

CHAPTER 125.

[S. B. 231.]

MOTOR VEHICLES—HIGHWAYS—HEIGHTS AND
VERTICAL CLEARANCES.

AN ACT relating to motor vehicles; specifying duties and liabilities of municipalities and private persons with respect to structures of low vertical clearance over public highways; and amending section 46.44.020, RCW.

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

SECTION 1. Section 46.44.020, RCW, as derived from section 20, chapter 269, Laws of 1951, is amended to read as follows:

Maximum height.

Exceptions.

Impaired vertical clearance; due care.

Liability of state and political subdivision.

Signs.

Distances.

It shall be unlawful for any vehicle unladen or with load to exceed a height of twelve feet and six 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 a 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 over or across any public highway where the vertical clearance above the roadway is twelve feet six inches or more; or, where such vertical clearance is less than twelve feet six inches, if impaired clearance signs of a design approved by the director of highways are erected and maintained on the right side of any such public highway: In cities and towns at a distance of not less than two hundred feet and not more than three hundred feet; and in rural areas at a distance of

not less than three hundred fifty feet and not more than five hundred feet, from each side of such structure. An additional four inches in height is lawful as to a vehicle over and above such twelve feet six inches when such vehicle is equipped with a tire size of over ten inches in width and twenty-two inches in rim diameter and larger. Such additional height shall not require the state or any county, city, town or other political subdivision, or any other person or corporation, to maintain vertical clearances above the roadway at a height in excess of twelve feet six inches. If any structure over or across any public highway is not owned by the state or by a county, city, town or other political subdivision, it shall be the duty of the owner thereof when billed therefor to reimburse the director of highways, or the county, city, town or other political subdivision having jurisdiction over such highway for the actual cost of erecting and maintaining such impaired clearance signs, but no liability shall attach to such owner by reason of any damage or injury to persons or property caused by impaired vertical clearance above the roadway.

Vehicles;
additional
4 inches
authorized,
when.

Impaired
clearance
signs; private
owners to
reimburse
state or
political
subdivision
for cost.

Passed the Senate February 19, 1953.

Passed the House March 4, 1953.

Approved by the Governor March 17, 1953.