

Rules and regulations governing camps.

SEC. 3. Any city or separately organized park district shall have power to establish, care for, control, supervise, improve, operate and maintain a public camp or camps anywhere within this state, and to that end may make, promulgate and enforce any reasonable rules and regulations in reference to such camps and make such charges for the use thereof as may be deemed expedient.

Scope of act.

SEC. 4. This act shall not be construed to repeal or limit any existing power of any city or park district, but to grant powers in addition thereto.

Passed the House, February 26, 1921.

Passed the Senate, March 8, 1921.

Approved by the Governor March 17, 1921.

CHAPTER 108.

[S. H. B. 233.]

MOTOR VEHICLES.

AN ACT relating to the operation of vehicles and the use of public highways, providing for the licensing of persons operating motor vehicles, providing for the enforcement thereof and all other highway and motor vehicle laws and prescribing penalties for violations thereof; and making appropriations.

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

"Motor vehicle" defined.

SECTION 1. (1) "Motor vehicle" shall include all vehicles or machines propelled by any power other than muscular, used upon the public highways for the transportation of persons, freight, produce, or any commodity, except traction engines temporarily upon the public highway, road rollers or road making machines, and motor vehicles that run upon fixed rails or tracks.

"Motor truck" defined.

(2) "Motor truck" shall mean any motor vehicle designed or used for the transportation of commodities, merchandise, produce, freight, or animals.

(3) The word "operator" whenever used in this act shall be held to mean any person who operates or drives a motor vehicle.

"Operator" defined.

SEC. 2. It shall be unlawful for any person under the age of fifteen years to operate or drive any motor vehicle, unless such person is accompanied by his or her parent or guardian: *Provided*, That on recommendation of the school directors of any district and the consent of the parents of any minor a special permit may be issued by the director of licenses permitting any child to drive an automobile for the purpose of attending school, the cost of such permit to be one-half of the regular license fee: *Provided*, That this shall not permit children to drive an automobile within cities of the first class.

Restrictions covering persons under 15 years.

SEC. 3. It shall be unlawful for any person under the age of eighteen years to operate or drive a motor truck of the capacity of four tons or more.

Restrictions covering persons under 18 years.

SEC. 4. It shall be unlawful for any person under the age of twenty-one years to operate a motor vehicle while being used for the transportation of passengers for hire: *Provided*, That upon the application of any person to the director of licenses, the said director of licenses, may in his discretion grant a special permit to such person under the age of twenty-one years.

Restrictions covering persons under 21 years.

SEC. 5. From and after August 1, 1921, it shall be unlawful for any person to operate or drive a motor vehicle without having first obtained and having in force a license so to do as provided in this act: *Provided, however*, That in case of emergency, to be determined by any sheriff, chief of police, police judge or judge of the superior court, said officer so determining such emergency may, upon the execution and delivery to him of an application for an operator's license as provided in section six hereof and the delivery to him of a certified check or post

Driving license.

office money order payable to the state treasurer for the prescribed license fee, issue to such applicant a temporary operator's license, effective immediately which shall terminate on the issue and delivery of the annual license provided for in this act, or on notice of the rejection of the application for such license, and upon delivery of such annual license to the applicant, or on notice of the rejection of the application therefor, such temporary license shall be surrendered and marked cancelled across the face thereof by the officer so issuing same; but nothing in this act contained shall be construed as prohibiting any non-resident of this state over the age of fifteen years from operating a motor vehicle other than a motor truck or motor vehicle used for the transportation of passengers for hire, without having first obtained and having in force a license so to do as in this act provided, if such person shall have fully complied with the laws of the state of his residence respecting the licensing of motor vehicles and the operation thereof: *Provided*, That if such non-resident shall be convicted by any court of competent jurisdiction of violating any of the provisions of the laws of this state relating to motor vehicles or to the operation thereof he shall thereafter be subject to, and required to comply with all the provisions of this act: *Provided, further*, That any person over fifteen years of age, when accompanied by a licensed operator may operate or drive a motor vehicle for a period not to exceed fifteen days for the purpose of receiving instructions necessary to secure an operator's license.

SEC. 6. (1) Every person over fifteen years of age desiring to drive or operate a motor vehicle upon the public highways of this state as an operator shall pay to the state treasurer a fee of \$1.00 and file with the state treasurer an application in writing so to do upon a blank to be provided for

\$1.00 fee for
persons over
15 years.

that purpose by the director of licenses. The application shall contain the name, age, weight, height, color of eyes, color of hair, place of residence and such other information as may be required by the director of licenses.

(2) In case such applicant at the time of filing such application shall have operated a motor vehicle for a period of ten days or over, such application shall be accompanied by certificate of two citizens of this state, stating that the applicant is an experienced careful driver of a motor vehicle and is free from any physical infirmities or personal habits which would tend to impair his ability safely to operate a motor vehicle under the laws of this state: *Provided*, That in case of a minor, such application shall also be approved by the father, mother, or legal guardian of the applicant, or by a judge of the superior court.

(3) It shall be the duty of the director of licenses to examine the papers in connection with each application and in case of doubt he may require such further examination under his direction as shall determine the applicant's fitness or unfitness to operate a motor vehicle. The director of licenses shall have power to issue a license to operate any motor vehicle or to operate only such motor vehicle as the license shall designate.

SEC. 7. Upon the receipt of any application for a license to drive or operate motor vehicles, accompanied by the required fee as provided in the preceding sections, it shall be the duty of the state treasurer to endorse on such application his duplicate receipt for the fee and to transmit the same to the director of licenses who, if the application be in proper form, shall issue to the applicant an operator's license, in such form as may be prescribed by the director of licenses, stating the name and place of residence, and a brief description of the licensee,

Procedure
on applica-
tion.

which license shall be printed in black letters upon white paper or cardboard, and shall bear a serial number, and shall contain a blank for the signature of the licensee. Such license when issued shall be forwarded by mail to the applicant to the address shown on the application. Such licenses to be valid must have endorsed thereon the signature of the owner thereof, and it shall be the duty of every person holding a license issued under the provisions of this act, while operating his motor vehicle under the authority of such license, to have such license in his personal possession or in such motor vehicle. Licenses issued under the provisions of this act shall be for a period of two years from August 1st, 1921, and shall be renewed biennially thereafter.

Furnishing
blank forms
of licenses.

SEC. 8. It shall be the duty of the director of licenses to furnish to the clerks of the superior courts, the justices of the peace, and the police judges of the various counties, cities and towns throughout the state, in such quantity as he shall deem necessary, blank forms of operators' licenses, printed on paper or cardboard of two colors respectively, namely blue and yellow, and containing blanks for the insertion of serial numbers and the signature of the licensee.

Surrender
and cancel-
lation of
license.

SEC. 9. In case of the conviction of any person, holding an operator's license issued under the provisions of this act, for the violation of any of the motor vehicle laws of this state, or any of the provisions of this act, the court, judge or justice before whom the conviction is had shall have the power in his discretion, in addition to imposing any of the penalties provided by law, to require the defendant to surrender his operator's license forthwith to the court, and shall thereupon cancel such operator's license by writing across the face thereof the word "cancelled" and dating and signing the same. The court shall thereupon issue to the defendant a dupli-

cate of his license printed on blue paper or cardboard and bearing the same serial number as the license cancelled, and shall require the licensee to subscribe his name thereto in the presence of the court, and shall immediately transmit the cancelled license to the director of licenses; and in case of the conviction of any person holding an operator's blue license for the violation of any of the motor vehicle laws of this state, or the provisions of this act, the court, judge or justice before whom the conviction is had, shall have the power in his discretion, in addition to imposing such penalty as may be provided by law, to take up and cancel such operator's blue license and issue to the licensee an operator's yellow license, bearing the same serial number, and to require the licensee to subscribe his name thereon in the presence of the court, and to immediately transmit said cancelled blue license to the director of licenses; and in case of the conviction of any person holding an operator's yellow license of any violation of the motor vehicle laws of this state, or the provisions of this act, the court, judge or justice before whom such conviction is had shall have the power in his discretion, in addition to imposing any penalty provided by law, to take up and cancel such operator's yellow license, and to immediately transmit said cancelled license to the director of licenses.

SEC. 10. It shall be the duty of the director of licenses, upon receiving any license cancelled by a court, judge or justice under the provisions of the preceding sections, to file and keep the same in the records of his office.

Filing cancelled license.

SEC. 11. In the event of the loss or destruction of any operator's license issued under the provisions of this act, except by cancellation as provided in the preceding sections, the licensee may obtain a duplicate thereof upon filing with the state treasurer an affidavit stating the facts and the color and

Issuance of duplicate license.

serial number of the licenses lost or destroyed, and paying a fee of fifty cents to the state treasurer. Upon the receipt of such affidavit accompanied by the proper fee, it shall be the duty of the state treasurer to endorse upon the affidavit his duplicate receipt of the fee and to transmit the same to the director of licenses, who, after verifying the color and number of the licenses held by the licensee by an examination of the records of his office, shall issue to the licensee a duplicate license bearing the same serial number and of the same color as that held by the licensee.

Issue of new license after cancellation.

SEC. 12. No person who shall have had an operator's yellow license cancelled as provided in this act shall be entitled to have issued to him an operator's license, until the expiration of three months from the date of the cancellation of such operator's yellow license.

"Highway Safety Fund."

SEC. 13. The state treasurer shall, on the next business day after receiving any license, as provided in this act, pay the same into the state treasury into a special fund to be known as the "Highway Safety Fund," which fund is hereby created in the state treasury, and all expenses incurred in the enforcement of the provisions of this act shall be paid from moneys appropriated from the said highway safety fund.

Disposition of fines and forfeitures.

SEC. 14. One-half of all fines and forfeitures collected for violation of the provisions of this act outside of cities and towns of the first, second, third and fourth class, shall be paid into the current expense fund of the county wherein collected and the balance thereof shall be paid to the permanent highway maintenance fund of said county and all fines and forfeitures collected for violation of the provisions of this act in cities and towns of the first, second, third and fourth class shall be paid by the

county treasurer to the treasurer of such city or town of the first, second, third or fourth class, and by him placed to the credit of the street repair and maintenance fund of such city or town.

SEC. 15. It shall be unlawful for any person to make any false statement in any application for a license under the provisions of this act, or for the issuance of any duplicate of such license, or for any person holding a license issued under the provisions of this act to drive or operate any motor vehicle while intoxicated or under the influence of any narcotic drug or while mentally or physically disabled; any person violating the provisions of this section shall, in addition to the other penalties provided by law, forfeit his license.

Penalty for false statements in application.

SEC. 16. Every person violating or failing to comply with any provisions of this act shall be guilty of a misdemeanor: *Provided*, That any person operating or driving a motor vehicle upon the highways of this state after having his operator's yellow license cancelled as provided in this act, shall be guilty of a gross misdemeanor.

Violation of act.

SEC. 17. It shall be the duty of the director of efficiency to appoint a sufficient number of highway police who shall have the power of peace officers for the purpose of enforcing all motor vehicle laws, rules and regulations.

Highway police.

SEC. 18. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged to be invalid or unconstitutional.

Partial invalidity.

SEC. 19. The secretary of state shall have the power and it shall be his duty to exercise all the powers and perform all the duties imposed by this act on the director of licenses until such time as the director of licenses shall be appointed and qualify

Powers and duties conferred.

and assume and exercise the duties of his office. And the state highway commissioner shall have the power and it shall be his duty to exercise all the powers and perform all the duties imposed by this act upon the director of efficiency and the supervisor of highways until such director and supervisor are appointed and qualify and shall assume and exercise the duties of their offices.

Appropriation.

SEC. 20. The following sums or so much thereof as shall be severally found necessary are hereby appropriated out of any moneys in the highway safety fund for the fiscal term beginning April 1, 1921, and ending March 31, 1923:

FOR THE OFFICES OF THE DIRECTOR OF LICENSES AND THE STATE TREASURER:

Clerk hire, supplies, material and service.....	\$60,000 00
For the supervisor of highways to be used in supervising the maintenance of state highways.....	\$50,000 00

FOR THE OFFICE OF THE DIRECTOR OF EFFICIENCY:

(Expenditures not to exceed collections.)

Salaries, supplies, material and service.....	\$200,000 00
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Repealing clause.

SEC. 21. All acts and parts of acts in conflict herewith are hereby repealed.

Passed the House, March 1, 1921.

Passed the Senate, March 7, 1921.

Approved by the Governor March 17, 1921.