

## CHAPTER 188.

[S. B. 147.]

## WASHINGTON HIGHWAY LICENSE ACT.

AN ACT relating to motor vehicles, evidence of ownership, registration, licensing and identification thereof, and regulation and licensing of operators thereof; providing for the issuance of certificates of ownership and registration; regulating purchase, sale or other transfer of ownership thereof; providing for vehicle license number plates and use thereof; examining and licensing of vehicle operators; prescribing powers and duties of certain public officers; defining terms; providing for certain fees and the collection and disposition thereof; providing for certain general licensing provisions; defining certain offenses and providing penalties for violation of the provisions of this act; repealing certain acts and parts of acts and all acts and parts of acts in conflict herewith; saving certain acts; providing for the effective date of the several provisions of this act and declaring an emergency.

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

## CHAPTER I. DEFINITIONS.

SECTION 1. The following words and phrases, wherever used in this act, shall have the meaning as in this section ascribed to them, unless where used the context thereof shall clearly indicate to the contrary:

"Authorized emergency vehicle."

(a) "Authorized Emergency Vehicle." Any vehicle, as herein defined, of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service, public or private, or any other vehicle authorized in writing by the state commission on equipment.

"Auto stage."

(b) "Auto Stage." Any motor vehicle, as herein defined, used for the purpose of carrying passengers together with incidental baggage and freight or either, on a regular schedule of time and rates: *Provided*, That no motor vehicle shall be considered

to be an auto stage where substantially the entire route traveled by such vehicle is within the corporate limits of any incorporated city or town or the corporate limits of any adjoining incorporated cities or towns.

(c) "Axle." A structure or structures in the same or approximately the same transverse plane with a vehicle supported by wheels and on which or with which such wheels revolve. "Axle."

(d) "Bicycle." Every vehicle, as herein defined, having a saddle for the use of the rider, operated by human power, and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor. "Bicycle."

(e) "Cancel." In all its forms shall mean the invalidation indefinitely and until successful application but shall be for a period of not less than one (1) year. "Cancel."

(f) "City Street." Every public highway as herein defined, or part thereof located within the limits of incorporated cities and towns, except alleys. "City street."

(g) "Combination of Vehicles." Every combination of motor vehicle and trailer or motor vehicle and semi-trailer the principal use of which is the transportation of commodities, merchandise, produce, freight or animals. "Combination of vehicles."

(h) "Commercial Vehicle." Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals or passengers for hire. "Commercial vehicle."

(i) "County Road." Every public highway as herein defined, or part thereof, outside the limits of incorporated cities and towns and which has not been designated as a primary state highway. "County road."

(j) "Farm Tractor." Every motor vehicle, as herein defined, designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. "Farm tractor."

"For hire vehicle."

(k) "For Hire Vehicle." Any motor vehicle, as herein defined, other than an auto stage, as herein defined, used for the transportation of persons for compensation.

"Legal owner."

(l) "Legal Owner." A mortgagee or owner of the legal title to a vehicle.

"Local authorities."

(m) "Local Authorities." Every county, municipal, or other local public board or body having authority to adopt local police regulations under the constitution and laws of this state.

"Metal tire."

(n) "Metal Tire." Every tire, the bearing surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

"Motor truck."

(o) "Motor Truck." Any motor vehicle as herein defined, designed or used for the transportation of commodities, merchandise, produce, freight or animals.

"Motor vehicle."

(p) "Motor Vehicle." Every vehicle, as herein defined, which is in itself a self-propelled unit.

"Motorcycle."

(q) "Motorcycle." Every motor vehicle, as herein defined, having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor.

"Non-resident."

(r) "Non-resident." Any person whose residence is outside this state and who is temporarily sojourning within this state for a period of not to exceed ninety (90) days in any one (1) year.

"Operator."

(s) "Operator." Every person who is in actual physical control of a motor vehicle as herein defined, upon a public highway, as herein defined.

"Peace officer."

(t) "Peace Officer." Any officer authorized by law to execute criminal process or to make arrests for the violation of the statutes generally or of any particular statute or statutes relative to the public highways of this state.

"Person."

(u) "Person." Every natural person, firm, co-partnership, corporation, association or organization.

(v) "Pneumatic Tires." Every tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon. "Pneumatic tires."

(w) "Primary State Highway." Every public highway as herein defined, or part thereof, which has been designated as a primary state highway by legislative enactment. "Primary state highway."

(x) "Public Highway." Every way, lane, road, street, boulevard, and every way or place in the State of Washington open as a matter of right to public vehicular travel both inside and outside the limits of incorporated cities and towns. "Public highway."

(y) "Railroad." A carrier of persons or property upon vehicles, other than street cars, operated upon stationary rails, the route of which is principally outside incorporated cities and towns. "Railroad."

(z) "Registered Owner." A person who holds a certificate of ownership of a vehicle, or in the event the vehicle is subject to an agreement for the conditional sale or lease thereof with a right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then any such conditional vendee or lessee, or mortgagor having a lawful right of possession or use and control for a period of ten or more successive days. "Registered owner."

(aa) "Revoke." In all its forms shall mean the invalidation for a period of one calendar year and thereafter until reapplication. "Revoke."

(bb) "Road Tractor." Every motor vehicle, as herein defined, designed and used primarily as a road building vehicle in drawing road building machinery and devices. "Road tractor."

(cc) "Roadway." The paved, improved or proper driving portion of a public highway designed, or ordinarily used for vehicular travel. "Roadway."

"School bus."

(dd) "School Bus." Any motor vehicle, as herein defined, owned by a public or governmental agency and operated for the transportation of children to or from school or school activities or privately owned and operated for compensation for the transportation of children to or from school or school activities.

"Semi-trailer."

(ee) "Semi-Trailer." Every vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed than [that] an appreciable part of its weight and that of its load rests upon and is carried by such motor vehicle or truck tractor.

"Solid tire."

(ff) "Solid Tire." Every tire of rubber or other resilient material which does not depend upon inflation with compressed air for the support of the load thereon.

"Street car."

(gg) "Street Car." A vehicle other than a train, as herein defined, for the transporting of persons or property and operated upon stationary rails principally within incorporated cities and towns.

"Suspend."

(hh) "Suspend." In all its forms shall mean invalidation for any period less than one calendar year and thereafter until reinstatement.

"Traffic."

(ii) "Traffic." Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together while using any public highways for purposes of travel.

"Trailer."

(jj) "Trailer." Every vehicle, as herein defined without motive power designed for being drawn by or used in conjunction with a motor vehicle, as herein defined, constructed so that no appreciable part of its weight rests upon or is carried by such motor vehicle.

"Train."

(kk) "Train." A vehicle propelled by steam, electricity or other motive power with or without cars coupled thereto, operated upon stationary rails, except street cars.

(ll) "Trolley Vehicle." A vehicle, as herein defined, the motive power for which is supplied by means of a trolley line and which may or may not be confined in its operation to a certain portion of the roadway in order to maintain trolley line contact. "Trolley vehicle."

(mm) "Truck Tractor." Any motor truck as herein defined, designed and used primarily for drawing a semi-trailer and not constructed to carry a load thereon other than a part of the weight of such semi-trailer and load so drawn. "Truck tractor."

(nn) "Used Vehicle." A vehicle which has been sold, bargained, exchanged, given away, or title transferred from the person who first took title to it from the manufacturer or first importer, dealer or agent of the manufacturer or importer, and so used as to have become what is commonly known as "secondhand" within the ordinary meaning thereof. "Used vehicle."

(oo) "Vehicle." Every device capable of being moved upon a public highway and in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks. "Vehicle."

Words and phrases used herein in the past, present or future tense shall include the past, present and future tenses; words and phrases used herein in the masculine, feminine or neuter gender shall include the masculine, feminine and neuter genders; and words and phrases used herein in the singular or plural shall include the singular and plural; unless the context thereof shall indicate to the contrary.

## CHAPTER II. VEHICLE OWNERSHIP AND REGISTRATION.

SEC. 2. It shall be unlawful for any person to operate any vehicle in this state under a certificate of license registration of this state without securing and having in full force and effect a certificate of Certificate of ownership. Unlawful to operate vehicle without certificate.

Unlawful to transfer vehicle without certificate.

ownership therefor and it shall further be unlawful for any person to sell or transfer any vehicle without complying with all the provisions of this chapter relating to certificates of ownership and license registration of vehicles: *Provided*, The provisions of this section relative to the sale of vehicles shall not apply to the first sale of vehicles by manufacturers and dealers: *Provided, further*, Nothing in this act shall be construed to prevent any person entitled thereto from securing a certificate of ownership upon a vehicle without securing a certificate of license registration and vehicle license plates, when, in the judgment of the director of licenses, it is proper to do so.

Issuance of number plates and certificate of license dependent upon certificate of ownership.

SEC. 3. (a) No vehicle license number plates or certificate of license registration, whether original issues or duplicates, shall be issued or furnished by the director of licenses unless the applicant therefor shall at the same time make satisfactory application for a certificate of ownership or shall present satisfactory evidence that such a certificate of ownership covering such vehicle has been previously issued;

Contents of application for certificate of ownership.

(b) Said application for certificate of ownership shall be upon a blank form to be furnished by the director of licenses and shall contain:

(1) A full description of the vehicle, which said description shall contain the manufacturer's serial number if it be a trailer, or the motor number if it be a motor vehicle, and any distinguishing marks of identification;

(2) A statement of the nature and character of the applicant's ownership, and the character of any and all encumbrances other than statutory liens upon said vehicle;

(3) Such other information as the director of licenses may require: *Provided*, The director of licenses may in any instance, in addition to the information required on said application, require addi-

tional information and a physical examination of the vehicle or of any class of vehicles, or either;

(c) Such application shall be subscribed by the applicant and be sworn to by him before a notary public or other officer authorized by law to take acknowledgments of deeds, or other person authorized by the director of licenses to certify to the signature of the applicant upon such application;

(d) Such application accompanied by a draft, money order or certified bank check for fifty cents (50¢), (together with the last preceding certificates or other satisfactory evidence of ownership), shall be forwarded to the state treasurer, who shall upon receipt of the same indorse upon the application his receipt for such fee. On receipt of such application the state treasurer shall cause the same to be numbered with a distinguishing application number, separate and distinct from the license registration number assigned to said applicant and vehicle, and all such applications shall be so numbered consecutively;

(e) The fee for each original certificate of ownership shall be fifty cents (50¢) and shall be in addition to any other fee for the license registration of such vehicle. Said certificate of ownership shall not be required to be renewed annually, or at any other time, except as by law provided.

SEC. 4. (a) The director of licenses, if satisfied from the statements upon said application that the applicant is the legal owner of the vehicle or otherwise entitled to have the certificate of ownership thereof in his name, shall thereupon issue an appropriate certificate of ownership, over his signature, authenticated by seal to be procured and used for such purpose and a new certificate of license registration if certificate of license registration is required;

Fee.

Issuance of certificate.



Contents of  
certificates.

(b) Both the certificate of ownership and the certificate of license registration shall contain upon the face thereof in type-printing, the date of issue, the license registration number assigned to the registered owner and to the vehicle, the name and address of the registered owner and legal owner, the motor number, if the certificate be for a motor vehicle, or the serial number, if the certificate be for a trailer, and such other description of the vehicle and facts as the director of licenses shall require;

(c) The reverse side of the certificate of ownership only shall contain forms for assignment and notice to the director of licenses of a transfer of the ownership or interest of the registered owner and legal owner. A blank space shall be provided on the face of the certificate of license registration for the signature of the registered owner;

Registered  
and legal  
owners.

(d) Upon issuance of the certificate of license registration and certificate of ownership and upon any reissue of same, the director of licenses shall mail the certificate of license registration to the registered owner and the certificate of ownership to the legal owner, or both to the person who is both the registered owner and legal owner.

Application  
for  
assignment  
of special  
number.

SEC. 5. (a) Before the director of licenses shall issue a certificate of ownership, or reissue such a certificate, covering any vehicle, the motor number of which, in case of a motor vehicle, or the serial number of which, in case of a trailer, has been altered, removed, obliterated, defaced, omitted or is otherwise absent, the registered owner of such vehicle shall be required to file an application with the state treasurer, accompanied by a fee of fifty cents (50¢), upon a form provided, and containing such facts and information as shall be required by the director of licenses for the assignment of a special number for such vehicle. Such application shall be handled by the director of licenses in the same manner

as is by this chapter required for an application for a certificate of ownership. Upon receipt of such application, the director of licenses, if he is satisfied such applicant is entitled to the assignment of a motor number or serial number, as the case may be, shall designate a special motor number or serial number, as the case may be, together with a symbol indicative of this state, for such vehicle, which symbol followed by such number shall be noted upon the application therefor, and likewise upon a suitable record of the authorization of the use thereof, to be kept by and in the office of the director of licenses. The applicant for such assignment of number shall be, in case of a motor vehicle, promptly notified of the number assigned and the symbol to be prefixed thereto, and such applicant shall thereupon cause such symbol and motor number to be pressed or cut in a conspicuous position upon the motor of the said motor vehicle; the applicant for such assignment of number shall be, in case of a trailer, promptly mailed a metal plate impressed with the symbol and number assigned to such trailer, which plate shall be securely attached in a conspicuous position upon the outside of such trailer. Upon receipt by the director of licenses of a certificate by an officer of the Washington State Patrol, or other person authorized by the director of licenses, that he has inspected such vehicle and that the motor number, together with the symbol so assigned, or the special serial number plate, as the case may be, have been legally pressed or cut in a conspicuous position upon the motor of the motor vehicle or securely attached in a conspicuous position upon the outside of the trailer, as the case may be, accompanied by an application for a certificate of ownership or application for reissue of such certificate and the required fee therefor, the director of licenses shall be and he hereby is authorized to use such number and such symbol as the nu-

merical identification marks for such vehicle in any certificate of license registration or certificate of ownership he may thereafter issue covering such vehicle;

Destruction of vehicle, surrender of certificates.

(b) Upon the destruction of any vehicle covered by certificate of license registration and ownership, it shall be the duty of the registered owner and of the legal owner, to forthwith and within five (5) days thereafter forward and surrender such certificates, together with the vehicle license plates therefor if available, to the director of licenses, together with a statement of the reason for such surrender and the time and place of destruction. The possession by any person of any such certificate of a vehicle so destroyed, after five (5) days following such destruction, shall be *prima facie* evidence of the violation of the provisions of this chapter and shall constitute a gross misdemeanor;

Penalty.

Installation of different motor, surrender of certificates.

(c) Any person holding the certificate of license registration to a vehicle in which there has been installed a new or different motor than that with which the same was issued certificates of ownership and license registration shall forthwith and within five (5) days after such installation forward and surrender such certificates to the state treasurer, together with an application for issue of corrected certificates of ownership and license registration and a fee of fifty cents (50¢), and a statement of the disposition which was made of the former motor. The possession by any person of any such certificates of a vehicle in which a new or different motor has been installed, after five (5) days following such installation, shall be *prima facie* evidence of the violation of the provisions of this chapter and shall constitute a misdemeanor.

Sale or transfer of vehicles, transfer of certificates.

SEC. 6. (a) In the event of the sale or other transfer to a new registered owner of any vehicle for which a certificate of ownership and a certificate

of license registration have been issued, the registered and legal owners shall endorse upon the back of their respective certificates an assignment thereof in form printed thereon, and deliver the same to the purchaser or transferee at the time of the delivery to him of the said vehicle;

(b) The purchaser or transferee, unless such person is a dealer, shall within ten days thereafter apply to the county auditor or agent of the director of licenses for the reissue of such certificate of ownership and transfer of certificate of license registration. Upon receipt of application for reissue of the certificate of ownership and transfer of certificate of license registration, accompanied by a fee of one dollar (\$1.00), the county auditor or agent shall, if such application be in proper form and be accompanied by the certificate of ownership and certificate of license registration of the vehicle to which such application applies, retain the duplicate copy of the application for the county files of the county in which the application is received, and immediately forward the original together with the certificate of ownership and certificate of license registration and all other information required and with the fee therefor to the state treasurer, at the same time delivering to the applicant the triplicate of the application. Upon receipt of such application, certificates, or other information and fee, the state treasurer shall endorse upon such application his receipt of the payment of such fee. The director of licenses shall, if all provisions relating to certificates of ownership and license registration have been complied with, issue a new certificate of ownership and new certificate of license registration as in the case of an original issue;

Application  
for reissue.

Fee.

(c) If the purchaser or transferee be a dealer he shall, on selling or otherwise disposing of said vehicle, execute and deliver to the purchaser thereof

Dealer as  
purchaser.

a conveyance or assignment in such form as the director of licenses shall prescribe, to which shall be attached the assigned certificates of ownership and license registration received by such dealer. Thereupon the purchaser of said vehicle from such dealer shall apply for the issuance of new certificates of ownership and license registration;

Record of title.

(d) Certificates of ownership when assigned and returned to the director of licenses together with subsequently assigned reissues thereof, shall be retained by the director of licenses and appropriately filed and indexed so that at all times it will be possible to trace ownership to the vehicle designated therein: *Provided*, When the ownership of any vehicle shall pass by operation of law, the person thus acquiring ownership of such shall upon furnishing satisfactory proof to the director of licenses of his ownership, procure issuance of a certificate of ownership to said vehicle, regardless of whether a certificate of ownership has ever been issued: *Provided, further*, That in all cases of application for reissue of certificates of ownership or certificates of license registration, or either, by reason of transfer of legal ownership or registered ownership by operation of law, it shall be the duty of the director of licenses to give written notice thereof to both the legal owner and registered owner, by mail, postage prepaid, at his or their last given address, which notice shall require the surrender of certificates of ownership or license registration, or both, within ten days from the date of posting of such letter. In the event that such certificates or either of such certificates, shall not have been surrendered to the director of licenses within ten days from and after the date of posting of notice therefor, such certificates or either of them shall become void and the director of licenses shall pass upon such application without regard for such outstanding certificates or either of them, unless restrained from so doing;

Notice to record and legal owners of application for reissue.

(e) In case of dealers in vehicles, including manufacturers who sell to other than dealers, a separate certificate of ownership, either of such dealer's immediate vendor properly assigned or of the dealer himself, shall be required covering each used vehicle kept in his possession;

Dealers and  
manufac-  
turers.

(f) Whenever application shall be made to the director of licenses by a new legal or registered owner of a vehicle and the applicant is unable to present the certificate of ownership or license registration previously issued for such vehicle for the reason of same being unlawfully withheld by one in possession or otherwise not available, the director of licenses is hereby authorized to receive such application and to examine into the circumstances of the case and may require filing of affidavits or other information, and when the director of licenses is satisfied that the applicant is entitled thereto he is hereby authorized to transfer such vehicle or re-register such vehicle and issue new certificates for said vehicle to the person found to be entitled thereto: *Provided*, The required fee has been previously paid to the state treasurer;

Certificates  
unlawfully  
withheld  
from new  
owner.

(g) If the director of licenses shall determine at any time that the applicant for the certificate of ownership or for the certificate of license registration of a vehicle is not entitled thereto, he may refuse to issue such certificate or to license such vehicle and may, for a like reason and after notice and in the exercise of discretion, cancel license registration already acquired or any outstanding certificate of ownership. Said notice shall be served in person or by registered mail. It shall then be unlawful for any person to remove, drive, or operate such vehicle until proper certificate of ownership or license registration has been issued and any person removing, driving or operating such vehicle after the refusal to issue certificates or the revocation of such certificate shall be guilty of a gross misdemeanor.

Refusal to  
issue  
certificates or  
cancellation.

Unlawful to  
operate  
without  
certificates,  
penalty.

Mortgages.

SEC. 7. If, after a certificate of ownership is issued, a mortgage is placed on the vehicle described in the certificate of ownership, the registered owner shall, within ten days thereafter, present his application to the state treasurer, signed by the mortgagee, to which shall be attached the certificate of license registration and the certificate of ownership last issued covering said vehicle, which application shall be upon a form provided by the director of licenses and shall be accompanied by a money order, bank draft or certified bank check for a fee of fifty cents (50¢). The state treasurer, upon the receipt of said application, documents and fees, shall affix his receipt for the fee and if he is satisfied that there should be a reissue of said certificates, note such change upon his records and issue to the registered owner a new certificate of license registration and to the mortgagee a new certificate of ownership. Upon the full payment of a contract or mortgage on a vehicle, the legal owner or mortgagee shall assign said certificate of ownership and deliver the same to the registered owner, who shall within ten days thereafter present the said certificate of ownership and certificate of license registration to the state treasurer accompanied by a fee of fifty cents (50¢) together with an application for reissue thereof, which said application shall be upon a form to be provided by the director of licenses, which application shall be handled by the director of licenses as in the case of original application for certificate of license registration and certificate of ownership. Upon the full payment of a contract or mortgage on a vehicle the legal owner or mortgagee shall immediately notify the director of licenses of such fact on a form to be provided by the director of licenses therefor.

Certificate of  
license  
registration.

SEC. 8. A certificate of license registration to be valid must have endorsed thereon the signature of the registered owner (if a firm or corporation, the

signature of one of its officers or other duly authorized agent), and must be enclosed in a suitable container and attached to the steering post or upon the instrument board of the vehicle for which it is issued, at all times; or when the vehicle covered by such certificate of license registration has no steering post or instrument board, then such container with certificate therein shall be securely affixed at some conspicuous position upon said vehicle where the same can be easily found, read and inspected by a person on the outside of such vehicle at all times. The said container shall have a cover of transparent material through which the certificate may be inspected as to the information shown thereon, including the signature of the registered owner, and it shall be unlawful for any person to operate or have in his possession a vehicle without carrying thereon such certificate of license registration as herein provided. Any person in charge of such vehicle shall, upon demand of any of the local authorities or of any peace officer or of any representative of the department of licenses, permit an inspection of such certificate of license registration.

Duty to carry license.

SEC. 9. In the event that any certificate of ownership or certificate of license registration shall be lost, mutilated or shall have become illegible, the person who is entitled thereto shall immediately file with the state treasurer an application for the issuance of a duplicate of such certificate, such application to be upon a form to be prescribed and furnished by the director of licenses, accompanied by a draft, money order or certified bank check in the sum of fifty cents (50¢) payable to the state treasurer. Upon receipt of such application and fee, the state treasurer shall endorse thereon his official receipt for such fee and transmit the application to the director of licenses who shall issue a "duplicate" of such certificate if the above facts have been established by satisfactory proof.

Loss of certificate of license registration.

Issue of duplicate.



Legal owner  
not liable for  
acts of  
registered  
owner.

SEC. 10. The person, firm, copartnership, association or corporation to whom a certificate of ownership shall have been issued shall not thereby incur liability or be responsible for damage, or otherwise, resulting from any act or contract made by the registered owner or by any other person acting for, or by or under the authority of such registered owner. No suit or action shall ever be commenced or prosecuted against the director of licenses or the State of Washington by reason of any act done or omitted to be done in the administration of the duties and responsibilities imposed upon the director of licenses under this chapter.

Non-liability  
of state.

Highway  
safety fund.

SEC. 11. The state treasurer shall pay all funds accruing under the provisions of this chapter into the highway safety fund and all expenses incurred in carrying out the provisions of this chapter relating to certificates of ownership and license registration shall be paid from the highway safety fund as by appropriation provided.

False  
swearing.

SEC. 12. Any person who shall knowingly make any false statement of a material fact, either in his application for the certificate of ownership or in any assignment thereof, or who with intent to procure or pass ownership to [a] vehicle which he knows or has reason to believe has been stolen, shall receive or transfer possession of the same from or to another or who shall have in his possession any vehicle which he knows or has reason to believe has been stolen, and who is not an officer of the law engaged at the time in the performance of his duty as such officer, shall be guilty of a felony and upon conviction shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than ten (10) years, or both such fine and imprisonment. This provision shall not exclude any other offenses or penalties prescribed by any existing or future law

Penalty.

for the larceny or unauthorized taking of a motor vehicle.

SEC. 13. Any person who shall alter or forge or cause to be altered or forged any certificate issued by the director of licenses pursuant to the provisions of this chapter, or any assignment thereof, or any release or notice of release of any encumbrance referred to therein, or who shall hold or use any such certificate or assignment, or release or notice of release, knowing the same to have been altered or forged, shall be guilty of a felony.

Forgery of documents.

Penalty.

SEC. 14. Chapter 170, Session Laws of 1933, relating to the ownership of vehicles, be and the same is hereby repealed: *Provided*, Certificates of ownership and certificates of license registration issued and valid under the laws hereby repealed shall remain valid and in effect until in the usual course of re-issue they may be made to comply in all respects to the provisions of this chapter.

Repeals ch. 170, Laws 1937.

Certificates issued under repealed law.

### CHAPTER III. LICENSING OF VEHICLES.

SEC. 15. It shall be unlawful for any person to operate any vehicle over and along any of the public highways of this state without first having obtained and having in full force and effect a current and proper vehicle license and display vehicle license number plates therefor as by this chapter provided.

Unlawful to operate without vehicle license and number plates.

SEC. 16. Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each calendar year or fractional part thereof and upon each vehicle a license fee in the sum of three dollars (\$3.00): *Provided*, There shall be paid for each calendar year or fractional part thereof by dealers for dealer's license five dollars (\$5.00), which shall include one set of dealer's vehicle license number plates, and for additional sets in duplicate of the dealer's vehicle li-

Annual license fee.

Dealer's license fee.

cense number plates but bearing appropriate distinguishing symbols, the sum of two dollars (\$2.00) for each additional set of two plates.

Additional  
annual fee  
for motor  
truck,  
trailer or  
semi-trailer.

Weight.

SEC. 17. In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck, trailer and semi-trailer based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: 5,000 pounds or more and less than 10,000 pounds, \$10.00; 10,000 pounds or more and less than 15,000 pounds, \$18.00; 15,000 pounds or more and less than 20,000 pounds, \$45.00; 20,000 pounds or more and less than 25,000 pounds, \$90.00; 25,000 pounds or more and less than 30,000 pounds, \$150.00; 30,000 pounds or more, \$250.00: *Provided*, Any such motor truck or motor trucks and trailers or semi-trailers shall be propelled by steam, electricity, natural gas or any inflammable petroleum product or any other substance not taxable as motor vehicle fuel, the foregoing schedule of fees shall be increased in every instance by fifty per cent (50%) thereof and paid in addition to any excise tax upon such substance, other than motor vehicle fuel: *Provided, further*, The maximum gross weight in case of any motor truck, trailer or semi-trailer shall be the scale weight of such motor truck, trailer or semi-trailer unladen, to which shall be added the maximum load to be carried thereon, as set by the licensee in his application or otherwise: *Provided, further*, That the additional fee provided in this section shall not be collected on any motor truck, and trailer or semi-trailer used only for the purpose of transporting any well drilling machine, air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house, bunk house or similar machine or structure attached to or made a part of such motor truck, trailer or semi-trailer.

SEC. 18. In addition to other fees for the licensing of vehicles there shall be paid and collected annually, for each auto stage, the sum of four dollars fifty cents (\$4.50) per seat for the maximum adult seating capacity thereof, exclusive of the operator thereof. In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each for hire passenger vehicle, two dollars (\$2.00) per seat for the maximum adult seating capacity thereof, exclusive of the operator thereof.

Additional fee for auto stages.

For hire vehicle, additional fee.

SEC. 19. Every motor truck, trailer and semi-trailer shall have painted or stenciled upon the outside thereof, in a conspicuous place, in letters not less than two inches high, the maximum gross weight for which the same is licensed, as provided in this chapter, and it shall be unlawful for the owner and operator of any such vehicle to display a maximum gross weight for which such vehicle is licensed other than that shown on the certificate of license registration of such vehicle.

Display of maximum gross weight.

SEC. 20. It shall be unlawful for the owner or operator of any vehicle not licensed annually for hire or as an auto stage and for which additional seating capacity fee as required by this chapter has not been paid, to carry passengers therein for hire.

Unlawful to carry passengers for hire without license.

SEC. 21. Any vehicle owned, rented or leased by the State of Washington, or by any county, city, town, school district or other political subdivision of the State of Washington and used exclusively by them, and all vehicles owned by the United States government or by the government of foreign countries and used exclusively in its or their service shall be exempt from the payment of license fees for the licensing thereof as in this chapter provided: *Provided, however,* Such vehicles shall be registered as prescribed for the license registration of vehicles and shall display upon the vehicles the vehicle license

Vehicles owned by state or municipal corporations exempt from license fees.

License registration and number plates required.

number plates assigned by the director of licenses and except in cases of the United States government and foreign governments shall pay for such number plates a fee of one dollar (\$1.00): *Provided, further,* That no vehicle license or license number plates shall be issued to any such vehicle under the provisions of this section unless and until such vehicle shall have been first personally inspected by the director of licenses or his duly authorized representative.

Vehicles  
used for  
school  
purposes.

SEC. 22. No provision of the law of this state shall be construed to require for hire vehicle license or adult seating capacity fees, either directly or indirectly for the transportation of school children or teachers, or both, to and from school and other school activities, or either, whether the same be done in motor vehicles owned, leased, rented or used by the school authority or upon contract to furnish such transportation: *Provided,* This section shall apply to vehicles used exclusively for the purpose set forth and in the event that any vehicle so used is also used for any other purpose, such vehicle shall be appropriately licensed for such other purpose, as required by this chapter.

Non  
residents.

SEC. 23. Except as is herein provided for foreign corporations, the provisions relative to the licensing of vehicles and display of vehicle license number plates and license registration certificates shall not apply to any vehicles owned by non-residents of this state if the owner thereof has complied with the law requiring the licensing of vehicles in the names of the owners thereof in force in the state, foreign country, territory or Federal district of his residence; and the vehicle license number plate showing the initial or abbreviation of the name of such state, foreign country, territory or Federal district, is displayed on such vehicle substantially as is provided therefor in this state: *Provided,* That the provisions

of this section shall be operative as to a vehicle owned by a non-resident of this state only to the extent that under the laws of the state, foreign country, territory or Federal district of his residence, like exemptions and privileges are granted to vehicles duly licensed under the laws of and owned by residents of this state. If under the laws of such state, foreign country, territory or Federal district, vehicles owned by residents of this state, operating upon the highways of such state, foreign country, territory or Federal district, are required to pay the license fee and carry the vehicle license number plates of such state, foreign country, territory or Federal district, the vehicles owned by residents of such state, foreign country, territory or federal district, and operating upon the highways of this state, shall comply with the provisions of this state relating to the licensing of vehicles. Foreign corporations owning, maintaining, or operating places of business in this state and using vehicles in connection with such places of business, shall comply with the provisions relating to the licensing of vehicles in so far as vehicles used in connection with such places of business are concerned: *Provided*, The director of licenses is empowered to make and enforce rules and regulations for the licensing of non-resident vehicles upon a reciprocal basis and with respect to any character or class of operation.

Foreign corporations.

Reciprocal basis.

SEC. 24. Any auto stage, motor truck, trailer, semi-trailer, for hire vehicle or other commercial vehicle licensed in another state and not licensed in this state shall be charged and there shall be collected a monthly commercial non-resident license fee equal to one-twelfth (1/12th) of the additional fees to be paid and collected from commercial vehicles of the same class licensed in this state for each calendar month during any part of which such vehicle is operated upon any of the public highways of

Commercial non-resident license.

Reciprocal. this state: *Provided*, This section shall be considered reciprocal and shall apply only to vehicles licensed in other states which charge a similar fee or a fee computed upon a similar basis for vehicles licensed in this state and operating in such other states. The director of licenses shall devise means by which such fee may be collected and monthly commercial non-resident license delivered and displayed.

Violations  
of act,  
penalties.

SEC. 25. Any person who shall operate, or cause, permit or suffer to be operated upon any public highways of this state any auto stage, motor truck, trailer or semi-trailer with passengers, or with a maximum gross weight in excess of that for which the same has been licensed shall be guilty of a misdemeanor. Any person who shall operate or cause to be operated upon any public highways of this state any motor truck, trailer or semi-trailer with a maximum gross weight in excess of the maximum gross weight for which the same has been licensed shall be deemed to have set a new maximum gross weight and shall, in addition to any penalties otherwise provided be required to purchase additional license up to such new maximum gross weight and any such person who fails to secure such additional license shall be guilty of a misdemeanor: *Provided*, That this section shall not apply to for hire vehicles or auto stages operating principally within incorporated cities and towns: *Provided, further*, That no such person may be permitted or required to purchase additional license upon a gross weight which would exceed the maximum gross weight allowed by law: *Provided, further*, Any person violating any of the provisions of this section shall, upon a first conviction, pay a fine of not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00); upon a second conviction pay a fine of not less than twenty-five dollars (\$25.00) or more than fifty dol-

lars (\$50.00), and in addition the court may suspend the certificate of license registration of such vehicle for not more than thirty days; upon a third and subsequent conviction pay a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00), and in addition the court shall suspend the certificate of license registration of such vehicle for not less than thirty (30) or more than ninety (90) days. Upon ordering the suspension of any such certificate of license registration, the court or judge so ordering shall forthwith secure the certificate of license registration and mail the same to the director of licenses: *Provided*, Subsequent violations need not be against the same vehicle as formerly and suspension of the license registration shall be invoked against the vehicle or vehicles involved in subsequent violations and if against the same owner of the vehicles involved the offenses shall be cumulative.

SEC. 26. The director of licenses shall have the general supervision and control of the issuing of vehicle licenses and vehicle license number plates and shall have the full power to do all things necessary and proper to carry out the provisions of the law relating to the licensing of vehicles; he shall have the power to appoint and employ deputies, assistants and representatives, and such clerks as may be required from time to time, and to provide for their operation in different parts of the state, and he shall have the power to appoint the county auditors of the several counties as his agents for the licensing of vehicles.

Director of  
licenses to  
administer  
act.

SEC. 27. The county auditor, if appointed by the director of licenses, shall carry out the provisions of this chapter relating to the licensing of vehicles and the issuance of vehicle license number plates under the direction and supervision of the director of licenses and may with the approval of the direc-

County  
auditors to  
carry out  
provisions  
of act.



tor of licenses appoint assistants as special deputies to accept applications and collect fees for vehicle licenses and transfers and to deliver vehicle license number plates.

Director to furnish number plates.

SEC. 28. The director of licenses shall furnish to all persons making satisfactory application for vehicle license as provided by law, two identical vehicle license number plates each containing the vehicle license number to be displayed on such vehicle as by law required. The number and plate shall be of such size and color and shall contain such symbols indicative of the year for which the same is issued and of the State of Washington, as shall be determined and prescribed by the director of licenses. Any vehicle license number plate or plates issued to a dealer shall contain thereon a sufficient and satisfactory indication that such plates have been issued to a dealer in vehicles. All vehicle license number plates shall be obtained by the director of licenses from the metal working plant of the state penitentiary at Walla Walla, if available therefrom.

Application for vehicle license, contents.

SEC. 29. Application for vehicle license shall be made on form furnished for the purpose by the director of licenses. Such application shall be made by the owner of the vehicle or his duly authorized agent over the signature of such owner or agent, and he shall certify that the statements therein are true to the best of his knowledge. The application must show:

- (1) Name and address of the owner of the vehicle;
- (2) Trade name of the vehicle, model, year, type of body, the motor number thereof if such vehicle be a motor vehicle, or the serial number thereof if such vehicle be a trailer;
- (3) The power to be used—whether electric, steam, gas or other power;

(4) The purpose for which said vehicle is to be used and the nature of the license required;

(5) The maximum gross license for such vehicle which in case of for hire vehicles and auto stages shall be the maximum adult seating capacity thereof, exclusive of the operator, and in cases of motor trucks, trailers and semi-trailers shall be the unladen weight of such vehicle to which shall be added the maximum gross load to be carried thereon as set by the applicant, which maximum gross license shall in no event be less than the unladen weight thereof or more than the legal limit for such vehicle as allowed by law;

(6) The weight of such vehicle, if it be a motor truck or trailer, which shall be the shipping weight thereof as given by the manufacturer thereof unless another weight is shown by weight slip verified by a certified weighmaster, which slip shall be attached to the original application;

(7) Such other information as shall be required upon such application by the director of licenses.

SEC. 30. Every dealer shall purchase one original set of dealer's vehicle license number plates in the manner by law provided and may make application for and secure as many additional sets of license number plates bearing the same number but each set with a distinguishing symbol, as he may require, making application therefor in the manner by law provided: *Provided*, That whenever a dealer shall maintain a branch or sub-agency in more than one location he shall be required to have a separate license and a separate vehicle license number assigned for each branch or sub-agency in the same manner as though each constituted a separate and distinct dealer: *Provided, further*, Two dealer's vehicle license number plates shall be displayed as required by law upon any vehicle by such dealer whenever the same is operated or driven upon or over any pub-

Dealers.  
license  
plates.

lic highway in this state: *Provided, further,* That neither the dealer's license nor the dealer's vehicle license number plates shall be used upon any vehicle for the transportation of any produce, freight or commodity but shall be used only upon vehicles kept, displayed or demonstrated by such dealer for the purposes of sale, except there shall be permitted the use of such dealer's vehicle license number plates on a vehicle transporting produce, freight or commodities in course of demonstration over a period not to exceed seventy-two (72) consecutive hours from commencing such demonstration.

Application  
for dealer's  
vehicle  
license,  
contents.

SEC. 31. Application for dealer's vehicle license shall be made on form furnished for the purpose by the director of licenses and shall be forwarded to the director of licenses. Such application shall be made by the dealer or his authorized agent, who shall certify that the statements therein are true to the best of his knowledge. Such application must show:

- (1) Name under which the business is conducted;
- (2) The address of the principal place of business;
- (3) The name and make of all new vehicles handled;
- (4) Whether or not used cars are handled;
- (5) Certificate to the effect that the applicant is a *bona fide* dealer in such vehicles, with an established place of business at the location given, such certificate to be signed by the chief of police, town marshal, county sheriff, or officer of the Washington State Patrol;
- (6) Such other information as shall be required by the director of licenses.

Fee to  
county.

SEC. 32. At the time application is made to the county auditor or other agent for the issuance of a vehicle license, or for transfer of vehicle license, change in vehicle license classification or for original

or increase in vehicle gross weight license or seating capacity, the applicant shall pay to the county auditor or other agent a fee of twenty-five cents (25c) for each application in addition to the license fee for such vehicle, which fee of twenty-five cents (25c), if paid to the county auditor as agent of the director of licenses, shall be paid to the county treasurer in the same manner as other fees, collected by the county auditor and credited to the county current expense fund. In the event that such fee is paid to another agent of the director of licenses then the same shall be certified to the state treasurer and deposited to the credit of the motor vehicle fund.

SEC. 33. Upon receipt of application for vehicle license accompanied by the proper fees, the county auditor or other agent shall, if such application is in proper form and accompanied by the certificate of license registration of the vehicle for which the vehicle license application is made, retain the duplicate copy of the application for the files of such agent and immediately forward the original together with the certificate of license registration and all other information required and with the proper fees to the state treasurer, at the same time delivering to the applicant the triplicate of the application and the vehicle license number plates, if so directed by the director of licenses, the vehicle license number of which shall be placed upon all copies of such application.

County auditor to forward applications to state treasurer.

SEC. 34. The state treasurer upon receipt of the application and proper fee from the county auditor or other agent shall endorse thereon his official receipt for the fee collected and transmit the application to the director of licenses, who may make such reasonable recheck of the same as he shall deem sufficient and in the event that there shall be any error in the application the same may be returned to the county auditor or other agent who received

Transmittal to director.

the application, whereupon it shall be incumbent upon such county auditor or other agent to effectively secure the correction of such error and return the same corrected to the director of licenses.

Vehicle licenses and number plates, period covered.

SEC. 35. Such vehicle license and vehicle license number plates may be issued for the ensuing calendar year on and after the first day of December preceding and may be used and displayed from the date of issue until December 31st of the succeeding calendar year for which the same is issued.

Display of number plates.

SEC. 36. The vehicle license number plates shall be attached conspicuously at the front and rear of each vehicle for which the same are issued and in such a manner that they can be plainly seen and read at all times. Each vehicle license number plate shall be placed or hung in a horizontal position at a distance of not less than one foot nor more than four feet from the ground and shall be kept clean so as to be plainly seen and read at all times. It shall be unlawful to display upon the front or rear of any vehicle, vehicle license number plate or plates other than those furnished by the director of licenses for such vehicle or to display upon any vehicle any vehicle license number plate or plates which have been in any manner changed, altered, disfigured or have become illegible. It shall be unlawful for any person to operate any vehicle unless there shall be displayed upon such vehicle two valid vehicle license number plates attached as herein provided.

Loss of number plates.

SEC. 37. Upon the loss, defacement, or destruction of both of the vehicle license number plates issued upon any vehicle or where they have become so illegible or in such a condition as to be difficult to distinguish, the owner of such vehicle shall make application for new vehicle license number plates upon a form furnished by the director of licenses, upon which form it shall be required that the owner shall, in addition to other requirements, make a com-

plete statement as to the cause of the loss, defacement or destruction of such original vehicle license number plates, which statement shall be subscribed and sworn to before a notary public or other person authorized to certify to statements upon vehicle license applications. Such application shall be accompanied by the certificate of license registration of such vehicle and a fee in the same amount as upon the original application for vehicle license, whereupon the director of licenses shall issue new vehicle license number plates to such applicant. Upon the loss, defacement or destruction of one of the vehicle license number plates issued for any vehicle, application shall be made on a form provided by the director of licenses and in the same manner as above prescribed, except that the same shall be accompanied by a fee of one dollar (\$1.00). Upon the receipt of such application and fee by the state treasurer, he shall endorse thereon his official receipt for the fee collected and transmit the application to the director of licenses, who shall issue to the applicant a duplicate vehicle license number plate of the one lost, defaced or destroyed.

SEC. 38. In case of loss or destruction, sale or transfer of any for hire vehicle, auto stage, motor truck, trailer, or semi-trailer, the registered owner thereof may retain the right to the load license or seat license to apply in licensing such vehicle as may be procured in replacement thereof and in any case of sale or transfer where load or seat license has not been assigned on the certificate of license registration it will be presumed that the same was intended to be retained by the previous registered owner thereof. Whenever during the calendar year any vehicle has been so altered as to change its license classification, in such a manner that the vehicle license number plates are rendered improper therefor, the current vehicle license number plates shall be

Destruction  
or sale of  
auto stage,  
etc.

Load or seat  
license.

Change in  
classifica-  
tion, surren-  
der of  
number  
plates.

surrendered to the director of licenses and new and proper vehicle license number plates issued on application therefor accompanied by a fee therefor in the amount of one dollar (\$1.00), in addition to any other or different charge by reason of licensing under a new classification. Such application shall be made in the same manner as original application for vehicle license.

Endorsement of certificates and delivery of number plates to purchaser.

SEC. 39. In any case of valid sale or transfer [of] the ownership of any vehicle, the right to the certificates properly transferable therewith and to the vehicle license number plates shall pass to the purchaser or transferee and it shall be unlawful for the holder of such certificates or vehicle license number plates to fail, neglect or refuse to endorse such certificates and deliver such vehicle license number plates to such purchaser or transferee: *Provided*, If such sale or transfer be of a vehicle licensed by the state or any county, city, town, school district or other political subdivision entitled to exemption as provided by law, the vehicle license number plates therefor shall be retained and may be displayed upon such vehicle as may be procured in replacement of the vehicle so sold or transferred.

All fees deposited in motor vehicle fund.

SEC. 40. All fees received by the state treasurer for vehicle licenses under the provisions of this chapter shall be deposited by him to the credit of the motor vehicle fund.

Statutes repealed.

SEC. 41. Section 16 of chapter 96, Session Laws of 1921, as amended by section 2 of chapter 181, Session Laws of 1923, as amended by chapter 80, Session Laws of 1929; section 15 of chapter 96, Session Laws of 1921, as amended by section 1 of chapter 140, Session Laws of 1931, as amended by section 27 of chapter 166, Session Laws of 1933, as amended by section 11 of chapter 55, Laws of the Extraordinary Session of 1933; chapter 98, Session Laws of 1933; chapter 161, Session Laws of 1933; chapter 155, Ses-

sion Laws of 1935; and sections 35, 36, and 37 of chapter 184, Session Laws of 1935, be and the same are hereby repealed, such repeal to be effective December 1st, 1937.

SEC. 42. The provisions of this chapter shall not take effect until December 1, 1937, and shall apply to any vehicle licenses issued for the calendar year 1938 and succeeding calendar years.

Effective  
Dec. 1, 1937.

#### CHAPTER IV. LICENSING OF MOTOR VEHICLE OPERATORS.

SEC. 43. It shall be unlawful for any person to operate a motor vehicle upon any of the public highways of this state unless such person shall have in his possession a current and valid vehicle operator's license issued on his own application as provided in this chapter: *Provided*, No person shall be required to obtain an operator's license for the purpose of driving or operating road machinery, or any farm tractor or implement of husbandry temporarily drawn, moved or propelled on a public highway: *Provided, further*, No person in the service of the army, navy, or marine corps or coast guard of the United States or in the service of the national guard of this state or any other state when furnished with their operator's permit and when operating an official motor vehicle in such service shall be required to obtain a vehicle operator's license.

Vehicle  
operator's  
license.

Exemptions.

SEC. 44. (a) A non-resident over the age of sixteen years who has been duly licensed as an operator under a law requiring the licensing of operators in his home state or country and who has in his immediate possession a valid vehicle operator's license issued to him in his home state or country shall be permitted without examination or vehicle operator's license of this state to operate a motor vehicle upon the highways of this state;

Non-resident,  
when exempt  
from  
licensing.



(b) It shall be unlawful for any non-resident whose home state or country does not require the licensing of vehicle operators to operate any motor vehicle upon any public highway of this state without first making application for and obtaining a vehicle operator's license in this state, except that said unlicensed non-resident over the age of sixteen years and who is the registered or legal owner of a motor vehicle and has a valid vehicle license for the current calendar year in the state or country of which the owner is a resident, may operate such motor vehicle upon the public highways of this state for a period of not more than thirty (30) days in any one calendar year without making application for or obtaining a vehicle operator's license in this state, upon the condition that the motor vehicle shall at all times display the vehicle license number plate or plates issued therefor in the home state or country of such owner and that the non-resident registered owner has in his immediate possession a license registration certificate or similar evidence showing his vehicle ownership or registration in his home state or country.

Licenses  
denied to  
certain  
persons.

SEC. 45. (a) The director of licenses shall not issue a vehicle operator's license to any person under the age of sixteen years;

(b) The director of licenses shall not issue a vehicle operator's license to any person whose vehicle operator's license has been suspended, during the period for which such license was suspended, nor shall the director of licenses issue a vehicle operator's license to any person whose vehicle operator's license has been revoked until the expiration of one year from the revocation of such license, nor shall the director of licenses issue a vehicle operator's license to any person whose vehicle operator's license has been cancelled until he shall determine that it is proper to do so and the applicant is otherwise entitled thereto;

(c) The director of licenses shall not issue a vehicle operator's license to any person whom he has determined is an habitual drunkard or is addicted to the use of narcotic drugs;

(d) The director of licenses shall not issue a vehicle operator's license to any person who has previously been adjudged insane or an idiot, epileptic, imbecile or feeble-minded, and who has not at the time of application been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent, nor shall the director of licenses then issue a vehicle operator's license to such person unless he is satisfied that such person is competent to operate a motor vehicle with safety to persons and property;

(e) The director of licenses shall not issue a vehicle operator's license to any person when in the opinion of the director of licenses such person is afflicted with or suffering from such physical or mental disability or disease as will serve to prevent such person from exercising a reasonable and ordinary control of a motor vehicle while operating the same upon the public highways, nor shall a license be issued to any person who is unable to understand highway warning or direction signs in the English language: *Provided*, The director of licenses may permit any such person to demonstrate personally that notwithstanding such disability or disease he is a proper person to operate a motor vehicle and may further require a certificate of such person's condition signed by a proper authority designated by the director of licenses and the director of licenses in his discretion may cause to be issued to such person a restricted vehicle operator's license containing such restriction as he may deem advisable under all the circumstances and such restriction shall be endorsed on such restricted vehicle operator's license. A per-

Restricted  
license.

son holding such a restricted vehicle operator's license shall not operate a motor vehicle except as, when and where permitted under such restriction and the director of licenses may at any time with or without further cause cancel or revoke such restricted license: *Provided, further,* This subsection shall not be construed to prevent the director of licenses from refusing a vehicle operator's license, either restricted or unrestricted, to any person whom he shall determine incapable of operating a motor vehicle with safety to himself and to persons and property.

Vision re-  
quirements.

SEC. 46. The director of licenses shall not issue a vehicle operator's license to any person whose vision is not twenty-fifty (20/50) or better, with either eye or both eyes according to test for vision as in this chapter provided: *Provided,* Any person whose naked vision is less than twenty-fifty (20/50) with either or both eyes but whose vision has been corrected to twenty-fifty (20/50) or better by the use of glasses may be issued a conditional vehicle operator's license, conditioned that such person may operate a motor vehicle only when wearing glasses which will correct his vision to meet the requirements of this section, which condition shall be noted on the vehicle operator's license of such person and it shall be unlawful for such person to operate a motor vehicle upon any public highway of this state unless such person is at the time complying with such condition.

Physical dis-  
abilities.

The director of licenses shall not issue a vehicle operator's license to any person lacking a hand, arm or leg nor to any such person using an artificial member unless such person is otherwise entitled to the issuance thereof and shall demonstrate to the satisfaction of the director of licenses that despite such infirmity he is capable of operating a motor vehicle with safety.

SEC. 47. The director of licenses upon receiving from any person over the age of sixteen (16) years an application for a temporary instruction permit may in his discretion issue such a permit entitling the applicant, while having such permit in his immediate possession, to operate a motor vehicle upon the public highways for a period of sixty (60) days when accompanied by a licensed vehicle operator who is actually occupying a seat beside the operator and there is no other person in the vehicle.

Temporary instruction permits.

SEC. 48. It shall be unlawful for any person, whether licensed as an operator or not, who is under the age of eighteen (18) years to drive a motor vehicle while in use as a school bus for the transportation of pupils to or from school, or for any person, whether licensed as an operator or not, who is under the age of twenty-one (21) years to drive any for hire vehicle, auto stage or other motor vehicle while in use as a public passenger carrier for hire.

Age limit for drivers of school busses and public carriers.

SEC. 49. The director of licenses shall have the general supervision and control of the issuing of vehicle operators' licenses and shall have the full power to do all things necessary and proper to carry out the provisions of this chapter relating to the licensing of vehicle operators; he shall have the power to appoint and employ deputies, assistants and representatives, and such clerks as shall be required from time to time, and to provide for their operation in different parts of the state and shall have the power to appoint the county auditors or county sheriffs of the several counties or the officers of the Washington State Patrol as his agents for the taking of applications for vehicle operators' licenses and to supervise, control and direct their conduct as such agents. Any county auditor or county sheriff so appointed shall act as directed by the director of licenses in the receiving of applications and fees for vehicle operator's licenses or otherwise.

Director of licenses to administer act.

General duties and powers.

Application  
for a vehicle  
operator's  
license.

SEC. 50. (a) Every application for a vehicle operator's license shall be made upon the form prescribed and furnished by the director of licenses and shall be verified by the applicant before a person authorized to administer oaths or before an officer of the Washington State Patrol or other person authorized by the director of licenses to certify to the signature of the applicant on such application;

(b) Every application shall state the name, date of birth, sex, and residence address of the applicant, and whether or not the applicant has heretofore been licensed as a vehicle operator and if so when and by what state, and whether or not such license has ever been suspended, revoked, cancelled or refused, and if so the date of and reason for such suspension, revocation, cancellation or refusal;

(c) Every application for operator's license shall be forwarded to the state treasurer accompanied by a certified check, money order or lawful money of the United States in the sum of Two Dollars (\$2.00) made payable to the state treasurer.

Application  
of minors to  
be signed  
by parent.

SEC. 51. The director of licenses shall not consider the application of any minor under the age of twenty-one (21) years for a vehicle operator's license unless the application is also signed by the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother or guardian having the custody of such minor, or in the event a minor under the age of twenty-one (21) has no father, mother, or guardian, then a vehicle operator's license shall not be issued to the minor unless his application is also signed by his employer.

Record of  
applications.

SEC. 52. Upon receipt of the vehicle operator's license applications from the state treasurer properly receipted and numbered, the director of licenses shall check all applications for vehicle operator's license and shall cause the same to be filed in the vehicle operator's case record in the office of the di-

rector of licenses together with other records submitted in support thereof and shall show all vehicle operator's licenses suspended, revoked, cancelled or refused and the reason for such suspension, revocation, cancellation or refusal.

SEC. 53. The state treasurer upon receipt of application for vehicle operator's license and fee in the sum of two dollars (\$2.00), shall endorse thereon his official receipt for the fee collected and transmit the application to the director of licenses, who shall issue to every person qualified to be licensed as a vehicle operator, a vehicle operator's license, which shall bear the distinguishing number assigned to the license and a brief description of the licensee for the purpose of identification, also a space for the signature of the licensee.

Vehicle  
operator's  
license fee.

SEC. 54. (a) Every vehicle operator's license issued hereunder shall be valid until suspended, cancelled or revoked, as provided by law: *Provided*, That all vehicle operator's licenses hereunder shall expire July 31 of each odd numbered calendar year following the date of issue;

Termination  
of license.

(b) Every vehicle operator's license issued hereunder shall be valid for a term of two (2) years, except as otherwise provided, and shall be renewed for a like period on or before the first day of August of each odd numbered calendar year for a further period of two (2) years, upon receipt of the application and fee as in the case of original application as provided herein.

SEC. 55. (a) From and after the effective date of this chapter, no new vehicle operator's license shall be issued unless and until the applicant therefor shall have submitted to and qualified by vehicle operator's examination as in this chapter provided;

Examination  
of applicants.

(b) Every vehicle operator holding vehicle operator's license or applying for vehicle operator's

license during the period of two (2) years, from the effective date of this act until the first day of August, 1939, shall submit to and qualify by vehicle operator's examination as in this chapter provided;

(c) No person shall be entitled to be issued a vehicle operator's license for the two (2) year period from the first day of August, 1939, to the first day of August, 1941, or any portion thereof, whether original vehicle operator's license or renewal of an expired vehicle operator's license, unless such vehicle operator has, at the time of application or previous thereto, submitted to and qualified by vehicle operator's examination as in this chapter provided;

(d) Any vehicle operator holding a valid vehicle operator's license for which no examination has been required after the effective date of this chapter and who subsequently submits to and is qualified by vehicle operator's examination as in this chapter provided shall be issued without charge a different vehicle operator's license of distinguishing color clearly indicating that such person has submitted to and qualified by vehicle operator's examination as in this chapter provided.

Operators  
examined  
once in every  
four years.

SEC. 56. (a) Consistent with the provisions of the preceding section, the director of licenses shall provide to extend the procedure of vehicle operator's examination into the future in such a manner that all vehicle operators shall submit to and qualify by vehicle operator's examination as in this chapter provided at least once in each four (4) year period;

(b) After the effective date of this chapter no person shall be issued a new vehicle operator's license or the renewal of a vehicle operator's license which has expired unless such vehicle operator shall first have submitted to and qualified by vehicle operator's examination as in this chapter provided, nor shall any vehicle operator be issued a renewal of an unexpired vehicle operator's license unless he shall

have submitted to and qualified by vehicle operator's examination during the period set by the director of licenses therefor consistent with subsection (a) of this section.

SEC. 57. Vehicle operator's license examination shall be conducted in the manner prescribed by the director of licenses upon the following matters: Examination requirements.

1. A physical examination which shall consist of: Physical examination.

(a) Physical infirmities which would impair the ability of the applicant to operate a motor vehicle;

(b) General vision.—This examination shall be conducted with the use of the Snellan Vision Chart or other vision determining device of the same standard. Such test shall be conducted with the naked eye, each separately and with both eyes. In the event that vision is deficient and does not meet the requirements of this chapter but vision has been corrected with the use of glasses, similar examination for vision shall be made with glasses and the result thereof noted. All such vision tests shall be made with not less than thirty (30) foot-candle illumination;

(c) Color blindness;

(d) Stereoscopic vision or depth perception;

(e) Hearing;

(f) Reaction interim, time determined by some device capable of measuring the lapsed time between perception and completed reaction.

2. A written mental examination which shall consist of brief written answers to twenty-five (25) questions eliciting information touching the applicant's knowledge of the motor vehicle laws of this state. Such questions shall be one of several varied lists and shall be selected at random. Proficiency of eighty per cent (80%) correct answers to such questions shall be required to qualify for vehicle operator's license under this subsection. Written mental examination.



Vehicle  
operation  
demonstra-  
tion.

3. An actual vehicle operation demonstration.—  
Such examination shall be conducted by officers of the Washington State Patrol unless in any instance another agent is designated by the director of licenses. If the director of licenses is satisfied from the results of such examination that the applicant has knowledge of the motor vehicle laws of this state and is capable of operating a motor vehicle with safety to persons and property and is otherwise entitled thereto, the director of licenses shall issue to such applicant a vehicle operator's license.

Examination,  
where  
conducted.

SEC. 58. The vehicle operator's license examination provided in this chapter shall be conducted at places and time reasonably available to the people of this state. The results of each examination shall be forwarded with the application and shall be filed in the case record of the applicant as a permanent record in the office of the director of licenses. Such examination shall be without prejudice to the individual submitting the same and shall be for the confidential use of the director of licenses and Washington State Patrol. No such examination or the result thereof shall be used as evidence in an action in any court except in an action by or against the director of licenses involving the revocation, suspension, cancellation or refusal of a vehicle operator's license and in which such examination shall be or become a material fact.

Information  
confidential.

License to be  
signed and  
carried.

SEC. 59. (a) Every person licensed as a vehicle operator shall write his usual signature with pen and ink in the space provided for that purpose on the vehicle operator's license certificate issued to him immediately upon receipt of such certificate, and such license shall not be valid until the certificate is so signed;

(b) The licensee shall have such vehicle operator's license in his immediate possession at all times

when operating a motor vehicle and shall display the same upon demand to any peace officer or to any other person when and if required by law to do so.

SEC. 60. In the event that a vehicle operator's license shall be lost or destroyed, the person to whom the same was issued may obtain a duplicate thereof upon furnishing proof of such fact satisfactory to the director of licenses and upon reapplication without reexamination and payment of a fee of fifty cents (50c) to the state treasurer.

Loss of  
license,  
duplicate.

SEC. 61. It shall be unlawful for any person to commit any of the following acts:

Unlawful  
acts enu-  
merated.

(a) To display or cause to permit to be displayed or have in possession any vehicle operator's license, knowing the same to be fictitious or to have been canceled, revoked, suspended or altered;

(b) To lend to, or knowingly permit the use of by one not entitled thereto, any vehicle operator's license issued to the person so lending or permitting the use thereof;

(c) To display or to represent as one's own any vehicle operator's license not issued to the person so displaying the same;

(d) To fail or refuse to surrender to any court, peace or traffic officer, or the director of licenses upon demand, any vehicle operator's license on notice that the same has been suspended, canceled or revoked as provided by law;

(e) To use a false or fictitious name or give a false or fictitious address in any application for a vehicle operator's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application.

SEC. 62. It shall be unlawful for any person to cause or knowingly permit his or her child or ward under the age of eighteen (18) years to operate a

Parent  
permitting  
unlicensed  
child to  
drive,  
unlawful.

motor vehicle upon a public highway as a vehicle operator, unless such child or ward shall have first obtained a vehicle operator's license to so operate a motor vehicle. No person shall employ any person to operate a motor vehicle who is not licensed as an operator. No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be operated by any person who is not legally licensed as an operator.

Employees  
to be  
licensed.

Rental of  
vehicles to  
unlicensed  
persons.

SEC. 63. (a) It shall be unlawful for any person to rent a motor vehicle to any other person unless the latter person is then duly licensed as a vehicle operator in this state or, in case of a non-resident, then that he is duly licensed as an operator under the laws of the state or country of his residence except a non-resident whose home state or country does not require that a motor vehicle operator be licensed;

(b) It shall be unlawful for any person to rent a motor vehicle to another person until he has inspected the vehicle operator's license of such other person and compared and verified the signature thereon with the signature of such other person written in his presence;

(c) Every person renting a motor vehicle to another person shall keep a record of the vehicle license number of the motor vehicle so rented, the name and address of the person to whom the motor vehicle is rented, the number of the vehicle operator's license of the person renting the vehicle and the date and place when and where such vehicle operator's license was issued. Such record shall be open to inspection by any peace officer or anyone acting for the director of licenses.

SEC. 64. Upon the conviction of any person for reckless driving, or upon the forfeiture of bail or collateral for the appearance of any person charged with reckless driving, the court shall, in addition to

In addition  
to any other  
penalty,  
license sus-  
pended upon  
conviction  
for reckless  
driving.

any other penalty fixed, forthwith suspend the vehicle operator's license of any such person for a period of not less than thirty (30) days.

SEC. 65. Every court in fixing the penalty shall forthwith revoke the vehicle operator's license of any person upon the conviction of such person of any of the following crimes:

Revocation  
of licenses,  
grounds.

1. Manslaughter resulting from the operation of a motor vehicle;

2. Perjury or the making of a false affidavit to the director of licenses under any licensing law pertaining to motor vehicles or any other law of this state requiring the registration of motor vehicles or regulating their operation on public highways;

3. Any crime punishable as a felony under the motor vehicle laws of this state or any other felony in the commission of which a motor vehicle is used;

4. Conviction or forfeiture of bail upon three (3) charges of reckless driving all within the preceding two (2) years;

5. A conviction of an operator of a motor vehicle, involved in an accident resulting in the death or injury of another person, upon a charge of failing to stop and disclose his identity at the scene of the accident;

6. Operating any vehicle upon the public highways of this state while under the influence of or affected by the use of intoxicating liquor or of any narcotic drug;

The foregoing offenses shall be in addition to any other offenses for which revocation of the vehicle operator's license is by law provided.

SEC. 66. (a) The director of licenses may in his sound discretion immediately suspend the vehicle operator's license of any person whenever the director of licenses has reason to believe:

Suspension  
of licenses,  
grounds.

1. That such person has committed any offense for which mandatory suspension or revocation of licenses is provided by law;

2. That such person has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any other person or serious property damage;

3. That such person is incompetent to drive a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle upon the public highways;

4. That such person is an habitual reckless or negligent operator of a motor vehicle or has committed a serious violation of the motor vehicle laws of this state;

Notice to licensee of suspension.

Whenever the director of licenses suspends the vehicle operator's license of any person for any reason, he shall immediately notify the licensee in person or by registered mail and may thereafter upon any further information either rescind his temporary order of suspension, or, good cause appearing therefor, may continue in force such suspension for the full period thereof;

Suspension or revocation authorized upon conviction in another state.

(b) The director of licenses is hereby authorized to suspend, revoke or cancel the vehicle operator's license of any resident of this state upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this state, would be grounds for the suspension or revocation of the vehicle operator's license. The director of licenses is further authorized, upon receiving a record of the conviction in this state of a non-resident operator of a motor vehicle of any offense under the motor vehicle laws of this state, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so convicted is a resident;

Conviction in this state of non-resident.

such record to consist of a copy of the judgment and sentence in the case;

(c) The director of licenses shall not suspend the vehicle operator's license for a period of more than one year and upon suspending, revoking or canceling any license shall require that such license be surrendered to and retained by him except that at the end of a period of suspension such license so surrendered shall be returned to the licensee, upon proper application for reinstatement, but any suspension, revocation or cancellation of such vehicle operator's license shall be in effect notwithstanding the certificate itself be not delivered over or possession thereof obtained by a court, officer, or the director of licenses;

Suspension for period of not more than one year.

Surrender of license.

(d) Any person whose vehicle operator's license is revoked shall not be entitled to apply for or receive any new vehicle operator's license until the expiration of one (1) year from the date of revocation of such vehicle operator's license.

Revocation, bar for one year.

SEC. 67. Every court having jurisdiction over any of the offenses committed under this act or any other act of this state regulating the operation of vehicles on any of the public highways, shall forward to the director of licenses a record of the conviction of or forfeiture of bail by any person in said court for the violation of any provisions relating to the licensing of vehicle operators or of any act of this state regulating the operation of vehicles on any of the public highways and a record of the conviction of or forfeiture of bail by any person in said court for the violation of any municipal ordinances which violation would also be an offense under the provisions relating to the licensing of motor vehicle operators or any act of this state regulating the operation of vehicles on any of the public highways in which case such court may in its discretion re-

Record of conviction or forfeiture of bail forwarded to director.

voke or suspend the vehicle operator's license of such person.

Immediate forfeiture to court upon conviction.

SEC. 68. Whenever the vehicle operator's license of any person is suspended, revoked or cancelled for any violations, the judge passing such sentence shall forthwith secure the immediate forfeiture of the vehicle operator's license of such convicted person and immediately forward such vehicle operator's license to the director of licenses, and on failure of such convicted person to deliver up such vehicle operator's license the judge shall cause such person to be confined for the period of such suspension, revocation or cancellation or until such vehicle operator's license is delivered up to such judge: *Provided*, In the event such convicted person shall testify that he does not and at the time of the offense did not have a current and valid vehicle operator's license, then the judge shall cause such person to be charged with the operation of a motor vehicle without a current and valid vehicle operator's license and on conviction punished as by law provided, and the director of licenses shall not issue a vehicle operator's license to such person during the period of such suspension: *Provided, also*, That in the event that the vehicle operator's license of such convicted person has been lost or destroyed and such convicted person shall make an affidavit to that effect, sworn to before the judge, he shall not be so confined to forfeit the same, but the director of licenses shall not issue or reissue a vehicle operator's license for such convicted person during the period of such suspension, revocation or cancellation.

Driving after suspension or revocation.

SEC. 69. Any person whose vehicle operator's license has been suspended, revoked or cancelled, and who shall operate any motor vehicle upon the public highways of this state while such license is suspended, revoked or cancelled, shall be guilty of a gross misdemeanor, and upon conviction shall be

punished by imprisonment in the county jail for not less than ten (10) days nor more than one (1) year and by a fine of not more than one thousand dollars (\$1,000.00). Penalty.

SEC. 70. When any person, whose operator's license has been suspended, revoked or cancelled, desires to have the same reinstated or new operator's license issued, he shall not be entitled to such reinstatement or new license unless and until he shall make affidavit on oath to the effect that the period of suspension, revocation or cancellation has expired and that he has not at any time during such period of suspension, revocation or cancellation operated any vehicle upon the public highways of this state. Reinstatement of license.

In case any person desiring to have his operator's license reinstated or a new operator's license issued, should fail or refuse to make the affidavit required by this section, such person shall be deemed *prima facie* guilty of violating such suspension, revocation or cancellation and such license shall not be reinstated nor shall any new license be issued to such person and the suspension or revocation of such vehicle operator's license shall be continued for a subsequent period equal to the original period of suspension or revocation and from the date of such application for reinstatement or new vehicle operator's license. Refusal to make affidavit.

Any person making affidavit as required in this act and who shall make a false or fraudulent statement as to any material fact shall be guilty of perjury. False swearing.

SEC. 71. The state treasurer shall pay all funds accruing under the provisions of this chapter into the highway safety fund and all expenses incurred in carrying out the provisions of this chapter relating to vehicle operator's license shall be paid from the highway safety fund as by appropriation provided. Moneys collected and expended.



Statutes  
repealed.

SEC. 72. Section 4 of chapter 142, Session Laws of 1915 as amended by section 3 of chapter 155, Session Laws of 1917; chapter 108, Session Laws of 1921; chapter 122, Session Laws of 1923; and chapter 147, Session Laws of 1933; relating to the examination, licensing and regulation of motor vehicle operators, be and the same is hereby repealed: *Provided*, Such repeal shall become effective on the first day of August, 1937.

Effective  
August 1,  
1937.

SEC. 73. The provisions of this chapter shall take effect on the first day of August, 1937.

#### CHAPTER V. GENERAL LICENSE PROVISIONS.

Appeal to  
courts.

SEC. 74. Upon the suspension, revocation, cancellation or refusal by the director of licenses of any license or certificate provided for in this act, the same shall be conclusive unless the person whose license or certificate is so suspended, revoked, cancelled, or refused shall appeal to the superior court of Thurston county for the purpose of having such suspension, revocation, cancellation or refusal of such license or certificate set aside. Such appeal must be filed within ten (10) days after notice of the suspension, revocation, cancellation or refusal and shall not supersede the suspension, revocation, cancellation, or refusal of such license or certificate by the director of licenses. Such appeal shall be upon an order directing the director of licenses to show cause why such license should not be granted or reinstated, which order to show cause shall be returnable not less than ten (10) days after the date of service thereof upon the director of licenses. Service shall be in the manner prescribed for service of summons and complaint in other civil actions. Upon a hearing on such order to show cause, the court shall hear evidence concerning matters with reference to the suspension, revocation, cancellation or refusal of such license or certificate and shall

enter judgment either affirming or setting aside such suspension, revocation, cancellation or refusal.

SEC. 75. The provisions of this act relating to the certificate of ownership, certificate of license registration, vehicle license, vehicle license plates and vehicle operator's license shall be exclusive and no political subdivision of the State of Washington shall require or issue any licenses or certificates for the same or a similar purpose, nor shall any city or town in this state impose a tax, license, or other fee upon vehicles operating exclusively between points outside of such city or town limits, and to points therein.

Provisions of  
act exclusive.

SEC. 76. Whenever any license fee, paid under the provisions of this act, shall have been erroneously paid, wholly or in part, the person paying the same, upon satisfactory proof to the director of licenses, shall be entitled to have refunded the amount so erroneously paid. Upon such refund being certified to the state treasurer by the director of licenses as correct and being claimed in the time required by law the state treasurer shall mail or deliver the amount of each refund to the person entitled thereto: *Provided*, No claim for refund shall be allowed for such erroneous payments unless filed with the director of licenses within ninety days after such claimed erroneous payment was made.

Refund of  
overpay-  
ment.

SEC. 77. The director of licenses may destroy applications for vehicle licenses, copies of vehicle licenses issued, applications for vehicle operator's licenses, and copies of issued vehicle operator's licenses, if any there be, after such records shall have been on file in his office for a period of three years: *Provided*, There shall be retained and filed with the director of licenses, as a permanent record or otherwise, any records deemed necessary or convenient for use in completing the case record of any motor vehicle operator, or for any other purpose.

Director may  
destroy rec-  
ords after  
three years.

County audi-  
tor may  
destroy such  
records after  
three years.

SEC. 78. The county auditor may destroy applications for motor vehicle licenses, copies of motor vehicle licenses issued, applications for motor vehicle operator's licenses, and copies of issued motor vehicle operator's licenses, if any there be, after such records shall have been on file in his office for a period of three years, unless otherwise directed by the director of licenses.

Rules and  
regulations.

SEC. 79. The director of licenses is hereby authorized to adopt and enforce such reasonable rules and regulations as may be consistent with and necessary to carry out the provisions relating to vehicle licenses, certificates of ownership and license registration and vehicle operator's licenses not in conflict with the provisions of this act.

Certified  
copies of  
records  
furnished.

SEC. 80. The director of licenses shall have the power and it shall be his duty upon request and payment of the fee as provided herein to furnish under seal of the director of licenses certified copies of any records of the department of licenses, except those for confidential use only. The director of licenses shall charge and collect therefor the sum of one dollar (\$1.00), together with ten cents (10c), for each separate sheet of certified copies. Any funds accruing to the director of licenses under this section shall be certified and sent to the state treasurer and by him deposited to the credit of the highway safety fund.

Highway  
safety fund  
created.

SEC. 81. There is hereby created in the state treasury a fund to be known as the "highway safety fund." All funds coming into the hands of the state treasurer under the provisions of this act or other law of this state and directed to be deposited in the highway safety fund shall be by the state treasurer deposited in the state treasury to the credit of the highway safety fund and expended therefrom as by appropriation provided.

## CHAPTER VI. OFFENSES AND PENALTIES.

SEC. 82. It shall be a misdemeanor for any person to violate any of the provisions of this act unless violation is by this act or other law of this state declared to be a felony or a gross misdemeanor. Penalties.

Unless another penalty is in this act provided, every person convicted of a misdemeanor for violation of any provisions of this act shall be punished accordingly.

SEC. 83. All fines and forfeitures collected for violation of any of the provisions of this act in any court located in a precinct outside incorporated cities and towns shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the county road fund of such county; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund. Disposition of fines and forfeitures.

All fines and forfeitures collected for the violation of any of the provisions of this act in any court located inside incorporated cities and towns shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the city street fund for the construction and maintenance of city streets; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund.

## CHAPTER VII. REPEAL.

SEC. 84. All acts or parts of acts in conflict with, or derogation of, this act or any part of this act, be and the same are hereby repealed in so far as the same are in conflict with, or in derogation of this act, or any part hereof. Conflicting acts repealed.

SEC. 85. The repeal of any acts or parts of acts hereby shall not be construed to reenact or revive Acts formerly repealed not revived.

any acts or parts of acts repealed or superseded by the acts or parts of acts hereby repealed.

#### CHAPTER VIII. SAVING CLAUSE.

Accrued  
rights  
preserved.

SEC. 86. This act shall not affect any act done, ratified or confirmed, or any right accrued, vested or established, or any action or proceeding had or commenced in any civil or criminal cause, before this act and its respective provisions take effect, and any such acts done, ratified or confirmed and any rights accrued, vested or established shall be preserved and any such actions or proceedings may be prosecuted and continued with the same effect and under the same provisions of the law in effect at the time such act was done, ratified, or confirmed, or right accrued, vested or established or action or proceeding had or commenced.

Offenses  
committed  
under prior  
act.

SEC. 87. Any acts declared to be an offense under any provisions of the laws of this state which are repealed by this act, and the commission whereof have been completed before the effective date of this act shall be punishable as provided by the law in effect at the time of the completion of such acts without regard for the fact that such provisions of law have been repealed hereby.

#### CHAPTER IX. SHORT TITLE.

Title.

SEC. 88. This act shall be known and cited as the "Washington Highway License Act."

#### CHAPTER X. CONSTITUTIONALITY.

Partial  
invalidity.

SEC. 89. If any section, sentence, clause or phrase of this act should be held to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this act.

## CHAPTER XI. EMERGENCY.

SEC. 90. This act is necessary for the preservation of the peace, health and safety of this state and the support of the state government of the State of Washington and its existing institutions, and shall take effect on the first day of April, 1937.

Effective  
April 1, 1937.

Passed the Senate February 27, 1937.

Passed the House March 7, 1937.

Approved by the Governor March 17, 1937.

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CHAPTER 189.

[S. B. 148.]

## WASHINGTON MOTOR VEHICLE ACT.

AN ACT relating to vehicles and the operation thereof upon the public highways of this state; providing for vehicle equipment and devices and the inspection thereof; limiting and restricting certain uses of the public highways of this state; prescribing rules of the road for vehicles operating upon public highways of this state; providing for conduct in event of vehicle accident; providing procedure for enforcement of the provisions of this act; providing for certain records and reports; prescribing the powers and duties of certain public officers; providing for the collection, distribution and expenditure of certain fees and fines; defining offenses and fixing penalties; repealing certain acts and parts of acts, and acts and parts of acts in conflict with the provisions of this act; saving certain acts performed; and declaring an emergency.

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

## CHAPTER I. DEFINITIONS.

SECTION 1. The following words and phrases, wherever used in this act, shall have the meaning as in this section ascribed to them, unless where used the context thereof shall clearly indicate to the contrary: