

budget. Such hearing may be continued not to exceed a total of two days.

Upon the conclusion of such hearing the Board of Directors shall fix and determine each item or class of the budget separately and shall by resolution adopt the budget as so finally determined and enter the same in detail in the official minutes: *Provided*, That the estimates for the expenditures depending directly upon the September enrollment as to amount, as designated in section 3 hereof, shall be adopted tentatively, subject to revision in September as hereinafter provided.

Adoption of final budget.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the House February 18, 1949.

Passed the Senate March 7, 1949.

Approved by the Governor March 16, 1949.

CHAPTER 156.

[H. B. 289.]

COUNTY ROADS.

AN ACT relating to counties, county roads and the powers and duties of County Commissioners and County Road Engineers; providing for one road district in each county; creating an Equipment Rental and Revolving Fund; amending section 56, chapter 187, Laws of 1937, as amended by section 7, chapter 82, Laws of 1943 (sec. 6450-56, Rem. Supp. 1943) and section 34, chapter 187, Laws of 1937, as amended by section 4, chapter 82, Laws of 1943 (sec. 6450-34, Rem. Supp. 1943) and providing effective date of certain provisions.

PREAMBLE.

This act is passed to insure efficiency in the planning, laying out, constructing, repairing, improvement, and maintenance of county roads through local administration to the end that there shall be full co-

Preamble.

ordination between the state and the counties but with a maximum of local autonomy and a minimum of state control.

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

Equipment rental and revolving fund created.

SECTION 1. There is hereby created in each county of the state a fund to be known as the "Equipment Rental and Revolving Fund." From and after January 1, 1950, this fund shall be used by the County Commissioners as a revolving fund to be expended only for (1) purchase of new or additional road equipment, (2) repair and/or maintenance of road equipment, (3) purchase of necessary supplies for operating road equipment, and (4) purchase or manufacture of road or bridge material in advance of its use. There shall be transferred monthly to the Equipment Rental and Revolving Fund from the County Road Fund the rental value of each item of road equipment used during the preceding month. The rental value shall be determined and fixed by the Board of County Commissioners and shall be sufficient to include (1) depreciation, (2) maintenance and/or repair, and (3) supplies consumed in operating such road equipment. There shall also be transferred to the Equipment Rental and Revolving Fund from the County Road Fund an amount equivalent to the actual cost of road or bridge material previously purchased or manufactured by the Equipment Rental and Revolving Fund, as such material is actually used. Proceeds from the sale of road equipment shall be placed in the Equipment Rental and Revolving Fund.

Equipment and materials owned by fund may be rented or sold.

County road equipment or materials owned by the Equipment Rental and Revolving Fund may be rented or sold to any agency of the United States of America, the State of Washington, and/or to any other county, city or town or other municipal corporation. The proceeds of such rental or sale shall

be placed in the Equipment Rental and Revolving Fund.

Disposition
of proceeds.

The Board of County Commissioners of any county may at any time alter or change the rental value of road equipment previously determined and fixed, or may transfer any excess funds accumulated in the Equipment Rental and Revolving Fund to the County Road Fund.

Change in
rental value.

Transfer of
excess funds.

All sums budgeted for purchase of road equipment by any county for the fiscal year 1950 only, shall be transferred from the County Road Fund to the Equipment Rental and Revolving Fund at the beginning of said fiscal year.

From and after January 1, 1950, it shall be unlawful for the County Commissioners of any county to charge the cost of (1) any new or additional road equipment, (2) the repair and/or maintenance of any road equipment, (3) supplies for operating road equipment, or (4) road or bridge material purchased or manufactured in advance of its use to any fund except to the Equipment Rental and Revolving Fund.

Cost of road
equipment
and supplies
chargeable
only to fund.

SEC. 2. The County Road Engineer shall maintain in his office complete and accurate records of all expenditures for (1) overhead and operations, (2) bond and warrant retirement, (3) maintenance, (4) construction, and (5) purchase of road equipment, and shall maintain a true and complete inventory of all road equipment. He shall also maintain accurate and current records of the amounts expended for or properly chargeable to each Commissioner's district for construction, special maintenance, maintenance and equipment rental. He shall also maintain such other records as may be necessary or proper for the efficient conduct of the county's road work. Equipment rental shall be charged to the respective road operations or projects for each day the equipment is in use on such work, or is held idle in the

County Road
Engineer
shall keep
certain
records.

Form and type of records to be prescribed.

district when demanded elsewhere, at the rates fixed by the County Commissioners. The Division of Municipal Corporations, with the advice and assistance of the Department of Highways, shall prescribe forms and types of records to be maintained by the County Road Engineers. No County Commissioner shall maintain official records which duplicate the records of the County Road Engineer or any part thereof.

Plans and specifications for road construction and maintenance.

SEC. 3. All road construction work, except minor construction work, which by its nature does not require plans and specifications, whether performed pursuant to contract or by day labor, shall be in accordance with plans and specifications prepared therefor by or under direct supervision of the County Road Engineer. All maintenance work on county roads shall be performed under supervision of the County Road Engineer.

Storage of road equipment and materials when not in use.

SEC. 4. After January 1, 1950, all county road machinery, equipment, stores and supplies, excepting stockpiles and other road building material, shall while not in use be stored and repaired at one centralized point in each county: *Provided*, That if the geography, topography, distance or other valid economic considerations require more than one place for storage or repairs, the County Commissioners may, by unanimous vote, authorize the same.

County Road Engineer shall file a long range road program.

SEC. 5. Within six (6) months after the effective date of this act each County Road Engineer shall prepare and file in writing with the Board of County Commissioners a long range road program for the laying out and construction of the county roads for a period of not less than the next ten (10) years. Currently with the filing of such program a copy thereof shall be transmitted to the Director of Highways.

Hearings on road program.

The Board of County Commissioners shall immediately consider the same and shall hold public hearings thereon within six (6) months. The Di-

rector of Highways shall be given ten (10) days' notice of the first meeting of the Board at which such program will be considered. The Board may alter such proposed long range road program as it sees fit, but it shall complete consideration of and shall adopt a long range road program within one (1) year after the effective date of this act. Such program may subsequently be revised by a majority of the Board but only after a public hearing thereon.

Notice of hearing to Director of Highways.

Board shall adopt long range road program.

Revisions.

SEC. 6. Section 56, chapter 187, Laws of 1937, as amended by section 7, chapter 82, Laws of 1943 (sec. 6450-56, Rem. Supp. 1943), is amended to read as follows:

Amendment.

Section 56. On or before the eighth day of June of each year the Director of Highways shall prepare and file with the Board of County Commissioners of each county an estimate of the amount of money which will be paid to such county for the forthcoming calendar year in order that each Board of County Commissioners may prepare the necessary county road budget. In the preparation and adoption of the county road budget of each county the Board of County Commissioners shall determine and budget the respective percentages of the sum to become available for the following county road purposes: (1) Overhead and operations; (2) bond and warrant retirement; (3) maintenance; (4) construction and (5) operation of Equipment Rental and Revolving Fund; and the respective amounts as adopted for these several items in the final budget for the ensuing calendar year shall not be altered or exceeded except as by law provided.

Estimate of revenue.

Board to budget fund.

Upon the final adoption of the county road budgets of the several counties as provided by law, the Boards of County Commissioners shall file a copy thereof in the office of the Director of Highways.

Budget copy to Director of Highways.

In the event that any funds should be paid to any county from the Motor Vehicle Fund in excess of the amount estimated by the Director of Highways

Supplemental budget.

Publish notice of hearing.

Copies of budget for public.

Hearing.

Adoption of budget by resolution.

and such excess funds have not been included by the Board of County Commissioners in the then current county road budget or in the event that funds should become available from other sources upon a matching basis or otherwise and it is impracticable to adhere to the provisions of such county road budget, then the Board of County Commissioners may on the unanimous consent of such Board consider and adopt a preliminary supplemental budget covering such excess funds for the remainder of the current fiscal year. The Board of County Commissioners shall then publish a notice setting day of hearing for the adoption of the final supplemental budget covering such excess funds, designating the time and place of such hearing and that anyone may appear thereat and be heard for or against any part of said preliminary supplemental budget. Such notice shall be published once a week for two consecutive weeks immediately following said adoption of the preliminary supplemental budget in the official newspaper of the county, or if there be none, in a newspaper of general circulation in the county. The Board of County Commissioners shall provide a sufficient number of copies of the preliminary supplemental budget to meet reasonable public demands and the same shall be available not later than two weeks immediately preceding such hearing. The Board of County Commissioners shall hold such hearing at the time and place designated in said notice and such hearing may be continued from day to day until concluded but not to exceed a total of five days. Upon the conclusion of such hearing the Board of County Commissioners shall fix and determine such supplemental budget and shall by resolution adopt such supplemental budget as so finally determined and enter the same in detail in the official minutes of the Board, copies of which supplemental budget shall be forwarded, one to the

Director of Highways and one to the Division of Municipal Corporations.

SEC. 7. The laying out, construction and maintenance of all county roads shall hereafter be in accordance with the following procedure:

Procedure for laying out, construction and maintenance of county roads.

On or before the first Monday in July of each year each County Road Engineer shall file with the Board of County Commissioners a recommended plan for the laying out, construction, maintenance and special maintenance of county roads for the ensuing fiscal year. Such recommended plan need not be limited to but shall include the following items: Recommended projects and their priority; the estimated cost of all work, including labor and materials for each project recommended; a statement as to whether such work is to be done by the county forces or by publicly advertised contract; a list of all recommended repairs to and purchases of road equipment, together with the estimated costs thereof. Amounts to be expended for maintenance and special maintenance shall be recommended, but details of these proposed expenditures shall not be made. The recommended plan shall conform as nearly as practicable to the county's long range road program.

Recommended plan.

Items included in plan.

Expenditures to be recommended.

Shall conform to long range road plan.

Within two (2) weeks after the filing of the Road Engineer's recommended plan, the Board of County Commissioners shall consider the same. Revisions and changes may be made until a plan which is agreeable to a majority of the Commissioners has been adopted: *Provided*, That such revisions shall conform as nearly as practicable to the county's long range road program. Any appropriations contained in the county road budget shall be void unless the county's road plan was adopted prior to such appropriation.

Adoption of recommended plan by Board.

Proviso.

The final road plan for the fiscal year shall not thereafter be changed except by unanimous vote of the County Commissioners.

Changes in plan.

Resolution limiting use of county roads and bridges.

SEC. 8. The Board of County Commissioners of each county may by resolution limit or prohibit classes or types of vehicles on any county road or bridge and may limit the weight of vehicles which may travel thereon. Any such resolution shall be effective for a definite period of time which shall be stated in the resolution. If such resolution is published at least once in a newspaper of general circulation in the county and if signs indicating such closure or limitation of traffic have been posted on such road or bridge, any person violating such resolution shall be guilty of a misdemeanor.

Penalty for violations.

Amendment.

SEC. 9. Section 34, chapter 187, Laws of 1937, as amended by section 4, chapter 82, Laws of 1943 (sec. 6450-34, Rem. Supp. 1943), is amended to read as follows:

May employ day labor.

Section 34. The Board of County Commissioners may, in its discretion, cause any county road to be constructed or improved by day labor in the amount not to exceed twenty-five thousand dollars (\$25,000) on any one project: *Provided*, This section shall be construed to mean a complete project and shall not be construed to allow or permit the construction of any project by day labor by division thereof into units of work or classes of work. All construction work to be performed at a cost in excess of twenty-five thousand dollars (\$25,000) shall be performed by contract as in this act provided. In the event that the Board of County Commissioners should determine that any construction should be performed by day labor, as provided in this section, and the estimated cost of such work exceeds twenty-five hundred dollars (\$2500), it shall cause to be published in one issue of a paper of general circulation in the county a brief description of the work to be done and the County Road Engineer's estimate of the cost thereof. At the completion of such construction, the Board of County Commis-

Limitation.

Proviso.

Work by contract.

Publication of estimate of cost.

sioners shall cause to be published in one issue of a paper of general circulation in the county a similar brief description of such work together with an accurate statement of the true and complete cost of the performing of such construction by day labor.

Publication
of statement
of cost.

Failure to make publication as herein required shall subject each County Commissioner to a fine of one hundred dollars (\$100) for which they shall be liable individually and upon the official bond of each and it shall be the duty of the Prosecuting Attorney to file information and prosecute for violation of the provisions of this section.

Penalty for
failure to
publish.

Passed the House February 28, 1949.

Passed the Senate March 6, 1949.

Approved by the Governor March 16, 1949.

CHAPTER 157.

[H. B. 325.]

MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT.

AN ACT relating to motor vehicles and motor vehicle equipment; amending sections 29 and 85, chapter 189, Laws of 1937, as last amended by section 2, chapter 200, and sections 6 and 9, chapter 267, Laws of 1947, and further amending chapter 189, Laws of 1937, as last amended by chapter 267, Laws of 1947, by adding thereto after section 21, a new section to be known as section 22.

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

SECTION 1. Chapter 189, Laws of 1937, as amended by chapter 267, Laws of 1947, is amended by adding thereto after section 21, a new section to be known as section 22, reading as follows:

Amendment.

Section 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 upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of

Spot lamps.