

such motor vehicle fuel or other inflammable petroleum products upon which the state tax has not been paid.

Partial
invalidity.

SEC. 14. If any section, sentence, clause, or word of this act shall be held to be unconstitutional, the invalidity of such section, sentence, clause, or word shall not affect the validity of any other provisions of this act, it being the intent of this legislative assembly to enact the remainder of this act, notwithstanding such part so declared to be unconstitutional, may or should be so declared.

Emergency.

SEC. 15. The provisions of this act, except the sections relating to fees for motor vehicles and except as in this act otherwise provided, are necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House March 8, 1949.

Passed the Senate March 6, 1949.

Approved by the Governor March 21, 1949.

CHAPTER 221.

[H. B. 467.]

VEHICLES—PUBLIC HIGHWAYS.

AN ACT relating to vehicles and the operation thereof upon the public highways, and amending sections 5, 6 and 7, chapter 200, Laws of 1947.

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

Amendment.

SECTION 1. Section 5, chapter 200, Laws of 1947 (6360-49, Rem. Supp. 1947) is amended to read as follows:

Section 5. Section 49 of chapter 189 of the Laws of 1937, as amended (Rem. Rev. Stat. Supp. 6360-49; PPC 292-5) is hereby amended to read as follows:

Section 49. It shall be unlawful for any person 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 which, with or without load, has an overall length in excess of sixty (60) feet, or any combination of vehicles containing any vehicle of which the permanent structure has an overall length in excess of forty (40) feet. Said length limitations 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 but in respect to night transportation every such vehicle and 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 on motor vehicles on public highways.

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 (2) vehicles. For the purposes of this section a truck tractor-semi-trailer combination will be considered as two (2) vehicles but the addition of another axel to the tractor of a truck tractor-semi-trailer combination in such a way that it supports a proportional share of the load of the semi-trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the truck tractor. For the purposes of this section a converter gear used in converting a semi-trailer to a full trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the trailer.

Limitation on combination of vehicles.

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.

Limitation on extension of loads upon vehicles.

Maximum extension of load beyond center of axle. No vehicle shall be operated upon the public highways of this state with any part of the permanent structure or load extending in excess of fifteen (15) feet beyond the center of the last axle of such vehicle.

Amendment. SEC. 2. Section 6, chapter 200, Laws of 1947 (6360-50, Rem. Supp. 1947) is amended to read as follows:

Section 6. Section 50 of chapter 189 of the Laws of 1937, as amended by section 2, chapter 116, Laws of 1941 (Rem. Rev. Stat. Supp. 6360-50; PPC 292-7) is hereby amended to read as follows:

Weight and load limit on vehicles upon public highways. Section 50. (a) It shall be unlawful to operate any vehicle upon the public highways of this state with a gross weight including load upon any one (1) axle thereof in excess of eighteen thousand (18,000) pounds.

Semi-trailers with one axle. 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.

Trucks with two axles. It shall be unlawful to operate any truck or truck-tractor upon the public highways of this state supported upon two (2) axles with a gross weight including load in excess of twenty-eight thousand (28,000) pounds.

Trailers with two axles. It shall be unlawful to operate any trailer or semi-trailer upon the public highways of this state supported upon two (2) axles with a gross weight including load in excess of thirty-two thousand (32,000) pounds.

Vehicles with three axles. 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-six thousand (36,000) pounds.

(b) The maximum axle and gross weights specified in subsection (a) above shall be subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as set forth in section 34, chapter 189, Session Laws of 1937. Braking requirements.

(c) It shall be unlawful to operate any vehicle upon the public highways of this state equipped with two (2) axles spaced less than seven (7) feet apart, unless the two (2) axles are so constructed and mounted in such a manner to provide oscillation between the two (2) axles and that either one of the two (2) axles will not at any one time carry more than the maximum gross weight allowed for one (1) axle or two (2) axles specified in subsection (a) above. Axles.

(d) 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 purpose of this subsection, the width of tire in case of solid rubber or hollow center cushion 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 widest point when inflated to the recommended inflation point and without load thereon. In lieu of this method of measurement the tire shall not carry any load in excess of the manufacturer's recommended carrying capacity. Tires.

(e) Subject to the maximum axle and gross weights specified in subsection (a) above, it shall be unlawful to operate any motor vehicle or com- Maximum GROSS weights.

combination of vehicles with a gross weight, including load, on any group of axles of a vehicle or combination of vehicles in excess of that set forth in the following table:

Table of maximum gross weight.

Wheelbase of Any Group of Axles of a Vehicle or Combination of Vehicles (feet)

<i>Wheelbase (feet)</i>	<i>Maximum Gross Load</i>
3' 6"	32,000
4	32,000
5	32,000
6	32,000
7	32,000
8	32,610
9	33,580
10	34,550
11	35,550
12	36,830
13	38,350
14	39,870
15	41,400
16	42,930
17	44,459
18	46,000
19	47,000
20	48,000
21	49,000
22	50,000
23	51,340
24	52,670
25	54,000
26	55,100
27	56,200
28	57,400
29	58,500
30	59,500
31	60,300
32	61,140
33	61,710
34	62,280
35	62,860
36	63,430
37	64,000
38	64,500
39	65,000
40	65,500
41	66,000
42	66,500
43	67,000
44	67,500

*Wheelbase of Any Group of Axles
of a Vehicle or Combination
of Vehicles (feet)*

Maximum Gross Load

Table of
maximum
gross
weights.

45	68,000
46	68,500
47	69,000
48	69,500
49	70,000
50	70,500
51	71,000
52	71,500
53	72,000
54	72,000
55	72,000
56	72,000
57	72,000

When inches are involved: Under six (6) inches take lower; six (6) inches and over take higher.

Three (3) axle truck tractor and two (2) axle semi-trailer combinations engaged in the operation of hauling logs shall be allowed a tolerance of five (5) per cent over and beyond the gross loading established in the above table except that the combination of vehicles must be licensed to carry the gross load being transported and the gross weight of individual units and axles may not exceed the maximum gross weights established in subsection (a) above. Highways or sections of highways that will not withstand the increased loading occasioned by this specified tolerance shall be posted by the use of adequate signs. Such signs shall be posted by the public officials in whom the responsibility of maintaining the highway is vested.

Special
tolerance
for certain
vehicles
hauling logs.

Posting of
highways
incapable of
withstanding
specified
tolerance.

Vehicles or combination of vehicles now existing and for a period of one (1) year from the effective date of this act shall be allowed a tolerance of three (3) per cent for the maximum gross load between the distance of eighteen (18) feet to twenty-nine (29) feet and a tolerance of two (2) per cent for the maximum gross load between the distance of thirty (30) feet to forty-five (45) feet on wheelbase of any group of axles of a vehicle or combination of

Tolerance.

vehicles as established in the above maximum gross load table.

Violations
and
penalties.

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 twenty-five dollars (\$25) or more than fifty dollars (\$50); upon second conviction thereof shall be fined not less than fifty dollars (\$50) or more than one hundred dollars (\$100), 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 not to exceed thirty (30) days; upon a third or subsequent conviction shall be fined not less than one hundred dollars (\$100), 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; upon conviction of violating any posted limitation of a highway or section of highway the fine shall be not less than one hundred dollars (\$100), and the Court shall, in addition thereto, suspend the operator's driver's license for not less than thirty (30) days: *Provided*, Whenever the operator's driver's license and/or the certificate of license registration are suspended under the provisions of this section the Judge shall secure such certificates and immediately forward the same to the Director of Licenses with information concerning the suspension thereof.

This section shall take effect on December 1, 1949.

Effective
date.

SEC. 3. Section 7, chapter 200, Laws of 1947 (6360-55, Rem. Supp. 1947) is amended to read as follows:

Amendment.

Section 7. Section 55 of chapter 189 of the Laws of 1937, as amended by section 1, chapter 177, Laws of 1945 (Rem. 1945 Supp. 6360-55; PPC 292-17) is hereby amended to read as follows:

Section 55. The Director of Highways with respect to primary and secondary 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 maximum 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 such authority is responsible.

Permits for excesses.

No overweight permit shall be issued to any vehicle or combination of vehicles unless such vehicle or combination of vehicles is licensed for the maximum gross weight allowed by law.

Vehicle must be licensed for maximum gross weight to receive permit.

No permit shall be issued for movement on any primary state or secondary state highway where the gross weight, including load, exceeds twenty-two thousand (22,000) pounds on a single axle or forty-one thousand (41,000) pounds on any group of axles having a wheelbase between the first and last axle thereof of less than ten (10) feet: *Provided*, A tolerance of two thousand (2,000) pounds may be allowed on any group of axles having a wheelbase between the first and last axle thereof of less than ten (10) feet when the permit is being issued for the maximum overload permitted under this section: *Provided further*, That the tolerance shall not be allowed unless specifically granted on the face of the permit.

Limitations on gross weight for permits.

Tolerance.

No permit shall be issued for movement on any two (2) lane state highway where the overall width of load exceeds fourteen (14) feet, on any three (3) lane state highway where the overall width of load exceeds twenty-two (22) feet, or on any four (4) lane state highway where the overall width of load

Limitation on width of vehicles for permits.

exceeds thirty-two (32) feet: *Provided*, These width limitations may be exceeded on state highways where the latest available traffic figures show that the highway or section of highway carries less than one hundred (100) vehicles per day: *Provided further*, Permits may be issued for weights and widths of vehicles in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for weights and widths in excess of such limitations: *Provided further*, That these limitations may be rescinded during a war emergency when certification is made by military officials as to the necessity for such action: *And provided further*, That these limitations shall not apply to farmers moving farm machinery between farms during daylight hours if the movement does not pass along and upon any primary or secondary state highway for a distance greater than twenty (20) miles, if properly patrolled and flagged.

Exception.

Exception.

War emergencies are exception.

Farm machinery excepted.

Contents of application for permit.

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

Conditions of permit.

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 vehicle 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 foundation, surfaces or structures or safety of traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any roadway or road structure.

The following fees, in addition to the regular Fee schedule for permits. license and tonnage fees, shall be paid for all movements made upon state primary or secondary highways. All funds collected shall be forwarded to the State Treasurer and shall be deposited in the motor vehicle fund:

All overlegal loads, except overweight, single trip. . . .	\$4.00
Continuous operation of overlegal loads having either over-width or over-height features only for a period not to exceed thirty (30) days.	\$25.00
Continuous operation of overlegal loads having over-length only for a period not to exceed thirty (30) days	\$10.00
Continuous operation of an overlegal vehicle as a pilot model and/or semi-trailer as a pilot model for a period of one (1) year.	\$50.00
Continuous operation of combination of vehicles composed of more than two (2) vehicles single trip. . . .	\$4.00
Continuous operation of a combination of vehicles composed of more than two (2) vehicles—thirty (30) days	\$10.00
Continuous operation of a combination of vehicles composed of more than two (2) vehicles, including issuance up to and including four (4) permits to the same operator for a period of six (6) months.	\$40.00
Continuous operation of a combination of vehicles composed of more than two (2) vehicles, including issuance up to and including six (6) permits to the same operator for a period of one (1) year.	\$60.00

OVERWEIGHT FEE SCHEDULE.

<i>Weight over that allowed by statute</i>	<i>Miles traveled over</i>		
	<i>50 miles or less</i>	<i>50 miles but less than 200 miles</i>	<i>200 miles or more</i>
7,000 pounds or less. . . .	\$5.00	\$10.00	\$15.00
7,001 to 13,999 pounds overlegal	\$10.00	\$20.00	\$30.00
14,000 to 19,999 pounds overlegal	\$15.00	\$30.00	\$45.00
20,000 pounds or more overlegal	\$50.00	\$100.00	\$150.00

An additional two thousand (2,000) pounds gross load over and above the maximum gross load, when fully licensed, as permitted in section 50, subsection (a) for three (3) axle trucks, two (2) axle trailers, three (3) axle trailers and three (3) axle truck- Special permit for additional loads.

tractors, for operation on highways or sections of highways which have been designed and constructed for weights in excess of legal limitations, as further provided by law and further determined by the Director of Highways to be capable of withstanding the increased loading may be allowed, under special permit, upon payment of fifty dollars (\$50) annually for each vehicle operated. The permit shall be issued for a period not to exceed one (1) year which shall have a commencing and expiration date the same as the motor vehicle license date provided by law.

Fee for special load permit.

One year limitation.

Determination of mileage for fee schedule.

For the purpose of this fee schedule, mileage shall be determined from the Planning Survey Records of the Department of Highways and the gross weight of the vehicle or vehicles, including load, shall be as declared by the applicant. Overweight on which fees shall be paid will be gross loadings in excess of loadings authorized by law or axle loadings in excess of loadings authorized by law, whichever is the greater. Loads which are overweight and oversize shall be charged the fee for the overweight permit without additional fees being assessed for the oversize features.

To whom fees payable.

Fees established in this section shall be paid to the political body issuing the permit if the entire movement is to be confined to roads, streets or highways for which that political body is responsible. When a movement involves a combination of state highways, county roads and/or city streets the fee shall be paid to the Director of Highways but such fee shall not be collected nor the state permit issued until valid permits are presented showing that the political bodies involved approve of the move in question. A permit will not be required from city or town authorities for a move involving a combination of city or town streets and state highways when the move through a city or town is being confined to the route of the state highway. When a move in-

volves a combination of county roads and city streets the fee shall be paid to the county authorities, but the fee shall not be collected nor the county permit issued until valid permits are presented showing that city or town authorities approve of the move in question.

The fees levied in this section shall not apply to any vehicles owned and operated by the State of Washington; any county within the State of Washington or any municipality within the State of Washington; or by the Federal government.

Vehicles exempt from fees.

Any person who misrepresents the size or weight of any load in obtaining a permit or does not follow the requirements and conditions of the permit shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars (\$50) or more than one hundred dollars (\$100).

Fraud in procuring permit.

Any person who operates any overlegal vehicle without first obtaining a permit shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars (\$100).

Penalty for violations.

Every permit issued hereunder 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.

Permit to be carried in vehicle.

Passed the House February 25, 1949.

Passed the Senate March 5, 1949.

Approved by the Governor March 22, 1949.