

## CHAPTER 19

[Substitute House Bill No. 207]

## RAILROAD CROSSINGS—PLACEMENT OF SIGNS

AN ACT Relating to signs near railroad grade crossings; amending section 36.86.100, chapter 4, Laws of 1963 and RCW 36.86.100; and amending section 47.32.140, chapter 13, Laws of 1961 and RCW 47.32.140.

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

Sec. 1. Section 36.86.100, chapter 4, Laws of 1963 and RCW 36.86.100 are each amended to read as follows:

Each railroad company shall keep its right of way clear of all brush and timber in the vicinity of a railroad grade crossing with a county road for a distance of one hundred feet from the crossing in such a manner as to permit a person upon the road to obtain an unobstructed view in both directions of an approaching train. The ~~((board))~~ county legislative authority shall cause brush and timber to be cleared from the right of way of county roads in the proximity of a railroad grade crossing for a distance of one hundred feet from the crossing in such a manner as to permit a person traveling upon the road to obtain an unobstructed view in both directions of an approaching train. It ~~((shall be))~~ is unlawful to erect or maintain a sign, signboard, or billboard ~~((at or near a county road or railroad and within a distance of five hundred feet from the point of intersection at grade of the road and railroad and in such a way that it may obstruct the view or distract the attention of a person operating a vehicle or train and))~~ within a distance of one hundred feet from the point of intersection of the road and railroad grade crossing located outside the corporate limits of any city or town unless, after thirty days notice to the Washington utilities and transportation commission and the railroad operating the crossing, the county legislative authority determines that it does not obscure the sight distance of a person operating a vehicle or train approaching the grade crossing.

When a person who has erected or who maintains such a sign, signboard, or billboard or when a railroad company permits such brush or timber in the vicinity of a railroad grade crossing with a county road or permits the surface of a grade crossing to become inconvenient or dangerous for passage and who has the duty to maintain it, fails, neglects, or refuses to remove or cause to be removed such brush, timber, sign, signboard, or billboard, or maintain the surface of the crossing, the utilities and transportation commission upon complaint of the ~~((board))~~ county legislative authority or upon complaint of any party interested, or upon its own motion, shall enter upon a hearing in the manner now provided for hearings with respect to railroad-highway grade crossings, and make and enforce proper orders for the removal of the brush, timber, sign, signboard or billboard, or maintenance of the crossing~~((:PROVIDED, That))~~. Nothing in

this section (~~shall~~) prevents the posting or maintaining thereon of highway or road signs or traffic devices giving directions or distances for the information of the public when the signs conform to the "Manual for Uniform Traffic Control Devices" issued by the state (~~(highway commission))~~ department of transportation. The (~~(board))~~ county legislative authority shall inspect highway grade crossings and make complaint of the violation of any provisions of this section.

Sec. 2. Section 47.32.140, chapter 13, Laws of 1961 and RCW 47.32-.140 are each amended to read as follows:

Each railroad company shall keep its right of way clear of all brush and timber in the vicinity of a railroad grade crossing with a state highway for a distance of one hundred feet from the crossing in such manner as to permit a person upon the highway to obtain an unobstructed view in both directions of an approaching train. The (~~(Washington state highway commission))~~ department shall cause brush and timber to be cleared from the right of way of a state highway in the proximity of a railroad grade crossing for a distance of one hundred feet from the crossing in such manner as to permit a person upon the highway to obtain an unobstructed view in both directions of an approaching train. It (~~shall be~~) is unlawful to erect or maintain a sign, signboard, or billboard, except official highway signs and traffic devices and railroad warning or operating signs, (at or near a grade crossing of a state highway and a railroad or within a distance of five hundred feet from the point of intersection of such highway and railroad)) outside the corporate limits of any city or town within a distance of one hundred feet from the point of intersection of the highway and railroad grade crossing unless, after thirty days notice to the Washington utilities and transportation commission and the railroad operating the crossing, the department determines that it does not obscure the sight distance of a person operating a vehicle or train approaching the grade crossing.

When a person who has erected or who maintains such a sign, signboard, or billboard or when a railroad company permits such brush or timber in the vicinity of a railroad grade crossing with a state highway or permits the surface of a grade crossing to become inconvenient or dangerous for passage and who has the duty to maintain it, fails, neglects, or refuses to remove or cause to be removed such brush, timber, sign, signboard, or billboard, or maintain the surface of the crossing, the utilities and transportation commission upon complaint of the (~~(highway commission))~~ department or upon complaint of any party interested, or upon its own motion, shall enter upon a hearing in the manner now provided for hearings with respect to railroad-highway grade crossings, and make and enforce proper orders for the removal of the brush, timber, sign, signboard or billboard, or maintenance of the crossing (~~(-PROVIDED, That))~~. However, nothing in this section (~~shall~~) prevents the posting or maintaining of any legal notice or

sign, signal, or traffic device required or permitted to be posted or maintained, or the placing and maintaining thereon of highway or road signs or traffic devices giving directions or distances for the information of the public when the signs are approved by the ((commission)) department. The ((commission)) department shall inspect highway grade crossings and make complaint of the violation of any provisions of this section.

Passed the House February 16, 1983.

Passed the Senate April 6, 1983.

Approved by the Governor April 14, 1983.

Filed in Office of Secretary of State April 14, 1983.

## CHAPTER 20

[Senate Bill No. 3613]

### GENDER—NEUTRAL LANGUAGE—STATUTES—RULES— PUBLICATIONS

AN ACT Relating to gender-neutral terms; adding a new section to chapter 43.01 RCW; adding a new section to chapter 44.04 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. It is the intent of the legislature to have the state's statutes, rules, and official communications expressed in gender-neutral terms.

NEW SECTION. Sec. 2. There is added to chapter 43.01 RCW a new section to read as follows:

(1) All rules and directory or advisory publications issued, adopted, or amended by state officers or agencies, as defined by RCW 41.06.020, after July 1, 1983, shall be written in gender-neutral terms unless a specification of gender is intended.

(2) No rule or publication is invalid because it does not comply with this section.

NEW SECTION. Sec. 3. There is added to chapter 44.04 RCW a new section to read as follows:

(1) All statutes, memorials, and resolutions enacted, adopted, or amended by the legislature after July 1, 1983, shall be written in gender-neutral terms unless a specification of gender is intended.

(2) No statute, memorial, or resolution is invalid because it does not comply with this section.

Passed the Senate March 26, 1983.

Passed the House April 7, 1983.

Approved by the Governor April 14, 1983.

Filed in Office of Secretary of State April 14, 1983.