

CHAPTER 54.

[H. B. 301.]

TRANSPORTATION OF EXPLOSIVES.

AN ACT relating to the transportation of explosives over the highways and thoroughfares within the State of Washington, providing regulation and fixing penalties for violation.

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

SECTION 1. The term "Motor Truck," as used in this act, shall mean and include all vehicles operated or propelled by any form of engine, motor or mechanical power and designed or used for carrying freight or merchandise.

Terms
defined.

"Motor
truck."

The term "Vehicle," as used in this act, shall mean and include any vehicle drawn by animals and designed or used for carrying freight or merchandise.

"Vehicle."

The term "Explosives," as used in this act, shall mean and include any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, that contains any oxidizing and combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

"Explo-
sives."

The term "Highways," as used in this act, shall mean and include all public roads, streets, avenues, alleys, boulevards, parks and squares, also bridges and approaches thereto.

"Highways."

The term "Owner," as used in this act, shall mean and include the person or persons having a motor truck in his or their possession as owner or

"Owner."

as lessor under a lease or contract of conditional sale or other like agreement.

The term "Chassis," as used in this act, shall mean and include the entire vehicle exclusive of the body or any load thereon. "Chassis."

The term "Railroad," as used in this act, shall mean and include any steam, electric or other railroad which carries passengers, freight and/or merchandise. "Railroad."

The term "Driver," as used in this act, shall mean and include any person who operates a motor truck, or drives a vehicle. "Driver."

SEC. 2. Motor trucks and/or vehicles when used for transporting explosives over the highways of this state must be strong enough to carry the load and in first-class condition. The battery and wiring of motor truck must be located so that neither will come in contact with packages of explosives, and be completely protected and securely fastened to prevent short-circuiting; worn insulation must be repaired before any explosives are loaded on the motor truck. Condition of motor trucks.

The sides and ends of an open body motor truck, and/or vehicle must be high enough to prevent packages of explosives from falling off. The floor must be tight so that nothing can pass through it and any exposed metal on the inside of the body liable to come in contact with explosives, must be covered or protected with wood or other non-metallic material.

SEC. 3. Motor trucks and/or vehicles when used for transporting explosives, must be marked or placarded on both sides and the rear with the word "Explosives" in letters not less than three inches high, or must conspicuously display a red flag not less than twenty-four inches square marked with the word "Danger" in white letters not less than six inches high: *Provided*, That the requirements of Marks on trucks and vehicles. Red flag

this section shall not apply to trucks or vehicles used occasionally for personal delivery to the owner thereof for private use.

Fire ex-
tinguishers.

SEC. 4. A motor truck, when used for transporting explosives, must be equipped with not less than two fire extinguishers, filled and ready for immediate use, placed at convenient points on the motor truck.

Daily
inspection.

SEC. 5. When a motor truck is to be used for transporting explosives, it shall be the duty of the owner to see that the motor truck is inspected daily to determine that:

Fire ex-
tinguishers.

(a) Fire extinguishers are filled and in working order.

Electric
wiring.

(b) Electric wiring is completely insulated and firmly secured.

Chassis,
engine.

(c) Chassis, engine, pan and bottom of body are clean and free from surplus oil and grease.

Gasoline
tank.

(d) Gasoline tank and feed line have no leaks.

Brakes.

(e) Brakes and steering apparatus are in good condition.

Proper
condition.

(f) The motor truck is in proper condition for handling explosives.

Driver's
qualifica-
tions.

SEC. 6. A motor truck and/or vehicle transporting explosives must be driven by and be in the charge of a driver who is careful, capable, reliable, able to read, write and speak the English language and not addicted to the use or under the influence of intoxicants or narcotics. No person shall smoke or carry matches, or any other flame-producing device, firearms or loaded cartridges while on or near the motor truck and/or vehicle. The driver must be familiar with the road rules, the state laws and local ordinances and regulations governing the transportation of explosives in this state, and with the necessary safety rules for handling and transporting explosives, and must comply with them.

Smoking.

SEC. 7. No metal, metal tools, carbides, oils, matches, fire-arms, electric storage batteries, inflammable substances, acids, oxidizing or corrosive compounds shall be carried in the bed or body of any motor truck and/or vehicle transporting explosives.

Articles prohibited in trucks and vehicles.

SEC. 8. Explosives to be transported by motor truck and/or vehicle must be loaded and transported in the body of such motor truck and/or vehicle.

Loaded in body.

Motor trucks and/or vehicles must not be loaded with explosives beyond their rated capacity. Packages of explosives must not be placed where they are likely to fall off the motor truck and/or vehicle.

Size of load.

Bale hooks or metal tools must not be used for loading, unloading, or handling explosives.

Loading and unloading with hooks.

Motor trucks and/or vehicles equipped with an open body must have the explosives completely covered with a tarpaulin to protect them from the weather and from fire.

Tarpaulin covering.

SEC. 9. Explosives must not be transported in any form of trailer, nor shall any trailer be attached to a motor truck and/or vehicle hauling explosives.

Trailer prohibited.

The driver must always have the motor truck and/or vehicle under complete control.

Control of vehicle.

Motor trucks and/or vehicles when transporting explosives, must come to a full stop before crossing any railroad track and must not cross it until it is known that the way is clear and no train or engine is approaching. Such motor trucks and/or vehicles must also come to a full stop in approaching main highways and then only proceed when the way is clear. Motor trucks must not coast down hill.

Stop at crossings.

Coasting.

Unauthorized persons or passengers must not ride on motor trucks and/or vehicles transporting explosives.

Passengers.

The gasoline tank of a motor truck shall not be filled while explosives are on the motor truck except in emergency, and then only when the engine of the motor truck is stopped.

Filling gasoline tank.

Left standing.

Motor trucks containing explosives must never be left until the motor is stopped and the brakes securely set.

Vehicles transporting explosives must not be left unless team is securely tied and brakes set.

Stops.

All unnecessary stops must be avoided. Stops for meals should only be made at a wayside restaurant and, in such event, the motor truck and/or vehicle should be left well away from traffic, fire risk and parked vehicles.

Repairs, storage.

Motor trucks and/or vehicles containing explosives must never be taken into a garage or repair shop for repairs or storage.

Daylight transportation.

Explosives should, when possible, be transported during daylight. If lights other than the lights of the motor truck are necessary, only an electric flashlight or an electric lantern may be used.

Delivery.

SEC. 10. The driver of a motor truck and/or vehicle transporting explosives must deliver said explosives only to someone authorized to receive them, except in the case where said explosives are placed in a magazine and the magazine is immediately thereafter locked. In unloading, packages of explosives must never be piled immediately back of the exhaust of a motor truck.

Unloading.

Penalties for violation.

SEC. 11. Whoever fails to comply with or violates any of the provisions of this act shall be liable to a penalty of not less than twenty-five dollars (\$25.00) nor more than one thousand dollars (\$1,000.00), or imprisonment not exceeding one year, or both, in the discretion of the court: *Provided* that each and every county within the state that such transportation may have been accomplished contrary to the provisions of this act, shall be a separate and distinct offense.

Invalidity of part not to affect balance.

SEC. 12. In case any provision of this act shall be adjudged unconstitutional or void for any other

reason, such adjudication shall not affect the validity of any other provision of this act.

Passed the House March 10, 1931.

Passed the Senate March 9, 1931.

Approved by the Governor March 17, 1931.

CHAPTER 55.

[H. B. 60.]

DELINQUENT ASSESSMENTS OF DIKING DISTRICTS.

AN ACT relating to delinquent assessments of diking districts and amending Chapter CXVII of the Laws of 1895.

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

SECTION 1. That section 36-1 of chapter CXVII of the Laws of 1895 added by section 1 of chapter 111 of the Laws of 1929 be amended to read as follows:

Amends
§ 36-1, ch.
CXVII, Laws
of 1895;
§ 1, ch. 111,
Laws of 1929.

Section 36-1. Whenever any diking district assessments levied under this act shall remain unpaid for a period of four years from the date when such assessment becomes due and payable, the diking district, which levied said assessment or assessments is hereby empowered and authorized, through its board of commissioners, to make application to the county treasurer of the county in which said diking district is located, for a certificate of delinquency to be issued to it for said delinquent assessments and delinquent interest thereon. And the county treasurer shall issue to said diking district a certificate of delinquency in the same manner and form as to an individual: *Provided, however,* That it shall not be necessary or required for said diking district to pay to said county treasurer any part or portion of said delinquent assessments or interest thereon, but payment of general taxes and interest due upon said general taxes, upon said diked lands will be

Certificates
of delin-
quency.

General
taxes.