

CHAPTER 136.

[H. B. 100.]

MOTOR VEHICLES—GROSS WEIGHTS—PENALTIES.

AN ACT relating to motor vehicles; amending section 29, chapter 269, Laws of 1951, as amended by section 2, chapter 254, Laws of 1953 and RCW 46.44.045; and repealing section 32, chapter 269, Laws of 1951, as amended by section 11, chapter 254, Laws of 1953 and RCW 46.44.048.

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

SECTION 1. Section 29, chapter 269, Laws of 1951, as amended by section 2, chapter 254, Laws of 1953 and RCW 46.44.045 are each amended to read as follows:

RCW 46.44.045 amended.

(1) Any person violating any of the provisions of RCW 46.44.040 through 46.44.044 shall be guilty of a misdemeanor and upon first conviction thereof shall be fined a basic fine of not less than twenty-five dollars nor more than fifty dollars; upon second conviction thereof shall be fined a basic fine of not less than fifty dollars nor more than one hundred dollars; and upon a third or subsequent conviction shall be fined a basic fine of not less than one hundred dollars.

Maximum gross weights, penalties for violations.

(2) In addition to, but not in lieu of, the above basic fines, such person shall be fined two cents per pound for each pound of excess weight up to five thousand pounds; if such excess weight is five thousand pounds and not in excess of ten thousand pounds, the additional fine shall be three cents per pound for each pound of excess weight; and if the excess weight is ten thousand pounds or over, the additional fine shall be four cents per pound for each pound of excess weight: *Provided*, That where the excess weight is less than five thousand pounds, the court, in its discretion, may suspend the additional fine for excess poundage upon first conviction, but in no case shall the basic fine be suspended.

Maximum
gross weights
—Penalties for
violations.

(3) The court may suspend the certificate of license registration of the vehicle or combination of vehicles upon the second conviction for a period of not to exceed thirty days and the court shall suspend the certificate of license registration of the vehicle or combination of vehicles upon a third or subsequent conviction for a period of not less than thirty days. For the purpose of this section bail forfeiture shall be given the same effect as a conviction. For the purpose of suspension of license registration conviction or bail forfeiture shall be on the same vehicle or combination of vehicles during any twelve month period regardless of ownership.

(4) Any person convicted of violating any posted limitations of a highway or section of highway shall be fined not less than one hundred dollars and the court shall in addition thereto suspend the operator's driver's license for not less than thirty days. Whenever the operator's driver's license and/or the certificate of license registration are suspended under the provisions of this section the judge shall secure such certificates and immediately forward the same to the director of licenses with information concerning the suspension thereof.

(5) Any other provision of law to the contrary notwithstanding, justice courts having venue shall have concurrent jurisdiction with the superior courts for the imposition of any penalties authorized under this section.

(6) For the purpose of determining additional fines as provided by subsection (2) of this amendatory act of 1959, "excess weight" shall mean the poundage in excess of the maximum gross weight prescribed by RCW 46.44.040 through 46.44.044 plus the weights allowed by RCW 46.44.046, 46.44.047, and 46.44.095.

(7) The basic fine provided in subsection (1) shall be distributed as prescribed in RCW 46.68.050.

(8) The additional fine for excess poundage provided in subsection (2) shall be transmitted by the court to the county treasurer and by him transmitted to the state treasurer for deposit in the motor vehicle fund. It shall then be allocated as provided in RCW 46.68.100.

SEC. 2. Section 32, chapter 269, Laws of 1951, ^{Repeal.} as amended by section 11, chapter 254, Laws of 1953 and RCW 46.44.048 are each repealed.

Passed the House February 6, 1959.

Passed the Senate March 9, 1959.

Approved by the Governor March 16, 1959.

CHAPTER 137.

[S. B. 397.]

PARADISE POINT STATE PARK.

AN ACT relating to state parks and recreation.

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

SECTION 1. The area referred to in section 1, chapter 228, Laws of 1957, as "East Fork Lewis River Vicinity (new) (Clark)" is hereby named Paradise Point State Park. ^{Paradise Point State Park.}

Passed the Senate February 24, 1959.

Passed the House March 6, 1959.

Approved by the Governor March 16, 1959.