

CHAPTER 74.

[ H. B. 90. ]

QUALIFICATIONS OF JUSTICES OF THE PEACE.

AN ACT relating to justices of the peace and amending section 3.12.070, R.C.W.

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

SECTION 1. Section 3.12.070, R.C.W., as derived from section 1 of "An act relating to justices of the peace and constables in cities of the first class" at page 135, Laws of 1899, is amended to read as follows:

Amendment.

Cities of 5,000 plus, justices to be attorneys.

In all cities having a population of five thousand or more, the justices of the peace shall be attorneys at law, duly admitted to practice in the supreme court of the state.

[Am. R.R.S. § 7564 (part).]

Passed the House January 26, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

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CHAPTER 75.

[ S. H. B. 107. ]

PUBLIC SERVICE COMMISSION—RATES OF CARRIERS.

AN ACT relating to rates of carriers; authorizing the Washington public service commission to use alternative methods in establishing rates, amending section 81.04.250, R.C.W., and declaring an emergency.

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

SECTION 1. Section 81.04.250, R.C.W., as derived from section 4, chapter 165, Laws of 1933, is amended to read as follows:

Amendment.

The commission shall have the power upon complaint or upon its own motion to prescribe and au-

thorize just and reasonable rates for the transportation of persons or property by carriers, and shall exercise such power whenever and as often as it shall deem necessary or proper. The commission shall, before any hearing is had upon such complaint or motion, notify the complainants and the carrier concerned of the time and place of such hearing by giving at least ten days' written notice thereof, specifying that at the time and place designated a hearing will be held for the purpose of prescribing and authorizing such rates, which notice shall be sufficient to authorize the commission to inquire into and pass upon the matters designated in this section.

May prescribe rates.

Notice of hearing on.

In exercising its aforesaid power the commission may use any standard, formula, method or theory of valuation reasonably calculated to arrive at the objective of prescribing and authorizing just and reasonable rates.

Standards.

In the exercise of said power the commission may in its discretion give consideration in lieu of other factors to the following:

Factors to be considered.

(1) To the effect of such rates upon movement of traffic by such carriers;

Traffic movement.

(2) To the public need for adequate transportation facilities, equipment and service at the lowest level of charges consistent with the provision, maintenance and renewal of such facilities, equipment and service; and

Public need.

(3) To the carrier need for revenue of a level which under honest, efficient and economical management is sufficient to cover the cost (including all operating expenses, depreciation accruals, rents and taxes of every kind) of providing adequate transportation service, plus an amount equal to such percentage of said cost as shall be reasonably necessary for the provision, maintenance and renewal of said transportation facilities or equipment and a reasonable profit to the carrier. The relation of carrier

Need for revenue.

expenses to carrier revenues may be deemed the proper test of a reasonable profit.

[R.C.W. 81.04.250 is derived from Rem. Supp. § 10441. R.C.W. 80.04.250 likewise derived from Rem. Supp. § 10441, and relating to public service companies other than carriers, is not amended by this act.]

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 20, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

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## CHAPTER 76.

[ H. B. 115. ]

### OPERATION OF BICYCLES ON PUBLIC HIGHWAYS.

AN ACT relating to bicycles and play vehicles and the operation thereof upon the public highways, providing for equipment thereon and amending section 46.40.070, R.C.W., and prescribing penalties.

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

"Bicycle,"  
defined.

SECTION 1. Wherever used in this act, the term "bicycle" shall mean every device propelled by human power, upon which any person may ride, having two tandem wheels either of which is over twenty inches in diameter. 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.

Application  
of act.

Use of  
bicycles on  
roadways.

SEC. 2. 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 a driver of a motor vehicle, except as to the special regulations of this chapter.