

CHAPTER 49.

[ S. B. 213. ]

MOTOR VEHICLES — TERMS.

AN ACT relating to motor vehicles; amending section 1, chapter 188, Laws of 1937, section 1, chapter 189, Laws of 1937, section 1, chapter 153, Laws of 1943, section 1, chapter 56, Laws of 1951, section 1, chapter 40, Laws of 1953, section 6, chapter 89, Laws of 1955, section 10, chapter 384, Laws of 1955 and RCW 46.04.010 through 46.04.680.

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

RCW 46.04.010-46.04.680 amended.

SECTION 1. Section 1, chapter 188, Laws of 1937, section 1, chapter 189, Laws of 1937, section 1, chapter 153, Laws of 1943, section 1, chapter 56, Laws of 1951, section 1, chapter 40, Laws of 1953, section 6, chapter 89, Laws of 1955, section 10, chapter 384, Laws of 1955 (heretofore divided, combined and codified as RCW 46.04.010 through 46.04.680) are amended to read as set forth in sections 2 through 73 of this act.

RCW 46.04.010. Definitions. Construction.

SEC. 2. (RCW 46.04.010) Terms used in this title shall have the meaning given to them in this chapter except where otherwise defined, and unless where used the context thereof shall clearly indicate to the contrary.

Words and phrases used herein in the past, present or future tense shall include the past, present and future tenses; words and phrases used herein in the masculine, feminine or neuter gender shall include the masculine, feminine and neuter genders; and words and phrases used herein in the singular or plural shall include the singular and plural; unless the context thereof shall indicate to the contrary.

RCW 46.04.020. "Alley."

SEC. 3. (RCW 46.04.020) "Alley" means a public highway not designed for general travel and used primarily as a means of access to the rear of residences and business establishments.

SEC. 4. (RCW 46.04.030) "Arterial highway" means every public highway, or portion thereof, designated as such by proper authority.

RCW 46.04.030.  
"Arterial  
highway."

SEC. 5. (RCW 46.04.040) "Authorized emergency vehicle" means any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service, public or private, which need not be classified, registered or authorized by the state commission on equipment, or any other vehicle authorized in writing by the state commission on equipment.

RCW 46.04.040.  
"Authorized  
emergency  
vehicle."

SEC. 6. (RCW 46.04.050) "Auto stage" means any motor vehicle used for the purpose of carrying passengers together with incidental baggage and freight or either, on a regular schedule of time and rates: *Provided*, That no motor vehicle shall be considered to be an auto stage where substantially the entire route traveled by such vehicle is within the corporate limits of any city or town or the corporate limits of any adjoining cities or towns.

RCW 46.04.050.  
"Auto stage."

SEC. 7. (RCW 46.04.060) "Axle" means structure or structures in the same or approximately the same transverse plane with a vehicle supported by wheels and on which or with which such wheels revolve.

RCW 46.04.060.  
"Axle."

SEC. 8. (RCW 46.04.070) "Bicycle" means every vehicle having a saddle for the use of the rider, operated by human power, and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor.

RCW 46.04.070.  
"Bicycle."

SEC. 9. (RCW 46.04.080) "Business district" means the territory contiguous to and including the public highway when fifty percent or more of the frontage thereon on either side thereof for a continuous distance of three hundred feet or more is occupied by buildings in use for business.

RCW 46.04.080.  
"Business  
district."

RCW 46.04.090.  
"Cancel."

SEC. 10. (RCW 46.04.090) "Cancel," in all its forms, means the invalidation indefinitely and until successful application, but shall be for a period of not less than one year.

RCW 46.04.100.  
"Center line."

SEC. 11. (RCW 46.04.100) "Center line" means the line, marked or unmarked, parallel to and equidistant from the sides of the roadway of a public highway.

RCW 46.04.110.  
"Center of intersection."

SEC. 12. (RCW 46.04.110) "Center of intersection" means the point of intersection of the center lines of the roadway of intersecting public highways.

RCW 46.04.120.  
"City street."

SEC. 13. (RCW 46.04.120) "City street" means every public highway, or part thereof located within the limits of cities and towns, except alleys.

RCW 46.04.130.  
"Combination of vehicles."

SEC. 14. (RCW 46.04.130) "Combination of vehicles" means every combination of motor vehicle and trailer or motor vehicle and semitrailer the principal use of which is the transportation of commodities, merchandise, produce, freight, or animals.

RCW 46.04.140.  
"Commercial vehicle."

SEC. 15. (RCW 46.04.140) "Commercial vehicle" means any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.

RCW 46.04.150.  
"County road."

SEC. 16. (RCW 46.04.150) "County road" means every public highway or part thereof, outside the limits of cities and towns and which has not been designated as a state highway.

RCW 46.04.160.  
"Crosswalk."

SEC. 17. (RCW 46.04.160) "Crosswalk" means the portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no sidewalks then between the intersection area and a line ten feet therefrom, except as modified by a marked crosswalk.

RCW 46.04.170.  
"Explosives."

SEC. 18. (RCW 46.04.170) "Explosives" means any chemical compound or mechanical mixture that

is commonly used or intended for the purpose of producing an explosion, and which contains any oxidizing or combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonation of any part of the compound mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

SEC. 19. (RCW 46.04.180) "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry. RCW 46.04.180.  
"Farm tractor."

SEC. 20. (RCW 46.04.190) "For hire vehicle" means any motor vehicle other than an auto stage used for the transportation of persons for compensation. RCW 46.04.190.  
"For hire vehicle."

SEC. 21. (RCW 46.04.200) "Hours of darkness" means the hours from one-half hour after sunset to one-half hour before sunrise, and any other time when persons or objects may not be clearly discernible at a distance of five hundred feet. RCW 46.04.200.  
"Hours of darkness."

SEC. 22. (RCW 46.04.210) "Flammable liquid" means any liquid which has a flash point of 70° Fahrenheit, or less, as determined by a Tagliabue or equivalent closed cup test device. RCW 46.04.210.  
"Flammable liquid."

SEC. 23. (RCW 46.04.220) "Intersection area" means the area embraced within the prolongation of the lateral curb lines, or, if there are no curb lines, or, if there are no curbs, then the lateral roadway boundary lines, of two or more public highways which join one another at an angle, whether or not such highways cross one another. RCW 46.04.220.  
"Intersection area."

SEC. 24. (RCW 46.04.230) "Intersection center marker" means any standard, button, flag, painted RCW 46.04.230.

"Intersection center marker."

or raised marker, or other device located at and intended to designate the approximate center of intersection.

RCW 46.04.240. "Intersection control area."

SEC. 25. (RCW 46.04.240) "Intersection control area" means intersection area, together with such modification of the adjacent roadway area as results from the arc of curb corners and together with any marked or unmarked crosswalks adjacent to the intersection.

RCW 46.04.250. "Intersection entrance marker."

SEC. 26. (RCW 46.04.250) "Intersection entrance marker" means any standard, button, flag, caution sign, stop sign, or other device located at approximately the point of intersection of the center line of an intersecting public highway with the nearest line of the intersection control area on the approach thereto.

RCW 46.04.260. "Laned highway."

SEC. 27. (RCW 46.04.260) "Laned highway" means a highway the roadway of which is divided into clearly marked lanes for vehicular traffic.

RCW 46.04.270. "Legal owner."

SEC. 28. (RCW 46.04.270) "Legal owner" means a mortgagee or owner of the legal title to a vehicle.

RCW 46.04.280. "Local authorities."

SEC. 29. (RCW 46.04.280) "Local authorities" includes every county, municipal, or other local public board or body having authority to adopt local police regulations under the Constitution and laws of this state.

RCW 46.04.290. "Marked crosswalk."

SEC. 30. (RCW 46.04.290) "Marked crosswalk" means any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface thereof.

RCW 46.04.300. "Metal tire."

SEC. 31. (RCW 46.04.300) "Metal tire" includes every tire, the bearing surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

RCW 46.04.310. "Motor truck."

SEC. 32. (RCW 46.04.310) "Motor truck" means any motor vehicle designed or used for the trans-

portation of commodities, merchandise, produce, freight, or animals.

SEC. 33. (RCW 46.04.320) "Motor vehicle" shall mean every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

RCW 46.04.320.  
"Motor  
vehicle."

SEC. 34. (RCW 46.04.330) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor.

RCW 46.04.330.  
"Motorcycle."

SEC. 35. (RCW 46.04.340) "Muffler" means a device consisting of a series of chambers, or other mechanical designs for the purpose of receiving exhaust gas from an internal combustion engine and effective in reducing noise resulting therefrom.

RCW 46.04.340.  
"Muffler."

SEC. 36. (RCW 46.04.350) "Multiple lane highway" means any public highway the roadway of which is of sufficient width to reasonably accommodate four or more separate lanes of vehicular traffic, two or more lanes in each direction, each lane of which shall be not less than eight feet in width and whether or not such lanes are marked and whether or not the lanes of opposite bound traffic are separated by a neutral zone or other center line marking.

RCW 46.04.350.  
"Multiple lane  
highway."

SEC. 37. (RCW 46.04.360) "Nonresident" means any person whose residence is outside this state and who is temporarily sojourning within this state.

RCW 46.04.360.  
"Nonresident."

SEC. 38. (RCW 46.04.370) "Operator" means every person who is in actual physical control of a motor vehicle upon a public highway.

RCW 46.04.370.  
"Operator."

SEC. 39. (RCW 46.04.380) "Owner" means a person who holds a title of ownership of a vehicle, or in the event the vehicle is subject to an agreement for the conditional sale or lease thereof with a right

RCW 46.04.380.  
"Owner."

of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then any such conditional vendee or lessee, or mortgagor having a lawful right of possession or use and control for a period of ten or more successive days.

RCW 46.04.390.  
"Peace  
officer."

SEC. 40. (RCW 46.04.390) "Peace officer" includes any officer authorized by law to execute criminal process or to make arrests for the violation of the statutes generally or of any particular statute or statutes relative to the public highways of this state.

RCW 46.04.400.  
"Pedestrian."

SEC. 41. (RCW 46.04.400) "Pedestrian" means any person afoot.

RCW 46.04.405.  
"Person."

SEC. 42. (RCW 46.04.405) "Person" includes every natural person, firm, co-partnership, corporation, association, or organization.

RCW 46.04.410.  
"Pneumatic  
tires."

SEC. 43. (RCW 46.04.410) "Pneumatic tires" includes every tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon.

RCW 46.04.414.  
"Pole trailer."

SEC. 44. (RCW 46.04.414) "Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, logs or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

RCW 46.04.420.  
"Private road  
or driveway."

SEC. 45. (RCW 46.04.420) "Private road or driveway" includes every way or place in private ownership and used for travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons.

SEC. 46. (RCW 46.04.430) "Public highway" includes every way, land, road, street, boulevard, and every way or place in the state open as a matter of right to public vehicular travel both inside and outside the limits of cities and towns.

RCW 46.04.430.  
"Public highway."

SEC. 47. (RCW 46.04.435) "Public scale" means every scale under public or private ownership which is certified as to its accuracy and which is available for public weighing.

RCW 46.04.435.  
"Public scale."

SEC. 48. (RCW 46.04.440) "Railroad" means a carrier of persons or property upon vehicles, other than street cars, operated upon stationary rails, the route of which is principally outside cities and towns.

RCW 46.04.440.  
"Railroad."

SEC. 49. (RCW 46.04.450) "Railroad sign or signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

RCW 46.04.450.  
"Railroad sign or signal."

SEC. 50. (RCW 46.04.460) "Registered owner" means a person who holds a certificate of ownership of a vehicle, or in the event the vehicle is subject to an agreement for the conditional sale or lease thereof with a right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then any such conditional vendee or lessee, or mortgagor having a lawful right of possession or use and control for a period of ten or more successive days.

RCW 46.04.460.  
"Registered owner."

SEC. 51. (RCW 46.04.470) "Residence district" means the territory contiguous to and including a public highway not comprising a business district, when the property on such public highway for a continuous distance of three hundred feet or more on either side thereof is in the main improved with residences or residences and buildings in use for business.

RCW 46.04.470.  
"Residence district."



RCW 46.04.480.  
"Revoke."        SEC. 52. (RCW 46.04.480) "Revoke," in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue.

RCW 46.04.490.  
"Road tractor."        SEC. 53. (RCW 46.04.490) "Road tractor" includes every motor vehicle designed and used primarily as a road building vehicle in drawing road building machinery and devices.

RCW 46.04.500.  
"Roadway."        SEC. 54. (RCW 46.04.500) "Roadway" means the paved, improved, or proper driving portion of a public highway designed, or ordinarily used for vehicular travel.

RCW 46.04.510.  
"Safety zone."        SEC. 55. (RCW 46.04.510) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is marked or indicated by painted marks, signs, buttons, standards, or otherwise, so as to be plainly discernible.

RCW 46.04.520.  
"School bus."        SEC. 56. (RCW 46.04.520) "School bus" means any motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or school activities or privately owned and operated for compensation for the transportation of children to or from school or school activities.

RCW 46.04.530.  
"Semitrailer."        SEC. 57. (RCW 46.04.530) "Semitrailer" includes every vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed that an appreciable part of its weight and that of its load rests upon and is carried by such motor vehicle or truck tractor.

RCW 46.04.540.  
"Sidewalk."        SEC. 58. (RCW 46.04.540) "Sidewalk" means that property between the curb lines or the lateral lines of a roadway and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a public highway and dedicated to use by pedestrians.

SEC. 59. (RCW 46.04.550) "Solid tire" includes every tire of rubber or other resilient material which does not depend upon inflation with compressed air for the support of the load thereon. RCW 46.04.550.  
"Solid tire."

SEC. 60. (RCW 46.04.560) "State highway" includes every primary and secondary state highway or part thereof. RCW 46.04.560.  
"State  
highway."

SEC. 61. (RCW 46.04.570) "Street car" means a vehicle other than a train for transporting persons or property and operated upon stationary rails principally within cities and towns. RCW 46.04.570.  
"Street car."

SEC. 62. (RCW 46.04.580) "Suspend," in all its forms, means invalidation for any period less than one calendar year and thereafter until reinstatement. RCW 46.04.580.  
"Suspend."

SEC. 63. (RCW 46.04.585) "Temporarily sojourning," as the term is used in chapter 46.04, shall be construed to include any nonresident who is within this state for a period of not to exceed six months in any one year. RCW 46.04.585.  
"Temporarily  
sojourning."

SEC. 64. (RCW 46.04.590) "Traffic" includes pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together, while using any public highways for purposes of travel. RCW 46.04.590.  
"Traffic."

SEC. 65. (RCW 46.04.600) "Traffic control signal" means any traffic device, whether manually, electrically, or mechanically operated, by which traffic alternately is directed to stop or proceed or otherwise controlled. RCW 46.04.600.  
"Traffic con-  
trol signal."

SEC. 66. (RCW 46.04.610) "Traffic devices" includes all signs, signals, markings, and devices placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic. RCW 46.04.610.  
"Traffic  
devices."

RCW 46.04.620.  
"Trailer."

SEC. 67. (RCW 46.04.620) "Trailer" includes every vehicle without motive power designed for being drawn by or used in conjunction with a motor vehicle constructed so that no appreciable part of its weight rests upon or is carried by such motor vehicle.

RCW 46.04.630.  
"Train."

SEC. 68. (RCW 46.04.630) "Train" means a vehicle propelled by steam, electricity, or other motive power with or without cars coupled thereto, operated upon stationary rails, except street cars.

RCW 46.04.640.  
"Trolley vehicle."

SEC. 69. (RCW 46.04.640) "Trolley vehicle" means a vehicle the motive power for which is supplied by means of a trolley line and which may or may not be confined in its operation to a certain portion of the roadway in order to maintain trolley line contact.

RCW 46.04.650.  
"Truck tractor."

SEC. 70. (RCW 46.04.650) "Truck tractor" means any motor truck designed and used primarily for drawing a semitrailer and not constructed to carry a load thereon other than a part of the weight of such semitrailer and load so drawn.

RCW 46.04.660.  
"Used vehicle."

SEC. 71. (RCW 46.04.660) "Used vehicle" means a vehicle which has been sold, bargained, exchanged, given away, or title transferred from the person who first took title to it from the manufacturer or first importer, dealer, or agent of the manufacturer or importer, and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof.

RCW 46.04.670.  
"Vehicle."

SEC. 72. (RCW 46.04.670) "Vehicle" includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

SEC. 73. (RCW 46.04.680) "Director" means the director of licenses and "department" means the department of licenses. RCW 46.04.680.  
"Director."

Passed the Senate February 12, 1959.

Passed the House February 19, 1959.

Approved by the Governor February 27, 1959.

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## CHAPTER 50.

[ H. B. 281. ]

### APPROPRIATIONS — TEACHERS' OASI.

AN ACT relating to old age and survivors insurance contributions for members of the Washington state teachers' retirement system; making appropriations; and declaring an emergency.

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

SECTION 1. There is hereby appropriated out of the teachers' retirement pension reserve fund the sum of one hundred fifty thousand dollars, or as much thereof as may be necessary, for meeting a deficiency in the amount appropriated for the current biennium for the purpose of paying the employers' old age and survivors insurance contributions for members of the Washington state teachers' retirement system for old age and survivors insurance coverage from January 1, 1956, to June 30, 1957, inclusive, in accordance with the provisions of chapter 183, Laws of 1957 and chapter 41.33 RCW. Appropriation.

SEC. 2. There is hereby appropriated out of the teachers' retirement fund the sum of one hundred fifty thousand dollars, or as much thereof as may be necessary, for meeting a deficiency in the amount appropriated for the current biennium for the purpose of paying the employees' old age and survivors insurance contributions for members of the Washington state teachers' retirement system for old age Appropriation.