

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.

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:

- "Alley." (a) "Alley." A public highway within the ordinary meaning of alley not designed for general travel and primarily used as a means of access to the rear of residences and business establishments.
- "Arterial highway." (b) "Arterial Highway." Every public highway, as herein defined, or portion thereof designated as such by proper authority.
- "Authorized emergency vehicle." (c) "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." (d) "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 contiguous cities or towns.
- "Axle." (e) "Axle." Any structure or portion of a structure, consisting of one or more shafts, spindles, or bearings, in the same or approximately the same vertical transverse plane, by means of which with the use of wheels mounted thereon, a portion of the weight of a vehicle, laden or unladen, is transmitted to the roadway.
- "Bicycle." (f) "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.
- "Business district." (g) "Business District." The territory contiguous to and including the public highway, as herein defined, when fifty per cent (50%) or more of the frontage thereon on either side thereof for a con-

tinuous distance of three hundred (300) feet or more is occupied by buildings in use for business.

(h) "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."

(i) "Center Line." The line, marked or unmarked, parallel to and equidistant from the sides of the roadway of a public highway. "Center line."

(j) "Center of Intersection." The point of intersection of the center lines of the roadway of intersecting public highways. "Center of intersection."

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

(l) "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."

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

(n) "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."

(o) "Crosswalk." The portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no sidewalks then between the intersection area and a line ten (10) feet therefrom, except as modified by a marked crosswalk. "Crosswalk."

(p) "Explosives." Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, and which contains any oxidizing or combustile "Explosives."

[combustible] units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonation of any part of the compound mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable or [of] producing destructible effects on contiguous objects or of destroying life or limb.

"Farm tractor."

(q) "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.

"For hire vehicles."

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

"Hours of darkness."

(s) "Hours of Darkness." Whenever used in this act, shall mean the hours from one-half hour after sunset to one-half hour before sunrise, and any other time when persons or objects may not be clearly discernible at a distance of five hundred (500) feet.

"Inflammable liquid."

(t) "Inflammable Liquid." Any liquid which has a flash point of 70° Fahrenheit, or less, as determined by a Tagliabue or equivalent closed cup test device.

"Intersection area."

(u) "Intersection Area." The area embraced within the prolongation of the lateral curb lines, or, if there be no curbs, then the lateral roadway boundary lines, of two or more public highways which join one another at an angle, whether or not such highways cross one another.

"Intersection center marker."

(v) "Intersection Center Marker." Any standard, button, flag, painted or raised marker, or other device located at and intended to designate the approximate center of intersection.

"Intersection control area."

(w) "Intersection Control Area." The intersection as herein defined, together with such modifica-

tion of the adjacent roadway area as results from the arc of curb corners and together with any marked or unmarked crosswalks adjacent to the intersection.

(x) "Intersection Entrance Marker." Any standard, button, flag, caution sign, stop sign, or other device located at approximately the point of intersection of the center line of an intersecting public highway with the nearest line of the intersection control area on the approach thereto. "Intersection entrance marker."

(y) "Laned Highway." A highway the roadway of which is divided into clearly marked lanes for vehicular traffic. "Laned highway."

(z) "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. "Local authorities."

(aa) "Marked Crosswalk." Any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface thereof. "Marked crosswalk."

(bb) "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. "Metal tire."

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

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

(ee) "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. "Motorcycle."

(ff) "Muffler." A device consisting of a series of chambers, or other mechanical designs for the purpose of receiving exhaust gas from an internal "Muffler."

combustion engine and effective in reducing noise resulting therefrom.

"Multiple
lane
highway."

(gg) "Multiple Lane Highway." Any public highway the roadway of which is of sufficient width to reasonably accommodate four (4) separate lanes of vehicular traffic, two (2) lanes in each direction, each lane of which shall be not less than eight (8) feet in width, and whether or not such lanes are marked and whether or not the lanes of opposite bound traffic are separated by a neutral zone or other center line marking.

"Non-
resident."

(hh) "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."

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

"Owner."

(jj) "Owner." A person who holds a title 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.

"Peace
officer."

(kk) "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.

"Pedestrian."

(ll) "Pedestrian." Any person afoot.

"Person."

(mm) "Person." Every natural person, firm, copartnership, corporation, association or organization.

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

(oo) "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."

(pp) "Private Road or Driveway." Every way or place in private ownership and used for travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons. "Private road or driveway."

(qq) "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."

(rr) "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."

(ss) "Railroad Sign or Signal." Any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train. "Railroad sign or signal."

(tt) "Residence District." The territory contiguous to and including the public highway, as herein defined, not comprising a business district, as herein defined, when the property on such public highway for a continuous distance of three hundred (300) feet or more on either side thereof is in the main improved with residences or residences and buildings in use for business. "Residence district."

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

- "Road tractor." (vv) "Road Tractor." Every motor vehicle, as herein defined, designed and used primarily as a road building vehicle in drawing road building machinery and devices.
- "Roadway." (ww) "Roadway." The paved, improved or proper driving portion of a public highway designed or ordinarily used for vehicular travel.
- "Safety zone." (xx) "Safety Zone." The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is marked or indicated by painted marks, signs, buttons, standards or otherwise, so as to be plainly discernible.
- "School bus." (yy) "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." (zz) "Semi-trailer." Every vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed that an appreciable part of its weight and that of its load rests upon and is carried by such motor vehicle or truck tractor.
- "Sidewalk." (aaa) "Sidewalk." That property between the curb lines or the lateral lines of a roadway, as herein defined, and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a public highway and dedicated to use by pedestrians.
- "Solid tire." (bbb) "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." (ccc) "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.

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

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

(fff) "Traffic Control Signal." Any traffic device, "Traffic con-
trol signal." as herein defined, whether manually, electrically or mechanically operated, by which traffic alternately is directed to stop or proceed or otherwise controlled.

(ggg) "Traffic Devices." All signs, signals, "Traffic
devices." markings and devices not inconsistent with this act placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(hhh) "Trailer." Every vehicle, as herein defined, "Trailer." 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.

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

(jjj) "Trolley Vehicle." A vehicle, as herein "Trolley
vehicle." 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.

(kkk) "Truck Tractor." Any motor truck as "Truck
tractor." 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.

(lll) "Used Vehicle." A vehicle which has been "Used
vehicle." 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.

"Vehicle."

(mmm) "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.

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. SCOPE OF ACT.

Provisions relating to vehicles to be uniform.

SEC. 2. The provisions of this act relating to vehicles shall be applicable and uniform throughout this state and in all incorporated cities and towns and all political subdivisions therein and no local authority shall enact or enforce any law, ordinance, rule or regulation in conflict with the provisions of this act except and unless expressly authorized by law to do so and any laws, ordinances, rules or regulations in conflict with the provisions of this act are hereby declared to be invalid and of no effect. Local authorities may, however, adopt additional vehicle and traffic regulations which are not in conflict with the provisions of this act.

Provisions relating to operation of vehicles to be uniform.

SEC. 3. The provisions of this act relating to the operation of vehicles shall be applicable and uniform upon all persons operating vehicles upon the public

highways of this state, except as otherwise specifically provided.

SEC. 4. Every person riding a bicycle or an animal or driving any animal or operating any nature of conveyance or drawing any vehicle upon any public highway of this state shall be subject to the provisions of this act relating to the operation of vehicles and applicable to the operator of a vehicle, except those provisions of the law which, by their nature, can have no application.

Persons riding bicycles or operating conveyances.

SEC. 5. The provisions of this act shall be applicable to the operation of any and all vehicles upon the public highways of this state except that they shall not apply in the following cases:

Exemptions:

(a) To any authorized emergency vehicle properly equipped as required by law and actually responding to an emergency call or in immediate pursuit of an actual or suspected violator of the law, within the purpose for which such emergency vehicle has been authorized: *Provided*, That the provisions of this section shall not relieve the operator of an authorized emergency vehicle of the duty to operate with due regard for the safety of all persons using the public highway nor shall it protect the operator of any such emergency vehicle from the consequence of a reckless disregard for the safety of others: *Provided, further*, The provisions of this section shall in no event extend any special privilege or immunity in operation of an authorized emergency vehicle for any purpose other than that for which the same has been authorized;

Emergency vehicles.

(b) To any persons, teams, vehicle or other equipment while actually engaged in authorized work upon the surface of a public highway in so far as suspension of the provisions of this act are reasonably necessary for the carrying on of such work: *And providing*, Reasonable precautions are taken to apprise and protect the users of such public highway,

Persons engaged in road work.

but such provisions shall apply to such persons, teams, vehicles and other equipment when traveling to and from such work;

(c) To any persons, vehicles or otherwise, in so far as the same may be specifically exempted from any provision or provisions of this act.

CHAPTER III. VEHICLE INSPECTION.

Commission
on
equipment.

SEC. 6. There is hereby constituted a state commission on equipment which shall consist of the director of licenses, the director of highways and the chief of the Washington State Patrol.

It shall be the power and the duty of the state commission on equipment to adopt, apply and enforce such reasonable rules and regulations as will expedite the enforcement of the provisions of this act with regard to vehicle equipment. In addition to those powers and duties specifically granted by the provisions of this act the state commission on equipment shall have the power and the duty to adopt, apply and enforce such reasonable rules and regulations relating to vehicle equipment as may be deemed necessary and convenient in addition to but not inconsistent with the provisions of this act. The state commission on equipment shall have the powers and duties provided by this act.

Vehicle
equipment
inspection
stations.

SEC. 7. The director of highways is hereby empowered to constitute, erect, operate and maintain, throughout the State of Washington, stations for the inspection of vehicle equipment, and to set a date, at a reasonable time subsequent to the installation of such stations, when inspection of vehicles shall commence, and it shall be unlawful for any vehicle to be operated over the public highways of this state unless and until it has been approved periodically as to equipment. The director of highways shall establish periods of vehicle equipment inspection. In the event of any such inspection, the same shall be in

charge of a responsible employee of the director of highways, who shall be duly authorized as a peace officer and who shall have authority to secure and withhold, with written notice to the director of licenses, the certificate of license registration of any vehicle found to be defective in equipment, and it shall be unlawful for any person to operate such vehicle unless and until the same has been placed in a condition satisfactory to subsequent equipment inspection; the peace officer in charge of such vehicle equipment inspection station shall grant to the operator of such defective vehicle the privilege to operate such vehicle to a place for repair under such restrictions as may be reasonably necessary for the safe operation thereof.

In the event any insignia, sticker or other marker should be adopted to be displayed upon vehicles in connection with the inspection of vehicle equipment, the same shall be displayed as required by the rules and regulations of the director of highways and it shall be unlawful for any person to mutilate, destroy, remove or otherwise interfere with the display thereof.

Stickers
displayed.

SEC. 8. The director of highways is empowered to provide reasonable rules and regulations regarding times for the inspection of vehicle equipment, and all other matters with respect to the conduct of vehicle equipment inspection stations.

Inspection
rules.

In the event that any municipality or other political subdivision of this state has installed and placed in operation on the effective date of this act, any station for the inspection of vehicle equipment, the operation of such inspection station shall be in strict conformity with rules, regulations, procedure and standards of inspection prescribed by the director of highways. The operation of such municipally owned vehicle inspection station shall be under the direction and supervision of the director of highways

Municipally
owned
inspection
stations.

and there shall be maintained and submitted as and when prescribed such records and reports as shall be required by the director of highways.

Stickers and supplies furnished.

The director of highways shall prepare and furnish such stickers, tags, record and report forms, stationery and other supplies as shall be deemed necessary. The director of highways is empowered to appoint and employ such assistants as he may consider necessary and to fix hours of employment and compensation.

Assistants.

Acquisition of lands for inspection stations.

SEC. 9. The director of highways is empowered to acquire land for such vehicle equipment inspection stations by purchase, gift, or condemnation, with or without structures thereon. In the event land is acquired by condemnation the same shall be acquired in the manner provided by law for the acquisition of private property for public use. The director of highways is empowered to erect structures and to acquire and install such equipment and mechanical devices as shall from time to time be necessary or convenient for the inspection of vehicle equipment.

Structures erected and equipment installed.

Acquiring of inspection stations from municipality.

In the event that the director of highways should deem it advisable to acquire any vehicle equipment inspection station which is owned and operated by any municipality or other political subdivision of this state at the time of the taking effect of this act, and funds being available therefor, the director of highways is empowered to acquire such vehicle equipment inspection station in the name of the State of Washington upon an agreed cost with such municipality or other political subdivision not in excess of the reasonable value thereof.

Inspection at periodic intervals.

SEC. 10. Vehicle equipment inspection shall be at such periodic intervals as shall be required by the director of highways and shall be without charge for such periodic inspection.

SEC. 11. It shall be unlawful for any person employed by the director of highways or by any municipality or other political subdivision, in any vehicle equipment inspection station, to directly or indirectly, or in any manner whatsoever, order, direct, recommend or influence the correction of vehicle equipment defects by any person or persons whomsoever.

Repair or adjustment of equipment at inspection station unlawful.

It shall be unlawful for any person employed by the director of highways or by any municipality or other political subdivision, while in or about any vehicle equipment inspection station, to perform any repair or adjustment upon any vehicle or any equipment or appliance of any vehicle whatsoever.

It shall be unlawful for any person to solicit in any manner the repair to any vehicle or the adjustment of any equipment or appliance of any vehicle, upon the property of any vehicle equipment inspection station or upon any public highway adjacent thereto.

Any person violating any of the provisions of this section shall be guilty of a gross misdemeanor.

Penalty.

SEC. 12. It shall be unlawful for any person to operate or move, or for any owner to cause or permit to be operated or moved upon any public highway, any vehicle or combination of vehicles, which is not at all times equipped in the manner required by this act, or the equipment of which is not in a proper condition and adjustment as required by this act.

Defective vehicle operating on highway may be impounded.

Any vehicle operating upon the public highways of this state and at any time found to be defective in equipment in such a manner that it may be considered unsafe shall be an unlawful vehicle and may be prevented from further operation until such equipment defect is corrected and any peace officer is empowered to impound such vehicle until the same has been placed in a condition satisfactory to vehicle inspection. The necessary cost of impounding any such

unlawful vehicle and any cost for the storage and keeping thereof shall be paid by the owner thereof. The impounding of any such vehicle shall be in addition to any penalties for such unlawful operation.

The provisions of this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of equipment defect in the manner directed by any peace officer or representative of the state commission on equipment.

Defective vehicle may be operated to place of correction.

SEC. 13. In the event that any vehicle shall become damaged in such a manner that such vehicle shall have become unsafe for operation upon the public highways of this state, it shall be unlawful for the owner or operator thereof to cause such vehicle to be operated upon a public highway upon its return to service unless such owner or operator shall have presented such vehicle for inspection of equipment within twenty-four (24) hours after its return to service.

Unlawful to operate damaged vehicle on highways.

CHAPTER IV. VEHICLE LIGHTING.

SEC. 14. Every vehicle upon the public highways of this state shall be equipped with lamps and illuminating devices as required in this act and may be equipped with additional lamps and illuminating devices as permitted by this act. All vehicle lamps and illuminating devices required by this act shall be lighted during the hours of darkness, subject to any exceptions in this act provided or unless the same are specifically required to be lighted at another time.

Vehicle lighting requirements.

Whenever requirement is in this chapter declared as to the distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times hereinabove stated upon a straight level unlighted public highway under normal atmospheric conditions unless a different time or condition is expressly stated.

SEC. 15. Every motor vehicle other than a motorcycle shall be equipped with no more nor less than two head lamps with one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this act.

Head lamps
on motor
vehicles.

Every motorcycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this act.

Head lamps
on motor-
cycles.

SEC. 16. Every motor vehicle operated not in combination and every trailer and semi-trailer shall be equipped with a rear lamp capable of exhibiting a continuous red light plainly visible from a distance of five hundred (500) feet to the rear, except that every new motor vehicle not to be used in combination and every trailer or semi-trailer sold in this state after January 1, 1939, shall be equipped with two rear lamps, one located near each side, each capable of exhibiting a continuous red light plainly visible from a distance of five hundred (500) feet to the rear.

Rear lamps
and
reflectors.

Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear vehicle license plate and render it clearly legible from a distance of fifty (50) feet to the rear. When the rear license plate is illuminated by an electric lamp, other than the required rear lamp, said two lamps shall be turned on or off only by the same control switch at all times whenever head lamps are lighted.

Every new motor vehicle, trailer, or semi-trailer hereafter sold and every commercial vehicle hereafter operated on a public highway shall also carry at the rear, and located near the left side thereof, a red reflector meeting the requirements of this section.

Whenever any reflector is required or permitted to be used in substitution of lamps upon a vehicle, or in conjunction therewith, or in addition thereto, under any of the provisions of this act, such reflector shall be mounted upon the vehicle at a height not to exceed sixty (60) inches nor less than twenty-four (24) inches above the level surface upon which the vehicle stands, and every such reflector shall be so designed and maintained as to be visible at night from all distances up to five hundred (500) feet when directly in front of a motor vehicle displaying lawfully lighted head lamps directed from a point in the direction in which such reflector is faced.

Except as provided for a back-up lamp in proper use and the white light illuminating the rear vehicle license number plate, it shall be unlawful for any person to operate a vehicle with any light, lamp or reflector visible from the rear thereof showing any color other than red.

SEC. 17. Within thirty (30) days after the effective date of this act, every motor vehicle trailer and semi-trailer designed or used for the transportation of commodities, property or animals, or for the transportation of passengers, or otherwise a commercial vehicle, except for hire vehicles operated entirely within municipalities when their interiors are illuminated, shall display lighted lamps during hours of darkness as required in this section, except such lamps may be, but are not required to be, lighted when any such vehicle is upon a public highway which is sufficiently illuminated by street lamps to render any person or vehicle clearly discernible at a distance of five hundred (500) feet.

Every such vehicle having a width of any part in excess of eighty (80) inches shall be equipped with four clearance lamps upon the body, two (2) on each side thereof, one of which shall be located near the front and top, displaying a yellow light showing

Trailers or semi-trailers designed for transportation to display lighted lamps.

Clearance lamps or reflectors.

to the front and side, and one of which shall be located near the rear and top, displaying a red light showing to the rear and side, all of which lamps shall be visible at a distance of five hundred (500) feet: *Provided*, Such clearance lamps shall be conveniently located in compliance with the provisions of this act upon the prominent structure of any such vehicle: *Provided*, That the state commission on equipment shall devise such rules and regulations with respect to various vehicle construction in order to attain substantial compliance with the provisions of this section.

Every such vehicle having an overall length of thirty (30) feet, and every combination of vehicles having an overall length in excess of thirty (30) feet, shall be equipped with four (4) sidemarker reflectors upon the body, two (2) on each side, one of which shall be located near the front and bottom, displaying a yellow reflection, and one of which shall be located near the rear and bottom, displaying a red reflection.

Sidemarker
reflectors.

SEC. 18. Whenever the load upon any vehicle extends to the rear four (4) feet or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, during hours of darkness, a red light or red lantern displaying a light plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or red lantern required under this section shall be in addition to the red rear light or lights and reflector required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a distinctly red cloth flag which shall be suspended on a frame or other similar device in such a manner that it will display a red surface on two sides for a square area of not less than one hundred forty-four (144) square inches in approximately the same plane.

Flag or light
at end of
load.

Lamps on
parked
vehicles.

SEC. 19. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended during hours of darkness, such vehicle shall display not less than two lamps, one on either side exhibiting a white light visible from a distance of five hundred (500) feet to the front of such vehicle and not less than one continuous red light on the left side visible from a distance five hundred (500) feet to the rear, except that local authorities may provide by ordinance or resolution that no lights need be displayed upon any such vehicle when stopped or parked in accordance with local parking regulations upon a public highway under their jurisdiction, where there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon such public highway. Any lighted headlamps upon a parked vehicle shall be depressed or dimmed.

Lamps on
bicycles.

SEC. 20. During hours of darkness every bicycle shall be equipped with one lamp on the front exhibiting a white light visible from a distance of at least five hundred (500) feet to the front and with a lamp on the rear exhibiting a red light visible from a distance of five hundred (500) feet to the rear; excepting that a red reflector meeting the requirements of this act may be used in lieu of a rear light.

Vehicles not
specifically
mentioned.

SEC. 21. All vehicles, including animal drawn vehicles and others not specifically required by this act to be equipped with lamps, shall, during hours of darkness, be equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of five hundred (500) feet to the front and sides of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of five hundred (500) feet to the rear.

Spot lamps.

SEC. 22. Any motor vehicle may be equipped with not to exceed one spot lamp and every lighted

spot lamp shall be so aimed and used that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle.

Any motor vehicle may be equipped with not to exceed one auxiliary driving lamp mounted on the front at a height not less than twelve (12) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands but in no event shall the center of such auxiliary driving lamp be higher than a line drawn horizontally through the center of the headlamps of such vehicle, and every such auxiliary driving lamp shall meet the requirements and limitations set forth in this act or prescribed by the state commission on equipment.

Auxiliary
driving
lamps.

SEC. 23. Any motor vehicle may be equipped, and when a signal lamp or device is required under this act, shall be equipped with a signal lamp or signal device which shall be plainly visible and understandable in normal sunlight and during hours of darkness from a distance of one hundred (100) feet to the front and rear but shall not project a glaring or dazzling light; except that a stop signal need be visible only from the rear. No signal lamp or signal device shall be used to give signal of intention to stop or of intention to turn to the right or left unless and until the same has been approved by the state commission on equipment.

Signal lamps.

All vehicles manufactured or assembled and first sold after the effective date of this act shall be equipped with a stop signal on the rear thereof which may be either separate or in conjunction with any rear lamp, and shall be so connected with the service brake of such vehicle that it will become illuminated and display a red light to the rear upon application of the service brake of such vehicle: *Provided*, Such stop lamp shall not be required upon any motor ve-

Stop lamps.

Mechanical
arm signals.

hicle when in combination with a trailer or semi-trailer. All mechanical arm signals when permitted or required under the provisions of this act shall be self-illuminated, or reflectorized displaying a yellow reflection in both directions, and shall comply with the provisions of this act with respect to reflectors, except that the same shall be at such height as may be required for the use and display thereof.

Side cowl or
fender lamps.

SEC. 24. Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit a white light without glare.

Running
board cour-
tesy lamps.

Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white light without glare.

Back-up
lamp.

Any motor vehicle may be equipped with a back-up lamp either separately or in combination with another lamp, except that no such back-up lamp shall be lighted unless necessary for vision while operating such vehicle in a reverse direction and the use of such back-up lamp will not interfere with or inconvenience other vehicle operators upon the public highways.

Head lamps,
intensity and
distribution.

SEC. 25. All head lamps shall be of such nature, and contain such intensity and distribution of light to reveal persons, vehicles and objects within a reasonable distance ahead under all conditions of loading, all factors considered.

Commission
to adopt
regulations
not inconsis-
tent with
this act.

The state commission on equipment shall make rules and regulations not inconsistent with this act and shall provide lighting specifications as to color, intensity, candle power, direction or diffusion of light beam, reflection, visibility, loading and all other matters relating thereto, including sale of vehicle lamps, and it shall be unlawful for any person to operate any vehicle or for any owner to cause or permit to be operated any vehicle in violation of any such rules and regulations of the state commis-

sion on equipment. Such rules and regulations shall be reasonably in accordance with accepted lighting methods and the findings and recommendations of the Society of Automotive Engineers and the Illuminating Engineering Society.

SEC. 26. The headlamps or auxiliary lamps or both of any motor vehicle shall be so arranged that selection may be made by the operator between at least two (2) different elevations of projected light beam. At least one such beam shall, when the vehicle is not loaded, be depressed below the horizontal so that at twenty-five (25) feet: None of the high intensity beam directed to the left of a prolongation of the extreme left side of the vehicle shall project higher than ten (10) inches below the level of the center of the lamp from which it comes; none of the high intensity beam directed to the right of a prolongation of the extreme left side of the vehicle shall project higher than five (5) inches below the level of the center of the lamp from which it comes; and in no event shall any of the high intensity beam of such depressed beam project higher than a level of forty-two (42) inches above the level surface on which the vehicle stands at a distance of seventy-five (75) feet ahead: *Provided*, The provisions of this section requiring a depressed projected light beam shall not apply to vehicles first sold and in operation on the effective date of this act.

Requirements as to head lamps and auxiliary driving lamps.

SEC. 27. When necessary by reason of emergency, any motor vehicle may be operated during hours of darkness when equipped with two lighted lamps on the front thereof capable of revealing persons and objects seventy-five (75) feet ahead in lieu of other head lamps required by this act: *Provided*, That at no time shall it be operated at a speed in exceed [excess] of twenty (20) miles per hour. For the purposes of this section an emergency shall be a mechanical failure of the headlamps otherwise re-

Emergencies.

quired. Such emergency shall exist only so long as is reasonably necessary to reach the nearest point where the lighting defect may be corrected.

Front lighted lamps and rear red light displayed.

SEC. 28. At all times during hours of darkness, at least two (2) lighted headlamps shall be displayed, one on each side at the front of every motor vehicle, and one lighted red rear lamp, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

Lighted lamps limited.

Whenever a motor vehicle equipped with headlamps, as in this act required, is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when upon a public highway, except that such limitation shall not exclude cowl or fender lamps or any lamps required by law.

Red lamp visible from in front of vehicle prohibited.

SEC. 29. No person shall drive or move any vehicle or equipment upon any public highway with any lamp or device thereon displaying a red light visible from directly in front thereof. This section shall not apply to authorized emergency vehicles or vehicles of the department of highways of the State of Washington which present a danger by the nature of their necessary operation.

Intermittent lights.

Automatically flashing lights or intermittent lights are prohibited on motor vehicles, except as a rear signal lamp for indicating intention to stop or turn to the right or left and when, as and if approved by the state commission on equipment. The commission on equipment is empowered to adopt and require an intermittent or flashing red light as a stop light upon the rear of vehicles.

Illegal to sell or use unapproved device.

SEC. 30. No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or semi-trailer or other vehicle any headlamp, auxiliary driving

lamp, rear lamp, signal lamp or reflector, as required in this act, which tends to change the original design or performance, unless of a type which has been submitted to and approved by the state commission on equipment.

No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or semi-trailer or other vehicle, any lamp or device mentioned in this section which has been approved by the state commission on equipment unless such lamp or device bears thereon the trademark or name under which it is approved so as to be legible when installed.

No person shall use upon any motor vehicle, trailer or semi-trailer or other vehicle any lamps mentioned in this section unless said lamps are equipped with bulbs of a rated candlepower and are mounted and adjusted as to focus and aim in accordance with rules and regulations of the state commission on equipment.

SEC. 31. The state commission on equipment is hereby authorized to approve or disapprove vehicle lighting devices.

Commission
to approve
lighting
devices.

The state commission on equipment is hereby required to approve or disapprove any lighting device of a type on which approval is specifically required in this act, within a reasonable time after such device has been submitted.

The state commission on equipment is further authorized to set up the procedure which shall be followed when any device is submitted for approval.

The state commission on equipment, upon approving any such lamp or device, shall issue to the applicant a certificate of approval together with any instructions it may determine.

The state commission on equipment shall publish lists of all lamps and devices by name and type which have been approved by it, together with in-

structions as to the permissible candlepower rating of the bulbs which it has determined for use therein and such other instructions as to adjustment as the state commission on equipment may deem necessary.

For the purpose of considering devices submitted for approval, the state commission on equipment shall meet at least once in every calendar month.

Revocation
of certificate
of approval
on lighting
devices.

SEC. 32. When the state commission on equipment has reason to believe that any device being sold commercially, as bearing certificate of approval, does not comply with the requirements of this act, or the rules and regulations of the state commission on equipment, it may, after giving thirty (30) days' previous notice to the person holding the certificate of approval for such device in this state, conduct a hearing upon the question of compliance of said device being sold. After said hearing the state commission on equipment shall determine whether said device, as being sold, meets the requirements of this act. If said device does not meet the requirements of this act, it shall give notice to the person holding the certificate of approval for such device in this state.

If at the expiration of ninety (90) days after such notice the person holding the certificate of approval for such device has failed to satisfy the state commission on equipment that said device as thereafter to be sold meets the requirements of this act or the rules and regulations of the state commission on equipment, the state commission on equipment shall suspend or revoke the certificate of approval issued therefor until or unless such device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this act, and the rules and regulations of the state commission on equipment, and may require that all said devices sold since the notification following the hearing be replaced with devices that do comply with the re-

quirements of this act. The state commission on equipment may, at the time of the retest, purchase in the open market and submit to the testing agency one or more sets of such devices, and if such device upon such retest fails to meet the requirements of this act, the state commission on equipment may refuse to renew or reinstate the certificate of approval of such device.

SEC. 33. No person shall operate or stand any motor truck or combination of commercial vehicles upon a public highway where vehicle parking lights are required during the hours of darkness unless there shall be carried in such vehicle a sufficient number of electric lanterns or other signals, not less than three (3), approved by the state commission on equipment capable of continuously producing three warning lights, each visible from a distance of at least five hundred (500) feet for a period of at least twelve (12) hours.

Trucks
parked on
highways to
display
lights.

Every such lantern or signal shall be of a type approved by the state commission on equipment and it shall publish lists of those devices which it has approved as adequate for the purposes of this section.

Whenever any motor truck or combination of commercial vehicles is disabled during the period when, and in a location where, parked vehicle lamps must be displayed on vehicles and such motor truck, trailer or semi-trailer cannot immediately be removed from the main traveled portion of a public highway, the driver or other person in charge of such vehicle shall cause such lanterns or other signals to be lighted and placed upon the public highway, one at a distance of approximately one hundred [(100)] feet in advance of such vehicle, one at a distance of approximately one hundred (100) feet to the rear of the vehicle and the third upon the roadway side of the vehicle, except that if the vehicle is transporting inflammables or explosives no open

burning flame shall be placed adjacent to any such last mentioned vehicle.

CHAPTER V. VEHICLE EQUIPMENT.

Brakes.

SEC. 34. Every motor vehicle, other than a motorcycle, when operated upon a public highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle, including two separate means of applying such brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that the failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels on the same axle. The separate means of applying such brakes shall be approved by the state commission on equipment.

Every motorcycle and bicycle, when operated upon a public highway, shall be equipped with at least one friction brake, which may be operated by hand or foot.

Every trailer or semi-trailer of a gross weight, including load, of two thousand (2,000) pounds or more, when operated upon a public highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab.

Every new motor vehicle, trailer, and semi-trailer sold in this state after January 1, 1938, and operated upon the public highways shall be equipped with service brakes upon all wheels of at least two axles of every such vehicle, except any bicycle or motorcycle, and except that any such trailer or semi-trailer of less than two thousand (2,000) pounds gross weight, including load, need not be equipped with brakes.

The service brakes upon any motor vehicle or combination of vehicles shall be capable of bringing such vehicle or combination of vehicles to a complete stop at a rate of deceleration equivalent to a stop within thirty-five (35) feet from a speed of twenty (20) miles per hour when upon dry asphalt or concrete pavement the surface of which is free from loose material and the grade of which does not exceed one (1) per cent: *Provided*, That under such conditions the service brake upon any motor vehicle equipped with service brakes upon one axle only, when the use of such vehicle is permitted under the provisions of this act, shall be capable of bringing such motor vehicle to a complete stop at a rate of deceleration equivalent to a stop within forty-five (45) feet.

All braking distances and rates of deceleration specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this act. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicles. It shall be unlawful to operate any vehicle with the brakes out of adjustment to the extent that the unequal application between opposite sides of the vehicle will cause the vehicle to swerve, pull to the side, or otherwise affect the operator's control.

Braking
distances.

The means of applying the brakes other than the service or foot brake shall be capable of holding any motor vehicle or combination of vehicles stationary upon any plus or minus grade upon which the same is to be operated and in any event upon a plus or minus grade of at least five (5) per cent.

SEC. 35. Every motor vehicle shall be equipped with a suitable horn, which shall be sounded at any time when such vehicle is approaching a condition

Horn and
warning
devices.

of danger or where in the exercise of due care warning should be made or at such times and under such conditions as required by law. It shall be unlawful for any motor vehicle to be equipped with any gong, siren or whistle unless such vehicle is used as an ambulance or is operated by any police department, fire department, sheriff's office or state patrol, or is otherwise an authorized emergency vehicle, or is a vehicle of the state necessary for use upon the public highways and which by reason of its necessary operation presents a danger to traffic upon the public highway or requires the benefit of the right of way over other traffic.

The horn upon any vehicle shall be capable of emitting sound audible under normal conditions at a distance of not less than two hundred (200) feet and the gong, siren or whistle upon any authorized emergency vehicle shall be capable of emitting sound audible under normal conditions at a distance of not less than five hundred (500) feet. No unusually loud horn shall be permitted on any vehicle other than an authorized emergency vehicle.

Mufflers,
prevention
of noise.

SEC. 36. It shall be unlawful for any person to operate a motor vehicle which shall not at all times be equipped with a muffler upon the exhaust thereof in good working order and in constant operation to prevent excessive or unusual noise and it shall be unlawful for any person operating any motor vehicle to use a cut-out, by-pass, or similar muffler elimination appliance.

Mirrors.

SEC. 37. Every owner or operator of any motor vehicle used upon any public highway of this state shall equip such vehicle with a mirror or other device to enable the operator thereof to have at all times clear and unobstructed view to the rear of such vehicle sufficient to enable him at all times to observe conditions existing to the rear of such ve-

hicle within a distance of not less than two hundred (200) feet.

SEC. 38. It shall be unlawful for any person to operate any motor vehicle upon the public highways of this state with any sign, poster, card, sticker or other non-transparent material upon the windshield or rear or side windows of such motor vehicle other than a certificate or sticker required by law or rule or regulation of proper and lawful authority, in which case the same shall be placed in the lower right-hand corner of the windshield only.

Windshields
must be un-
obstructed.

SEC. 39. It shall be unlawful for any person to operate any motor vehicle not equipped with a device in good working order for cleaning the exterior portion of the windshield over a sufficient area thereof and in a satisfactory manner to afford such operator a clear view ahead, which device shall be controlled and operated by the operator of such motor vehicle at all times when from rain, snow or other cause the condition of the exterior portion of the windshield may become such that said operator's view may be impaired. After January 1, 1938, it shall be unlawful for any person to operate any new motor vehicle first sold or delivered after that date which is not equipped with such device or devices in good working order capable of cleaning the windshield thereof over two separate arcs, one each on the left and right of the windshield, each capable of cleaning a surface of not less than one hundred twenty (120) square inches, or other device or devices capable of accomplishing substantially the same result.

Windshields
equipped
with wipers.

SEC. 40. On and after January 1, 1938, it shall be unlawful to operate upon any public highway of this state any motor vehicle which is registered in the State of Washington and which shall have been manufactured or assembled on or after January 1,

Safety glass.

1938, unless such vehicle be equipped with safety glass wherever glass is used in partitions, doors, windows and windshields. That on and after January 1, 1938, it shall be unlawful for any person, firm, corporation or association to sell any motor vehicle in the State of Washington which shall have been manufactured or assembled on or after January 1, 1938, unless such motor vehicle be equipped with safety glass wherever glass is used [in] partitions, doors, windows and windshields.

Any replacement of glass wherever glass is used in partitions, doors, windows or windshields of any vehicle after the effective date of this act, upon any motor vehicle required by this section to be equipped with safety glass, shall be by the use of safety glass and it shall be unlawful for anyone to make or procure such replacement with other than safety glass.

The term "safety glass" shall mean any product composed of glass, so manufactured, fabricated, treated or combined with other materials as substantially to prevent shattering and flying of glass fragments when struck or broken, or such other or similar transparent material as may be approved by the state commission on equipment: *Provided*, That "tempered" or "case hardened" glass shall not be used to meet the requirements of this section.

The commission on equipment shall approve and maintain a list of approved types of glass conforming to recognized specifications, types and requirements for safety glass as herein defined, and the certificate of registration of any vehicle operating in violation of the provisions of this section shall be suspended until such time as the requirements of this section shall be met with respect to such vehicle.

Pneumatic
rubber tires.

SEC. 41. On and after January 1, 1938, it shall be unlawful to operate any vehicle upon the public highways of this state unless the same shall be completely equipped with pneumatic rubber tires: *Pro-*

vided, This section shall not apply to animal drawn vehicles or to highway or road building equipment operated by the state, or by any county, city, or other political subdivision, or under the direction or supervision of the state, or of any county, city, or other political subdivision, or to farm tractors or heavy duty vehicles operating under valid special permit.

SEC. 42. It shall be unlawful for any person to drive, propel, draw, move, convey or transport, or cause to be driven, propelled, drawn, moved, conveyed or transported, upon, over, along or across any primary state highway outside the limits of any incorporated city or town, any vehicle or object which shall have any wheels or tires so made, constructed, formed or shaped or so equipped with spikes, cleats, lugs or other attachments or projections, or shall be constructed of such materials as to destroy or injure such primary state highway or the surface, foundation or other part thereof. The director of highways shall have the power and it shall be his duty from time to time as the same may be necessary to issue regulations concerning the equipment of any vehicle or object which may be prohibited from moving upon any primary state highway and in the absence of a regulation providing otherwise it shall be unlawful for any person to drive, propel, draw, move, convey or transport, or cause to be driven, propelled, drawn, moved, conveyed or transported over, upon, along or across any primary state highway outside the limits of any incorporated city or town any vehicle or object which shall have any wheels or tires other than pneumatic rubber tires, hollow center cushion rubber tires or solid rubber tires: *Provided*, This section shall not apply to farm equipment on smooth metal wheels and with a gross weight not to exceed five thousand (5,000) pounds.

Spiked or
cleated
wheels
prohibited.

SEC. 43. It shall be unlawful to operate any vehicle upon the public highways of this state without

Loads
securely
fastened.

having the load thereon securely fastened and protected by safety chains or other device. The state commission on equipment is hereby authorized to adopt and enforce reasonable rules and regulations as to what shall constitute adequate and safe chains or other devices for the fastening and protection of loads upon vehicles.

Sifting or
leaking
loads.

SEC. 44. No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in the cleaning or maintaining of such roadway by public authority having jurisdiction. Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleared of all such glass or objects. It shall be unlawful for any person to throw or drop any glass object, debris or any waste from any moving vehicle or upon the right of way of any public highway.

Device to
reduce
wheel spray.

Every vehicle shall be equipped with a device adequate to effectively reduce the wheel spray or splash of water from the roadway to the rear thereof.

School busses
equipped
with stop
sign.

SEC. 45. All school busses shall be equipped with a "stop" signal upon a background not less than twelve (12) inches square displaying the word "stop" in letters of distinctly contrasting colors not less than eight (8) inches high. Such sign shall display both to the front and rear of such school bus, manually controlled by the operator of the school bus, extending to the left of the body and shall be displayed only when such school bus is receiving or

discharging school passengers and shall be released only when such school passengers are received or discharged and have not further need of protection in crossing the public highway or otherwise.

It shall be unlawful for any person operating a motor vehicle in either direction upon a public highway to fail to bring such vehicle to a complete stop at least (20) feet away and on the approach to any school bus on the roadway or off the roadway displaying such stop signal and remain standing until the same is released: *Provided*, Compliance with the provisions of this section shall not relieve any motor vehicle operator of the further duty to exercise reasonable care in approaching or passing any such school bus.

SEC. 46. It shall be unlawful for any public officer having charge of any vehicle owned by the State of Washington or by any county, city, town or other public body in this state and used in public business to operate the same upon the public highways of this state unless and until there shall be painted upon such automobile or other motor vehicle in letters of contrasting color not less than two (2) inches in height in a conspicuous place on the left side thereof, the words "State of Washington" or the name of such county, city, town or other public body, together with the name of the department or office upon the business of which the said vehicle is used: *Provided*, This section shall not apply to vehicles of the Washington State Patrol, sheriff's office, police department, or any vehicles used by peace officers under public authority for special or general police purpose: *Provided*, It shall be lawful and constitute compliance with the provisions of this section for any department or office to adopt and use in lieu of the lettering required a distinctive insignia, approved by the state commission on equipment, and bearing substantially the same information as required herein.

Public
vehicles,
name of
department.

Exceptions.

CHAPTER VI. SIZE, WEIGHT AND LOAD.

Width of
vehicles.

SEC. 47. The total outside width of any vehicle or load thereon shall not exceed eight (8) feet except that in cases where pneumatic tires have been substituted for the same type or other type of tires and the same have been placed upon any vehicle which is in operation on the effective date of this act the maximum width from the outside of one wheel and tire to the outside of the opposite wheel and tire of eight (8) feet and six (6) inches shall be legal: *Provided*, That in no event shall the outside of the body of such vehicle or the load thereon exceed eight (8) feet: *Provided, further*, In any instance where it is necessary to extend a rear vision mirror beyond the extreme left of the body the same may be done at a height from the level surface upon which the vehicle stands of not less than six (6) feet, despite the fact that this results in a width in excess of eight (8) feet.

Height.

SEC. 48. It shall be unlawful for any vehicle unladen or with load to exceed a height of twelve (12) feet and six (6) inches above the level surface upon which the vehicle stands. This section shall not apply to authorized emergency vehicles or repair equipment of a public utility engaged in reasonably necessary operation. The provisions of this section shall not relieve the owner or operator of any vehicle or combination of vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the public highways where such vehicle or combination of vehicles is being operated, and no liability shall attach to the state or to any county, city, town, or other political subdivision by reason of any damage or injury to persons or property by reason of the existence of any structure or otherwise where the vertical clearance above the roadway is less than twelve (12) feet

six (6) inches where sign posted to indicate vertical clearance of less than twelve (12) feet six (6) inches.

SEC. 49. It shall be unlawful to operate upon the public highways of this state any vehicle having an overall length, with or without load, in excess of thirty-five (35) feet. It shall be unlawful for any person to operate upon the public highways of this state any combination of vehicles consisting of more than two vehicles. It shall be unlawful for any person to operate upon the public highways of this state any combination of vehicles which, with or without load, has an overall length in excess of sixty (60) feet or any combination of vehicles containing any vehicle which has a length in excess of thirty-five (35) feet: *Provided*, This length limitation shall not apply until January 1, 1939, to any vehicles or combination of vehicles in excess of such lengths without load and licensed in this state and lawfully operating upon the public highways of this state at the time of the taking effect of this act. Said length limitation shall not apply to vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties and when operated under special permit, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

Overall
length
limitation.

The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three (3) feet beyond the front wheels of such vehicle, or the front bumper, if equipped with front bumper.

No vehicle shall be operated upon the public highways of this state with a load extending beyond the rear of the vehicle a distance in excess of fifteen (15) feet.

Weight and
load limit.

SEC. 50. (a) It shall be unlawful to operate any vehicle upon the public highways of this state, supported upon two (2) axles or less, with a gross weight, including load, in excess of twenty-four thousand (24,000) pounds, or with a gross weight upon any one (1) axle thereof in excess of eighteen thousand (18,000) pounds.

It shall be unlawful to operate any vehicle upon the public highways of this state, supported upon three (3) axles or more, with a gross weight, including load, in excess of thirty-four thousand (34,000) pounds, or with a gross weight upon any one (1) axle thereof in excess of fourteen thousand (14,000) pounds.

It shall be unlawful to operate any one (1) axle semi-trailer upon the public highways of this state, with a gross weight, including load, upon such one (1) axle in excess of eighteen thousand (18,000) pounds.

It shall be unlawful to operate any two (2) axle semi-trailer upon the public highways of this state, with a gross weight, including load, upon such two (2) axles in excess of twenty-six thousand (26,000) pounds, or with a gross weight upon any one of such axles in excess of fourteen thousand (14,000) pounds;

(b) Subject to the maximum axle and gross weights specified in subsection (a) above, it shall be unlawful to operate any vehicle or combination of vehicles with a gross weight, including load, in excess of that determined by the total area in square inches of brake lining capable of effective contact with the brake drum or drums of such vehicles or combination of vehicles multiplied by sixty (60)

pounds: *Provided*, Where, under the provisions of this act, vehicles are permitted to be operated upon the public highways of this state with service brakes on one axle only, the maximum gross weight, including load, as determined by this subsection, shall be determined by the total area in square inches of brake lining capable of effective contact with the brake drum or drums of such vehicle or combination of vehicles multiplied by one hundred (100) pounds: *Provided, further*, The provisions of this subsection shall apply only to the foot or service brakes of any such vehicle or combinations of vehicles;

(c) Subject to the maximum gross weights specified in subsection (a) above, it shall be unlawful to operate any vehicle upon the public highways of this state with a gross weight, including load, upon any tire concentrated upon the surface of the highway in excess of five hundred (500) pounds per inch width of such tire. For the purposes of this subsection, the width of tire in case of solid rubber or hollow center cushion rubber tires, so long as the use thereof may be permitted by the law, shall be measured between the flanges of the rim. For the purpose of this subsection, the width of tires in case of pneumatic tires shall be the cross section diameter measured from the inside of the walls at the widest point when inflated to the recommended inflation point and without load thereon;

(d) Subject to the maximum axle and gross weight specified in subsection (a) above, it shall be unlawful to operate any motor vehicle or combination of vehicles with a gross weight, including load, in excess of that determined by the following formula: Total gross weight, including load, in pounds equal $750 (L+40)$ in which L represents the overall distance in feet between the first axle and the last axle of such vehicle or combination of vehicles.

Penalty for violation.

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon first conviction thereof shall be fined not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00); upon second conviction thereof shall be fined not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00), and in addition thereto the court may suspend the certificate of license registration of the vehicle, or combination of vehicles last involved, for a period of time not to exceed thirty (30) days; upon a third or subsequent conviction shall be fined not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00) and the court shall, in addition thereto, suspend the certificate of license registration of the vehicle, or combination of vehicles last involved, for not less than thirty (30) days: *Provided*, Whenever certificate of license registration is suspended under the provisions of this section the judge shall secure such certificate and immediately forward the same to the director of licenses with information concerning the suspension thereof.

Lawful weight of motor trucks and loads.

SEC. 51. It shall be unlawful to operate any motor truck upon the public highways of this state, supported upon two (2) axles and having a gross weight, including load, in excess of twelve thousand (12,000) pounds, singly or in combination with a semi-trailer, with a wheelbase between the first and second axles thereof of less than eight (8) feet.

It shall be unlawful to operate any motor truck upon the public highways of this state, supported upon three (3) axles or more, having a gross weight, including load, in excess of twelve thousand (12,000) pounds, singly or in combination with a semi-trailer, with a wheelbase between the first and second axles thereof of less than eight (8) feet or a wheelbase between the second and third axles thereof of less than three (3) feet, six (6) inches.

It shall be unlawful to operate any motor truck upon the public highways of this state, supported upon two (2) axles and having a gross weight, including load, in excess of twelve thousand (12,000) pounds, in combination with a trailer, with a wheelbase between the first and second axles thereof of less than ten (10) feet.

It shall be unlawful to operate any motor truck upon the public highways of this state, supported upon three (3) axles or more, having a gross weight, including load, in excess of twelve thousand (12,000) pounds, in combination with a trailer, with a wheelbase between the first and second axles thereof of less than ten (10) feet or a wheelbase between the second and third axles thereof of less than three (3) feet, six (6) inches.

It shall be unlawful to operate any combination of vehicles consisting of a motor truck and semi-trailer upon the public highways of this state with a gross weight upon such semi-trailer in excess of twelve thousand (12,000) pounds with a wheelbase between the last axle of the motor truck and the first axle of the semi-trailer of less than twelve (12) feet.

Combination
of vehicles.

It shall be unlawful to operate any trailer upon the public highways of this state, supported upon two (2) axles and having a gross weight, including load, in excess of twelve thousand (12,000) pounds with a wheelbase between the first and second axles thereof of less than twelve (12) feet.

Trailer.

It shall be unlawful to operate any trailer upon the public highways of this state, supported upon three (3) axles or more, having a gross weight, including load, in excess of twelve thousand (12,000) pounds with a wheelbase between the first and second axles thereof of less than twelve (12) feet or a wheelbase between the second and third axles thereof of less than three (3) feet, six (6) inches.

It shall be unlawful to operate any combination of vehicles, consisting of a motor vehicle and trailer, with a combined gross weight in excess of ten thousand (10,000) pounds, with a wheelbase between the last axle of the motor vehicle and the first axle of the trailer of less than ten (10) feet.

For the purposes of this section, wheelbase shall be measured upon a straight line from center to center of the vehicle axles designated.

Passenger
type vehicles,
loads carried
on fenders.

SEC. 52. No passenger type vehicle shall be operated on any public highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six (6) inches beyond the line of the fenders on the right side thereof.

Draw bar or
connection
between
vehicles in
combination.

SEC. 53. The draw bar or other connection between vehicles in combination shall be of sufficient strength to hold the weight of the towed vehicle on any grade where operated. No trailer shall whip, weave or oscillate or fail to follow substantially in the course of the towing vehicle. When a disabled vehicle is being towed by means of bar, chain, rope, cable or similar means and the distance between the towed vehicle and the towing vehicle exceeds fifteen (15) feet there shall be fastened on such connection in approximately the center thereof a white flag or cloth not less than twelve (12) inches square.

Towing of
disabled
vehicle.

Local author-
ities may
restrict use
of highways.

SEC. 54. Local authorities with respect to public highways under their jurisdiction may prohibit the operation thereon of motor trucks or other vehicles or may impose limits as to the weight thereof, or any other restrictions as may be deemed necessary, whenever any such public highway by reason of rain, snow, climatic or other conditions, will be seriously damaged or destroyed unless the operation of vehicles thereon be prohibited or restricted or the permissible weights thereof reduced: *Provided*, The

governing authorities of incorporated cities and towns shall not prohibit the use of any city street designated by the director of highways as forming a part of the route of any primary state highway through any such incorporated city or town by vehicles or any class of vehicles or impose any restrictions or reductions in permissible weights unless such restriction, limitation, or prohibition, or reduction in permissible weights be first approved in writing by the director of highways.

The local authorities imposing any such restrictions or limitations, or prohibiting any use or reducing the permissible weights shall do so by proper ordinance or resolution and shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution in each end of the portion of any public highway affected thereby, and no such ordinance or resolution shall be effective unless and until such signs are erected and maintained.

The director of highways shall likewise have authority as hereinabove granted to local authorities to determine by resolution and to impose restrictions upon any basis as to the weight of vehicles or class of vehicles operated upon any primary state highway and such restrictions and limitations shall be effective when signs giving notice thereof are erected upon the primary state highway or at the limits of the portion thereof affected by such resolution.

Director may restrict use of highways.

SEC. 55. The director of highways with respect to primary state highways and local authorities with respect to public highways under their jurisdiction may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight of vehicle or load exceeding the maxi-

Permit for excess size and weight.

imum specified in this act, or otherwise not in conformity with the provisions of this act upon any public highway under the jurisdiction of the authority granting such permit and for the maintenance of which said authority is responsible.

In any instance where the vehicle is of a heavy duty type or carries an excessive load, such permit may be granted: *Provided*, Such vehicle is licensed for the maximum gross weight allowed by law.

The application for any such permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular public highways for which permit to operate is requested, and whether such permit is requested for a single trip or for continuous operation.

The director of highways or local authority is authorized to issue or withhold such permit at his or its discretion; or, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicles described may be operated on the public highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against undue damage to the road foundations, surfaces or structures or safety of traffic, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any peace officer or authorized agent of any authority granting such permit, and no person shall violate any of the terms, conditions or restrictions of such special permit.

SEC. 56. Any peace officer is authorized to require the operator of any vehicle or combination of vehicles to stop and submit to a weighing of the same either by means of a portable or stationary scale and

Officers may weigh vehicles.

may require that such vehicle be driven to the nearest public scale.

Whenever a peace officer, upon weighing a vehicle and load, as above provided, determines that the weight is unlawful, such officer may, in addition to any other penalty provided, require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this act. All materials unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

It shall be unlawful for any operator of a vehicle to fail or refuse to stop and submit the vehicle and load to a weighing, or to fail or refuse, when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section.

SEC. 57. Any person operating any vehicle or moving any object or conveyance upon any public highway in this state or upon any bridge or elevated structure which is a part of any such public highway shall be liable for all damages which said public highway, bridge or elevated structure may sustain as a result of any illegal operation of such vehicle or the moving of any such object or conveyance or as a result of the operation or moving of any vehicle, object or conveyance weighing in excess of the legal weight limits allowed by law. This section shall apply to any person operating any vehicle or moving any object or contrivance in any illegal or negligent manner or without a special permit as by law provided for vehicles, objects or contrivances of overweight, overwidth, overheight or overlength. Any person operating any vehicle shall be liable for any damage to any public highway, bridge or elevated structure sustained as the result of any negligent

Liability
for damage
to bridges.

operation thereof. When such operator is not the owner of such vehicle, object or contrivance but is so operating or moving the same with the express or implied permission of the owner thereof, then said owner and the operator shall be jointly and severally liable for any such damage. Such damage to any primary state highway or structure may be recovered in a civil action instituted in the name of the State of Washington by the director of highways. Any measure of damage to any public highway determined by the director of highways by reason of this section shall be *prima facie* the amount of damage caused thereby and shall be presumed to be the amount recoverable in any civil action therefor.

CHAPTER VII. EXPLOSIVES AND INFLAMMABLES.

SEC. 58. Any motor vehicle used for the transportation of explosives must be marked or placarded on both sides and the front and rear with the word "*Explosives*" in bold red letters not less than six inches (6") high upon a white background: *Provided*, That this section shall not apply to any motor vehicle used occasionally for personal delivery by the owner thereof for private use.

Vehicle transporting explosives must be placarded.

Restrictions.

SEC. 59. Explosives shall not be transported in any trailer or semi-trailer, nor shall any trailer or semi-trailer be attached to a motor vehicle transporting explosives. No metal, metal tools, carbides, oils, matches, firearms, caps, inflammable liquids, acids, oxidizing or corrosive compounds shall be carried on the bed of any motor vehicle transporting explosives. The floor of any such motor vehicle shall be tight to prevent any sifting through and the inside of the body shall be free from any exposed metal likely to come in contact with the explosives. The body shall be so constructed and explosives so loaded as to insure against any explosives falling or otherwise escaping from the vehicle. No vehicle

transporting explosives shall be loaded in excess of the manufacturer's rated carrying capacity thereof. No explosives shall be carried in any open body unless the same is completely covered with a tarpaulin or other equally protective material. No vehicle transporting explosives shall carry flares or other flame producing illuminators to be used in case of emergency as required by law but shall carry in lieu thereof not less than three electric lamps, each capable of producing red light for a continuous period of not less than twelve (12) hours. The gasoline service tank of any vehicle used in the transportation of explosives shall not be filled while such vehicle is loaded with explosives, except in cases of absolute necessity and then in no case when the motor is running and shall then not be filled unless some electric conductor is provided between the gasoline service tank and the ground.

SEC. 60. Any motor vehicle used primarily for the transportation of inflammable liquids must be marked or placarded on both sides and the front and rear with the word "*Inflammable*" or the word "*Gasoline*" in bold letters not less than six inches (6") high upon a contrasting background: *Provided*, That this section shall not apply to any motor vehicle used occasionally for personal delivery by the owner thereof for private use.

Vehicle transporting inflammable liquids must be placarded.

SEC. 61. No vehicle transporting inflammable liquids shall be operated unless equipped with a chain or other electric conductor capable of frequent contact between the inflammable liquid transportation tank and the ground, which conductor shall be approved by the state commission on equipment. The gasoline service tank of any vehicle transporting inflammable liquids shall in no case be filled when the motor is running and shall never be filled unless some electric conductor is provided between the gasoline service tank and the ground.

Restrictions.

Storage in public garages prohibited.

Transporting of passengers or commodities unauthorized.

Loading or unloading explosives or inflammable liquids.

SEC. 62. Motor vehicles transporting explosives or inflammable liquids shall not be placed in a public garage for storage. Vehicles primarily used or designed to be used for transporting explosives or inflammable liquids shall not at the same time transport any other goods or commodities for hire. It shall be unlawful to transport any unauthorized persons or any passengers for hire upon any vehicles while transporting explosives or inflammable liquids. No vehicle transporting explosives or inflammable liquids shall be loaded or unloaded while the motor is running or the ignition switch is on except where the operation of the motor is necessary to provide power for the discharge and unloading of inflammable liquids but in no event shall the hose connection used for the discharging or unloading of inflammable liquids be made or broken while the motor is running or the ignition switch is on.

Requirements.

SEC. 63. The chassis, engine, pan and body of all vehicles transporting explosives or inflammable liquids shall be kept clean and free from unnecessary oil and grease and all wiring shall be completely insulated and firmly secured. Any motor vehicle transporting explosives and any motor vehicle, either singly or in combination, when transporting inflammable liquids, shall be equipped with at least one fire extinguisher of a type and capacity approved by the state commission on equipment, filled and maintained in good working order at all times and located at a conveniently accessible place upon any such motor vehicle. It shall be unlawful to carry any matches or similar flame producing device upon any vehicle transporting explosives or inflammable liquids. It shall be unlawful for the operator of any vehicle transporting explosives or inflammable liquids to smoke while in, upon or in proximity to such vehicle.

CHAPTER VIII. SPEED.

SEC. 64. (1) Every person operating or driving a vehicle of any character upon the public highways of this state shall operate the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of the traffic, weight of vehicle, grade and width of highway, condition of surface and freedom of obstruction to view ahead and consistent with any and all conditions existing at the point of operation so as not to unduly or unreasonably endanger the life, limb, property or other rights of any person entitled to the use of such public highways;

Lawful speed, care and prudent driving.

(2) Subject to the provisions of subsection (1) of this section and except in those instances where a lower maximum lawful speed is provided by this act or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

(a) Twenty-five (25) miles per hour within the limits of incorporated cities and towns;

(b) Twenty (20) miles per hour in traversing any intersection of public highways within incorporated cities and towns where the operator's view is obstructed: *Provided*, Except as otherwise provided in this section, this provision shall not apply to operators upon arterial highways. An operator's view shall be deemed to be obstructed when at any time during the last 100 feet of his approach to an intersection he does not have a clear and uninterrupted view of such intersection, and of all public highways entering such intersection for a distance of 100 feet along the center line of each thereof;

(c) Twenty (20) miles per hour in traveling upon an arterial highway in any incorporated city or

town and traversing an intersection with another public highway not an arterial highway, and the operator of another vehicle about to enter the intersection of such arterial highway thereat, shall have brought his vehicle to a complete stop as required by law before entering such arterial highway;

(d) Twenty (20) miles per hour while traveling upon any public highway of any incorporated city or town and proceeding through any business district, when such business district is so sign posted at the extremities thereof;

(e) Thirty-five (35) miles per hour in traversing any intersection of public highways outside of any incorporated cities and towns where the operator's view is obstructed: *Provided*, That except as otherwise provided this provision shall not apply to operators upon arterial highways outside of incorporated cities and towns. An operator's view shall be deemed to be obstructed when at any time during the last 100 feet of his approach to an intersection he does not have a clear and unobstructed view of such intersection and of all public highways entering such intersection for a distance of one hundred (100) feet along the center line of each thereof;

(f) Thirty-five (35) miles per hour in traveling upon an arterial highway outside of incorporated cities and towns and traversing an intersection with another public highway not an arterial highway and the operator of another vehicle about to enter such arterial highway thereat shall have brought his vehicle to a complete stop, as required by law, before entering such arterial highway;

(g) Thirty-five (35) miles per hour while traveling upon any highway outside of any incorporated city or town and proceeding through any business or residence district, when so sign posted at the extremities thereof;

(h) Twenty (20) miles per hour when operating any vehicle upon a public highway of this state

inside incorporated cities and towns when passing any schoolhouse on school days, or school or public playground between the hours of 8:00 a. m. and 5:00 p. m., or when crossing any marked school crossing during such hours;

(i) Twenty (20) miles per hour when operating any vehicle upon a public highway of this state outside incorporated cities and towns when passing any schoolhouse on school days, or school or public playground between the hours of 8:00 a. m. and 5:00 p. m., or when crossing any marked school crossing during such hours;

(j) Fifty (50) miles per hour under all other circumstances.

Compliance with such speeds under the circumstances hereinabove set forth shall not relieve the operator of any vehicle from the further exercise of due care and caution as further circumstances shall require.

The unlawful operation of a vehicle in excess of the maximum lawful speeds provided in this section at the point of operation and under the circumstances described shall be *prima facie* evidence of the operation of a motor vehicle in a reckless manner by the operator thereof.

All charges for the violation of any of the provisions of this section, every notice to appear, and every complaint charging the violation of this section shall specify approximately the speed at which the defendant is alleged to have operated such vehicle, the maximum lawful speed at the point of operation and the reasonable and proper rate of speed applicable under the conditions existing at the point of operation.

SEC. 65. The director of highways may regulate the speed of vehicles on any part of any primary state highway where the imposing of a lower maximum speed to be allowed is determined advisable

Director of
highways
may regulate
speed of
vehicles.

on account of sharp curvature, excessive traffic, or other permanent cause. The director of highways may regulate the speed of vehicles on any part of any primary state highway where the imposing of a lower maximum speed to be allowed is determined advisable on account of highway or road construction or repairs, condition of said highway or road, excessive traffic or other temporary cause. The director of highways shall cause to be posted at either end of any portion of any primary state highway where the speed is regulated, signs of sufficient size to be easily read, setting forth the maximum speed allowed and stating by whose order said regulation is made and thereafter it shall be unlawful for any person to violate any such order, rule or regulation.

Regulation
of speed by
cities.

SEC. 66. No governing body or authorities of any city or town or other political subdivision shall have the power to pass or enforce any ordinance, rule or regulation requiring a different rate of speed than that specified under the provisions of the law of this state at which vehicles may be operated along or over the public highways of such city or town or political subdivision or otherwise to regulate the use of public highways thereof contrary to or inconsistent with the laws of this state; and all such ordinances, rules and regulations now in force are hereby declared to be void and of no effect: *Provided*, That on any portion of any city or town street where, on account of sharp curvature, highway construction or repairs, excessive traffic, any dangerous condition, or other temporary or permanent causes, it is deemed inadvisable for vehicles to operate at a maximum speed allowed by the law of this state the governing body or authorities of such city or town or other political subdivision may adopt a lower maximum speed or otherwise regulate speed by order, rule or regulation hereafter properly adopted: *Provided, further*, That the governing body or authorities of

any city or town or other political subdivision shall be allowed to increase the maximum speed allowed upon the city street of such city or town or political subdivision: *Provided, further,* That in no case where the maximum speed allowed is reduced below that permitted by the laws of this state shall such be reduced to less than ten (10) miles per hour, and in no case where the speed is increased above the maximum speed allowed by the laws of this state shall the same be increased above thirty-five (35) miles per hour. At the time of providing for any such decreased or increased maximum speed allowed, the governing body or authorities of any such city or town or political subdivision shall cause to be posted at either end of such portion of such public highway and at such other points as is deemed advisable, signs of such size as to be easily read, setting forth the maximum speed allowed upon such public highway and thereafter it shall be unlawful for any person to violate any such order, rule or regulation. The governing body or authorities of any such city or town or political subdivision shall place and maintain upon each and every public highway intersecting with any public highway where an increased speed is permitted, as provided in this section, appropriate stop signs, sufficient to be read at any time by any person upon approaching and entering the public highway upon which such increased speed is permitted and such city street or such portion thereof as is subject to such increased speed shall be an arterial highway.

SEC. 67. No person or persons shall race any motor vehicle or motor vehicles upon any public highway of this state. Any person or persons guilty of comparing or contesting relative speeds by simultaneous operations shall be guilty of reckless driving whether or not such speed is in excess of the maximum speed prescribed by law.

Racing on
public
highways.

Unlawful advertisement of time or speed on public highways.

SEC. 68. It shall be unlawful for any manufacturer, dealer, distributor or any person, firm or corporation to publish or advertise or offer for publication or advertisement, or to consent or cause to be published or advertised, the time consumed or speed attained by a vehicle between given points or over given or designated distances upon any public highways of this state when such published or advertised time consumed or speed attained shall indicate an average rate of speed between given points or over a given or designated distance in excess of the maximum rate of speed allowed between such points or at a rate of speed which would constitute reckless driving between such points. Conviction for a violation of any of the provisions of this section shall be *prima facie* evidence of reckless driving and shall subject such person, firm, or corporation to the penalties in such cases provided.

Minimum speed regulation.

SEC. 69. It shall be unlawful for any person to operate a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic at the point of operation thereof, except when a reduced speed is necessary for safe operation or in compliance with any law, rule or regulation. Peace officers are hereby authorized to enforce this section by directions to vehicle operators, and it shall be unlawful for any person to operate in wilful disobedience to the provisions of this section or refuse to comply with the directions of any peace officer relating thereto. Where any slow moving vehicle tends to congest traffic any peace officer may cause such vehicle to be removed from roadway and permit the congested traffic to be relieved.

Special speed and weight limitation on bridges or through tunnels.

SEC. 70. It shall be unlawful for any person to operate a vehicle or any combination of vehicles over any bridge or other elevated structure or through any tunnel or underpass constituting a part of any public highway at a rate of speed or with a gross

weight or of a size which is greater at any time than the maximum speed or maximum weight or size which can be maintained or carried with safety over any such bridge or structure or through any such tunnel or underpass when such bridge, structure, tunnel or underpass is sign posted as hereinafter provided. The director of highways, if it be a bridge, structure, tunnel or underpass upon a primary state highway, or the governing body or authorities of any county, city or town, if it be upon roads or streets under their jurisdiction, may restrict the speed which may be maintained or the gross weight or size which may be operated upon or over any such bridge or elevated structure or through any such tunnel or underpass with safety thereto. The director of highways or the governing body or authorities of any county, city or town having jurisdiction shall determine and declare the maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel or underpass can withstand or accommodate and shall cause suitable signs stating such maximum speed or maximum gross weight, or size, or either, to be erected and maintained on the right-hand side of such highway, road or street and at a distance of not less than one hundred (100) feet from each end of such bridge, structure, tunnel or underpass and on the approach thereto: *Provided*, In the event that any such bridge, elevated structure, tunnel or underpass is upon a city street designated by the director of highways as forming a part of the route of any primary state highway through any such incorporated city or town the determination of any maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel or underpass can withstand or accommodate shall not be enforceable at any speed, weight or size less than the maximum allowed by law, unless with the approval in writing of the director of highways. Upon the trial of any person charged with a violation of

this section, proof of either violation of maximum speed or maximum weight, or size, or either, and the distance and location of such signs as are required, shall constitute conclusive evidence of the maximum speed or maximum weight, or size, or either, which can be maintained or carried with safety over such bridge or elevated structure or through such tunnel or underpass.

Speed limit
for motor
trucks.

SEC. 71. It shall be unlawful to operate motor trucks having a gross weight, including load, exceeding ten thousand (10,000) pounds equipped with pneumatic rubber tires over or along any public highways of this state at a greater rate of speed than thirty-five (35) miles per hour. This section shall not be construed to increase the maximum speed allowed in any instance where a lower speed has been prescribed by law or competent authority.

Combination
of vehicles,
maximum
speed.

SEC. 72. It shall be unlawful for any person to operate any combination of vehicles upon the public highways of this state at a rate of speed in excess of thirty-five (35) miles per hour. This section shall not be construed to increase the maximum speed allowed in any instance where a lower speed has been prescribed by law or competent authority.

Tire equip-
ment re-
quirements.

SEC. 73. It shall be unlawful to operate any vehicle equipped or partly equipped with solid rubber tires or hollow center cushion tires, or to operate any combination of vehicles any part of which is equipped or partly equipped with solid rubber tires or hollow center cushion tires, so long as solid rubber tires or hollow center cushion tires may be used under the provisions of this act, upon any public highway of this state at a greater rate of speed than twenty (20) miles per hour. This section shall not be construed to increase the maximum speed allowed in any instance where a lower speed has been prescribed by law or competent authority.

SEC. 74. No evidence as to the speed of any vehicle operated upon a public highway by any person arrested for violation of any of the laws of this state regarding speed or of any orders, rules or regulations of any city or town or other political subdivision relating thereto shall be admitted in evidence in any court at a subsequent trial of such person in case such evidence relates to or is based upon the maintenance or use of a speed trap. A "speed trap," within the meaning of this section, is a particular section of or distance on any public highway, the length of which has been or is measured off or otherwise designated or determined, and the limits of which are within the vision of any officer or officers who calculate the speed of a vehicle passing through such speed trap by using the lapsed time during which such vehicle travels between the entrance and exit of such speed trap: *Provided, however,* Evidence shall be admissible against any person arrested for violation of any of the laws of this state or of any orders, rules or regulations of any city or town or other political subdivision regarding speed if the same is determined by a particular section of or distance on a public highway, the length of which has been accurately measured off or otherwise designated or determined and the limits of which are controlled by a mechanical, electrical or other device capable of measuring or recording the speed of a vehicle passing within such limits within an error of not to exceed five per cent (5%) using the lapsed time during which such vehicle travels between such limits: *Provided,* Such limits shall not be closer than one-fourth ($\frac{1}{4}$) mile. Speed trap.

CHAPTER IX. RULES OF THE ROAD.

SEC. 75. Whenever any person is operating any vehicle upon any public highway of this state he shall at all times drive the same to the right of the center of such highway except when in the exercise Drive on right side of highway.

of care in the overtaking and passing of another vehicle traveling in the same direction, or where an obstruction exists it is necessary to drive to the left of the center of such highway, providing the same is done with due care and right of way is extended to vehicles traveling in the proper direction upon the unobstructed portion of the public highway.

Approaching
vehicles.

SEC. 76. Whenever any person operating any vehicle upon any public highway of this state shall meet or approach a vehicle traveling in the opposite direction, such person shall seasonably turn and drive such vehicle as far to the right of the center of such highway as is practicable. Whenever any person operating any vehicle upon any public highway of this state during hours of darkness shall approach a vehicle traveling in the opposite direction within a distance of five hundred (500) feet, such operator shall cause the high intensity beam of the headlamps upon the vehicle he is operating to be depressed to the lower elevation as provided by law, or in the event that such vehicle is not required under the provisions of this act to be provided with a lower elevation of light, then, under the circumstances herein set out, the high intensity beam of the headlamps upon such vehicle shall be dimmed in lieu of being depressed to a lower elevation.

Overtaking
a vehicle.

SEC. 77. Any person driving a vehicle upon any public highway of this state and overtaking another vehicle proceeding in the same direction shall pass to the left of such overtaken vehicle: *Provided*, That it shall be unlawful for any person to pass any vehicle overtaken unless he shall have a clear and unobstructed view ahead for a distance sufficient for safe passing, all factors considered. Any person driving a vehicle upon any public highway and being overtaken by any vehicle proceeding in the same direction shall keep to the extreme right-hand side of such public highway and shall not accelerate his

speed until the overtaking vehicle shall have resumed a driving position and speed ahead of him. The overtaking vehicle shall drive clear of the overtaken vehicle and shall continue its overtaking speed until it has passed the overtaken vehicle and shall have resumed its driving position to the right of such public highway. No person driving any vehicle upon any public highway outside incorporated cities and towns and overtaking another vehicle proceeding in the same direction shall overtake such vehicle or drive within a distance of less than fifty (50) feet of such overtaken vehicle for such purpose without first signaling his intention to pass by use of horn or other sounding device.

Sounding
of horn.

SEC. 78. The operator of a vehicle may overtake and pass another vehicle proceeding in the same direction, on the right-hand side of such overtaken vehicle, when such overtaken vehicle is making or the operator thereof has signaled intention to make a left-hand turn: *Provided*, Such passing to the right may be done safely in the exercise of due caution and upon the proper driving portion of the roadway.

Overtaking
and passing
on right
hand side,
when.

SEC. 79. It shall be unlawful for any person operating any vehicle upon any public highway outside incorporated cities and towns to overtake and pass another vehicle proceeding in the same direction upon any curve when the view of the operator of such overtaking vehicle is obstructed or obscured within a distance of eight hundred (800) feet along such highway in the direction in which he is proceeding. It shall be unlawful for any person operating any vehicle upon any public highway outside incorporated cities and towns to overtake and pass another vehicle proceeding in the same direction while approaching the crest of any grade where there is not a clear view of such highway ahead within a distance of eight hundred (800) feet along such highway. It shall be unlawful for any person

Passing on
curves.

operating a vehicle upon any public highway outside incorporated cities and towns to overtake and pass another vehicle upon any highway structure, tunnel or underpass or within five hundred (500) feet of the approach thereto. It shall be unlawful for any person operating a vehicle upon any public highway outside of incorporated cities and towns to overtake and pass another vehicle upon a highway-railroad grade crossing or within two hundred (200) feet on the approach thereto. Between the points hereinbefore designated, vehicles shall remain to the extreme right-hand side of the driving portion of the roadway of such public highway. The provisions of this section shall not apply to the overtaking and passing of vehicles upon the proper driving portions of any multiple lane highway. The director of highways may, when he deems it necessary for safe vehicle operation or for the enforcement of this section, measure off and mark upon any primary state highway the designated points between which vehicles may not overtake and pass as above provided, which marking shall be by sign to the right of the entrance into such section and by not less than one continuous line upon such primary state highway six (6) inches in width and painted at right angles to the center line of said primary state highway, and traffic lines adjacent to and of contrasting color to traffic line or lines within the portion of the highway in which such passing is prohibited.

Roadway
laned for
traffic.

SEC. 80. Whenever a roadway has been divided into three or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(a) Every vehicle shall be operated as nearly as practical entirely within a single lane and shall not be moved from such lane until the operator thereof has first ascertained that such movement can be made with safety;

(b) Upon a roadway which is divided into three lanes, a vehicle shall not be operated in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a distance as by law provided, or in preparation of a left turn or when such center lane is at the time allocated exclusively to traffic moving in the direction in which such vehicle is proceeding and is sign posted to give notice of such allocation;

(c) Official signs may be erected directing slow moving or any particular class of traffic to be operated in a designated lane or allocating specific lanes to traffic moving in the same direction, and it shall be unlawful for any person operating a vehicle upon the public highways of this state to disobey the directions of any such sign or signs.

SEC. 81. It shall be unlawful for the operator of any motor vehicle to follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of any such public highway. It shall be unlawful for the operator of any motor truck or any combination of vehicles operating upon any primary state highway to follow within two hundred (200) feet of another motor truck or combination of vehicles: *Provided*, This provision shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for the use of motor trucks or combination of vehicles. This section shall not apply to any convoy of vehicles in the military service of the United States or of this state.

Following too closely.

SEC. 82. The operator of a vehicle shall not overtake and pass upon the left or operate upon the left side of any street car proceeding in the same direction whether such street car is actually in motion or temporarily at rest, except:

Overtaking and passing street cars.

- (a) When so directed by a peace officer;
- (b) When upon a one-way street; or
- (c) When upon a street where the tracks are so located as to prevent compliance with this section.

The operator of any vehicle, when permitted to overtake and pass upon the left of a street car which has stopped for the purpose of receiving or discharging any passenger or passengers, shall reduce speed and may proceed only upon exercising due caution for pedestrians and shall accord pedestrians the right of way as required by other law of this state.

Passing
passenger
carriers dis-
charging
passengers.

SEC. 83. No person operating a vehicle when overtaking any streetcar, interurban, bus or other passenger carrier that has stopped at any point for the receiving or discharging of passengers shall pass or proceed to the right of such streetcar, interurban, bus or other passenger carrier unless and until all awaiting passengers have been received or all alighting passengers have been discharged and have had an opportunity to proceed beyond the limits of the roadway or are within the limits of any pedestrian safety zone and not attempting to proceed therefrom.

Right turn.

SEC. 84. Any person driving any motor vehicle upon any public highway in this state and desiring to make a turn to the right shall seasonably and prudently drive such vehicle as close as is practicable to the extreme right-hand edge of said roadway a reasonable distance before the point of making such turn. Any person driving any vehicle upon any public highway of this state and desiring to make a left-hand turn at any intersection shall seasonably and prudently drive such vehicle to the extreme left-hand side of that portion of the roadway lying to the right of the center of such public highway a reasonable distance before making such left-hand turn. It shall be unlawful for any person to make or attempt to make any right-hand or left-hand turn un-

Left turn.

til he shall have attained the proper relative driving position as aforesaid.

SEC. 85. It shall be the duty of every person operating a vehicle upon any public highway and intending to turn from a standstill or while in motion intending to turn or stop, to give a timely signal from the left-hand side of such vehicle indicating the direction in which he intends to turn or that he intends to stop, as follows: If he intends to turn to the left he shall extend his arm in a horizontal position from the left side of such vehicle continuously for a reasonable length of time; if he intends to turn to the right he shall extend his arm from the left side of the vehicle with his forearm raised vertically continuously for a reasonable length of time; if he intends to stop he shall extend his arm from the left side of such vehicle with his forearm lowered vertically continuously for a reasonable length of time. For the purpose of this section, a reasonable length of time shall be that time required to traverse a distance in feet equal to five times the maximum speed in miles per hour allowed by law during the approach to the point of turning or stopping.

Signals on
starting
stopping and
turning.

The foregoing signals and no others for turning shall be given by any person operating a vehicle and intending to change his driving position either to the left or to the right upon the proper driving portion of any public highway: *Provided*, Mechanical devices capable of producing signals substantially in the manner prescribed for arm signals shall be permitted when and if approved by the state commission on equipment. All vehicles operated on the public highways of this state constructed or encumbered either permanently or temporarily so that arm signals are not clearly visible to the rear of such vehicle shall be equipped with suitable mechanical devices capable of displaying such signals. All arm or mechanical signals herein provided for shall be

clearly visible and sufficiently definite in their execution to be seen and unmistakably understood at a distance of not less than two hundred feet to the rear of such vehicle.

Intersection
center
markers.

SEC. 86. Upon turning to the left at any intersection it shall be unlawful for the operator of a vehicle to make such turn to the left unless all wheels of the vehicle shall pass to the right of the center of such intersection: *Providing*, Intersection center marker has been installed therein. In the event that intersection entrance markers are installed at an intersection an operator shall be permitted to make a turn to the left without regard to the center of such intersection: *Providing*, All wheels of the vehicle shall pass to the right of the intersection entrance markers located on the public highways from which such vehicle is entering and leaving such intersection and both such intersection entrance markers are within the arc circumscribed by such left turn. In the event no intersection center marker or intersection entrance markers are installed at an intersection, left turn may be made as though intersection entrance markers are installed, as above set forth, and such turn made with reference to the points at such intersection where such intersection entrance markers would properly be located.

Turning
around pro-
hibited on
curve or
crest of
grade.

SEC. 87. It shall be unlawful for any person operating any vehicle upon the public highways of this state outside of incorporated cities and towns to turn so as to proceed in an opposite direction upon any curve or upon the approach to, or near the crest of, any grade where such vehicle cannot be seen by the operator of any other vehicle approaching the point of turning from either direction for a distance of one thousand (1000) feet. It shall be unlawful for any person operating any vehicle upon any public highways of this state within incorporated cities and towns to turn the same so as to proceed in an oppo-

site direction at any other point than street intersection or street end.

SEC. 88. It shall be the duty of every operator of any vehicle on approaching public highway intersections to look out for and give right of way to vehicles on their right, simultaneously approaching a given point within the intersection, and whether such vehicle first enter and reach the intersection or not: *Provided*, This section shall not apply to operators on arterial public highways.

Right of way between vehicles.

SEC. 89. It shall be the duty of any operator of any vehicle upon entering an intersection and having signalled his intention as required by law to turn such vehicle to the left to look out for and give right of way to vehicles approaching in the opposite direction and thereby placed on his right, simultaneously approaching the given point within the intersection, whether such vehicle first enter and reach the intersection or not: *Provided*, This section shall not apply to a vehicle making such a left turn when having entered and turning to proceed upon an arterial highway.

Vehicle turning left at intersection.

SEC. 90. The operator of any vehicle shall stop as required by law at the entrance to any intersection with any arterial public highway, and having stopped shall look out for and give right of way to any vehicles upon such arterial highway simultaneously approaching a given point within the intersection, whether or not such vehicle first reach and enter the intersection.

Arterial stop, exception to right of way.

SEC. 91. It shall be the duty of every operator of a vehicle while backing such vehicle to look out for and yield the right of way to all other vehicles upon the public highway.

Backing vehicles.

SEC. 92. It shall be unlawful for the operator of a vehicle to emerge from any alley, driveway, building exit, private way or private property or from off

Stop before emerging from private driveway.

the roadway of any public highway, onto the roadway of any public highway or across a sidewalk or into the sidewalk area extending across any such alley, driveway, building exit, private way or private property without bringing such vehicle to a full stop and yielding the right of way to all pedestrians upon such sidewalk and all vehicles upon such public highway.

Approach of
authorized
emergency
vehicles.

SEC. 93. Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the public highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a peace officer. Upon the immediate approach of an authorized emergency vehicle, street cars shall be stopped unless otherwise directed by a peace officer. When the operator of any vehicle is complying with the provisions of this section, he shall give proper hand signal indicating his intended movement.

Following
fire
apparatus.

SEC. 94. It shall be unlawful for the operator of any vehicle, other than an authorized emergency vehicle on official business, to follow any fire apparatus proceeding in response to a fire alarm at a distance of less than five hundred (500) feet or drive or park such vehicle within two hundred (200) feet of fire apparatus stopped in answer to fire alarm.

Driving
across fire
hose.

SEC. 95. It shall be unlawful for the operator of any vehicle or street car to operate over any unprotected hose of a fire department when laid down on any public highway or any private road, street, way or alley.

SEC. 96. It shall be unlawful to operate or drive any vehicle or combination of vehicles over or along

any pavement or gravel or crushed rock surface on a public highway with one wheel or all of the wheels off the roadway thereof, except for the purpose of stopping off such roadway, or having stopped thereat, for proceeding back onto the pavement, gravel or crushed rock surface thereof.

Operating
vehicle
with wheels
off roadway.

SEC. 97. No vehicle shall at any time be driven through or within any pedestrian safety zone which has been distinctly marked by signs, buttons, lines, standards or in any other manner.

Driving
through
safety
zones.

SEC. 98. Whenever, at any point, traffic is controlled by traffic control signals exhibiting the words "Go," "Caution," or "Stop" or exhibiting different colored lights, the following words or colors only shall be used and shall indicate as follows:

Traffic con-
trol signal
legend.

Green or the word "Go," under which circumstances vehicles facing such signal may proceed through the section of traffic control or turn right or left unless a sign at such point indicates such turns to be prohibited. Upon such signal exhibiting green or the word "Go" vehicles shall yield the right of way to other vehicles and to pedestrians lawfully in the intersection controlled area immediately prior to the time such signal is exhibited and shall permit them to proceed from the controlled area. It shall be unlawful for any pedestrian to enter or cross the roadway in that portion of the controlled area through which vehicles are directed to proceed by such exhibited green light or such word "Go";

Red or the word "Stop," under which circumstances vehicles facing the signal shall stop before entering the nearest vehicle or pedestrian allocated portion of the controlled area or such other point as may be indicated by a clearly visible line or other marker and shall remain standing as long as such traffic control signal shall exhibit red or the word "Stop";

Pedestrians may cross the roadway within any marked or unmarked crosswalk within that portion of the controlled area at the entrance to which vehicles are directed to stop and remain standing by the exhibited red light or word "Stop";

Red or with word "Stop" and green directional arrow under which circumstances traffic facing the signal shall stop before entering the nearest pedestrian or vehicle allocated portion of the controlled area or such other point as may be indicated by clearly visible line or other marker and then may proceed for the purpose only of making the movement indicated by the directional arrow and then only with the exercise of due caution and if the same can be done without interfering with other traffic or endangering pedestrians lawfully within the controlled area;

Red intermittent flashing light under which circumstances vehicles facing such light shall come to a complete stop before entering such controlled area;

Yellow alone or with the word "Caution" or yellow intermittent flashing light with or without the word "Caution" under which control vehicles approaching shall be driven through such controlled area with extra caution. No traffic control signal or device shall be erected or maintained upon any city street designated as forming a part of the route of a primary state highway unless first approved by the director of highways.

In any traffic control signal directing traffic to alternately stop and go, the red "Stop" signal shall be located at the top of such signal and the green "Go" signal shall be located below the "Stop" signal.

**Pedestrians:
right of way.**

SEC. 99. Pedestrians shall be subject to traffic control signals at intersections and the directions of officers discharging the duty of directing traffic at intersections. Where traffic control signals are not in place or in operation, the operator of a vehicle

shall yield the right of way, slowing down or stopping, if need be, to so yield, to any pedestrian crossing the roadway within a marked crosswalk or within any unmarked crosswalk of any intersection. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at any intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. Between adjacent intersections at which traffic control signals are in operation and in business districts it shall be unlawful for pedestrians to cross the roadway. Pedestrians crossing a roadway other than at intersection crosswalks shall yield the right of way to all vehicles upon the roadway. It shall be unlawful for a pedestrian to cross a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided. Notwithstanding the provisions of this section, every operator of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding the horn when necessary and shall exercise all proper precaution upon observing any children or any confused or incapacitated person upon the roadway.

SEC. 100. It shall be unlawful for any person upon any public highway of this state to solicit by word or sign or by any other means for himself or for another or for his baggage or for the baggage of another any transportation on vehicles being operated upon such public highways. It shall be unlawful for any person operating any vehicle upon any public highway of this state to offer or give to any such person or other person aforesaid transportation upon any such solicitation. The provisions of this section shall not be construed to prevent any person upon any public highway from soliciting, or any person operating a vehicle upon such public high-

Pedestrians
soliciting
rides.

way from granting or giving transportation where an emergency actually exists, nor shall this section be construed to prevent any person from signaling or requesting transportation from a passenger carrier for the purpose of becoming a passenger thereon for hire.

Pedestrians on public highway.

SEC. 101. Pedestrians on any public highway where a sidewalk is provided shall proceed upon such sidewalk. Pedestrians on any public highway where no sidewalk is provided shall proceed on the extreme left-hand side of the roadway and upon meeting an oncoming vehicle shall step to their left and clear of the roadway.

Stop required in obedience to signal indicating approach of train.

SEC. 102. Whenever any person operating a vehicle approaching any railroad grade crossing or structure with a movable span and a clearly visible electrical, mechanical or manual signal device is in operation and gives warning of the immediate approach of any train or operation of movable span, the operator of such vehicle shall stop within 50 feet, unless vehicles ahead require a greater distance, but not less than twenty (20) feet, from such railroad or span and shall not proceed until he can do so safely. The operator of any vehicle shall stop his vehicle and remain standing and not traverse any railroad grade crossing or structure when crossing gate is lowered or when a human flagman or mechanical or electrical signal gives or continues to give a signal of the approach or passage of any train or movement of the span.

Vehicles must stop at certain railway grade crossings.

SEC. 103. The director of highways is authorized to designate any particularly dangerous highway-railroad grade crossing and to erect stop signs. It shall be unlawful for the operator of any vehicle to fail to stop before traversing any such highway-railroad grade crossing where such sign is erected. When such stop signs are erected, the operator of

any vehicle shall stop within fifty (50) feet, but not less than twenty (20) feet, unless traffic requires a greater distance, from the nearest track of such grade crossing and shall proceed only with the exercise of due care.

SEC. 104. Any person operating any vehicle carrying passengers for hire or operating any school bus or operating any vehicle in which are being transported explosive substances or inflammable liquids shall bring such vehicle to a full stop within fifty (50) [feet], but not less than twenty (20) feet, of any railroad or interurban grade crossing before proceeding across the same. Any person operating any vehicle, other than those specifically mentioned above, shall, upon approaching the intersection of any public highway with railroad or interurban grade crossing, reduce the speed of such vehicle to a rate of speed not to exceed that at which, considering view along such track in both directions, such vehicle can be brought to a complete stop not less than ten (10) feet from the nearest track in the event of an approaching train. The actual maximum speed permitted on the approach to any highway railroad grade crossing on any public highway may be controlled by signs posted on the approach to such point of intersection and it shall be the duty of the director of highways to place, as soon as is practicable, approach signs upon primary state highways, setting the maximum speed allowed at such crossing and within one hundred (100) feet on the approach thereto. No stop need be made at any such highway-railroad grade crossing where a peace officer directs traffic to proceed.

Certain vehicles must stop at all railroad grade crossings.

SEC. 105. All primary state highways are hereby declared to be arterial highways as respects all other public highways or private ways. Those city streets designated by the director of highways as forming a part of the routes of primary state highways

Arterial highways, complete stop before entering.

through incorporated cities and towns are hereby declared to be arterial highways as respects all other city streets or private ways. The operator of any vehicle entering upon any arterial highway from any other public highway or private way shall come to a complete stop before entering such arterial highway when stop signs are erected as provided by law.

Vehicles must stop at certain designated intersections and highways.

SEC. 106. In addition to the points of intersection of any public highway with any arterial public highway which is constituted by law or by any proper authorities of this state or any city or town of this state, the director of highways with respect to primary state highways, and the proper authorities with respect to any other public highways, shall have the power to determine and designate any particular intersection, or any particular highways, roads or streets or portions thereof, at any intersection with which vehicles shall be required to stop before entering such intersection; and upon the determination and designation of such points at which vehicles will be required to come to a stop before entering such intersection, the proper authorities so determining and designating shall cause to be posted and maintained proper signs of the standard design adopted by the director of highways indicating that such intersection has been so determined and designated and that vehicles entering the same are required to stop. It shall be unlawful for any person operating any vehicle when entering any intersection determined, designated and bearing the sign aforesaid, to fail and neglect to bring such vehicle to a complete stop before entering such intersection.

Stopping or parking prohibited in specified places.

SEC. 107. (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device, in any of the following places:

1. On a sidewalk or parking strip;
 2. In front of a public or private driveway or within five (5) feet of the end of the curb radius leading thereto;
 3. Within an intersection;
 4. Within fifteen (15) feet of a fire hydrant;
 5. On a crosswalk;
 6. Within twenty (20) feet of a crosswalk at an intersection;
 7. Within thirty (30) feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
 8. Between a safety zone and the adjacent curb or within twenty-five (25) feet of points on the curb immediately opposite the ends of a safety zone, unless a different distance is indicated by signs or markings;
 9. Within thirty (30) feet of the nearest rail of a railroad crossing;
 10. Within fifty (50) feet of the driveway entrance to any fire or police station or on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance when properly sign posted;
 11. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
 12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 14. At any place where official signs prohibit stopping;
- (b) No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful. Parking or standing shall be permitted in the manner provided by law at all other places except a time

limit may be imposed or parking restricted at other places, but such limitations and restrictions shall be by city or town ordinance only or resolution of the county commissioners or of the director of highways upon public highways under their respective jurisdictions.

Parking regulations.

SEC. 108. Except where angle parking is permitted by local ordinance every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right-hand wheels of such vehicles parallel to and within twelve (12) inches of the right-hand curb. Angle parking shall not be permitted upon the city or town streets designated as forming a part of the route of a primary state highway through any city or town. No person shall be granted the right, use or franchise for vehicle parking of any portion of the surface area of any public highway to the exclusion of any other like person.

Vehicles left unattended, brakes to be set and engine stopped.

SEC. 109. No person operating or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, and when standing upon a perceptible grade without effectively setting the brake thereon and turning the front wheels to the curb or side of the roadway.

Stopping or parking on highways.

SEC. 110. It shall be unlawful for any person to stop, park or leave standing any vehicle, whether attended or unattended, upon the paved, improved or main traveled portion of any public highway outside incorporated cities and towns when it is possible to stop, park, or so leave such vehicle off such paved, improved or main traveled portion of such public highway. In the event that it is not possible to leave such vehicle standing off the paved, improved or main traveled portion of such public highway at least one half of the width of such roadway shall be left clear and unobstructed for the free passage

of other vehicles and a clear view of such stopped vehicle shall be available for a distance of three hundred (300) feet in each direction upon such public highway: *Provided*, This section shall not apply to the operator of any vehicle which is disabled upon the paved or improved or main traveled portion of any public highway in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

SEC. 111. Whenever any peace officer finds a vehicle standing upon the paved, improved or main traveled portion of any public highway outside incorporated cities and towns, such officer is hereby authorized to remove such vehicle or to require the operator or other person in charge of such vehicle to remove the same off the paved, improved or main traveled portion of such public highway. Whenever any peace officer finds any vehicle unattended in such a position that it constitutes an obstruction to traffic or provides a danger to travel upon any public highway, such officer is hereby authorized to provide for the removal of such vehicle to the nearest place of safety. Any cost incurred in the removal thereof shall be paid by the owner of the vehicle so removed and the same shall be a lien upon such vehicle.

Removal of
vehicle by
peace
officer.

SEC. 112. When there has been any accident or any wrecked or damaged vehicle is removed from the roadway of a public highway, any glass, debris or other injurious substance dropped from such vehicle shall be removed from the roadway by the operators involved unless they be incapacitated.

Glass or
debris from
wrecked ve-
hicle to be
removed
from
highway.

SEC. 113. It shall be unlawful to engage in transportation of passengers for hire upon any combination of vehicles consisting of a motor vehicle in combination with a trailer or semi-trailer.

Transporting
passengers
on combina-
tion vehicles
prohibited.

Operation of vehicle with gears in neutral or clutch disengaged unlawful.

SEC. 114. It shall be unlawful for any person to operate a motor vehicle with the gears of such vehicle in neutral. It shall be unlawful for any person to operate any motor vehicle when traveling upon a down grade with the clutch disengaged. This section shall not prevent the proper shifting of gears or the towing of a disabled vehicle.

Transporting of animals or persons on running board, fenders or hood.

SEC. 115. It shall be unlawful for any person to transport any living animal on the running board, fenders, hood, or other outside part of any vehicle unless suitable harness, cage or enclosure be provided and so attached as to protect such animal from falling or being thrown therefrom. It shall be unlawful for any person to transport any persons upon the running board, fenders, hood or other outside part of any vehicle, except that this provision shall not apply to authorized emergency vehicles.

Number of persons in operator's seat.

SEC. 116. It shall be unlawful for any person to operate a vehicle with more than three (3) persons in the front or operator's seat thereof.

Driver embracing another person.

SEC 117. It shall be unlawful for any person to operate a motor vehicle upon the highways of this state when such person has in his or her embrace another person which prevents the free and unhampered operation of such vehicle. Any person so doing shall be deemed guilty of reckless driving.

Reckless driving.

SEC. 118. It shall be unlawful for any person to operate a motor vehicle in a reckless manner over and along the public highways of this state. For the purpose of this section to "operate in a reckless manner" shall be construed to mean the operation of a vehicle upon the public highways of this state in such a manner as to indicate either a willful or wanton disregard for the safety of persons or property.

SEC. 119. It shall be unlawful for any person to operate 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. Upon the first conviction for the violation of the provisions of this section the court shall impose a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00) or not less than ten (10) days or more than one (1) year in jail, or both such fine and imprisonment, and shall, in addition thereto, revoke the operator's license of such person. Upon second or subsequent conviction for a violation of the provisions of this section the court shall impose a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00) and not less than thirty (30) days or more than one (1) year in the county jail, or both such fine and imprisonment, and shall, in addition thereto, revoke the operator's license of such person.

Driving while intoxicated or drugged, penalty.

SEC. 120. When the death of any person shall ensue within one year as a proximate result of injury received by the operation of any vehicle by any person while under the influence of or affected by intoxicating liquor or narcotic drugs or by the operation of any vehicle in a reckless manner or with disregard for the safety of others, the person so operating such vehicle shall be guilty of negligent homicide by means of a motor vehicle.

Negligent homicide, penalty.

Any person convicted of negligent homicide by means of a motor vehicle shall be punished by imprisonment in the state penitentiary for not more than twenty (20) years, or by imprisonment in the county jail for not more than one (1) year, or by a fine of not more than one thousand (\$1,000) dollars, or by both fine and imprisonment.

SEC. 121. No person transported by the owner or operator of a motor vehicle as an invited guest or licensee, without payment for such transportation, shall have cause of action for damages against

Invited guest.

such owner or operator for injuries, death or loss, in case of accident, unless such accident shall have been intentional on the part of said owner or operator: *Provided*, That this section shall not relieve any owner or operator of a motor vehicle from liability while the same is being demonstrated to a prospective purchaser.

Observance
of stop signs.

SEC. 122. It shall be unlawful for any person operating a vehicle, street car or interurban upon any public highway of this state to fail to bring such vehicle to a complete stop at any point at which there is located a stop sign, except when directed to proceed by a peace officer or traffic control signal.

Compliance
with restric-
tions or
restrictive
signs.

SEC. 123. Any person failing to observe and comply with the restrictions of any restrictive signs erected or maintained by competent authority upon any public highway of this state shall be guilty of a misdemeanor.

Traffic con-
trol devices,
obeyance.

SEC. 124. No operator of a vehicle or motorman of a street car shall disobey the instructions of any official traffic-control device placed in accordance with the provisions of this act, unless at the time otherwise directed by a peace officer.

Obeysance of
signals of
peace
officers.

SEC. 125. It shall be unlawful for any person operating any vehicle upon any public highway to fail, refuse or neglect to obey all signals of any peace officer or duly authorized flagman who is at the time discharging the duty of regulating and directing traffic.

Refusal to
give name
and address.

SEC. 126. It shall be unlawful for any person while operating or in charge of any vehicle to refuse when requested by a peace officer to give his name and address and the name and address of the owner of such vehicle, or for such person to give a false name and address, and it shall likewise be unlawful for any such person to refuse or neglect to stop

when signaled to stop by any peace officer or to refuse upon demand of such peace officer to produce his certificate of license registration of such vehicle or his vehicle operator's license or to refuse to permit such officer to take any such license or certificate for the purpose of examination thereof or to refuse to permit the examination of any equipment of such vehicle or the weighing of such vehicle or to refuse or neglect to produce the certificate of license registration of such vehicle or his vehicle operator's license when requested by any court. Any peace officer shall on request produce evidence of his authorization as such.

Sec. 127. It shall be unlawful for any person to cause or permit any livestock to graze or stray upon any portion of the right of way of any public highway of this state, within any stock restricted area. It shall be unlawful for any person to herd or move any livestock over, along or across the right of way of any public highway, or portion thereof, within any stock restricted area, without having in attendance a sufficient number of persons to control the movement of such livestock and to warn or otherwise protect vehicles traveling upon such public highway from any danger by reason of such livestock being herded or moved thereon.

Livestock
restricted
areas on pub-
lic highways.

In the event that any livestock is allowed to stray or graze upon the right of way of any public highway, or portion thereof, within any stock restricted area, unattended, the same may be impounded for safekeeping and, if the owner be not known, complaint may be instituted against such stock in a court of competent jurisdiction. Notice shall be published in one issue of a paper of general circulation published as close as possible to the location where the livestock were found, describing as nearly as possible the stock, where found, and that the same are to be sold. In the event that the owner appears

and convinces the court of his right thereto, the stock may be delivered upon payment by him of all costs of court, advertising and caring for the stock. In the event no person claiming the right thereto shall appear by the close of business on the tenth day following and exclusive of the date of publication of notice, the stock may be sold at public or private sale, all costs of court, advertising and caring therefor paid from the proceeds thereof and the balance certified by the judge of the court ordering such sale, to the treasurer of the county in which located, to be credited to the county school fund.

Non-residents, acceptance of provisions of act.

SEC. 128. Subject to a compliance with the motor vehicle laws of the state and acceptance of the provisions of this act, non-resident owners and operators of vehicles hereby are granted the privilege of using the public highways of this state, and use of such public highways shall be deemed and construed to be an acceptance by such non-resident owners and operators of the provisions of this act.

Secretary of state legal representative.

SEC. 129. The acceptance by a non-resident of the rights and privileges conferred by the laws of this state in the use of the public highways of this state, as evidenced by his operation of a vehicle thereon, shall be deemed equivalent to and construed to be an appointment by such non-resident of the secretary of state of the State of Washington to be his true and lawful attorney upon whom may be served all lawful summons and processes against him growing out of any accident, collision or liability in which said non-resident may be involved while operating a vehicle upon such public highways, and said operation and acceptance shall be a signification of his agreement that any summons or process against him which is so served shall be of the same legal force and validity as if served on him personally within the State of Washington. Service of such summons or process shall be made by leaving

Service of process.

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

SEC. 130. It shall be within the power of the state superintendent of public instruction, by and through the superintendent of schools of any incorporated city or town or school district, or other officer or board performing like function with respect to the schools of any other educational administrative district, to cause to be appointed from the student body of any public or private school or institution of learning students who shall be known as members of the "school partol [patrol]" and who

School
patrol.

shall serve without compensation and at the pleasure of the authority so making the appointment.

The members of such school patrol shall wear a badge or other appropriate insignia marked "school patrol" when in performance of their duties, and they are hereby authorized to display "stop" or other proper traffic directional signs or signals at school crossing or other points where school children are crossing or about to cross a public highway, but such members of the school patrol shall be subordinate to and obey the orders of any peace officer present and having jurisdiction.

It shall be unlawful for the operator of any vehicle to fail to stop his vehicle when directed to do so by any school patrol sign or signal displayed by such member of the school patrol engaged in the performance of his duty and wearing or displaying appropriate insignia, and it shall further be unlawful for the operator of any vehicle to disregard any other reasonable directions of any member of the school patrol when acting in performance of his duties as such.

School
busses,
regulations
as to marking
and mode of
operation.

SEC. 131. The state superintendent of public instruction, by and with the advice of the director of highways and the chief of the Washington state patrol, shall adopt and enforce regulations not inconsistent with the law of this state to govern the design, marking and mode of operation of all school busses owned and operated by any school district or privately owned and operated under contract or otherwise with any school district in this state for the transportation of school children and such regulation shall by reference be made a part of any such contract or other agreement with the school district. Every school district, its officers and employees, and every person employed under contract or otherwise by a school district shall be subject to such regulations. It shall be unlawful for any

officer or employee of any school district or for any person operating any school bus under contract with any school district to violate any of the provisions of such regulations.

SEC. 132. Any person, firm, corporation or municipal corporation desiring to have a vehicle registered as an authorized emergency vehicle shall make application for such classification to the state commission on equipment. Following such inquiry as is considered necessary, the state commission on equipment may issue or refuse such authorization. The director of licenses shall further require that there be submitted information concerning any person or persons who will operate such authorized emergency vehicle and it shall be unlawful for any such person, firm, corporation or municipal corporation and the responsible officer thereof to permit the operation of such authorized emergency vehicle by any person not approved as operator thereof by the director of licenses.

Registration
of emergency
vehicles.

CHAPTER X. ACCIDENTS.

SEC. 133. The operator of any vehicle which collided with any other vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the operator and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice, giving the name and address of the operator and of the owner of the vehicle striking such other vehicle.

Duties upon
collision
with vehicle
unattended.

The driver of any vehicle involved in an accident resulting only in damage to property fixed or placed upon or adjacent to any public highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of the name and address of the operator and

Notification
of damage to
property.

owner of the vehicle striking such property, or shall leave in a conspicuous place upon the property struck a written notice, giving the name and address of the operator and of the owner of the vehicle so striking the property, and such person shall further make report of such accident as in the case of other accidents upon the public highways of this state.

Duties upon
injury or
death.

SEC. 134. (a) An operator of any vehicle involved in an accident resulting in the injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to, and in every event remain at, the scene of such accident until he has fulfilled the requirements of subdivision (c) of this section;

Duties upon
damage to
vehicle
attended.

(b) The operator of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible and shall forthwith return to, and in any event shall remain at, the scene of such accident until he has fulfilled the requirements of subdivision (c) of this section;

Duties upon
injury, death
or damage.

(c) The operator of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and vehicle license number and shall exhibit his vehicle operator's license to any person struck or injured or the operator or any occupant of, or any person attending, any such vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying or the making of arrangements for the carrying of such person to a physician or hospital for medical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person or on his behalf. Under no circum-

stances shall the rendering of assistance or other compliance with the provisions of this subsection be evidence of the liability of any operator for such accident;

(d) Any person failing to stop or to comply with any of the requirements of subdivision (c) of this section under said circumstances shall, upon conviction, be punished by imprisonment for not less than thirty days nor more than one year or by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or by both such fine and imprisonment: *Provided*, This provision shall not apply to any person injured or incapacitated by such accident to the extent of being physically incapable of complying herewith;

Penalties.

(e) Upon notice of conviction of any person under the provisions of this section, the vehicle operator's license of the person so convicted shall be revoked by the director of licenses.

Revocation of license.

SEC. 135. The operator of any vehicle involved in an accident resulting in injury to or death of any person or total or claimed damage to either or both vehicles or property to an apparent extent of twenty-five dollars (\$25.00) or more, shall, within twenty-four hours after such accident, make a written report of such accident to the chief of police of the city or town if such accident occurred within an incorporated city or town or the county sheriff if such accident occurred outside incorporated cities and towns, such report to be in duplicate and the original immediately forwarded by the authority receiving such report to the chief of the Washington state patrol at Olympia, Washington. The chief of the Washington state patrol may require any operator of any vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report is insufficient in his opinion and may likewise re-

Duty to report accidents.

quire witnesses of any such accident to render reports. For this purpose, the chief of the Washington state patrol shall prepare and, upon request, supply to any police department, coroner, sheriff and any other suitable agency or individual, sample forms of accident reports required hereunder, which reports shall be upon a form devised by the chief of the Washington state patrol and shall call for sufficiently detailed information to disclose all material facts with reference to the accident to be reported thereon, including the location, the cause, the conditions then existing, and the persons and vehicles involved, personal injury or death, if any, and the amounts of property damage claimed. Every required accident report shall be made on a form prescribed by the chief of the Washington state patrol and each authority charged with the duty of receiving such reports shall provide sufficient report forms in compliance with the form devised. In the event the director of highways should so determine, such accident reports shall be made in triplicate and the triplicate copy forwarded to the department of highways.

When occupant must report.

SEC. 136. Whenever the operator of the vehicle involved in any accident, concerning which accident report is required, is physically incapable of making the required accident report and there is another occupant other than a passenger for hire therein, in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made such report. Upon recovery such operator shall make such report in the manner required by law.

Report of coroner to sheriff.

SEC. 137. Every coroner or other official performing like functions shall on or before the tenth day of each month, report in writing to the sheriff of the county in which he holds office and to the chief of the Washington state patrol the death of any person

within his jurisdiction during the preceding calendar month as a result of an accident involving any vehicle, together with the circumstances of such accident.

SEC. 138. It shall be the duty of the chief of the Washington state patrol to file, tabulate and analyze all accident reports and to publish annually, immediately following the close of each calendar year, and monthly during the course of the calendar year, statistical information based thereon showing the number of accidents, the location, the frequency and circumstances thereof and other statistical information which may prove of assistance in determining the cause of vehicular accidents.

Statistics
from acci-
dent reports.

Such accident reports and analysis or reports thereof shall be available to the directors of the departments of highways, licenses, public service or their duly authorized representatives, for further tabulation and analysis for pertinent data relating to the regulation of highway traffic, highway construction, vehicle operators and all other purposes, and to publish information so derived as may be deemed of publication value.

SEC. 139. Any peace officer of the State of Washington or of any county, city, town or other political subdivision, present at the scene of any accident or in possession of any facts concerning any accident whether by way of official investigation or otherwise shall make report thereof in the same manner as required of the parties to such accident and as fully as the facts in his possession concerning such accident will permit.

Report of
officers.

SEC. 140. All required accident reports and supplemental reports and copies thereof shall be without prejudice to the individual so reporting and shall be for the confidential use of the county prosecuting attorney and chief of police or county sheriff, as

Accident
reports
confidential.

the case may be, and the director of licenses and the chief of the Washington state patrol, and other officer or commission as authorized by law, except that any such officer may disclose the identity of a person reported as involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such accident report or copy thereof shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that any officer above named for receiving accident reports shall furnish, upon demand of any person who has, or who claims to have, made such a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the chief of the Washington state patrol solely to prove a compliance or a failure to comply with the requirement that such a report be made in the manner required by law.

CHAPTER XI. RECORDS AND REPORTS.

·SEC. 141. Any person, firm, corporation or association engaged in the business of repair to motor vehicles or any person, firm, corporation or association which may at any time engage in the repair of any motor vehicle or other vehicle owned by any other person, firm, corporation, or association, shall be and is hereby required to maintain a complete record of any and all vehicles repaired, the nature of the repair to which indicates the damage or injury could have been caused by collision with any person or property. Such report shall be made out and kept posted currently in duplicate, showing the name of the person for whom such repair is done, the date of such repair, the motor number of the vehicle if it be a motor vehicle, or the serial number of the vehicle if it be a trailer or semi-trailer, the license number of the vehicle, a brief statement of the nature of such repair and the cost thereof. Such

Reports on
repairs to
motor
vehicles.

report should be certified by the person or a duly authorized representative of the firm, corporation or association performing such repairs; such certification stating that the foregoing report is a true and accurate report of all such repairs, performed during the period covered by said report and in any wise indicating that the injury or damage to such vehicle could have been caused by collision with any person or property. Any person, firm, corporation or association failing to submit such report shall be guilty of a gross misdemeanor and any person certifying to any such report containing fraudulent or untrue information or omitting any required information in any material respect shall be guilty of forgery. Such report shall be submitted on Monday of each week for the preceding calendar week, to the local authority to whom accident reports are required to be made. When such local authority shall have checked such reports for their own informational purposes, such reports shall be forwarded to the chief of the Washington state patrol, and such reports shall be forwarded within a period of ten (10) days from the date of submission to such local authority. The person, firm, corporation or association performing such repairs shall retain the duplicate copy of such report in their permanent files and the same shall be open to inspection during business hours by any peace officer or any person authorized by the chief of the Washington state patrol. Such report shall also be made by persons, firms or corporations providing storage or furnishing appraisals and shall contain the same record as required above of any such vehicles brought in for appraisal or storage. Forms for such records shall be prescribed by the chief of the Washington state patrol and may be obtained from the local authority to whom accident reports are made.

It shall be unlawful for any person to destroy or conceal any evidence of damage to a vehicle indi-

cating that such damage could be the result of collision with any person or property without adequate record thereof and any person so doing shall be guilty of a gross misdemeanor.

Certification
of convictions by
courts.

SEC. 142. It shall be the duty of the several justices of the peace and judges of the superior court to certify on Monday of each week to the director of licenses at Olympia, Washington, detailed information concerning any person convicted in their respective courts or charged and failing to appear who has forfeited bail or collateral deposited with respect to the following offenses: Driving a motor vehicle in a reckless manner; operating a motor vehicle while under the influence of or affected by the use of intoxicating liquor or of any narcotic drug; failure to stop as required by law after participation in a vehicle accident; failure to render accident report; negligent homicide by means of a motor vehicle; and any other violation which such judge or justice of the peace deems should have a bearing upon the determination of whether or not in the public interest such person should be denied his vehicle operator's license and the privilege to operate a motor vehicle on the public highways. The director of licenses may prescribe the detailed information required and it shall be the duty of the several justices of the peace and judges of the superior court to report such information. Refusal or failure of any such judge or justice of the peace shall be sufficient grounds for removal from office.

Report on
stolen motor
vehicles.

SEC. 143. It shall be the duty of the sheriff of every county, the chief of police or chief police officer of every incorporated city and town of this state, constables and members of the Washington state patrol to report immediately to the chief of the Washington state patrol all motor vehicles reported to them as stolen or recovered, upon forms

to be provided by the chief of the Washington state patrol.

In the event that any motor vehicle reported as stolen has been recovered, the person so reporting the same as stolen shall be guilty of a misdemeanor unless he shall report the recovery thereof to the sheriff, chief of police, or other chief police officer to whom such motor vehicle was reported as stolen.

Upon receipt of such information the chief of the Washington state patrol shall file the same in a "stolen vehicle index." He shall also file any reports of vehicles stolen in other states and reported to him as such. It shall be the duty of the chief of the Washington state patrol to keep a file record of all vehicles reported to him as recovered.

The chief of the Washington state patrol shall publish at least once a month a list of all vehicles reported as stolen and not reported as having been recovered and all abandoned vehicles and forward a copy of such list to every sheriff in this state, the chief of police or chief police officer of every incorporated city and town with a population in excess of three thousand (3,000) inhabitants, each member of the Washington state patrol and the cognizant state officer of each state in the United States.

Such information shall be provided by the chief of the Washington state patrol for the use of the director of licenses as will permit the director of licenses to check the motor or serial number set forth in any application for certificate of ownership or certificate of license registration against such "stolen vehicle index" and no such certificates shall be issued upon any vehicle recorded as stolen and the director of licenses shall immediately inform the chief of the Washington state patrol of any application upon any such vehicle.

It shall be the duty of the sheriff of every county, the chief of police or chief police officer of each in-

Report of
abandoned
motor
vehicle.

corporated city and town, members of the Washington state patrol and constables to report to the chief of the Washington state patrol all vehicles found abandoned on a public highway or at any other place and the same shall be taken into the custody of the sheriff of the county wherein found abandoned and stored and the same shall, for the purposes of listing the same, be considered as a recovered vehicle. Personal notice that such vehicle has been found abandoned shall be forwarded to the registered and legal owners of such vehicle if any record of registered or legal owner thereof exists in this state. In the event there appears to be a registered or legal ownership thereof in another state the sheriff shall send notice thereof to the official having cognizance of issuing legal or registered ownerships in such other state. If, at the expiration of forty-five (45) days from the date of mailing such notices, the vehicle remains unclaimed and has not been reported as a stolen vehicle, then the same may be sold at public auction upon notice published in one issue of a paper of general circulation in the county in which such vehicle has been found abandoned, such publication to describe the vehicle and set forth the place, date and time at which such vehicle shall be put up for public auction, which date shall be not sooner than three (3) days following the date of such publication. Any surplus accruing at said sale after deducting the cost of placing the vehicle in custody, advertising and selling the same, shall be held for the owner a period of ten (10) days and if not claimed by the expiration thereof shall be certified one half to the county treasurer of such county to be placed in the county current expense fund and one half to the state treasurer to be credited to the highway safety fund.

Any vehicle left in a garage for storage more than fifteen (15) days where the same has not been

left by the registered owner under a contract of storage and has not during such period been removed by the person leaving the same shall be an abandoned vehicle and shall be delivered to the sheriff of the county with notice of such fact. Any garage-keeper failing to report such fact to the sheriff and tender delivery to him of such vehicle at the end of fifteen (15) days shall thereby forfeit any claims for the storage of such vehicle. All such vehicles considered abandoned by being left in a garage shall be disposed of in accordance with the procedure prescribed above for abandoned vehicles.

Except for the forfeiture of claim for storage as set forth herein for failure to report vehicle left in excess of fifteen (15) days, nothing in this section shall be construed to impair any lien for storage accruing to a garage keeper under other law of this state.

Storage lien
unimpaired.

SEC. 144. It shall be the duty of the director of licenses to keep a case record on every motor vehicle operator licensed under the laws of this state, together with information on each, showing all the convictions certified by the courts and an index cross reference record of each accident reported relating to such individuals with a brief statement of the cause of such accident, which index cross reference record shall be furnished to the director of licenses, by the chief of the Washington state patrol, with reference to each operator involved in the reported accidents. Such records shall be for the confidential use of the director of licenses and the chief of the Washington state patrol and for such peace officers or other cognizant public officials as may be designated by law. Such case records shall not be offered as evidence in any court except in case appeal is taken from the order of director of licenses, suspending, revoking, canceling, or refusing vehicle operator's license. It shall be the

Record of
vehicle
operators
licensed.

Records
confidential.

duty of the director of licenses to tabulate and analyze vehicle operators' case records and to suspend, revoke, cancel, or refuse any vehicle operator's license of [to] any person when it is deemed from facts contained in the case record of such person that it is for the best interest of public safety that such person be denied the privilege of operating a motor vehicle. Whenever the director of licenses may order the vehicle operator's license of any such person suspended, revoked, or canceled, or shall refuse the issuance of vehicle operator's license, such suspension, revocation, cancellation, or refusal shall be final and effective unless appeal from the decision of the director of licenses shall be taken as provided by law.

CHAPTER XII. ENFORCEMENT.

Arrest and
appearance.

SEC. 145. Whenever any person is arrested for any violation of this act which is punishable as a misdemeanor, the arresting or apprehending officer may prepare in duplicate written notice to appear in court containing the name and address of such person, the license number of his vehicle, if any, the vehicle operator's license number of such person, if any, the offense charged, and the time and place when and where such person shall appear in court. The place specified in said notice to appear must be before a judge or court of competent jurisdiction within the county in which the offense charged is alleged to have been committed. The arrested person, in order to secure release, as provided in this section, and when permitted by the arresting officer, must give his written promise so to appear in court by signing in duplicate the written notice prepared by the arresting or apprehending officer. Upon the arrested person's failing or refusing to sign such written promise, he shall be placed and remain in the custody of such arresting or apprehending officer or placed in public confinement.

SEC. 146. Any person wilfully violating his written and signed promise to appear in court, as provided in this act, shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested: *Provided*, A written promise to appear in court may be complied with by an appearance by counsel.

Failure to appear, a misdemeanor.

SEC. 147. The provisions of this act with regard to the apprehension and arrest of persons violating this act shall govern all peace officers in making arrests without a warrant for violations of this act for offenses committed in their presence, but the procedure prescribed herein shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for other like offenses.

Provisions for arrest.

Not exclusive.

CHAPTER XIII. VIOLATIONS AND PENALTIES.

SEC. 148. It shall be unlawful for the owner, or any other person, in employing or otherwise directing the operator of any vehicle to require or knowingly to permit the operation of such vehicle upon any public highway in any manner contrary to the law.

Owner's liability.

SEC. 149. Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared by this act to be a crime, whether individually or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcefully, or wilfully induces, causes, coerces, requires, permits or directs others to violate any provisions of this act is likewise guilty of such offense.

Individual and joint liability.

SEC. 150. 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.

A misdemeanor unless otherwise declared.

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.

Disposition
of fines and
forfeitures.

SEC. 151. 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.

All fines and forfeitures collected for the violation of any of the provisions of this act in any court located inside incorporated cities or 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 XIV. REPEAL.

Statutes
repealed.

SEC. 152. The following acts and parts of acts relating to motor vehicle equipment, motor vehicle operations, rules of the road, and offenses, penalties, fines and forfeitures be and the same are hereby repealed:

Chapter 153, Session Laws of 1913;

Chapter 30, Session Laws of 1915;

Sections 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33 and 34 of chapter 142, Session Laws of 1915;

Chapter 40, Session Laws of 1917;

Sections 15, 16, 19, 20, 22, 23 and 24 of chapter 155, Session Laws of 1917;

Sections 10, 11 and 13 of chapter 59, Session Laws of 1919;

Sections 20 to 41, both inclusive, and sections 43, 44, 47, 49, and 50 of chapter 96, Session Laws of 1921; Statutes repealed.

Chapter 125, Session Laws of 1921;

Chapter 42, Session Laws of 1923;

Section 2 of chapter 122, Session Laws of 1923;

Sections 1, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of chapter 181, Session Laws of 1923;

Chapter 105, Session Laws of 1927;

Chapter 284, Session Laws of 1927;

Chapter 309, Session Laws of 1927;

Chapter 178, Session Laws of 1929;

Chapter 180, Session Laws of 1929;

Chapter 54, Session Laws of 1931;

Chapter 98, Session Laws of 1933;

Chapter 156, Session Laws of 1933;

Chapter 160, Session Laws of 1933;

Sections 2716, 2717, 2718, 2719, 6295, 6296 and 6297 of Remington's Revised Statutes of Washington.

SEC. 153. 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. 154. The repeal of any acts or parts of acts hereby shall not be construed to reenact or revive any acts or parts of acts repealed or superseded by the acts or parts of acts hereby repealed. Prior repealed or superseded acts not revived.

CHAPTER XV. SAVING CLAUSE.

SEC. 155. 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 Accrued rights preserved.

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 acts.

SEC. 156. 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 XVI. SHORT TITLE.

Title.

SEC. 157. This act shall be known and cited as the "Washington Motor Vehicle Act."

CHAPTER XVII. CONSTITUTIONALITY.

Partial invalidity.

SEC. 158. 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 XVIII. EMERGENCY.

Effective April 1, 1937.

SEC. 159. 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 April, 1937.

Passed the Senate March 2, 1937.

Passed the House March 9, 1937.

Approved by the Governor March 17, 1937.