

Approval.  
Discretion.

appear and be established upon investigation that it is reasonable and consistent with the public interest; otherwise the contract or arrangement shall not be approved. The Department shall not be required to approve any such contract or arrangement unless satisfactory proof is submitted to the Department of the cost to the affiliated interest of rendering the services or of furnishing the property or service described herein.

Passed the House March 4, 1941.

Passed the Senate March 13, 1941.

Approved by the Governor March 21, 1941.

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## CHAPTER 161.

[H. B. 325.]

### GRADE CROSSINGS OF LOGGING AND INDUSTRIAL RAILROADS.

AN ACT relating to grade crossings of logging and industrial railroads, providing for inspection thereof by the Department of Public Service and for fees and providing for their collection, and providing penalties.

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

Definitions.

SECTION 1. The term "grade crossing" when used in this act means any point or place where a logging or industrial railroad crosses a highway or a highway crosses such railroad or such railroad crosses any other railroad, at a common grade.

The term "over-crossing" when used in this act means any point or place where a highway crosses a railroad by passing above the same.

The term "under-crossing" when used in this act means any point or place where a highway crosses a railroad by passing under the same.

The term "over-crossing" or "under-crossing" shall also mean any point or place where one railroad crosses another railroad not at grade.

The term "logging" or "industrial" railroad when used in this act shall include every railway owned or operated primarily for the purpose of carrying the property of its owners or operators or a limited class of persons, with all tracks, spurs and sidings used in connection therewith.

Definitions.

SEC. 2. All grade crossings, under-crossings and over-crossings on the line of every logging and other industrial railway as herein defined shall be inspected annually by the Department of Public Service of Washington as to condition, also maintenance, and safety in the interest of the public, for the purpose that the Department may, if it shall deem it necessary, require such improvements, changes and repairs as in its judgment are proper to the end that adequate safety shall be provided for the public.

Department to inspect crossings.

SEC. 3. Every person, firm, company or corporation operating any logging railroad or industrial railway shall, prior to July first of the year 1941, and of each year thereafter, file with the Department of Public Service a statement showing the number of, and location of (viz., name of highway, quarter section, section, township and range) grade crossings, under-crossings and over-crossings on his or its line or lines and pay with said filing a fee not to exceed three dollars (\$3.00) for each grade crossing, under-crossing or over-crossing on his or its line or lines so reported and the Department of Public Service shall, by order, fix the exact fee based on the cost of rendering said inspection service. All such fees collected shall be deposited in the state treasury to the credit of the public service revolving fund. Intersections having one or more tracks shall be defined and treated as a single crossing. Tracks separated a distance in excess of 100 feet from the nearest track or group of tracks shall constitute an additional crossing. Where two or

Companies to file statement.

Inspection fee.

more independently operated railroads cross each other or at the same highway intersection, each such independent track or tracks shall constitute a separate crossing.

Penalty.

Every person, firm, company or corporation, or the officers, agents or employees thereof, failing or neglecting to make the report herein required and to pay the fees required, shall be subject to the penalty provided in section 10419 of Remington's Revised Statutes.

Passed the House March 4, 1941.

Passed the Senate March 13, 1941.

Approved by the Governor March 21, 1941.

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## CHAPTER 162.

[H. B. 337.]

### SUSPENSION OF PROPOSED RATES, FARES AND CHARGES OF PUBLIC SERVICE COMPANIES.

AN ACT relating to the rates, fares and charges of public service companies and amending section 82 of chapter 117 of the Laws of 1911, as amended by chapter 133 of the Laws of 1915, as amended by chapter 165 of the Laws of 1933, as amended by chapter 169 of the Laws of 1937; and extending the time within which the Department of Public Service may suspend schedules and tariffs of public service companies.

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

Amend-  
ments.

SECTION 1. That section 82 of chapter 117 of the Laws of 1911, as amended by chapter 133 of the Laws of 1915, as amended by chapter 165 of the Laws of 1933, as amended by chapter 169 of the Laws of 1937 (section 10424 Remington's Revised Statutes) be amended to read as follows:

Section 82. Whenever any public service company shall file with the Department of Public Service any schedule, classification, rule or regulation,