

Final
account.

Money
prorated
to school
districts.

Class A
counties.

SEC. 9. Upon the payment of all lawful demands against the former township, the chairman of the board of county commissioners shall file a final account, together with all vouchers, with the clerk of the superior court and pay any funds remaining in his hands to the county treasurer to be placed to the credit of any school district or districts within whose boundaries the township is located, said money to be prorated to such school districts in proportion to their share of assessed value of the real estate located therein. Upon the approval by the court of said final account the court shall sign proper orders dissolving such township.

SEC. 10. The provisions of this act shall not apply to the class A counties.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 174.

[S. S. B. 40.]

REGULATING SALE AND USE OF FIREWORKS.

AN ACT regulating the sale and the offering or exposing for sale of certain fireworks; defining such fireworks and regulating the manner of using fireworks; providing penalties for the violation of the provisions of the act; repealing chapter 70.78, R.C.W.; and declaring an emergency.

Be it enacted by the Legislature of the State Washington:

"Fireworks."

SECTION 1. The term "fireworks" shall mean any combustible or explosive composition or any substance or combination of substances, or article exclusively prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, the type of balloons which require fire

underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, aerial bombs, sparklers or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any other tablets other than medicinal tablets, or other device containing any explosive substance hereinafter more specifically described.

SEC. 2. The term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing .25 grains or less of explosive compound are used, providing that they are so constructed that the hand cannot come in contact with the cap when in place for the explosion.

Excluded.

SEC. 3. It shall be unlawful to manufacture, sell as a wholesaler, jobber or broker, offer for retail sale, expose for retail sale, sell at retail, or use or explode one pound rockets or larger, sidewick salutes, cherry bombs, cherry salutes, M-80's, T.N.T. bombs, toy torpedoes, or any other fireworks within the state except such as comply with the following detailed specifications: Ground explosives, which shall be made without solid silicate end plugs and be made of ordinary paper shells with fuse in end, and same shall not contain an explosive composition in excess of a total of twelve grains, nor be over two inches in length by one-half inch in width, outside diameter exclusive of fuse, skyrockets, which shall not be in excess of one and one-quarter inches in outside diameter, or in excess of ten inches in length, or designated in excess of one-half pound; ground propulsion items which shall not exceed the explosive content of a one and five-eighths inch chinese firecracker; aerial bombs which do not contain a total explosive charge in excess of thirty grains of explosive composition per tube; buzz bombs or similar articles which do not contain an explosive composition in excess of twenty grains; roman candles which do not contain balls in excess of twenty per

Unlawful to make or sell fireworks except in accordance with specifications.

Ground explosives.

Sky rockets.

Ground propulsion items.

Aerial bombs.

Buzz bombs.

Roman candles.

Other types. candle; other types of fireworks such as sparklers, cone goods, handle goods, base goods, and wheel goods, snakes, snake nests, and boa constrictors of a nonpoisonous nature; star shells, parachute shells, and bursting comets that do not contain any explosive composition in addition to their usual composition for smoke or illumination; any item of fireworks designed to stand on the ground, in the form of a cone, which shall not contain any explosive composition.

Sale or use prohibited. SEC. 4. It shall be unlawful for any person, firm, copartnership, or corporation to offer for retail sale, expose for retail sale, sell at retail, or use or explode
 Exception. any fireworks within the state, except between the dates of June 25 and July 5, inclusive.

Unlawful to sell without permit. SEC. 5. It shall be unlawful for any person, firm, copartnership or corporation to engage in the retail sale of fireworks without first having obtained a permit from the clerk of the county in which the retail sales are to be made, or from the city clerk if such retail sale is to be carried on within a municipal corporation. The fee to be charged for the issue of any such retail sales permit shall be five dollars, which fee shall cover but one sales outlet: *Provided, however,* That no permit to sell at retail shall be issued to anyone under eighteen years of age or to anyone within a forest reserve: *And provided further,* That no fireworks shall be used or exploded in any extrahazardous fire area as defined in section 76.04.140, R.C.W. All fees collected under this act by a county clerk shall be credited to the general fund of the county in which collected. All fees collected under this act by a city clerk shall be credited to the general fund of the municipal corporation in which collected.

Fee. *Provided,*

Permit may not be issued when. *however,*

Extra-hazardous fire area; use prohibited. *That no permit to sell at retail shall be issued to anyone under eighteen years of age or to anyone within a forest reserve: And provided further,*

Disposition of fees. *That no fireworks shall be used or exploded in any extrahazardous fire area as defined in section 76.04.140, R.C.W. All fees collected under this act by a county clerk shall be credited to the general fund of the county in which collected. All fees collected under this act by a city clerk shall be credited to the general fund of the municipal corporation in which collected.*

[R.C.W. 76.04.140 is R.R.S. § 5782-1.]

State fire marshal. SEC. 6. The state fire marshal shall have power to adopt reasonable rules and regulations for the

granting of permits for supervised public displays of fireworks by municipalities, fair associations, amusement parks, and other persons, organizations or groups of individuals: *Provided*, That the governing body of any municipality, or of any county, may require a bond or liability policy deemed adequate by the municipality, or the county, from any person, firm, copartnership or corporation in a sum not less than five hundred dollars conditioned for the payment of all damages which may be caused either to a person or persons or to property by reason of the authorized display, and arising from any acts of any person, firm, copartnership or corporation, his agents, employees or subcontractors.

Permits for public display.

Local authority may require bond or insurance.

SEC. 7. It shall be unlawful for any person, firm or corporation to carry fireworks in cars, trucks or any other means of transportation along the highways of the state for the purpose of making direct sales, either wholesale or retail, from such cars or trucks: *Provided, however*, This act does not prohibit any carrier having a license to do business in the state from making deliveries of fireworks to any person, firm or corporation authorized to handle the same.

Unlawful to transport fireworks for sale.

Licensed carriers excepted.

SEC. 8. Law enforcement officers of the state, county or municipality are empowered and directed to enforce the provisions of this act and violation thereof may be prosecuted in state courts or municipal courts when violations occur within the municipality served thereby.

Enforcement of act.

SEC. 9. Nothing in this act contained shall be construed to prohibit the use of explosives producing a visible or audible effect for the purpose of signaling, nor shall it be construed to prohibit the sale and use of firearms and fixed ammunition therefor, or the sale and use of blank cartridges in shows or theaters or for signal or ceremonial purposes in

Certain uses of explosives not prohibited.

athletics or sports, or for use by any military organization.

Effect of other laws and local ordinances.

SEC. 10. Nothing in this act nor in any permit issued hereunder shall authorize the manufacture, sale, use or discharge of fireworks in any city or county in which such manufacture, sale, use or discharge is otherwise prohibited by law or municipal ordinance; nor shall any city or county authorize the sale or use of any fireworks prohibited by the provisions of this act.

Violations.

Fine.

SEC. 11. Any person who shall use or explode any fireworks contrary to the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding fifty dollars. Any person who shall manufacture or sell at wholesale or retail or as a broker or jobber any fireworks not herein authorized shall be punished by a fine not exceeding five hundred dollars.

Repealing clause.

SEC. 12. Chapter 70.78, R.C.W., as derived from chapter 161, Laws of 1943, is hereby repealed.
[Rep. Rem. Supp. 1943, §§ 5440-30 to 5440-37 incl.]

Emergency.

SEC. 13. This act is necessary for the public health, welfare and safety and shall take effect immediately.

Passed the Senate March 8, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 175.

[S. B. 61.]

TRAFFIC VIOLATIONS—CITATION.

AN ACT relating to the enforcement of traffic laws and regulations; and adding a new section to chapter 46.64, R.C.W.

Be it enacted by the Legislature of the State Washington:

New section.

SECTION 1. There is added a new section to chapter 46.64, R.C.W., to read as follows: