

to be made an analysis of the stomach contents, blood, or organs, or tissues of a deceased person and secure professional opinions thereon and retain or dispose of any specimens or organs of the deceased which in his discretion are desirable or needful for anatomic, bacteriological, chemical, or toxicological examination or upon lawful request are needed or desired for evidence to be presented in court. When the autopsy or post mortem requires examination in the region of the pituitary gland, that gland may be removed and utilized for any desirable or needful purpose: PROVIDED, That a reasonable effort to obtain consent as required under RCW 68.08.510 shall be made if that organ is to be so utilized. Costs shall be borne by the county.

Passed the Senate February 18, 1976.

Passed the House February 13, 1976.

Approved by the Governor February 20, 1976.

Filed in Office of Secretary of State February 20, 1976.

CHAPTER 29

[Senate Bill No. 3067]

MOTOR VEHICLES—DRIVING WITHOUT LICENSE OR IN SUSPENDED OR REVOKED STATUS

AN ACT Relating to motor vehicles; adding new sections to chapter 121, Laws of 1965 ex. sess. and to chapter 46.20 RCW; and prescribing penalties.

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

NEW SECTION. Section 1. Any person who operates a motor vehicle on the public highways of this state without a driver's license or nonresident privilege to drive shall be subject to all of the provisions of Title 46 RCW to the same extent as a person who is licensed.

NEW SECTION. Sec. 2. The department is hereby authorized to place any unlicensed person into a suspended or revoked status under any circumstances which would have resulted in the suspension or revocation of the driver's license had that person been licensed.

NEW SECTION. Sec. 3. Any person who drives a motor vehicle on any public highway of this state while that person is in a suspended or revoked status shall be guilty of a misdemeanor. Upon a first conviction therefor, the person shall be punished by imprisonment of not less than ten days, nor more than six months. Upon the second such conviction therefor, the person shall be punished by imprisonment of not less than twenty days, nor more than one year. Upon the third such conviction therefor, the person shall be punished by imprisonment for one year. There may also be imposed in connection with each conviction a fine of not more than five hundred dollars.

NEW SECTION. Sec. 4. The department upon receiving a record of conviction of any person or upon receiving an order by the juvenile court or any duly authorized court officer of the conviction of any juvenile under sections 1 through 3 of this 1976 act upon a charge of driving a vehicle while such person or juvenile is in a suspended status, shall extend the period of such suspended status for an additional like period or if the conviction was upon a charge of driving while such

person or juvenile is in a revoked status, the department shall not issue a new license for an additional period of one year after the date such person or juvenile would have otherwise been entitled to apply for a new license.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act shall be added to chapter 121, Laws of 1965 and to chapter 46.20 RCW.

Passed the Senate February 5, 1976.

Passed the House February 13, 1976.

Approved by the Governor February 20, 1976.

Filed in Office of Secretary of State February 20, 1976.

CHAPTER 30

[Senate Bill No. 3076]

COSTS AND ATTORNEY'S FEES

AN ACT Relating to civil procedure; amending section 85, page 237, Laws of 1854 as last amended by section 1, chapter 43, Laws of 1915 and RCW 12.20.060; and amending section 374, page 202, Laws of 1854 as last amended by section 512, Code of 1881 and RCW 4.84.080.

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

Section 1. Section 85, page 237, Laws of 1854 as last amended by section 1, chapter 43, Laws of 1915 and RCW 12.20.060 are each amended to read as follows:

When the prevailing party is entitled to recover costs in a civil action before a justice of the peace, the justice shall add the amount thereof to the judgment; in case of failure of the plaintiff to recover or of dismissal of the action, the justice shall enter up a judgment in favor of the defendant for the amount of his costs; and in case any party so entitled to costs is represented in the action by an attorney, the justice shall include an attorney's fee of twenty-five dollars as part of the costs: PROVIDED, HOWEVER, That the plaintiff shall not be entitled to such attorney fee unless he obtain, exclusive of costs, a judgment in the sum of five dollars or more.

Sec. 2. Section 374, page 202, Laws of 1854 as last amended by section 512, Code of 1881 and RCW 4.84.080 are each amended to read as follows:

When allowed to either party, costs to be called the attorney fee, shall be as follows:

- (1) In all actions settled before issue is joined, thirty-five dollars.
- (2) In all actions where judgment is rendered without a jury, ~~((ten))~~ thirty-five dollars.
- (3) In all actions where judgment is rendered after impanelling a jury, ~~((fifteen))~~ thirty-five dollars.
- (4) In all actions removed to the supreme court and settled before argument, ~~((ten))~~ thirty-five dollars.