

CHAPTER 160.

[S. B. 83.]

NON-RESIDENT OWNERS OF MOTOR VEHICLES.

AN ACT granting to non-resident owners and operators of motor vehicles the privilege of using the highways of the State of Washington and its political subdivisions and providing for the appointment by such non-resident users of such highways of the secretary of state as attorney in fact for such non-resident for service of all lawful process in any action or proceeding against such non-resident growing out of any accident, collision, or liability in which such non-resident may be involved while operating motor vehicles upon such highways.

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

SECTION 1. Subject to a compliance with the motor vehicle laws of this state and the acceptance of the provisions of this act, non-resident owners and operators of motor vehicles hereby are granted the privilege of using the highways, roads and streets of this state and its political subdivisions, and the use of such highways, roads and streets shall be deemed and construed to be an acceptance of the provisions of this act.

Non-residents:

Use of highways,

SEC. 2. The acceptance by a non-resident of the rights and privileges conferred by the laws of this state to use the highways, roads and streets of the state and its political subdivisions as evidenced by his operating a motor vehicle thereon shall be deemed equivalent to and construed to be an appointment by such non-resident of the secretary of state of the State of Washington to be his true and lawful attorney upon whom may be served all lawful summons and processes against him growing out of any accident, collision, or liability in which said non-resident may be involved while operating a motor vehicle upon such highways, roads or streets, and said acceptance or operation shall be a significa-

processes against,

tion of his agreement that any summons or process against him which is so served shall be of the same legal force and validity as if served on him personally within the State of Washington.

service
against,

Service of such summons or process shall be made by leaving a copy thereof with a fee of two dollars (\$2.00) with the secretary of state of the State of Washington, or in his office, and such service shall be sufficient and valid personal service upon said non-resident: *Provided*, That notice of such service and a copy of the summons of process is forthwith sent by registered mail requiring personal delivery, by the plaintiff to the defendant and the defendant's return receipt and plaintiff's affidavit of compliance herewith are appended to the process and entered as a part of the return thereof: *Provided, further*, That personal service outside of this state in accordance with the provisions of the statutes thereof relating to personal service of summons outside of this state shall relieve a plaintiff from mailing a copy of the summons or process by registered mail as hereinbefore provided. The secretary of state shall forthwith send one of such copies by mail, postage prepaid, addressed to the defendant at his address if known to the secretary of state. The court in which the action is brought may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action.

notice.

Personal
service.

Fee.

SEC. 3. The fee of two dollars (\$2.00) paid by the plaintiff to the secretary of state shall be taxed as part of his costs if he prevails in the action.

Record of
service.

SEC. 4. The secretary of state shall keep a record of all such summons and process which shall show the day of service.

Passed the Senate February 1, 1933.

Passed the House March 8, 1933.

Approved by the Governor March 18, 1933.