39.04.020 are each amended to read as follows:

RCW 39.04.020 amended.

Whenever the state, or any municipality shall determine that any public work is necessary to be done it shall cause plans and/or specifications thereof and an estimate of the cost of such work to be made and filed in the office of the director, supervisor, commissioner, trustee, board or agency having by law the authority to require such work to be done.

Public works. Plans and specifications —Estimates— Publication— Emergencies.

If the state, or such municipality shall determine that it is necessary or advisable that such work shall be executed by any means or method other than by contract, and it shall appear by such estimate that the probable cost of executing such work will exceed the sum of twenty-five hundred dollars, then the state or such municipality shall at least fifteen days before beginning work cause such estimate.