

Payment of  
additional  
expenses.

in this chapter provided: *Provided further*, That costs of surgery, medicine, laboratory fees, X-ray, special therapies, and similar additional costs shall be paid in addition thereto.

Actuarial  
survey.

SEC. 8. The insurance commissioner shall make or have made an actuarial survey of the volunteer firemen's relief and pension fund during the 1953-55 biennium and make such report to the next regular session of the legislature.

Passed the Senate March 11, 1953.

Passed the House March 10, 1953.

Approved by the Governor March 21, 1953.

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## CHAPTER 254.

[ S. B. 459. ]

### HIGHWAYS—BUDGET AND PLAN—JOINT COMMITTEE— VEHICLE SIZE, WEIGHT, LOAD.

AN ACT relating to state government and to highways and the operation of motor vehicles thereon; the duties of the state highway commission and the joint fact-finding committee on highways, streets and bridges; prescribing and regulating the size, weight, licensing and enforcement of regulations governing motor vehicles; providing fees; authorizing special permits; providing penalties; amending sections 43.27.200, 46.44.045, 46.44.046, 46.44.047, 46.44.048, 46.44.091, 46.44.095, 46.44.097, RCW, and section 48, chapter 269, Laws of 1951 (uncodified); and declaring an emergency.

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

Amendment.

SECTION 1. Section 43.27.200, RCW, as derived from section 15, chapter 247, Laws of 1951, is hereby amended to read as follows:

Budget.

The commission shall prepare, furnish and present to the governor, and through him to the legislature, the budget for the following two years. The commission shall submit to the legislature a comprehensive plan for highway development based on the

principle that the state is furnishing transportation facilities which should be paid for by those most benefited and developed in the order of greatest need therefor, this report to be completed and ready for submission to the legislature by November, 1954, and a copy thereof shall be mailed to each legislator elected as soon after the November 1954 general election as may be practical.

Comprehensive plan for highway development.

In determining its report the commission shall be guided by the findings of the study on highway classification conducted by the joint fact-finding committee on highways, streets and bridges during the 1951-53 biennium.

SEC. 2. Section 46.44.045, RCW, as derived from section 29, chapter 269, Laws of 1951, is amended to read as follows:

Amendment.

Any person violating any of the provisions of RCW 46.44.040 to 46.44.044, inclusive, shall be guilty of a misdemeanor and upon first conviction thereof shall be fined not less than twenty-five dollars nor more than fifty dollars; upon second conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars; and upon a third or subsequent conviction shall be fined not less than one hundred dollars. The court may suspend the certificate of license registration of the vehicle or combination of vehicles upon the second conviction for a period not to exceed thirty days and the court shall suspend the certificate of license registration of the vehicle or combination of vehicles upon a third or subsequent conviction for a period of not less than thirty days. For the purpose of this section bail forfeiture shall be given the same effect as a conviction. For the purpose of suspension of license registration conviction or bail forfeiture shall be on the same vehicle or combination of vehicles during any twelve-month period regardless of ownership.

Violations.

Penalties.

Fine.

Suspension of certificate of license registration.

Bail forfeiture.

Violation of posted limitations; fine, suspension of operator's license.

Any person convicted of violating any posted limitations of a highway or section of highway shall be fined not less than one hundred dollars and the court shall in addition thereto suspend the operator's driver's license for not less than thirty days. 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.

Amendment.

SEC. 3. Section 46.44.046, RCW, as derived from section 30, chapter 269, Laws of 1951, is amended to read as follows:

Weight discrepancies in cargo; arresting officer may permit vehicle to proceed, when.

In addition to the limitations of RCW 46.44.040 to 46.44.044, inclusive, if the gross axle weight is not more than five hundred pounds in excess of the maximum gross axle weight for one axle, and if the gross weight of two axles spaced less than seven feet apart is not more than one thousand pounds in excess of the maximum gross weight for two axles spaced less than seven feet apart, and if the gross weight of any group of axles is not more than fifteen hundred pounds in excess of the maximum gross weight for any group of axles according to the wheelbase spacing of the group of axles as shown in the maximum gross load table of RCW 46.44.044 and if the gross weight of a two-axle vehicle is not more than one thousand pounds in excess of the legal gross weight for such two-axle vehicle, and if the gross weight of a three-axle vehicle is not more than fifteen hundred pounds in excess of the maximum legal gross weight for such three-axle vehicle, and if the maximum gross weight of the combination of vehicles is not more than two thousand pounds in excess of the maximum legal gross weight of the combination of vehicles, the arresting officer may, within his discretion, permit the operator to proceed with his vehicle

or vehicles in combination without penalty. For the purposes of determining gross weights the actual scale weight taken by the arresting officer shall be prima facie evidence of such total gross weight.

Scale weight  
prima facie  
evidence.

It being the intention of the legislature to recognize that occasional weight discrepancies in cargo will occur, and to provide the arresting officer with authority and discretion to determine the same; but to prevent the habitual and consistent loading of vehicles above the maximum legal gross weight provided for in sections 46.44.040 to 46.44.044, inclusive.

Legislative  
intent.

The chief of the state patrol, with the advice of the director of highways, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section.

Rules and  
regulations.

SEC. 4. The joint fact-finding committee on highways, streets and bridges, created by chapter 111, Laws of 1947, and continued in chapter 213, Laws of 1949, and by section 44, chapter 269, Laws of 1951, is hereby continued for another biennium. It shall consist of six senators to be appointed by the president of the senate and six members of the house of representatives to be appointed by the speaker thereof. One of the senate members and one of the house members shall be appointed from the area included within each of the six state highway districts. The list of appointees shall be submitted before the close of the 1953 session for confirmation of the senate members, by the senate, and the house members, by the house. Vacancies occurring shall be filled by the appointing authority.

Joint  
fact-finding  
committee  
on highways,  
streets and  
bridges  
continued for  
biennium.

SEC. 5. The members of the committee shall be entitled to reimbursement of their expenses as set forth in section 5, chapter 111, Laws of 1947, except that any travel expenses shall be reimbursed at the rate of eight cents per mile.

Same; re-  
imbursement  
of members.

SEC. 6. The committee is authorized and directed to continue its studies and for that purpose shall

Same;  
powers and  
duties.

have all the powers and duties set forth in chapter 111, Laws of 1947, and in addition thereto is authorized and directed to ascertain, study, analyze, report on, and make recommendations as to:

(a) Motor vehicle taxation including the assignment of the total highway costs among property owners, general taxpayers and highway users;

(b) The disposition of highway funds including the allocation of motor vehicle fuel tax revenue among counties;

(c) The renumbering of state highway system;

(d) The appropriate financing of the state department of licenses, the Washington state patrol and other state departments, in so far as the motor vehicle and highway safety funds are involved.

Same;  
further  
powers.

SEC. 7. In addition to the powers and duties heretofore conferred upon it, the committee is further authorized and directed to continue its participations in the activities of the "Western Interstate Committee on Highway Policy Problems" of the eleven western states, of which the members for the state of Washington shall be two, one from the senate and one from the house of representatives, to be appointed by majority vote of the joint fact-finding committee on highways, streets and bridges and one member at large to be appointed by the state highway commission, in its study of highway problems upon a state and regional basis, and cooperate with and contribute to any study made by such committee of highway-user cost allocations in order to bring about equity and uniformity in this state and in the eleven western states in highway-user taxes and fees; and participate in or make joint studies with relation to the design and construction of highways and the use and cost thereof.

SEC. 8. The committee is also authorized to avail themselves of the services of the Washington State

Council for Highway Research and to cooperate with said body.

Council for Highway Research.

SEC. 9. Section 48, chapter 269, Laws of 1951 (uncodified), is amended to read as follows:

Amendment.

In addition to all other fees prescribed by law, there shall be paid for each motor vehicle the following amounts at the time of the payment of the registration fee as provided by law:

Additional fees.

Schedule.

For each truck under 12,000 lbs.....	\$ .25
For each truck over 12,000 lbs. and under 20,000 lbs. ....	.50
For each truck over 20,000 lbs.....	1.00
For each trailer 4,000 lbs. to 12,000 lbs....	.25
For each trailer 12,000 lbs. to 20,000 lbs...	.50
For each trailer, semi-trailer or pole trailer over 20,000 lbs.....	1.00
For each diesel truck.....	2.00
For each auto stage.....	1.00
For each for hire vehicle over 4,000 lbs...	.50
For each motor vehicle not otherwise taxed herein .....	.10

Such fees shall be collected for the calendar years 1953, 1954, and 1955, only and shall be deposited in the motor vehicle fund, and shall be used by the joint fact-finding committee on highways, streets and bridges and the state highway commission to help defray the costs of special highway use and weight studies and tests upon highways as provided for in this act and for other necessary expenses of such committee.

Collection.

Use.

SEC. 10. Section 46.44.047, RCW, as derived from section 31, chapter 269, Laws of 1951, is hereby amended to read as follows:

Amendment.

In addition to the limitations of RCW 46.44.040, 46.44.042 and 46.44.044, a three-axle truck tractor and a two-axle pole trailer combination engaged in the operation of hauling logs, shall have an allowable variation in wheelbase length of six feet for the dis-

Three-axle truck tractor and two-axle pole trailer.

tance between the first and last axle of the vehicle in combination which has a wheelbase overall length of thirty-seven feet or more and upon special permit the gross weight of two axles spaced less than seven feet apart may exceed by not more than sixteen hundred pounds the maximum gross axle weight specified for two axles spaced less than seven feet apart, being thirty-two thousand pounds as provided in RCW 46.44.040, and the maximum gross weight of the combination of vehicles may exceed by not more than six thousand eight hundred pounds the maximum legal gross weight of the combination of vehicles, when fully licensed as permitted by law, being sixty-eight thousand pounds.

Special  
permit.

Such additional allowances shall be permitted by a special permit to be issued by the director of highways under such rules, regulations, terms and conditions prescribed by the state highway commission. The fee for such special permit shall be fifty dollars for a twelve-month period beginning and ending on April first of each calendar year. Permits may be issued at any time but if issued after July first of any year the fee shall be thirty-seven dollars and fifty cents. If issued on or after September first the fee shall be twenty-five dollars and if issued on or after December first the fee shall be twelve dollars and fifty cents. A copy of such special permit covering the vehicle involved shall be carried in the cab of the vehicle at all times. Upon the third conviction or for violation of the terms and conditions of the special permit, the special permit shall be cancelled. The vehicle covered by such cancelled special permit shall not be eligible for a new special permit until thirty days after the cancellation of the special permit issued to said vehicle. The fee for such renewal shall be at the same rate as set forth in this section which covers the original issuance of such special permit. Each special permit shall be assigned to a specific

vehicle and shall not be transferable. For the purpose of determining gross weight the actual scale weight taken by the officer shall be prima facie evidence of such total gross weight. In the event the gross weight is in excess of the weight permitted by law the officer may, within his discretion, permit the operator to proceed with his vehicles in combination.

Scale weight  
prima facie  
evidence.

The chief of the state patrol, with the advice of the state highway commission, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section.

Rules and  
regulations.

All fees collected under this section shall be deposited with the state treasurer and credited to the motor vehicle fund.

Fees;  
disposition.

SEC. 11. Section 46.44.048, as derived from section 32, chapter 269, Laws of 1951, is amended to read as follows:

Amendment.

In addition to any penalty incurred under the provisions of this title, the owner or operator of any motor vehicle or combination of motor vehicles, as payment for excess weights, over and above those set forth in RCW 46.44.046 and 46.44.047, shall pay two cents per pound for each pound of excess weight up to five thousand pounds; if such excess weight is five thousand pounds and not in excess of ten thousand pounds, the rate per pound shall be three cents per pound for each pound of excess weight; and if the excess weight is ten thousand pounds or over the rate shall be four cents per pound for each pound of such excess weight.

Excess  
weight,  
schedule of  
payments.

It is intended by this section to provide a method of compensation for the state for any use of the highways beyond the designed capacity thereof. The court shall require the owner or operator to make the proper payments herein provided for to the clerk of the court in addition to any penalty assessed and shall suspend the certificate of license registration of

Legislative  
intent.



the vehicle or vehicles in combination concerned, until the owner or operator does so.

“Excess weight.”

For the purposes of this section “excess weight” shall mean that poundage in excess of the maximum licensed gross weight plus the weights allowed by RCW 46.44.046 and 46.44.047.

Disposition of sums collected.

Any sums of money collected under the provisions of this section shall be transmitted to the county treasurer and by him transmitted to the state treasurer who shall deposit the same in the motor vehicle fund.

Amendment.

SEC. 12. Section 46.44.091, RCW, as derived from section 35, chapter 269, Laws of 1951, is amended to read as follows:

Special permit; limitations on gross weight in cities or towns.

No special permit shall be issued for movement on any primary or secondary state highway or route of state primary or secondary highway within the limits of any city or town where the gross weight, including load, exceeds twenty-two thousand pounds on a single axle or forty-one thousand pounds on any group of axles having a wheelbase between the first and last axle thereof less than ten feet: *Provided*, That a tolerance of two thousand pounds may be allowed on any group of axles having a wheelbase between the first and last axle thereof of less than ten 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: *Provided further*, The weight limitations pertaining to single axles may be exceeded to permit the movement of equipment operating upon single pneumatic tires and having a rim width of 20 inches or more and a rim diameter of 24 inches or more or dual pneumatic tires having a rim width of 16 inches or more and a rim diameter of 24 inches or more. Application shall be made in writing on special forms provided by the highway commission and shall be

Tolerances.

submitted at least 36 hours in advance of the proposed movement.

SEC. 13. Section 46.44.095, RCW, as derived from section 39, chapter 269, Laws of 1951, is hereby amended to read as follows: Amendment.

When fully licensed to the maximum gross weight permitted under 46.44.040, 46.44.042 and 46.44.044, RCW, a three-axle truck tractor, a three-axle truck, a two-axle trailer or a three-axle trailer may be eligible, upon special permit to be issued by the director of highways, to carry additional gross load not to exceed four thousand pounds over and above the maximum permissible to be licensed. Such special permits shall be issued under such rules and regulations and upon such terms and conditions as may be prescribed by the state highway commission. Such special permit shall entitle the permittee to carry additional load in such an amount and upon such highways or sections of highways as may be determined by the director to be capable of withstanding such increased gross loads without injury to the highway. The fee for such additional gross weight for a twelve-month period beginning and ending on April first of each calendar year shall be at a rate of fifty dollars for each two thousand pounds issued. Permits may be issued at any time but if issued after July first of any year the fee shall be thirty-seven dollars and fifty cents. If issued on or after September first the fee shall be twenty-five dollars and if issued on or after December first the fee shall be twelve dollars and fifty cents. Special permit; additional gross load allowable on certain highways or sections thereof.

SEC. 14. Section 46.44.097, RCW, as derived from section 41, chapter 269, Laws of 1951, is hereby amended to read as follows: Fees.

Any person who misrepresents the size or weight of any load in obtaining a special permit or does not follow the requirements and conditions of the special permit is guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one hundred dollars. Amendment.

Any person who misrepresents the size or weight of any load in obtaining a special permit or does not follow the requirements and conditions of the special permit is guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one hundred dollars. Special permit; misrepresentation or non-compliance; penalty.

tion thereof shall be fined not less than fifty dollars or more than one hundred dollars.

Operation of  
over weight  
vehicle;  
penalty.

Any person who operates any vehicle, the gross weight of which is in excess of the maximum for which such vehicle may be eligible for license, without first obtaining a special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars.

Special  
permits  
carried in  
vehicle.

Every special 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.

Confiscation  
of permits.

Any state highway patrol officer who shall find any person operating a vehicle in violation of the conditions of a special permit issued under RCW 46.44.095 may confiscate such permit and forward the same to the state highway commission which may return it to the permittee or revoke, cancel or suspend it without refund. The state highway commission shall keep a record of all action taken upon permits so confiscated and if a permit shall be returned to the permittee the action taken by the commission shall be endorsed thereon. Any permittee whose permit is suspended or revoked may upon request receive a hearing before the commission or person designated by the commission. The commission after such hearing may reinstate any permit or revise its previous action.

Record.

Hearing.

Partial  
invalidity.

SEC. 15. 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.

Emergency.

SEC. 16. 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 Wash-

ington and its existing institutions, and shall take effect immediately.

Passed the Senate March 12, 1953.

Passed the House March 11, 1953.

Approved by the Governor March 21, 1953.

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CHAPTER 255.

[ S. B. 476. ]

FAMILY DESERTION—NON-SUPPORT.

AN ACT relating to family desertion; providing penalties for non-support; and amending section 26.20.030, RCW.

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

SECTION 1. Section 26.20.030, RCW, as derived from section 1, chapter 158, Laws of 1943, is amended to read as follows: Amendment.

Every person who:

(1) Has a child dependent upon him or her for care, education, or support and deserts such child in any manner whatever with intent to abandon it; or Desertion and non-support.

(2) Wilfully omits, without lawful excuse, to furnish necessary food, clothing, shelter, or medical attendance for his or her child or children or ward or wards; or

(3) Has sufficient ability to provide for his wife's support or is able to earn the means for his wife's support and wilfully abandons and leaves her in a destitute condition; or who refuses or neglects to provide his wife with necessary food, clothing, shelter, or medical attendance, unless by her misconduct he is justified in abandoning her, shall be guilty of the crime of family desertion or non-support.

When children are involved under the age of sixteen years, such act shall be punished as follows: Penalty.

(1) In the case of a first offense by imprisonment in the county jail for not more than thirty days, or by 1st offense.