

furniture, (5) the payment of the principal or interest on outstanding bonds or the refunding of outstanding indebtedness: *Provided*, That any cash surplus on hand at the time this act takes effect, which surplus has accrued from the payment of district taxes, may be allotted to any or all of the above named purposes.

Effective immediately.

SEC. 2. This act is necessary for the support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate March 5, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 17, 1937.

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## CHAPTER 184.

[S. B. 306.]

### MOTOR VEHICLE CARAVANS.

AN ACT to regulate the caravanning of motor vehicles, providing for the licensing thereof, and prescribing penalties.

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

Act remedial.

SECTION 1. The unregulated commercial use of the highways of this state in the caravanning of motor vehicles from other states intended for sale or exchange, most of which vehicles are unlicensed in this state, has contributed to the congestion of such highways, and increased the dangers of driving thereon, and has resulted in deplorable working conditions for employees operating such caravans. This act is remedial and for the purpose of ameliorating such conditions.

SEC. 2. For the purpose of this act, and unless the context otherwise requires:

"Caravan."

(1) The term "caravan" shall mean the operation on the highways of any motor vehicle from with-

out the state operating on its own power or in tow of other motor vehicles being brought into the state for the purpose of selling or offering the same for sale to or by any agent, dealer, manufacturer's representative, purchaser, or prospective purchaser, whether such agent, dealer, manufacturer's representative, purchaser or prospective purchaser shall be located within or without the state.

(2) The term "new car dealer" shall mean and include any dealer in new motor vehicles who holds a manufacturer's franchise or contract to sell new motor vehicles in the State of Washington. A new motor vehicle shall be one that is not more than three (3) months old from the date of manufacture, and has not been driven more than five hundred (500) miles in excess of the distance from which any caravan has begun.

"New car dealer."

(3) The terms "dealer" and "vendor" shall mean and include every individual, firm, corporation or association whose business is in whole or in part that of selling new or used motor vehicles, and likewise shall include every agent, representative or consignee of any such dealer, except that no agent, representative or consignee of such vendor or dealer shall be required to make or file the bonds provided herein, if such dealer or vendor for whom such agent, representative or consignee acts, shall have fully complied with the provisions of this act.

"Dealer."  
"Vendor."

SEC. 3. No person, firm or corporation shall use any highway in this state for caravanning motor vehicles without having first secured from the director of licenses a special permit as to each vehicle so caravanned, permitting the use of the highways of this state for the caravanning of such vehicles. Such permit shall be displayed by posting the same upon the windshields of such vehicles, or in some other place thereon where it may be readily legible to persons from the outside of such vehicles.

Special permit.

Space between vehicles caravanned.

SEC. 4. It shall be unlawful to operate three (3) or more vehicles or groups of vehicles in a caravan unless a space of at least two hundred (200) feet shall be maintained at all times between each vehicle or group of vehicles so caravanned.

Vetoed.

SEC. 5. Except as provided in the following section of this act, the director of licenses shall collect a fee of fifty dollars (\$50.00) for each motor vehicle covered by a caravan permit. Such fee shall be collected whether such vehicle shall operate on its own power or in tow of another motor vehicle.

New car dealer, caravan permit.

SEC. 6. Any new car dealer may be issued a dealer's caravan permit upon the payment of a fee of two hundred and fifty dollars (\$250.00) to the director of licenses. Such new car dealer's permit shall entitle the licensee, for a period of one (1) year, without the payment of any other fee to caravan into the State of Washington any new motor vehicles of the make for which the licensee holds a manufacturer's franchise or contract to sell in the State of Washington.

Report to director of licenses.

SEC. 7. Each holder of a dealer's caravan permit shall report to the director of licenses the description of each new motor vehicle caravanned into the State of Washington by virtue of such permit, and shall furnish any other information required by the director of licenses pertinent thereto. The department of licenses shall issue and supply to the holders of dealers' caravan permits suitable stickers in token of such permit, to be displayed upon the windshields of such vehicles being caravanned under such permit.

Stickers.

Permits non-transferable.

SEC. 8. No permit issued under this act shall be transferable either as between persons or vehicles, and shall be valid only for the trip specified in the permit, except as otherwise herein prescribed for new car dealers. The director of licenses shall issue certificates evidencing such permits, and may pre-

scribe rules and regulations for the governance of licensees. Any permit issued under the terms of this act may be canceled by the director of licenses if it shall appear that any licensee has, in the conduct of his business, violated any law of the State of Washington or of the United States.

Cancellation  
of permit.

SEC. 9. Every licensee under the terms of this act shall file with the director of licenses a bond running to the State of Washington, in the sum of five thousand dollars (\$5,000.00) executed by a surety company authorized to do business within the State of Washington, and conditioned that such licensee will provide and pay for the return transportation of every driver or attendant not a resident of the State of Washington employed in any caravan directly or indirectly operated by such licensee, so that such driver or attendant may return to the place at which he joined the caravan. Any operator or attendant may maintain an action upon said bond in his own name to collect any such transportation costs, together with reasonable attorney's fee in any case where such licensee shall fail to provide such return transportation.

Bond of  
licensee.

SEC. 10. No caravan driver or attendant shall be required to work more than sixteen (16) hours in the aggregate in any twenty-four (24) hour period; nor to continue on duty more than eight (8) consecutive hours; nor to commence work unless he shall have had at least eight (8) hours of rest period immediately preceding the time of commencing such work.

Working  
hours  
limited.

SEC. 11. All fees derived from the issuance of permits under the terms of this act, and all fines and forfeitures collected hereunder shall be paid to the state treasurer, who shall deposit fifty per cent (50%) thereof in a fund which is hereby created in the state treasury, to be used by the director of licenses for the purpose of discharging the additional

Disposition  
of fees and  
collections.

duties required by this act. The treasurer shall place the remaining fifty per cent (50%) into a fund which is hereby created in the state treasury, which shall be used by the Washington State Patrol to defray the additional expense of policing the highways incident to the enforcing of this act.

Bond  
required of  
used car  
dealers.

SEC. 12. Every dealer in used or second-hand vehicles who shall place on sale any vehicle which has been caravanned into the state, shall execute a bond in favor of the State of Washington executed by a surety company duly authorized to do business in this state, which bond shall be for the use and benefit of any purchaser or vendee of such vehicle, and shall be conditioned to pay all losses, damages or expenses that may be sustained by such purchaser or vendee by reason of any failure of the title of such vendor, or by reason or [of] any fraudulent breaches of warranty as to freedom from liens, quality, condition, value or previous use of such motor vehicle. Said bond shall be twice the full amount of the sale price of such motor vehicle, but shall not exceed the sum of one thousand dollars (\$1000.00). Any person for whose benefit such bond is conditioned, may sue thereon in his own name. The director of licenses shall approve the sureties on all such bonds, and shall charge a fee of one dollar (\$1.00) for his service in connection therewith.

Penalty.

SEC. 13. A violation of any of the provisions of this act shall constitute a misdemeanor.

Court  
actions.

SEC. 14. No caravan operator nor any dealer or vendor may maintain any cause of action in any court of this state for the recovery of any motor vehicle which has been caravanned into the state, nor for any part of the selling price thereof in any case where such caravan operator, vendor or dealer shall have failed to comply with the licensing provisions of this act.

SEC. 15. If any section, clause or provision of this act shall, for any reason, be declared unconstitutional, such judgment shall not affect the validity of the remaining portions of this act not so declared unconstitutional. Partial  
invalidity.

Passed the Senate March 5, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 17, 1937, with the exception of section 5, which is vetoed.

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## CHAPTER 185.

[S. B. 409.]

### SALE OF PROPERTY UNSUITABLE FOR HIGHWAY PURPOSES.

AN ACT providing for the sale of certain premises found by the Director of Highways to be unnecessary for public highway purposes and providing for the disposition of funds realized from such sale.

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

SECTION 1. Whenever the director of highways of the State of Washington shall determine that any premises, including improvements thereon, which have been or are in use for any purpose in connection with the administration of the public highways by the department of highways of the State of Washington, and which are owned by the State of Washington, are no longer necessary for said purposes, the same shall be, by and with the consent of the governor, offered for sale by the director of highways of the State of Washington, notwithstanding existing laws regarding the sale of other state property, upon bids to be advertised for and received by the director in the manner governing the letting of contracts for public highway improvements. Sale of  
lands.