

CHAPTER 28.

[H. B. 108.]

SPEEDS ON HIGHWAYS.

AN ACT relating to speeds on highways, roads and streets, and amending sections 46.48.040 and 46.48.020, R.C.W., and subdividing such sections.

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

SECTION 1. Section 46.48.040, R.C.W., as derived from section 66, chapter 189, Laws of 1937, is divided into sections designated 2 to 4, inclusive, and amended to read as follows: Amendment.

SEC. 2. No governing body or authority 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 void and of no effect: *Provided*, That on any portion of a city or town street where, on account of sharp curvature, highway construction or repairs, excessive traffic, any dangerous condition, or other temporary or permanent cause, it is deemed inadvisable for vehicles to operate at the maximum speed allowed by the law of this state the governing body or authority of the city or town or other political subdivision may fix a lower maximum speed or otherwise regulate speed by order, rule, or regulation properly adopted: *Provided further*, That the governing body or authority of a city or town or other political subdivision may increase the maximum speed allowed upon its streets. Regulation of speeds by cities inconsistent with statute.

In no case where the maximum speed is reduced When permitted.

Limit of reduction.

below that permitted by the laws of this state shall it be reduced to less than ten miles per hour, and in no case where the speed is increased above the maximum speed allowed by the laws of this state shall it be increased above thirty-five miles per hour: *Provided*, That a maximum speed above thirty-five miles per hour may be established when the findings of a traffic engineering investigation warrant such increase in speed, but such increase shall never exceed sixty miles per hour.

[Am. R.R.S. § 6360-66]

Limit of increase.

Highway must be posted.

SEC. 3. At the time of providing for any such decreased or increased maximum speed, the governing body or authority of any such city or town or political subdivision shall cause to be posted at either end of such portion of the 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 the highway and thereafter it shall be unlawful for any person to violate any such order, rule, or regulation.

[Am. R.R.S. § 6360-66]

Violation.

Increased speed.

Stop signs.

SEC. 4. The governing body or authority of any such city or town or political subdivision shall place and maintain upon each and every public highway intersecting a public highway where an increased speed is permitted, as provided in this chapter, appropriate stop signs, sufficient to be read at any time by any person upon approaching and entering the highway upon which such increased speed is permitted and such city street or such portion thereof as is subject to the increased speed shall be an arterial highway.

[Am. R.R.S. § 6360-66]

Arterial highway.

Amendment.

SEC. 5. Section 46.48.020, R.C.W., as derived from section 6, chapter 196, Laws of 1949, is divided into sections numbered 6 to 13, inclusive, and amended to read as follows:

SEC. 6. Subject to 46.48.010, R.C.W., and except in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

Maximum speed.

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

Cities and towns.

(b) Twenty-five miles per hour in traversing any intersection of public highways within incorporated cities and towns except whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that such speed as permitted under this chapter at any intersection is greater than is reasonable or safe under the conditions found to exist at such intersection, such local authority subject to the approval of the director of highways in cases where the alteration of speed limits on state highways or extensions thereof in a municipality are involved, shall determine and declare a reasonable and safe speed limit thereat, which shall be effective at all times or during hours of daylight or darkness or at such other times as may be determined: *Provided*, Appropriate signs giving notice thereof are erected at such intersection or upon the approaches thereto; and

Intersections in cities and towns.

Local authorities may reduce speeds.

Signs.

(c) Twenty-five 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.

Arterial highway in cities and towns.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

SEC. 7. Subject to 46.48.010, R.C.W., and except

Maximum speeds.

in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

Obstructed intersections outside cities and towns.

(a) Thirty-five miles per hour in traversing any intersection of public highways outside of incorporated cities and towns where the operators view is obstructed to the extent that 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: *Provided*, It shall be the duty of local authorities to sign post such intersections: *Provided further*, This provision shall not apply to operators upon arterial highways outside of incorporated cities and towns;

Signs.

Not applicable to arterials.

Outside cities and towns.

(b) Thirty-five 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.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

Business and residential districts outside cities and towns.

SEC. 8. The director of highways, in case of state highways, and the county commissioners, in case of county roads, shall establish maximum speeds through any business or residential districts outside any incorporated city or town: *Provided*, No maximum speed established shall be less than twenty-five miles per hour: *Provided further*, All such speed zones shall be properly sign posted at the extremities thereof.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

SEC. 9. Subject to 46.48.010, R.C.W., and except in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

Maximum speed.

(a) Twenty miles per hour when operating any vehicle upon a public highway inside incorporated cities and towns when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard portable school or speed control signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk;

Passing school or playground inside cities and towns.

(b) Twenty miles per hour when operating any vehicle upon a public highway outside incorporated cities and towns when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard portable school or speed control signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk.

Outside cities and towns.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

SEC. 10. Fifty miles per hour, subject to 46.48.010, R.C.W., shall be the maximum motor vehicle speed under all circumstances where no lesser speed is required by this chapter: *Provided*, That the director of highways may establish a maximum speed up to sixty miles per hour on state highways where, in his opinion, the findings of a traffic engineering investigation warrant such increase in speed, *Provided*, That the increased speed limit shall apply only to vehicles having a gross weight of ten thousand pounds or less. The zones of such increased speed shall be indicated by standard speed control signs.

Maximum speed.

Sixty miles per hour when authorized by director.

Vehicle limitation.

Signs.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

Due care and caution.

SEC. 11. Compliance with speed requirements of this chapter 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.

[Am. Rem. Supp. 1949 § 6360-64]

Unlawful speed is prima facie evidence of reckless driving.

SEC. 12. The unlawful operation of a vehicle in excess of the maximum lawful speeds provided in this chapter 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.

[Am. Rem. Supp. 1949 § 6360-64]

Charges shall specify approximate speed.

SEC. 13. All charges for the violation of any of the provisions of this chapter, every notice to appear, and every complaint charging the violation of this chapter 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.

[Am. Rem. Supp. 1949 § 6360-64]

Passed the House January 29, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.