

CHAPTER 13.

[H. B. 3.]

PUBLIC HIGHWAYS—TITLE 47 RCW REENACTMENT.

AN ACT relating to public highways, streets, bridges, ferries, tunnels, and related means of transportation; providing for the acquisition, construction, maintenance, operation, regulation and financing thereof; enacting Title 47 of the Revised Code of Washington; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

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

TITLE 47

PUBLIC HIGHWAYS

Chapter 47.01

HIGHWAY COMMISSION

47.01.010 Legislative declaration. The administration of highway affairs has become a matter of major public importance involving vast sums of money, the development of commerce and resources, the employment of great numbers of persons, the promotion of recreation and the welfare of every citizen of the state. It demands the highest order of business and technical administration, accompanied by continuity of sound long-range highway policies, freedom from political interference and changes of personnel, and an organization attracting the services of qualified talented administrators and meriting the confidence of the people.

47.01.020 Commission created — Appointment of members — Terms. There is hereby created a state highway commission consisting of five members, all of whom shall be residents of this state and who shall be appointed by the governor with the consent of the senate for terms of office as herein provided, and with the qualifications herein specified. Within ninety days after March 19, 1951, the governor shall appoint the first members of said state highway commission: One member to serve two years; one member to serve three years; one member to serve four years; one member to serve five years; and one member to serve six years from the first day of July, 1951. Upon expiration of said original terms subsequent appointments shall be for six years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term in which the vacancy has occurred.

47.01.030 Members—Qualifications—Removal. No two members of said state highway commission shall at the time of appointment or

thereafter during their respective terms of office be residents of the same congressional district, and not more than three members of said state highway commission shall reside at the time of appointment or thereafter in one part of the state divided north and south by the summit of the Cascade mountains. Not more than three members of said state highway commission shall at the time of appointment or thereafter during their respective terms of office be members of the same major political party. No elective state official or state officer during the term of office to which he was elected or appointed or state employee shall be a member of said commission. No state highway commissioner shall be removed from office by the governor before the expiration of his term unless for a disqualifying change of residence or for cause based upon a determination of incapacity, incompetence, neglect of duty, or malfeasance in office by the superior court of the state of Washington in and for Thurston county upon petition and show cause proceedings duly brought therefor in said court and directed to the commissioner in question.

47.01.040 Members—Compensation and expenses. Each member of the state highway commission shall receive twenty-five dollars per diem for each day actually spent in the performance of his duties and his actual necessary traveling and other expenses in going to, attending and returning from meetings of the commission, and his actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested of him by a majority vote of the commission, but in no event shall a commissioner's per diem payments exceed three thousand dollars in any one year.

47.01.050 Powers of commission. The state highway commission is hereby vested with all powers, authority, functions and duties vested in or required to be performed by the director of highways or the state department of highways as of July 1, 1951. Full and complete jurisdiction and authority over the administration of state highways and all matters connected therewith or related thereto is hereby granted the said state highway commission except only insofar as the same may have been heretofore or may be hereafter specifically granted to the director or department of licenses, the public service commission, the state commission on equipment, the Washington state patrol or its chief, the Washington toll bridge authority, or the governing bodies of cities and towns.

47.01.060 Exercise of powers—Rules and regulations. On and after July 1, 1951, the state highway commission shall take over, assume and exercise all of the powers, authority and functions and perform all of the duties then vested in or required to be performed

by the director of highways and the department of highways. Thereafter the state highway commission shall assume and exercise full and complete jurisdiction and authority over the administration of the state highways and all matters connected therewith or related thereto as hereinabove set forth in RCW 47.01.050. The state highway commission shall establish such rules and regulations as may be deemed wise and lay down policies of procedure and generally supervise and control the operation of said functions within the terms of this title and pursuant to the laws of this state, and the said commission is hereby clothed with all necessary powers to carry out the terms thereof.

47.01.070 Directors' prior assignments may be delegated. In all situations wherein the director of highways was on July 1, 1951 designated as a member of any board, commission, committee, or authority, the state highway commission shall hereafter determine who shall serve as such member.

47.01.080 Meetings of commission—Rules and regulations. The first appointed members of the state highway commission shall meet in the offices of the department of highways at the state capitol and organize as a state highway commission during the first week in July, 1951, or as soon thereafter as possible. At the first annual meeting and at each annual meeting thereafter the commission shall elect a secretary who may be, but need not be, a member of said commission, and the commission shall elect a chairman from its own membership who shall hold office for one year. Election as chairman shall not interfere with the member's right to vote on all matters before the commission. The commission shall meet at such other times as it deems advisable, but at least once every thirty days, and shall from time to time adopt rules and regulations not inconsistent with the provisions of this title for its own government, and to regulate and discharge its duties, and to exercise its powers under this title.

47.01.090 Meetings—Notice—Quorum. The commission shall act collectively in harmony with recorded resolutions or motions adopted by a majority of the commission at regular or special meetings, notice of which meetings shall be given to all members pursuant to the rules of said commission. Three members shall constitute a quorum at any meeting, but no resolution, motion, or other decision of the commission shall be adopted or passed without the favorable vote of at least three members.

47.01.100 Director of highways—Appointment—General duties. The state highway commission shall select and appoint the director of highways who after appointment shall be an ex officio member of the commission without a vote. He shall be the chief executive

officer of the commission responsible only to it, and shall carry into effect the commission's order and shall be guided by policies laid down by it. As the executive head, he shall direct all activities and supervise the work of the staff of the department.

47.01.110 Director of highways—Qualifications. The director of highways shall be fully competent as a highway engineer and as an executive. He shall be a registered professional engineer and shall be a graduate in engineering of an accredited university or college or have in lieu thereof experience as a civil engineer in responsible charge of work equivalent to such education, and in addition experience in highway or road construction for a period of not less than five years. He need not be a resident of the state at the time of his appointment.

47.01.120 Director of highways—Term—Removal. The director of highways shall hold office indefinitely but may be dismissed by the commission at any time for incompetence, neglect of duty, malfeasance in office or failure to carry out the commission's policies. Before a motion for dismissal shall be acted upon by the state highway commission, the director of highways shall be granted a hearing on formal written charges before the full commission.

47.01.130 Director of highways—Salary. The salary of the director of highways shall be ten thousand dollars per year: *Provided*, That the commission may increase said salary.

47.01.140 Commission's report to legislature. The state highway commission shall prepare a report of its activities to be submitted to each biennial session of the legislature. The report shall be printed and copies thereof submitted to the senate and house of representatives on or before the opening day of the legislative session and shall show the sum of money expended by or under its direction during the fiscal biennium or portion thereof during which the commission has functioned, and shall show data and information as will show a strict accounting of all sums expended by or under its direction.

47.01.150 Budget—Plan for highway development. The commission shall prepare, furnish and present to the governor and to the legislature at the time of its convening, the budget for the following two years. The commission shall continue its 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.

47.01.160 Commission—Specific powers enumerated. The state highway commission shall have the power and it shall be its duty:

(1) To conduct, control and supervise the state department of highways, and to designate and establish such department of high-

way district or branch offices as may be necessary and convenient, and to appoint and employ and to determine the powers and duties together with the salaries and other expenses of such engineering, clerical, mechanical, and any and all other assistants as may be necessary or convenient in the exercise of the powers and in the discharge of its duties as the state highway commission.

(2) To keep at the office of the commission in the highway building at the state capitol a record of all proceedings and orders pertaining to the matters under its direction and copies of all maps, plans and specifications prepared by it, and to prepare and submit to the governor thirty days before each regular session of the legislature of the state of Washington a report of work constructed or under construction and to make recommendations as to needed state highways and improvements of the state highway system, together with estimated cost thereof.

(3) To acquire property as authorized by law and to construct and maintain thereon any buildings or structures necessary and convenient for the exercise of the powers and the discharge of the duties of the commission and to construct and maintain any buildings or structures and appurtenances and facilities necessary or convenient to the health and safety and for the accommodation of persons traveling upon the state highways.

(4) To employ such qualified engineers who shall be registered professional engineers under the laws of the state of Washington, assistants and such other services and to provide such superintendents of construction, repair or maintenance work on any state highways as may be necessary to accomplish the completion thereof, and the expense so incurred together with the cost of any right of way necessary therefor, or land incidental thereto, shall be charged against the funds appropriated for the construction, repair or maintenance of state highways.

(5) To exercise all the powers and perform all the duties necessary, convenient, or incidental to the laying out, locating, relocating, surveying, constructing, altering, repairing, improving, and maintaining of any state highway, and of any bridges, culverts and embankments necessary or important therefor or for the protection or preservation thereof, and channel changes therefor and to examine and allow or disallow bills for any work done or materials furnished and to certify all claims allowed to the state auditor.

(6) To publish biennially and before the end of each even numbered year a report of the commission with such cumulative information as may be deemed important and such recommendations as may be deemed desirable for the future operation of the commission.

(7) To devise and place in operation in the department of highways of the state of Washington a practical and workable merit

system for the rating of employees of the department of highways and the same shall by it be followed as closely as possible in the classification of employees, setting of wages and the determination of eligibility for promotion, to effect the most efficient and economical conduct of the department of highways.

(8) To collect and compile and to publish, if it is deemed advisable, statistics relative to public highways throughout the state; to collect such information in regard thereto as is deemed expedient; to investigate and determine upon various methods of highway construction adaptable to different sections of the state; to investigate and determine the best methods of construction and maintenance of highways, roads and bridges; to gather and compile such other information relating thereto as shall be deemed appropriate, and to employ highway funds for the purpose of constructing test roads within the state of Washington and conducting investigations and research thereof in the state of Washington or elsewhere; to conduct on any highways, roads, or streets of this state, physical, traffic or other nature of inventory or survey considered of value in determining highway, road or street uses and needs.

(9) To appoint, with the approval of the governor, a qualified assistant to act temporarily in the capacity of director of highways in his absence which assistant shall exercise all the powers and discharge all the duties of the director of highways during such absence.

(10) To exercise all powers and to perform all duties by any law granted to or imposed upon the state highway board, the state highway commission, the state highway committee, the director of public works by and through the division of highways, the supervisor of highways, and the state highway engineer.

(11) To exercise all other powers and perform all other duties now or hereafter provided by law.

47.01.170 ————**Right of entry.** The commission or its duly authorized and acting assistants, agents or appointees shall have the right to enter upon any land, real estate or premises in this state, whether public or private, for purposes of making examinations, locations, surveys and appraisals for highway purposes. The making of any such entry for said purposes shall not constitute any trespass by the commission or by its duly authorized and acting assistants, agents or appointees.

47.01.180 ————**Roads and bridges in state parks.** The commission is hereby authorized at the request of, and upon plans approved by the state parks committee, to construct and maintain vehicular roads, highways and bridges within the limits of the several state parks.

47.01.190 ————**Assistant director of highways for state aid.** The commission shall appoint, with the approval of the governor, a qualified assistant to be designated as "assistant director of highways for state aid" whose duties shall consist of the administration of the program of state aid in the matter of county roads and city streets.

47.01.200 ————**Personnel merit system required for department.** [1955 c 383 § 14; 1949 c 220 § 3; RCW 43.27.060. Repealed by 1961 c 1 § 33 (9); (initiative No. 207).]

47.01.210 ————**Contract without bid or bond with public utilities and municipal corporations.** It shall be lawful for the Washington state highway commission to contract without advertising or bid, or performance bond, with any public utility, whether publicly or privately operated, or with any municipal corporation or political subdivision of the state, for the performance of any work or the furnishing of any service of a type ordinarily performed or furnished by such utility, or by such municipal corporation or political subdivision, whenever, in the opinion of said commission, the interest of the public will be best served.

47.01.220 ————**Report to legislature on highway needs through joint fact-finding committee.** The state highway commission shall report to the legislature through the joint fact-finding committee on highways, streets and bridges on the highway needs of the state in light of the new federal highway policy, taking into consideration the needs of the existing state highway system and such extensions thereto as may be warranted by the expanding economy of the state.

Chapter 47.04

GENERAL PROVISIONS

47.04.010 Definitions. The following words and phrases, wherever used in this title, shall have the meaning as in this section ascribed to them, unless where used the context thereof shall clearly indicate to the contrary or unless otherwise defined in the chapter of which they are a part:

(1) "Alley." A public highway within the ordinary meaning of alley not designated for general travel and primarily used as a means of access to the rear of residences and business establishments;

(2) "Arterial highway." Every public highway, as herein defined, or portion thereof designated as such by proper authority;

(3) "Business district." The territory contiguous to and including the public highway, as herein defined, 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;

(4) "Center line." The line, marked or unmarked parallel to and equidistant from the sides of the roadway of a public highway;

(5) "Center of intersection." The point of intersection of the center lines of the roadways of intersecting public highways;

(6) "City street." Every public highway as herein defined, or part thereof located within the limits of incorporated cities and towns, except alleys;

(7) "Combination of vehicles." 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;

(8) "Commercial vehicle." Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals or passengers for hire;

(9) "County road." Every public highway as herein defined, or part thereof, outside the limits of incorporated cities and towns and which has not been designated as a primary or secondary state highway;

(10) "Crosswalk." 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;

(11) "Intersection area." The area embraced within the prolongation of the lateral curb lines, or, if there be 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;

(12) "Intersection center marker." Any standard, button, flag, painted or raised marker, or other device located at or intended to designate the approximate center of intersection;

(13) "Intersection control area." The intersection area as herein defined, together with such modification of the adjacent roadway area as results from the arc or curb corners and together with any marked or unmarked crosswalks adjacent to the intersection;

(14) "Intersection entrance marker." 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;

(15) "Laned highway." A highway the roadway of which is divided into clearly marked lanes for vehicular traffic;

(16) "Local authorities." 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;

(17) "Marked crosswalk." Any portion of roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface thereof;

(18) "Metal tire." Every tire, the bearing surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material;

(19) "Motor truck." Any motor vehicle, as herein defined, designed or used for the transportation of commodities, merchandise, produce, freight or animals;

(20) "Motor vehicle." Every vehicle, as herein defined, which is in itself a self-propelled unit;

(21) "Multiple lane highway." Any public highway the roadway of which is of sufficient width to reasonably accommodate four separate lanes of vehicular traffic, two 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;

(22) "Operator." Every person who is in actual physical control of a motor vehicle as herein defined, upon a public highway, as herein defined;

(23) "Peace officer." 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;

(24) "Pedestrian." Any person afoot;

(25) "Person." Every natural person, firm, copartnership, corporation, association or organization;

(26) "Pneumatic tires." Every tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon;

(27) "Primary state highway." Every public highway as herein defined, or part thereof, which has been designated as a primary state highway by legislative enactment;

(28) "Private road or driveway." 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;

(29) "Public highway." Every way, lane, road, street, boulevard, and every way or place in the state of Washington open as a matter of right to public vehicular travel both inside and outside the limits of incorporated cities and towns;

(30) "Railroad." A carrier of persons or property upon vehicles,

other than street cars, operated upon stationary rails, the route of which is principally outside incorporated cities and towns;

(31) "Railroad sign or signal." 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;

(32) "Residence district." The territory contiguous to and including the public highway, as herein defined, not comprising a business district, as herein defined, 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;

(33) "Roadway." The paved, improved or proper driving portion of a public highway designed, or ordinarily used for vehicular travel;

(34) "Safety zone." 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;

(35) "Secondary state highway." Every public highway as herein defined, or part thereof, which has been designated as a secondary state highway by legislative enactment;

(36) "Sidewalk." That property between the curb lines or the lateral lines of a roadway, as herein defined, 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;

(37) "Solid tire." Every tire of rubber or other resilient material which does not depend upon inflation with compressed air for the support of the load thereon;

(38) "State highway." Every public highway as herein defined, or part thereof, which has been designated as a primary state highway or secondary state highway by legislative enactment;

(39) "Street car." A vehicle other than a train, as herein defined, for the transporting of persons or property and operated upon stationary rails principally within incorporated cities and towns;

(40) "Traffic." Pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together while using any public highways for purposes of travel;

(41) "Traffic control signal." Any traffic device, as herein defined, whether manually, electrically or mechanically operated, by which traffic alternately is directed to stop or proceed or otherwise controlled;

(42) "Traffic devices." All signs, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic;

(43) "Train." A vehicle propelled by steam, electricity or other motive power with or without cars coupled thereto, operated upon stationary rails, except street cars;

(44) "Vehicle." Every device capable of being moved upon a public highway and in, upon or by which any person 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.

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.

47.04.020 Classification of highways. All public highways in the state of Washington, or portions thereof, outside incorporated cities and towns shall be divided and classified as primary state highways, secondary state highways, and county roads. All primary state highways shall be established by the legislature of the state of Washington and shall be described, and designated by convenient number and descriptive name. All secondary state highways shall be established by the legislature of the state of Washington as branches of primary state highways and shall be described and designated by convenient number. All public highways in the state of Washington, or portions thereof, outside incorporated cities and towns, not established as primary state highways or secondary state highways, are hereby declared to be county roads.

47.04.030 Provisions applicable to both primary and secondary highways. The highway commission shall have all the powers and perform all the duties with respect to secondary state highways, described and designated by this title, as have been or may be by law granted with respect to primary state highways so far as the same are consistently applicable. All provisions of the law of this state with respect to the construction, reconstruction, location, relocation, alteration, repair, improvement, maintenance, care and protection of primary state highways of this state shall apply to secondary state highways described and designated by this title and all powers and duties of public officers of this state with respect to the receipt and use of funds of the federal government relating to primary state highways shall apply to secondary state highways. All laws, rules and regulations relating to vehicles upon the public highways of this state, and all laws, rules and regulations relating to vehicles upon primary state highways of this state, shall apply to

vehicles upon secondary state highways, described and designated by this title, so far as the same are consistently applicable.

47.04.040 Title to rights of way vested in state. Upon and after April 1, 1937, all rights of way of any primary state highways, together with all appurtenances thereto, the right or interest in or to which was, or is, in any county, road district, township, local improvement district, independent highway district, or other highway or road district or political subdivision of the state of Washington shall be and the same is hereby transferred to and vested in the state of Washington for use in conjunction with such primary state highways under the highway commission.

All public highways in the state of Washington which have been designated to be primary state highways or secondary state highways or classified as primary roads and which have been constructed and improved and maintained for a period of seven years prior to April 1, 1937, at the expense of the state shall operate to vest in the state of Washington all right, title, and interest to the right of ways thereof, including the roadway and ditches and existing drainage facilities, together with all appurtenances thereto and no informalities in the records of title to such public highways shall be construed to invalidate or vacate such public highways or to divest the state of Washington of any right, title and interest in the right of way thereof.

47.04.050 Acceptance of federal acts. The state of Washington hereby assents to the purposes, provisions, terms and conditions of the grant of money provided in an act of congress entitled: "An act to provide that the United States shall aid the states in the construction of rural post roads, and for other purposes," approved July 11, 1916, and all acts, grants and appropriations amendatory and supplementary thereto and affecting the state of Washington.

47.04.060 Commission to administer federal grants. The highway commission is hereby authorized and directed to act for and on behalf of the state of Washington, and any civil subdivision of the state, in all things pertaining to the selection, construction and maintenance of highways and roads under the provisions of the act of congress approved July 11, 1916, and any and all acts amendatory thereto; and to enter into such agreement with the secretary of commerce or other duly authorized agent of the United States as may from time to time be desirable or necessary to secure the money or aid for any section of state highway, county road or city or town street selected by law for construction or improvement through an appropriation for the period in which said construction or improvement is to be made. Said money to be added to and expended in connection with the appropriation aforesaid; and to apply thereto,

as may be required, cooperative expenditures from the motor vehicle fund, which may have been appropriated by the state legislature, and from any highway, road or street fund of any civil subdivision, and which are available for the construction and maintenance of any section of state highway, county road or city or town street selected as aforesaid for such aid and improvement.

47.04.070 Procedure to conform with federal requirements. In all matters relating to the cooperative construction or improvement of any state highway, county road or city or town street for which federal funds or aid is secured under any act of congress, the highway commission shall act in the manner provided by state law relating to state highway construction from the motor vehicle fund, so far as the same may be consistent with the provisions of such act of congress and the rules and regulations made by the secretary of commerce or other authorized agent of the United States government pursuant to such act, to which the procedure shall be adapted by the highway commission as may be necessary.

47.04.080 State may cooperate with other governments and agencies. The highway commission is empowered to join financially or otherwise with any other state or any county, city, or town of any other state, or with any foreign country, or any province or district of any foreign country, or with the federal government or any agency thereof, or with any or all thereof, for the erecting and constructing of any bridge, trestle, or any other structure, for the continuation or connection of any state highway across any stream, body of water, gulch, navigable water, swamp, or other topographical formation requiring any such structure and forming a boundary between the state of Washington and any other state or foreign country, and for the purchase or condemnation of right of way therefor.

47.04.090 Penalty. It shall be a misdemeanor for any person to violate any of the provisions of this title unless such violation is by this title or other law of this state declared to be a felony or a gross misdemeanor.

Unless another penalty is in this title provided, every person convicted of a misdemeanor for violation of any provisions of this title shall be punished accordingly.

Chapter 47.08

HIGHWAY FUNDS

47.08.010 Control of allocated funds. Whenever there is provided an allocation for the construction or improvement of state highways the same shall be under the sole charge and direct control of the highway commission.

47.08.020 State to match federal funds. For the construction, alteration, repair and improvement of state highways, county roads, or city and town streets in the state of Washington which are part of the public highway system, the good faith of the state of Washington is hereby pledged to make available funds sufficient to equal the sums appropriated to the state by or under the United States government during succeeding fiscal years and to use and expend the same within one year after the fiscal year for which appropriated, and in the manner and under the rules and regulations imposed by the secretary of commerce and to maintain, or cause to be maintained, the highways or roads constructed or improved with the aid of funds so appropriated, and to make adequate provisions for carrying out such maintenance.

47.08.030 Allocation of fines and forfeitures. All fines and forfeitures collected for violation of any of the provisions of this title when the violation thereof occurred outside of any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the county road fund of the county in which the violation occurred; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund.

All fines and forfeitures collected for the violation of any of the provisions of this title when the violation thereof occurred inside any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the city street fund of such incorporated city or town for the construction and maintenance of city streets; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund.

47.08.040 Contracts with U. S. as to state highway property. Whenever it is or may become necessary or desirable for the federal government or any agency thereof to acquire an interest in or in any way damage any property or interest therein owned by the state of Washington and used in connection with any highway in the state of Washington in connection with any federal project for the development of any river within or partially within the state of Washington, the highway commission of the state of Washington shall be and hereby is authorized, empowered and directed to negotiate and enter into an agreement with the proper agency of the federal government as to the rights which shall be acquired, the compensation which shall be made therefor and the character of instruments by which said rights shall be conveyed, and as to any other matters which may be necessary in order to satisfy the requirements of the federal government: *Provided*, That if the agreement is

required to be reduced to writing, the writing be approved as to form by the attorney general of the state of Washington.

47.08.050 ————**Governor to execute instrument to the U. S.** Whenever in pursuance of the authority contained in RCW 47.08.040 the highway commission shall have entered into an agreement with the federal government or any agency thereof requiring the execution of any deed, flowage easement, or instrument of any nature, to the said federal government or agency, and the said instrument is approved as to form by the attorney general of the state of Washington, the governor of the state of Washington shall be and he hereby is authorized and directed without further authority and in the name of the state of Washington to execute and deliver to the proper agency of the federal government any such instrument or instruments which shall be, when attested by the secretary of state, binding upon the state of Washington.

47.08.060 ————**Disposal of funds from the U. S.** Whenever any moneys shall be realized by the state of Washington as a result of any agreement authorized by RCW 47.08.040, the same shall be deposited in the treasury of the state of Washington to the credit of the motor vehicle fund, and shall be available for primary highway purposes only.

47.08.070 **Cooperation in public works projects.** When in the opinion of the highway commission it appears that any state highway will be benefited or improved by the construction of any public works project within the state of Washington by any of the departments of the state of Washington, by the federal government, or by any agency, instrumentality or municipal corporation of either the state of Washington or the United States, the highway commission is hereby authorized to enter into cooperative agreements with any such state department, with the United States, or with any agency, instrumentality or municipal corporation of either the state of Washington or the United States, wherein the state of Washington, acting through its highway commission, will participate in the cost of the public works project in such amount as may be determined by the highway commission to be the value of the benefits or improvements to the particular state highway derived from the construction of said public works project. Under any such agreement the highway commission may contribute to the cost of the public works project by making direct payment to the particular state department, federal government or to any agency, instrumentality or municipal corporation of either the state or the United States, or any thereof, which may be involved in said project, from any funds appropriated to the highway commission and available for highway purposes, or by doing a portion

of the project either by day labor or by contract, or in any other manner as may be deemed advisable and necessary by the highway commission.

47.08.080 Funds when commission is in charge of county road improvements. In the event that any funds should become available from the federal government, or otherwise, for expenditure in conjunction with county funds, for the construction, alteration, repair or improvement of any county road of any county and the same is to be performed by the highway commission, the state auditor shall, upon notice from the highway commission thereof, set aside from any moneys in the motor vehicle fund credited to any such county, the cost thereof, together with the cost of engineering, supervision, and other proper items, or so much of the money in the state treasury to the credit of such county as may be necessary for use in conjunction with funds from the federal government to accomplish such work, the same to be performed by the highway commission and paid from the money so set aside upon vouchers approved and submitted by the highway commission in the same manner as payment is made for such work on state highways: *Provided*, That the board of county commissioners of any such county shall have, by proper resolution, filed in duplicate in the office of the highway commission and approved by it, determined the county road construction, alteration, repair or improvement to be performed in such county and the same is found to conform in all respects to the requirements necessary for the use of such funds of the federal government.

47.08.090 Funds when commission is in charge of city street improvements. In the event that any funds should become available from the federal government or otherwise for expenditure in conjunction with funds accruing to any incorporated city or town for the construction, alteration, repair or improvement of its city streets designated as forming a part of the route of any state highway through such incorporated city or town and the same is to be performed by the highway commission, the state auditor shall, upon notice from the highway commission thereof, set aside from any moneys in the motor vehicle fund credited to such incorporated city or town, the cost thereof or so much money in the state treasury to the credit of such incorporated city or town as may be necessary in conjunction with such funds from the federal government or otherwise to accomplish such work, the same to be paid by the state auditor from the money so set aside upon vouchers approved and submitted by the highway commission in the same manner as payment is made for work on state highways. In the event that any such incorporated city or town shall have agreed with the state of Washington or the federal government as a condition

precedent to the acquiring of federal funds for construction on any city street of such incorporated city or town designated as forming a part of the route of any state highways, that the same will be maintained to a standard and such incorporated city or town fails to so maintain such city street, then the highway commission may perform such maintenance and the state auditor is authorized to deduct the cost thereof from any funds credited or to be credited to such incorporated city or town and pay the same on vouchers approved and submitted by the highway commission in the same manner as payment is made for work performed on state highways.

47.08.100 Illegal use of county or city road funds—Procedure to correct. The highway commission is authorized from time to time to investigate expenditures from the county road fund and the city street fund; and if it determines that unauthorized, illegal or wrongful expenditures are being or have been made from said fund it is authorized to proceed as follows: If the county road fund is involved it shall notify in writing the board of county commissioners and the county treasurer of its determination; and if the city street fund is involved it shall notify the city council or commission and the mayor and city treasurer of the city or town of its determination. In its determination the highway commission is authorized to demand of said officials that the wrongful or illegal expenditures shall be stopped, adjusted, or remedied and that restitution of any wrongful or illegal diversion or use shall be made; and it may notify said officials that if the wrong is not stopped, remedied, or adjusted, or restitution made to its satisfaction within a specified period fixed by it, it will direct the withholding of further payments to the county or city from the motor vehicle fund. The county or city shall have ten days after such notice is given within which to correct or remedy the wrong, or wrongful and illegal practices, to make restitution or to adjust the matter to the satisfaction of the highway commission.

If no correction, remedy, adjustment or restitution is made within said ten days to the satisfaction of the commission it shall have power to request in writing that the state auditor and the state treasurer withhold further payments from the motor vehicle fund to such county or city; and it shall be the duty of the state auditor and the state treasurer upon being so notified to withhold further payments from the motor vehicle fund to the county or city involved until such officials are notified in writing by the commission that payments may be resumed.

The commission is also authorized to notify in writing the prosecuting attorney of the county in which such violation occurs of the facts, and it shall be the duty of the prosecuting attorney to file

charges and to criminally prosecute any and all persons guilty of any such violation.

47.08.110 Penalty for misuse of county or city road funds—General penalty. It shall be unlawful and a misdemeanor, unless the same is by this title or other law of this state declared to be a felony or gross misdemeanor, to divert or use, or authorize, permit or participate in the diversion or use of any moneys in the county road fund or in the city street fund for any other purpose or in any other manner than that authorized by law.

47.08.120 Highway equipment fund. There is hereby created in the state treasury a state fund to be known as the "highway equipment fund," the same to be used by the highway commission as a revolving fund to be expended for salaries, wages and operations required for the repair, replacement, purchase and operation of equipment and for purchase of equipment, materials and supplies to be used as follows: (1) In the administration and operation of this fund; (2) in the administration, maintenance and construction of highways and highway facilities; and (3) for the operation by the highway commission of an automobile pool of state owned vehicles.

The highway equipment fund shall be credited, in the case of equipment, with a reasonable rental assessed upon the use of such equipment by the various state departments, and in the case of materials and supplies, with a reasonable charge for such materials and supplies. Such credit for rental and charges for materials and supplies shall be charged against the proper appropriation therefor.

Equipment may be rented and materials and supplies may be sold out of this fund to any federal, state, county or city political subdivision or governmental agency. The terms and charges for such rental and the prices for such sale shall be solely within the discretion of the highway commission and its determination of the charge for rental or sale price shall be considered a reasonable rental charge or a reasonable sale price. Any political subdivision or governmental agency shall make payment for such rental or for purchase of such materials or supplies directly to the highway equipment fund at the office of the state highway commission at Olympia.

47.08.121 Highway equipment fund declared revolving fund of proprietary nature—Use. The "highway equipment fund" as established by RCW 47.08.120 is declared to be a revolving fund of a proprietary nature and moneys that are or will be deposited in this fund are hereby authorized for expenditures for the purposes provided by law.

47.08.130 Custody of Federal Funds—Disbursement. The state treasurer is hereby authorized and directed to receive and have custody of such funds and warrants drawn by the secretary of commerce or other authorized agent of the United States as are made available for payment by the secretary of the treasury of the United States under the provisions of the federal aid road act approved July 11, 1916, and all acts amendatory or supplementary thereto, disbursing the same under such terms and conditions as may be prescribed by the secretary of commerce or by the secretary of the treasury or other authorized agent of the United States. The state treasurer is further authorized and directed to pay from the motor vehicle fund for the use of the highway commission such funds as may be necessary upon any project in anticipation of reimbursement by the government of the United States.

Chapter 47.10

HIGHWAY CONSTRUCTION BONDS

FIRST PRIORITY PROJECT—1951 ACT

47.10.010 First priority highway projects — Declaration of. Reconstruction of primary state highway No. 1 from Oregon to British Columbia, construction of four traffic lanes at Snoqualmie Pass, construction of an adequate highway bridge from Pasco to Kennewick and construction of county arterial highways and farm to market roads in Grant, Franklin and Adams counties to coincide with the opening of lands for settlement in the Columbia Basin irrigation project, are declared to be highway projects of the first priority. The construction of such projects is required in the interest of the public safety and for the orderly development of the state. The reimbursement of the motor vehicle fund for money used to purchase Agate Pass Bridge bonds will also make possible other war emergency or high priority highway construction. The threat of war makes acceleration of construction a vital necessity at this time.

47.10.020 Bond issue authorized—Use of motor vehicle fund. To provide funds for accelerating construction of these first priority projects, and to reimburse the motor vehicle fund for money expended for Agate Pass Bridge construction there shall be issued and sold limited obligation bonds of the state of Washington in the sum of sixty-six million seven hundred three thousand, six hundred and twenty-five dollars. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee. The state finance committee shall, when notified by the Washington state highway commission, pro-

vide for the issuance of coupon or registered bonds to be dated, issued and sold from time to time in such amounts as may be necessary to the orderly progress of construction of the first priority projects: *Provided*, That if funds are available in the motor vehicle fund in an amount greater than is necessary to pay current demands such funds may be used to finance these first priority projects until such time as bonds are sold, as provided by law, at which time the motor vehicle fund shall be reimbursed.

47.10.030 Form and terms of bonds. Each of such bonds shall be made payable at any time not exceeding twenty-five years from the date of its issuance, with such reserved rights of prior redemption as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued under authority of RCW 47.10.010 through 47.10.140 shall be fully negotiable instruments.

47.10.040 Bonds not general obligations—Taxes pledged. Bonds issued under the provisions of RCW 47.10.010 through 47.10.140 shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in RCW 47.10.010 through 47.10.140 from the proceeds of all state excise taxes on motor vehicle fuels imposed by chapter 82.36 and RCW 82.36.020, 82.36.230, 82.36.250, and 82.36.400, as derived from chapter 58, Laws of 1933, as amended, and as last amended by chapter 220, Laws of 1949; and chapter 82.40 and RCW 82.40.020, as derived from chapter 127, Laws of 1941, as amended, and as last amended by chapter 220, Laws of 1949. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW 47.10.010 through 47.10.140, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay the principal and interest on all bonds issued under the provisions of RCW 47.10.010 through 47.10.140 when due.

47.10.050 Sale of bonds. The bonds issued hereunder shall be in denominations to be prescribed by the state finance committee

and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW 47.10.010 through 47.10.140 shall be legal investment for any of the funds of the state, except the permanent school fund: *Provided*, That bonds authorized herein to reimburse the motor vehicle fund for the cost of the Agate Pass Bridge construction shall be sold at the earliest date which the committee finds feasible.

47.10.060 Proceeds—Deposit and use. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of such first priority projects, reimbursement of the motor vehicle fund for money expended for construction of the Agate Pass Bridge in order to make such money available for war emergency highway projects or other high priority highway uses, and payment of the expense incurred in the printing, issuance and sale of any such bonds.

47.10.070 Source of funds for payment of principal and interest. Any funds required to repay such bonds, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund which results from the imposition of all excise taxes on motor vehicle fuels and which is, or may be, appropriated to the highway department for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to meet the requirements for bond retirement or the interest on any bonds: *Provided*, That money required hereunder to pay interest on or to retire any bonds issued for Columbia Basin county arterial highways or farm to market roads shall be repaid by any such county or counties wherein such highways or roads are constructed in the manner set forth in RCW 47.10.110.

47.10.080 Highway bond retirement fund. At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate, subject to the provisions of RCW 47.10.070, the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels, for each month

of the year which will be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the highway bond retirement fund, which is hereby established, and which fund shall be available solely for payment of such interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

47.10.090 Excess sums in bond retirement fund—Use. Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels, payable into the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

47.10.100 Allocation of bonds. The bonds authorized herein are allocated to the first priority projects as follows:

(1) Forty-nine million two hundred fifty thousand dollars of the total issue for the acceleration of the reconstruction of primary state highway No. 1, said amount to be expended on said primary state highway No. 1 as follows: Thirty-three million five hundred thousand dollars between Everett, Seattle, Tacoma, Olympia, Chehalis, Centralia, Kelso, Vancouver, and the Oregon boundary line, and fifteen million seven hundred fifty thousand dollars between Everett and the Canadian boundary line;

(2) Six million five hundred thousand dollars of the total issue for the construction of the highway bridge from Pasco to Kennewick;

(3) Four million two hundred fifty thousand dollars of the total issue for the construction of a four lane highway at Snoqualmie Pass;

(4) Five million dollars of the total issue for the construction of Columbia Basin county arterial highways and farm to market roads in Grant, Franklin and Adams counties, for which the state must be reimbursed as provided in RCW 47.10.110; and

(5) One million seven hundred three thousand six hundred

twenty-five dollars of the total issue for reimbursement of the motor vehicle fund for money spent for Washington toll bridge authority bonds purchased in connection with the construction of the Agate Pass Bridge, said sum of one million seven hundred three thousand six hundred twenty-five dollars to be used when it becomes available in the motor vehicle fund, under allotments to be made by the director of highways, for war emergency or other high priority highway projects: *Provided*, That no bonds shall be issued for Columbia Basin county arterial highway and road purposes unless expenditures are actually required for the settlement of lands ready for irrigation in the Columbia Basin project and all construction of arterial highways and roads in such counties shall be accomplished by the engineering forces of the various counties under the supervision of the director of highways.

47.10.110 Columbia Basin highway projects—Reimbursement by counties. The director of highways shall report separately to the state finance committee all sums expended from funds resulting from the sale of bonds for Columbia Basin county arterial highways and farm to market roads in Grant, Franklin and Adams counties under the provisions of RCW 47.10.010 through 47.10.140. Such counties shall repay to the state all the cost of any Columbia Basin highway or road facilities actually constructed under the provisions of RCW 47.10.010 through 47.10.140 within each of such counties as follows: The state finance committee, at least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any such bonds, shall ascertain the percentage of the motor vehicle funds arising from the excise taxes on motor vehicle fuels, which is to be transferred to such counties under the provisions of law which will be necessary to pay all of the interest upon or retire when due all of the portion of said bonds chargeable to expenditures incurred under the provisions of RCW 47.10.010 through 47.10.140 in each of said counties. The state finance committee shall notify the state treasurer of this estimate and the treasurer shall thereafter, when distributions are made from the motor vehicle fund to counties, retain such percentage of the total sums credited to such counties as aforesaid in the motor vehicle fund arising from the excise taxes on motor vehicle fuels until such fund is fully reimbursed for all expenditures under RCW 47.10.010 through 47.10.140 in Grant, Adams and Franklin counties. Any money so retained shall be available for state highway purposes.

47.10.120 ————Limit as to amounts currently retained. The sums retained from motor vehicle funds arising from the excise taxes on motor vehicle fuel, of any such counties shall not exceed in any distribution period fifty percent of the total amount to be credited to such county. If there shall be a deficit in the amount

available for reimbursement of the motor vehicle fund, due to this provision, then such deficit shall continue to be a charge against any sums due any such county from the motor vehicle fund from such excise taxes until the full cost of such Columbia Basin highway facilities is paid.

47.10.130 Agate Pass bridge to become toll free—Cancellation of Agate Pass bonds. When the state finance committee has made arrangements for the sale of sufficient bonds to reimburse the motor vehicle fund in the sum of one million seven hundred three thousand six hundred twenty-five dollars as aforesaid, the committee shall notify the Washington toll bridge authority and the authority is thereafter directed to transfer the Agate Pass Bridge to the highway department for operation as a toll free part of the state highway system. The bonds of the authority issued to construct the Agate Pass Bridge shall then be canceled.

47.10.140 Appropriation from motor vehicle fund. There is appropriated from the motor vehicle fund for the biennium ending March 31, 1953 the sum of sixty-six million seven hundred three thousand six hundred and twenty-five dollars, or so much thereof as may be necessary, to carry out the provisions of RCW 47.10.010 through 47.10.140, but no money shall be available under this appropriation from said fund unless a like amount of the bonds provided for herein are sold and the money derived deposited to the credit of such fund.

ADDITIONAL BONDS—1953 ACT

47.10.150 Declaration of necessity for additional funds. Increased construction costs for highway and bridge construction since the enactment of a highway bond issue by the 1951 legislature makes necessary additional money with which to complete the sections of primary state highway No. 1 planned from funds allocated under RCW 47.10.010 through 47.10.140 and it is vital to the economy of the state and the safety of the traffic that these sections shall be completed to relieve traffic congestions, to add capacity in event of war, and to presently insure greater safety to highway users; the rapid increase of traffic across Snoqualmie Pass necessitates continued improvement of primary state highway No. 2 to provide four-lane paving contiguous to Snoqualmie Pass as the funds will permit; the rapid increase of traffic and the facilitation of movement of military forces and equipment from the military centers of the state makes imperative the construction of a highway from primary state highway No. 2 beginning approximately four miles west of North Bend thence southwesterly by the most feasible route by the way of Auburn to a junction with primary state highway No. 1 in the vicinity of Milton; said highway to follow approximately the

route surveyed by the director of highways and covered in the report filed by him with the 1951 legislature commonly known as the "Echo Lake Route," as the funds provided for herein will permit; the construction of secondary state highways in to the Columbia Basin area is immediately necessary to provide needed state arterial highways for the irrigated lands of the Columbia Basin areas to market centers and thereby encourage the full development of the basin project. The construction of such projects is required in the interest of the public safety and for the orderly development of the state. The threat of war makes acceleration of construction a vital necessity at this time.

47.10.160 Additional bonds—Issuance and sale authorized—Use of motor vehicle fund. To provide funds for accelerating construction of these priority projects there shall be issued and sold limited obligation bonds of the state of Washington in the sum of eighteen million dollars. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee. The state finance committee shall, when notified by the Washington state highway commission, provide for the issuance of coupon or registered bonds to be dated, issued and sold from time to time in such amounts as may be necessary to the orderly progress of construction of the first priority projects: *Provided*, That if funds are available in the motor vehicle fund in an amount greater than is necessary to pay current demands such funds may be used to finance these first priority projects until such time as bonds are sold, as provided by law, at which time the motor vehicle fund shall be reimbursed.

47.10.170 ————Form and term of bonds. Each of such bonds shall be made payable at any time not exceeding twenty-five years from the date of its issuance, with such reserved rights of prior redemption as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued under authority of RCW 47.10.150 through 47.10.270 shall be fully negotiable instruments.

47.10.180 ———Bonds not general obligations—Taxes pledged. Bonds issued under the provisions of RCW 47.10.150 through 47.10.270 shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in RCW 47.10.150 through 47.10.270 from the proceeds of all state excise taxes on motor vehicle fuels imposed by chapter 82.36 and RCW 82.36.020, 82.36.230, 82.36.250, and 82.36.400, as derived from chapter 58, Laws of 1933, as amended, and as last amended by chapter 220, Laws of 1949; and chapter 82.40 and RCW 82.40.020, as derived from chapter 127, Laws of 1941, as amended, and as last amended by chapter 220, Laws of 1949. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW 47.10.150 through 47.10.270 and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay the principal and interest on all bonds issued under the provisions of RCW 47.10.150 through 47.10.270 when due.

47.10.190 ———Sale of bonds. The bonds issued under RCW 47.10.150 through 47.10.270 shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW 47.10.150 through 47.10.270 shall be legal investment for any of the funds of the state, except the permanent school fund.

47.10.200 ———Proceeds—Deposit and Use. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of such priority projects, and payment of the expense incurred in the printing, issuance and sale of any such bonds.

47.10.210 ———Source of funds for payment of principal and interest. Any funds required to repay such bonds, or the interest thereon when due shall be taken from that portion of the motor vehicle fund which results from the imposition of all excise taxes on motor vehicle fuels and which is, or may be, appropriated to the highway department for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to

meet the requirements for bond retirement or the interest on any bonds.

47.10.220 ———Highway bond retirement fund. At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels, for each month of the year which will be required to meet interest or bond payments under RCW 47.10.150 through 47.10.270 when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the highway bond retirement fund, and which fund shall be available solely for payment of such interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimate so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

47.10.230 ———Excess sums in bond retirement fund—Use. Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels, payable into the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

47.10.240 ———Allocation—Primary state highway No. 1. Seven million dollars of the total issue of the bonds authorized by RCW 47.10.150 through 47.10.270 are allocated for accelerating the completion of four-lane construction of primary state highway No. 1.

47.10.250 ———Allocation—Primary state highway No. 2, Snoqualmie Pass. Five million dollars of the total issue of the bonds authorized by RCW 47.10.150 through 47.10.270 are allocated for accelerating four-lane construction of primary state highway No. 2 contiguous to Snoqualmie Pass.

47.10.260 ———Allocation—Columbia Basin highways. Three million dollars of the total issue of the bonds authorized by RCW

47.10.150 through 47.10.270 are allocated for accelerating the construction of secondary state highways in the Columbia Basin area.

47.10.270 ————**Allocation—Echo Lake route.** Three million dollars of the total issue of the bonds authorized by RCW 47.10.150 through 47.10.270 are allocated insofar as said funds will permit to the construction of a highway from primary state highway No. 2 beginning approximately four miles west of North Bend thence southwesterly by the most feasible route by the way of Auburn to a junction with primary state highway No. 1 in the vicinity of Milton.

ADDITIONAL BONDS—1955 ACT

47.10.280 Construction in Grant, Franklin, Adams counties authorized—Declaration of priority. Construction of county arterial highways and farm to market roads in Grant, Franklin and Adams counties to coincide with the opening of lands for settlement in the Columbia Basin irrigation project, is declared to be a project of the first priority. The construction of said project is required in the interest of the public safety and for the orderly development of the state.

47.10.290 ————**Issuance and sale of bonds.** To provide funds for construction of this first priority project, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of four million three hundred thousand dollars.

The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee. The state finance committee shall, when notified by the director of highways, provide for the issuance of coupon or registered bonds to be dated, issued and sold from time to time in such amounts as may be necessary to the orderly progress of construction of this first priority project.

47.10.300 ————**Form and terms of bonds.** Each of such bonds shall be made payable at any time not exceeding twenty-five years from the date of its issuance with such reserved rights of prior redemption as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signatures may be printed facsimile. Any bonds may be registered in the name of the holder by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state

treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued under authority of RCW 47.10.280 through 47.10.400 shall be fully negotiable instruments.

47.10.310 ———Bonds not general obligations—Taxes pledged. Bonds issued under the provisions of RCW 47.10.280 through 47.10.400 shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in RCW 47.10.280 through 47.10.400 from the proceeds of all state excise taxes on motor vehicle fuels imposed by chapter 82.36, and RCW 82.36.020, 82.36.230, 82.36.250 and 82.36.400; and chapter 82.40 and RCW 82.40.020. The proceeds of such excise taxes are pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW 47.10.280 through 47.10.400. The legislature agrees to continue to impose the same excise taxes on motor fuels in amounts sufficient to pay the principal and interest on all bonds issued under the provisions of RCW 47.10.280 through 47.10.400 when due.

47.10.320 ———Sale of bonds. The bonds issued hereunder shall be in denominations to be prescribed by the state finance committee. They may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If such bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale. It shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW 47.10.280 through 47.10.400 shall be legal investment for any of the funds of the state, except the permanent school fund.

47.10.330 ———Bond proceeds—Deposit and use. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of this first priority project, and payment of the expense incurred in the printing, issuance and sale of any such bonds.

47.10.340 ———Source of funds for payment of bond principal and interest. Any funds required to repay such bonds, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund which results from the imposition of all excise taxes on motor vehicle fuels and which is, or may be, appropriated to the highway department for state highway purposes. They shall never constitute a charge against any allocation of such funds to counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available for state high-

way purposes proves insufficient to meet the requirements for bond retirement or the interest on any bonds: *Provided*, That money required hereunder to pay interest on or to retire any bonds issued for Columbia Basin county arterial highways or farm to market roads shall be repaid by any such county or counties wherein such highways or roads are constructed in the manner set forth in RCW 47.10.360.

47.10.350 ————**Highway bond retirement fund.** At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate, subject to the provisions of RCW 47.10.340, the percentage of receipts in money of the motor vehicle fuels, resulting from collection of excise taxes on motor vehicle fuels, for each month of the year which will be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the highway bond retirement fund, which is hereby established, and which fund shall be available solely for payment of such interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

47.10.360 ————**Reimbursement by counties.** The director of highways shall report to the state finance committee all sums expended from funds resulting from the sale of bonds for Columbia Basin county arterial highways and farm to market roads in Grant, Franklin and Adams counties under the provisions of RCW 47.10.280 through 47.10.400. Said counties shall repay to the state all the cost of any Columbia Basin highway or road facilities actually constructed under the provisions of RCW 47.10.280 through 47.10.400 within each of said counties as follows: The state finance committee, at least one year prior to the date any such interest is due and payable on such bonds or before the maturity date of any such bonds, shall ascertain the percentage of the motor vehicle funds arising from the excise taxes on motor vehicle fuels, which is to be transferred to such counties under the provisions of law which will be necessary to pay all of the interest upon or retire when due all of the portion of said bonds chargeable to expenditures incurred under the provisions of RCW 47.10.280 through 47.10.400 in each of said counties. The state finance committee shall notify the state trea-

surer of this estimate and the treasurer shall thereafter, when distributions are made from the motor vehicle fund to counties, retain such percentage of the total sums credited to such counties as aforesaid in the motor vehicle fund arising from such excise taxes on motor vehicle fuels until such fund is fully reimbursed for all expenditures under RCW 47.10.280 through 47.10.400 in Grant, Adams and Franklin counties. Any money so retained shall be available for state highway purposes.

47.10.370 ————**Limit as to amounts currently retained from excise taxes.** The sums retained from motor vehicle funds, arising from the excise taxes on motor vehicle fuel, of any such counties shall not exceed in any distribution period fifty percent of the total amount to be credited to such county. If there shall be a deficit in the amount available for reimbursement of the motor vehicle fund, due to this provision, then such deficit shall continue to be a charge against any sums due any such county from the motor vehicle fund from such excise taxes until the full cost of such Columbia Basin highway facilities is paid.

47.10.380 ————**Excess sums in bond retirement fund—Use.** Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels, payable into the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

47.10.390 ————**Allocation of funds to each county.** The bonds authorized herein are allocated to the counties as follows:

- (1) For Adams county—six hundred thousand dollars.
- (2) For Franklin county—one million five hundred thousand dollars.
- (3) For Grant county—two million two hundred thousand dollars:

Provided, That no bonds shall be issued for Columbia Basin county arterial highway and road purposes unless expenditures are actually required for the settlement of lands ready for irrigation in the Columbia Basin project and all construction of arterial highways and roads in such counties shall be accomplished by the engineering forces of the various counties under the supervision of the director of highways.

47.10.400 ————**Appropriation from motor vehicle fund.** There is appropriated from the motor vehicle fund for the biennium end-

ing June 30, 1957 the sum of four million three hundred thousand dollars, or so much thereof as may be necessary, to carry out the provisions of RCW 47.10.280 through 47.10.400, but no money shall be available under this appropriation from said fund unless a like amount of the bonds provided for herein are sold and the money derived deposited to the credit of such fund.

ADDITIONAL BONDS—1957 ACT

47.10.410 Echo Lake Route—Declaration of Necessity. Increased costs for highway and bridge construction since the enactment of the highway bond issues authorized by the 1951, 1953 and 1955 legislatures makes necessary additional money with which to complete that portion of primary state highway No. 2, beginning approximately four miles west of North Bend thence southwesterly by the most feasible route by way of Auburn to a junction with primary state highway No. 1 in the vicinity of Milton, commonly known as the "Echo Lake Route." It is vital to the economy of the state and traffic safety that this project be constructed as soon as the funds provided herein will permit.

47.10.420 ————Additional bond issue authorized—Use of motor vehicle fund. To provide additional funds for the construction of the "Echo Lake Route," in addition to bonds authorized to be sold by RCW 47.10.160 and as allocated by RCW 47.10.270, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of three million dollars. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee. The state finance committee shall when notified by the Washington state highway commission, provide for the issuance of coupon or registered bonds to be dated, issued and sold from time to time in such amounts as may be necessary to the orderly progress of construction of this project: *Provided*, That if funds are available in the motor vehicle fund in an amount greater than is necessary to pay current demands, moneys appropriated to the state highway commission for highway purposes may be used to finance this project until such time as bonds are sold, as provided by law, at which time the motor vehicle fund shall be reimbursed.

47.10.430 ————Form and term of bonds. Each of such bonds shall be made payable at any time not exceeding twenty-five years from the date of its issuance, with such reserved rights of prior redemption bearing such interest, and such terms and conditions as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and

any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued under authority of RCW 47.10.410 through 47.10.500 shall be fully negotiable instruments.

47.10.440 ————Bonds not general obligations—Taxes Pledged. Bonds issued under the provisions of RCW 47.10.410 through 47.10.500 shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in RCW 47.10.410 through 47.10.500 from the proceeds of all state excise taxes on motor vehicle fuels imposed by chapter 82.36 and RCW 82.36.020, 82.36.230, 82.36.250, and 82.36.400, as derived from chapter 58, Laws of 1933, as amended, and as last amended by chapter 220, Laws of 1949, and chapter 82.40 and RCW 82.40.020, as derived from chapter 127, Laws of 1941, as amended, and as last amended by chapter 220, Laws of 1949. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW 47.10.410 through 47.10.500 and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay the principal and interest on all bonds issued under the provisions of RCW 47.10.410 through 47.10.500.

47.10.450 ————Sale of bonds. The bonds issued under the terms of RCW 47.10.410 through 47.10.500 shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW 47.10.150 through 47.10.270 shall be legal investment for any of the funds of the state, except the permanent school fund.

47.10.460 ————Proceeds—Deposit and use. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of the project referred to in RCW 47.10.410, and payment of the expense incurred in the printing, issuance and sale of any such bonds.

47.10.470 ————**Source of funds for payment of principal and interest.** Any funds required to repay such bonds, or the interest thereon when due shall be taken from that portion of the motor vehicle fund which results from the imposition of all excise taxes on motor vehicle fuels and which is, or may be, appropriated to the highway department for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to meet the requirements for bond retirement or the interest on any bonds.

47.10.480 ————**Highway bond retirement fund.** At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels, for each month of the year which will be required to meet interest or bond payments under RCW 47.10.410 through 47.10.500 when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the highway bond retirement fund, and which fund shall be available solely for payment of such interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

47.10.490 ————**Excess sums in bond retirement fund—Use.** Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels, payable into the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

47.10.500 ————**Appropriation from motor vehicle fund.** There is hereby appropriated from the motor vehicle fund to the state highway commission for the biennium ending June 30, 1959

the sum of three million dollars, or so much thereof as may be necessary to carry out the provisions of RCW 47.10.410 through 47.10.500, but no money shall be available under this appropriation from said fund unless a like amount of bonds provided for herein are sold and the moneys derived therefrom are deposited to the credit of such fund.

TACOMA-SEATTLE-EVERETT FACILITY—1957 ACT

47.10.700 Tacoma-Seattle-Everett facility—Declaration of necessity. Increased traffic and increased costs of highway and bridge construction make necessary additional moneys with which to complete the sections of primary state highway No. 1 through and between the cities of Tacoma, Seattle, and Everett and as an additional alternate route by-passing Seattle east of Lake Washington. It is vital to the economy of the state and the safety of traffic that these sections shall be completed to relieve traffic congestions, to insure greater safety to highway users, and to assure an adequate through highway to accommodate traffic from bridges across Lake Washington as soon as possible.

47.10.702 ———To be part of federal system as limited access—Federal standards and conditions to be met. This highway project shall be constructed as a part of the federal interstate highway system as a fully controlled limited access facility and shall meet the standards and specifications required by the state of Washington and the secretary of commerce of the United States in order to qualify for federal grants in aid as provided for in the federal-aid highway act of 1956. The state shall perform all conditions precedent to payment in advance of apportionment as provided by section 108(h) of the federal-aid highway act of 1956 so as to be entitled to federal aid funds for the project covered by RCW 47.10.700 through 47.10.724 when such funds are apportioned.

47.10.704 ———Powers and duties of highway commission—Route of project. In order to facilitate vehicular traffic through and between the cities of Tacoma, Seattle and Everett and to remove the present handicaps and hazards over and along primary state highway No. 1 as presently established, the state highway commission is authorized to realign, redesign and reconstruct primary state highway No. 1 upon a newly located right of way or upon portions of existing right of way through and between the cities of Tacoma, Seattle and Everett and as an additional alternate route bypassing Seattle east of Lake Washington. The route of the proposed project is established as follows: Beginning in the vicinity of Ponders Corner, thence in a general northeasterly and northerly direction through the cities of Tacoma and Seattle to a point in the

vicinity of the city of Everett and as an additional alternate route bypassing Seattle east of Lake Washington.

47.10.706 ————Issuance and sale of bonds authorized. In order to finance the immediate construction of the project referred to in RCW 47.10.700 pending receipt of federal grants in aid and in accordance with the federal-aid highway act of 1956, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of seventy-five million dollars or such amount thereof and at such times as determined to be necessary by the state highway commission. No bonds shall be issued under the provisions of RCW 47.10.700 through 47.10.724 until the congress of the United States shall approve the estimated cost of completing the federal interstate system to be submitted to it within ten days subsequent to January 2, 1958, as provided by section 108(d), federal-aid highway act of 1956. The issuance, sale and retirement of said bonds shall be under the supervision and control of the state finance committee which, upon request being made by the Washington state highway commission, shall provide for the issuance, sale and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as may be necessary for the orderly progress of said project.

47.10.708 ————Form and term of bonds. Each of such bonds shall be made payable at any time not exceeding twenty-five years from the date of its issuance, with such reserved rights of prior redemption, bearing such interest, and such terms and conditions, as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued hereunder shall be fully negotiable instruments.

47.10.710 ————Sale of bonds. The bonds issued hereunder shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the

duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW 47.10.700 through 47.10.724 shall be legal investment for any of the funds of the state, except the permanent school fund.

47.10.712 ————**Proceeds from bonds—Deposit and use.** The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of the project referred to in RCW 47.10.700, 47.10.702 and 47.10.704, and for payment of the expense incurred in the drafting, printing, issuance, and sale of any such bonds.

47.10.714 ————**Bonds not general obligations — Taxes pledged.** Bonds issued under the provisions of RCW 47.10.700 through 47.10.724 shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in RCW 47.10.700 through 47.10.724 from the proceeds of state excise taxes on motor vehicle fuels imposed by chapter 82.36 and RCW 82.36.020, 82.36.230, 82.36.250 and 82.36.400, as derived from chapter 58, Laws of 1933, as amended, and as last amended by chapter 220, Laws of 1949; and chapter 82.40 and RCW 82.40.020, as derived from chapter 127, Laws of 1941, as amended, and as last amended by chapter 220, Laws of 1949. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of RCW 47.10.700 through 47.10.724, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the provisions of RCW 47.10.700 through 47.10.724.

47.10.716 ————**Source of funds for payment of principal and interest.** Any funds required to repay such bonds, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle fuels and which is, or may be appropriated to the highway department for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to meet the requirements for bond retirement or interest on any such bonds.

47.10.718 ————**Additional security for payment of bonds—Pledge of federal funds.** As additional security for payment of the principal amount of any or all of the bonds to be issued hereunder,

the state finance committee, with the consent of the state highway commission, may pledge all or any portion of the federal aid funds received or from time to time to be received by the state from the United States under the provisions of the federal-aid highway act of 1956 for the construction of all or any part of the project referred to in RCW 47.10.700, 47.10.702 and 47.10.704.

47.10.720 ————**Highway bond retirement fund.** At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate, subject to the provisions of RCW 47.10.716, the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels for each month of the year which, together with federal funds which may be pledged as provided in RCW 47.10.718, shall be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the bond retirement fund, which fund shall be available solely for payment of interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

47.10.722 ————**Excess sums in bond retirement fund—Use.** Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels and the federal funds which may be pledged as provided in RCW 47.10.718, payable into the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

47.10.724 ————**Appropriation from motor vehicle fund.** There is hereby appropriated from the motor vehicle fund to the state highway commission for the biennium ending June 30, 1959 the sum of seventy-five million dollars, or so much thereof as may be necessary to carry out the provisions of RCW 47.10.700 through 47.10.724, but no money shall be available under this appropriation

from said fund unless a like amount of bonds provided for herein are sold and the money derived therefrom deposited to the credit of such fund.

Chapter 47.12

ACQUISITION AND DISPOSITION OF STATE HIGHWAY PROPERTY

47.12.010 Acquisition of property authorized—Condemnation actions—Cost. Whenever it is necessary to secure any lands for a right of way for any state highway, or for the drainage thereof or construction of a protection therefor or so as to afford unobstructed vision therefor toward any railroad crossing or another public highway crossing or any point of danger to public travel or for the purpose of acquiring sand pits, gravel pits, borrow pits, stone quarries or any other land for the extraction of materials for construction or maintenance or both, or for any site for the erection upon and use as a maintenance camp, of any state highway, or any site for other necessary structures or for structures for the health and accommodation of persons traveling or stopping upon the state highways of this state, or for any other highway purpose, together with right of way to reach such property and gain access thereto, the highway commission is authorized to acquire such lands in behalf of the state by gift, purchase or condemnation. In case of condemnation to secure such lands, the action shall be brought in the name of the state of Washington in the manner provided for the acquiring of property for the public uses of the state, and in such action the selection of the lands by the highway commission shall, in the absence of bad faith, arbitrary, capricious or fraudulent action, be conclusive upon the court and judge before which the action is brought that said lands are necessary for public use for the purposes sought. The cost and expense of such lands may be paid as a part of the cost of the state highway for which such right of way, drainage, unobstructed vision, sand pits, gravel pits, borrow pits, stone quarries, maintenance camp sites and structure sites or other lands are acquired.

47.12.011 Purchase options authorized. Whenever it becomes necessary or feasible to purchase rights of way for state highways, and the Washington state highway commission deems it to be in the best interest of the general public, the commission may, and it is hereby authorized, to secure options for purchase of property needed or proposed for any entire project or section thereof or proposed alignment for the location or relocation of any highway, for review by the commission before final adoption or acquisition.

47.12.020 Acquisition of state lands, rights, and materials—Duties when use no longer required—Payment for timber and mate-

rials. Whenever it is necessary to locate and construct a state highway over and across any of the public lands of the state of Washington, including tide or shore lands or any oyster reserve which has been or may hereafter be established, or in the construction or maintenance of any state highway to have additional land, for drainage thereof or construction of a protection therefor or to afford unobstructed vision therefor toward any railroad crossing or another public highway crossing or any point of danger to public travel or to open up and use materials from any sand pit, gravel pit, borrow pit, stone quarry or other land for the extraction of materials for the construction or maintenance or both, or any site for other necessary structures, or for structures for the health and accommodation of persons traveling or stopping upon such state highway, or for any other public highway purpose, together with any necessary right of way to reach such property and gain access thereto, the highway commission shall file in the office of the commissioner of public lands a map showing the location of such state highway over and across such land, or the additional land needed, for drainage thereof or construction of a protection therefor or for unobstructed vision as above provided therefor, or the location of such sand pit, gravel pit, stone quarry, maintenance camp site, structure site or other lands, together with right of way to reach such property and gain access thereto within such lands, with reference to a United States government survey, and upon the filing of such map, the easement of such right of way, or for such additional land, for drainage thereof or construction of a protection thereof or for such unobstructed vision therefor or for locating, opening up and using materials from any such sand pit, gravel pit, borrow pit, stone quarry or lands for the extraction of material or for the erection or occupancy of any such maintenance camp or erection of other structure together with any such required right of way thereto, shall be reserved to the state and such land when sold, leased or otherwise disposed of, shall be sold, leased or disposed of subject to such right of way and subject to any such use of additional land for drainage or protection or for unobstructed vision and subject to any such established sand pit, gravel pit, borrow pit, stone quarry or location for the extraction of material or erection of other structure together with any such required right of way thereto and to the right of the state to use and remove materials therefrom for the construction upon and maintenance of any state highway, and subject to the occupancy and use of any such maintenance camp site or other structure site together with such right of way thereto: *Provided*, That as soon as the state shall no longer require any such sand pit, gravel pit, borrow pit, stone quarry, location for the extraction of material, maintenance camp

site or other structure site, it shall be the duty of the highway commission forthwith to so certify to the commissioner of public lands, and from and after the receipt and filing of such certificate in the office of said commissioner of public lands the lands described therein shall thereafter be freed from any such use and occupancy for such purposes: *Provided, further,* That if there be timber on any such public lands of the state of Washington or portion thereof required under the provisions of this section for the right of way of any state highway, or for the drainage thereof or construction of a protection therefor or so as to afford unobstructed vision therefor toward any railroad crossing or another public highway crossing or a point of danger to public travel or any sand pits, gravel pits, borrow pits, stone quarry or other land for the extraction of materials or for any site for the erection upon or use as a maintenance camp or other necessary structure or structures or any other proper highway purposes or necessary for right of way to reach any such property and gain access thereto, the highway commission shall pay to the commissioner of public lands the reasonable appraised value of any such timber thereon and no such land shall be used by the highway commission for any of the purposes set forth in this section until payment for such timber shall have been made: *Provided, further,* That the highway commission shall pay to the commissioner of public lands for any materials extracted for construction or maintenance, or both, from any sand pit, gravel pit, borrow pit, stone quarry, or other location for the extraction of materials located upon public lands of the state of Washington a sum of one and one-half cents per cubic yard for all such materials so extracted, and before the extraction of such materials shall obtain from the commissioner of public lands a permit for such extraction setting forth the terms and conditions under which such materials may be extracted from such public lands. "State highway" as used in this section shall include limited access facilities established under chapter 47.52.

Note: See also section 1, chapter 156, Laws of 1961.

47.12.040 Acquisition of property from a political subdivision. Whenever it is necessary to secure any lands for primary or secondary state highway right of way or other state highway purposes, the title to which is in any county of the state or in any political or municipal subdivision of the state, which land is not at the time being used as a public highway, the board of county commissioners or the board of directors or governing body of any such political or municipal subdivision are authorized to directly lease, sell or convey by gift such land or any interest therein to the state of Washington, without requiring competitive bids or notice to the public, and at such price as the board, directors or governing body may deem for the best interests of the county or for the best interests

of the political or municipal subdivision of the state. The board of county commissioners or the directors or governing body of any political or municipal subdivision are empowered to execute a deed or other proper instrument to such land, passing title to the state of Washington, and such instrument need not require consideration other than the benefit which may be derived by the grantor on account of the use thereof. Whenever any state highway is established by legislative enactment and such state highway is upon the former route of any county road, the board of county commissioners shall cause the title to the existing right of way or so much thereof as the highway commission shall require to be transferred to the state of Washington by proper instrument.

47.12.050 Work on remaining land as payment. Whenever it is considered in the securing of any lands for state highway purpose, whether by condemnation or otherwise, that it is for the best interest of the state, for specific structural items of damage claimed the court or judge may order or the person whose lands are sought may agree that a portion or all work or labor necessary to the land or remaining land by reason of the taking by way of damage, be performed by the state through the highway commission as all or a part of the consideration or satisfaction of the judgment therefor, in which event the highway commission may perform such work as a portion of the right of way cost of such state highway.

47.12.060 Sale or exchange of rights or land not needed for highway purposes. When a state highway is relocated and the old route is abandoned, and the new route crosses land owned by a person who owns land abutting on the old route, the Washington state highway commission may agree with the owner to convey to him title to the old route or a part thereof as all or part consideration for his land to be taken for the new route.

Whenever the state has abandoned any highway rights of way, pit sites, stock pile sites or owns land not needed for highway purposes, the Washington state highway commission may sell same to abutting owners for the fair market value or exchange with any person as a consideration or part consideration for lands or property rights needed by the state, or may sell same by public auction whenever it is deemed in the public interest to do so.

The Washington state highway commission shall certify the agreement to the governor with a description of the property to be conveyed, and the governor may execute and the secretary of state shall attest the deed and deliver it to the grantee.

47.12.070 ———Sale or lease to a city or county—Proceeds. If the Washington state highway commission deems that any land is no longer required for state highway purposes and that it is in

the public interest, said highway commission may negotiate for the sale of the land to a city or county of the state. The state highway commission shall certify the agreement for the sale to the governor, with a description of the land and the terms of the sale, and the governor may execute and the secretary of state shall attest the deed and deliver it to the grantee.

If the state highway commission deems it in the public interest, said commission may on application therefor issue a permit, lease or license to any city or county of the state, for the use of any state highway land, upon such terms and conditions as the state highway commission may prescribe, but not longer than four years.

Any moneys received pursuant to the provisions of this section shall be deposited in the motor vehicle fund.

47.12.080 ————Transfer to U. S., municipal subdivision, public utility—Proceeds. Whenever in the construction, reconstruction, location or improvement of any state highway it may become necessary to transfer and convey to the United States, its agencies or instrumentalities, to any municipal subdivision of this state, or to any public utility company, any unused state highway right of way or real property, and in the judgment of the highway commission and the attorney general, such transfer and conveyance is consistent with public interest, the highway commission may enter into agreements accordingly. Whenever the highway commission shall make any such agreement for any such transfer or conveyance, and together with the attorney general, certifies to the governor that such agreement has been made setting forth in such certification a description of the lands or premises involved, the governor may execute and the secretary of state shall attest and deliver unto the United States government, or its agencies or instrumentalities, unto any municipal subdivision of this state, or unto any public utility company, a deed of conveyance, easement or other instrument necessary to fulfill the terms of the aforesaid agreement. All moneys paid to the state of Washington under any of the provisions hereof shall be deposited in the motor vehicle fund.

47.12.090 Sale of state highway land used for administrative purposes authorized. Whenever the highway commission of the state of Washington shall determine that any premises, including improvements thereon, which have been or are in use for any purpose in connection with the administration of the public highways by the highway commission of the state of Washington, and which are owned by the state of Washington, are no longer necessary for said purposes, the same shall be, by and with the consent of the governor, offered for sale by the highway commission of the state of Washington, notwithstanding existing laws regarding the sale of other state property, upon bids to be advertised for and

received by the commission in the manner governing the letting of contracts for public highway improvements.

47.12.100 ————Rejection and acceptance of bids—Governor's approval before acceptance. The highway commission shall be and it hereby is authorized to accept the highest and best bid made for any premises so sold and to request the attorney general to prepare proper instruments to convey the premises so sold: *Provided*, That the commission may reject all bids when, in its discretion, the highest bid shall not equal the reasonable fair market value of the real property, plus the value of the improvements thereon, computed on the basis of the reproduction value less depreciation: *Provided further*, That before the commission shall accept any bid it shall procure the approval of the governor of the state of Washington.

47.12.105 ————Conveyance. The decision of the highway commission as to the necessity of the use of said premises and the necessity for the sale thereof, when approved by the governor, shall be sufficient authority for such sale or sales. Any instruments necessary to convey title pursuant to such sale or sales shall be executed by the governor on behalf of the state of Washington in form approved by the attorney general.

47.12.110 ————Disposition of proceeds. All amounts received from the sale of any premises by virtue of RCW 47.12.090 through 47.12.105 shall be paid to the highway commission of the state of Washington to be by it transmitted to the treasurer of the state of Washington, who shall credit all such sums to the motor vehicle fund of the state of Washington, in which fund the said sums shall be available for any proper primary highway purpose.

47.12.120 Lease of unused highway land. The highway commission is authorized to rent or lease any lands, including improvements thereon, which are held for state highway purposes and are not presently needed therefor, upon such terms and conditions as the highway commission may determine, and to maintain and care for such property in order to secure rent therefrom.

47.12.125 ————Disposition of proceeds. All moneys paid to the state of Washington under any of the provisions of RCW 47.12-.120 shall be deposited in the motor vehicle fund.

47.12.130 Exchange of land with abutting owner. Whenever the state department of highways shall have title to any parcel of land which the state highway commission shall determine is not necessary for highway purposes, the commission is authorized to cause such land to be deeded to the owner of land abutting upon such parcel in consideration, or partial consideration, for other lands

owned by such property owner which the highway commission deems to be necessary for highway purposes. The governor is authorized to execute and the secretary of state shall attest the conveyances necessary to carry out such exchange.

47.12.140 Severance and sale of timber and other personalty. Whenever the state highway department shall have acquired any lands, except state granted lands, upon which are located any structures, timber or other thing of value attached to the land, which the state highway commission shall deem it best to sever from the land and sell as personal property, the same may be sold by the department of highways at public auction after due notice thereof shall have been given in accordance with general regulations prescribed by the state highway commission. The state highway commission may set minimum prices that will be accepted for any item offered for sale at public auction as herein provided and may prescribe terms or conditions of sale and, in the event that any item shall be offered for sale at such auction and for which no satisfactory bids shall be received or for which the amount bid shall be less than the minimum set by the commission, it shall be lawful for the commission to sell such item at private sale for the best price which it deems obtainable but at not less than the highest price bid at the public auction. The proceeds of all sales under this section shall be placed in the motor vehicle fund.

47.12.150 Acquisition, exchange, of property to relocate displaced facility. Whenever the highway commission shall need for highway purposes land or property rights belonging to the United States government or any municipality or political subdivision of the state, or which shall be a part of the right of way of any public utility having authority to exercise powers of eminent domain, when the acquisition of such property by the state will result in the displacement of any existing right of way or facility, the state highway commission is authorized to acquire by condemnation or otherwise such lands and property rights as shall be needed to relocate such right of way or facilities so displaced and to exchange lands or property rights so acquired in consideration or partial consideration for the land or property rights needed for highway purposes. The governor, at the request of the state highway commission, shall execute all conveyances necessary to accomplish such exchange.

47.12.160 Acquisition of land outside highway right of way to minimize damage. Whenever a part of a parcel of land is to be acquired for state highway purposes and the remainder lying outside of the right of way is to be left in such shape or condition as to be of little value to its owner or to give rise to claims or litigation

concerning severance or other damage, and its value does not exceed the probable amount of such severance claims or damages, the state highway commission may acquire by gift, purchase or condemnation the whole parcel and may sell that portion lying outside of the highway right of way or may exchange the same for other property needed for highway purposes: *Provided, however,* That the provisions of this section shall not apply if the taking of that portion of the land lying outside of the highway right of way would deprive any adjacent owner of an existing right of ingress and egress to his property.

Chapter 47.16

PRIMARY HIGHWAY ROUTES

47.16.010 No. 1 Pacific highway. A primary state highway to be known as primary state highway No. 1, or the Pacific highway is established as follows: Beginning at the international boundary line in the vicinity of Blaine, in Whatcom county, thence in a southerly direction by way of Bellingham, thence to the east of Lake Samish, thence in a southerly direction by way of Mt. Vernon, Everett, Seattle, Tacoma, Olympia, Centralia, Chehalis, Kelso, and Vancouver to the Washington-Oregon boundary line on the interstate bridge over the Columbia river; also beginning at Bellingham on primary state highway No. 1, thence in an easterly direction to a point in the vicinity of Austin Pass in Whatcom county; also beginning at Bellingham on primary state highway No. 1, thence in a southerly direction by way of Blanchard to a junction with primary state highway No. 1, in the vicinity of Mt. Vernon; also beginning at Mt. Vernon on primary state highway No. 1, thence in a westerly direction to Anacortes; also beginning at Everett in the vicinity of Broadway Avenue, thence in a southwesterly direction to a junction with primary state highway No. 1, in the vicinity south of Everett; also beginning on primary state highway No. 1 in the vicinity south of Seattle, thence in a northeasterly direction to Renton, thence northerly east of Lake Washington to primary state highway No. 1 north of Seattle; and also until the federal aid interstate route No. 1 through Seattle is open to through traffic, beginning on primary state highway No. 1 in the vicinity south of Seattle, thence in a northwesterly direction west of the Duwamish river to Seattle.

Note: See also section 1, chapter 21, Laws of 1961 extraordinary session.

47.16.020 No. 2 Sunset highway. A primary state highway to be known as primary state highway No. 2, or the Sunset highway, is hereby established according to the description as follows: Beginning at the intersection of the west approach to the Lake Washington bridge at Rainier Avenue in Seattle in King county, thence in an easterly direction by the most feasible route by way of the Lake

Washington bridge and approaches crossing Lake Washington and Mercer Island to the east shore of Lake Washington, thence in an easterly direction by the most feasible route by way of North Bend, Snoqualmie Pass, Cle Elum, Blewett Pass, Wenatchee, Waterville, Wilbur, Davenport and Spokane to the Washington-Idaho boundary line; also beginning at Seattle in King county, thence in an easterly direction by the most feasible route by way of Renton to a junction with primary state highway No. 2, as herein described, in the vicinity of Issaquah; also beginning at Seattle in King county, thence in an easterly direction by the most feasible route to the north of Lake Washington to a junction with primary state highway No. 2, as herein described, in the vicinity west of Snoqualmie Pass; also from a junction at a point approximately four miles west of North Bend in a general southwesterly direction by the most direct and feasible route by way of Auburn to a junction with state road No. 1 in the vicinity of Milton.

47.16.030 No. 3 Inland Empire highway. A primary state highway to be known as primary state highway No. 3, or the Inland Empire highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 2 in the vicinity east of Cle Elum, thence southeasterly by the most feasible route by way of Ellensburg, Yakima, Pasco and Wallula to Walla Walla, thence in a northerly direction by the most feasible route by way of Dayton, Dodge, Colfax, Rosalia, Spokane and Colville to the international boundary line in the vicinity of Laurier; also beginning at a junction with primary state highway No. 3, as herein described, in the vicinity of Dodge, thence in an easterly direction by the most feasible route by way of Pomeroy and Clarkston to the Washington-Idaho boundary line; also beginning at Clarkston on primary state highway No. 3, as herein described, thence in a southerly direction by the most feasible route by way of Asotin to the Washington-Oregon boundary line, also beginning at Wallula on primary state highway No. 3, as herein described, thence in a southwesterly direction to the Washington-Oregon boundary line; also beginning at Walla Walla on primary state highway No. 3, as herein described, thence in a southerly direction to the Washington-Oregon boundary line; also beginning at a junction with primary state highway No. 3, as herein described, in the vicinity south of Rosalia, thence in a southerly direction by the most feasible route by way of Pullman to a point of junction southeast of Uniontown, thence in an easterly direction by two most feasible routes to two points on the Washington-Idaho boundary line; also beginning at Colfax on primary state highway No. 3, as herein described, thence in a southeasterly direction by the most feasible route to Pullman on primary state highway No. 3,

as herein described, thence in an easterly direction by the most feasible route to a point on the Washington-Idaho boundary line, also beginning at Palouse on primary state highway No. 3, as herein described, thence in a northeasterly direction by the most feasible route to a point on the Washington-Idaho boundary line.

47.16.040 No. 4 Tonasket-San Poil highway. A primary state highway to be known as primary state highway No. 4, or the Tonasket-San Poil highway, is hereby established according to description as follows: Beginning at Wilbur on primary state highway No. 2, thence in a northerly direction by the most feasible route to Republic, thence in a westerly direction by the most feasible route by way of Tonasket to a junction with primary state highway No. 10.

47.16.050 No. 5 National Park highway. A primary state highway to be known as primary state highway No. 5, or the National Park highway, is established as follows: Beginning at Seattle, thence in a southerly direction by way of Bryn Mawr and the vicinity of Renton on primary state highway No. 2, thence in a southerly direction to Auburn, thence in a southeasterly direction by way of Enumclaw and Chinook Pass to Yakima on primary state highway No. 3; also beginning at a junction with primary state highway No. 1 in the vicinity south of Chehalis, thence in an easterly direction by way of Kosmos and White Pass to a junction with primary state highway No. 5, northwest of Yakima; also beginning at Tacoma on primary state highway No. 1, thence in a southerly direction by way of Elbe, thence in an easterly direction to a southwest entrance to Mount Rainier National Park; also beginning at Elbe on primary state highway No. 5, thence in a southerly direction to a junction with primary state highway No. 5, in the vicinity of Kosmos; also beginning at Enumclaw on primary state highway No. 5, thence in a southerly direction to a northwest entrance to Mount Rainier National Park; also beginning at Auburn on primary state highway No. 5, thence in a southerly direction by way of Sumner, thence in a westerly direction to Tacoma on primary state highway No. 1; also beginning at a junction with primary state highway No. 5, in the vicinity west of Chinook Pass, thence in a southerly direction to a junction with primary state highway No. 5, in the vicinity west of White Pass; also beginning at Sumner on primary state highway No. 5, and thence in an easterly direction to a junction with primary state highway No. 5, in the vicinity of Buckley; also beginning at Enumclaw on primary state highway No. 5, thence in a northwesterly direction by way of Summit to a junction with primary state highway No. 2, in the vicinity of Renton; also beginning at a point on primary state highway No. 5, in the vicinity of the junction of the Greenwater and White rivers, thence in an

easterly direction to a junction with primary state highway No. 5, in the vicinity north of Cliffdell.

47.16.060 No. 6 Pend Oreille highway. A primary state highway to be known as primary state highway No. 6, or the Pend Oreille highway, is established as follows: Beginning at a junction with primary state highway No. 3, in the vicinity north of Spokane, thence in a northerly direction by way of Newport and Metaline Falls to the international boundary line; also beginning at Newport on primary state highway No. 6, thence in an easterly direction to the Washington-Idaho boundary line, thence southerly along said boundary line to Fourth Street in Newport.

47.16.070 No. 7 North Central highway. A primary state highway to be known as primary state highway No. 7, or the North Central highway, is hereby established according to description as follows: Beginning at Ellensburg on primary state highway No. 3, thence in an easterly direction by the most feasible route by way of Vantage Bridge, thence in a northeasterly direction by the most feasible route by way of Quincy, Ephrata and Odessa to Davenport on primary state highway No. 2; also beginning at a point on primary state highway No. 7, as herein described, in the vicinity of Soap Lake, thence in a northerly direction by the most feasible route to a junction with primary state highway No. 2 west of Coulee City; also beginning at a junction with primary state highway No. 18 in the vicinity of Burke Junction, thence in a northeasterly direction by the most feasible route to a junction with primary state highway No. 7, as herein described, in the vicinity west of Ephrata.

47.16.080 No. 8 Evergreen highway. A primary state highway to be known as primary state highway No. 8, or the Evergreen highway, is established as follows: Beginning at Vancouver on primary state highway No. 1, thence in an easterly direction by way of Stevenson to Goldendale, thence in a northeasterly direction by way of Satus Pass to junction with primary state highway No. 3, southeast of Yakima; also beginning at a junction with primary state highway No. 8, in the vicinity of Maryhill, thence in a southerly direction to connect with the approach to the Biggs Rapids toll bridge across the Columbia river; also, beginning in the vicinity of Maryhill, running thence easterly along the north bank of the Columbia river to a point in the vicinity of Plymouth, thence in a northeasterly direction to a junction with primary state highway No. 3, in the vicinity of Kennewick; also, beginning at a junction with primary state highway No. 8 in the vicinity of Pater-son, thence in a northerly direction to a junction with primary state highway No. 3 in the vicinity of Prosser.

The route of primary state highway No. 8 beginning at a junction with primary state highway No. 8, in the vicinity of Maryhill, thence in a southerly direction to the ferry landing of the Maryhill ferry on the Columbia river shall remain a part of such highway until the Biggs Rapids toll bridge and approaches are connected and open to traffic.

Note: See also section 2, chapter 21, Laws of 1961 extraordinary session.

47.16.090 No. 9 Olympic highway. A primary state highway to be known as primary state highway No. 9, or the Olympic highway, is established as follows: Beginning at Tumwater on primary state highway No. 1, thence in a westerly direction by way of Elma, Montesano, and Aberdeen to Hoquiam, thence in a northwesterly direction by way of Lake Quinault to Forks, thence in an easterly direction by way of Port Angeles to the vicinity of Discovery Bay, thence in a southerly direction by way of Shelton to a junction with primary state highway No. 9, in the vicinity west of Olympia; also beginning at a junction with primary state highway No. 9, in the vicinity of Discovery Bay, thence in a northeasterly direction to Port Townsend; also beginning at Elma on primary state highway No. 9, thence in a southeasterly direction to a junction with primary state highway No. 1, in the vicinity north of Centralia; also beginning at a junction with primary state highway No. 9, at Montesano, thence in a southwesterly direction to a junction with primary state highway No. 13 north of Arctic.

47.16.100 No. 10 Chelan-Okanogan highway. A primary state highway to be known as primary state highway No. 10, or the Chelan-Okanogan highway, is established as follows: Beginning at Quincy, on primary state highway No. 7, thence in a northwesterly direction to a junction with primary state highway No. 2, in the vicinity east of Wenatchee; also beginning at a junction with primary state highway No. 2, in the vicinity northwesterly of Wenatchee, thence in a northerly direction on the west side of the Columbia river by way of Chelan, Pateros, Brewster, Okanogan and Oroville to the international boundary line; also beginning at a point on primary state highway No. 10 at Brewster, thence in a southeasterly direction on the north side of the Columbia river to Chief Joseph dam, thence crossing the Columbia river to the south side in the vicinity of Bridgeport, thence southerly to the junction with primary state highway No. 2 in the vicinity west of Coulee City; also from Brewster on primary state highway No. 10, thence in a southeasterly direction on the south side of the Columbia river to a junction with primary state highway No. 10 in the vicinity of Bridgeport.

47.16.110 No. 11 Columbia Basin highway. A primary state highway to be known as primary state highway No. 11, or the

Columbia Basin highway, is established as follows: Beginning at Pasco on primary state highway No. 3, thence in a northeasterly direction by way of Connell, Lind, Ritzville, Sprague, and Cheney, to a junction with primary state highway No. 2, in the vicinity west of Spokane: *Provided*, That the Washington state highway commission is authorized to construct as a part of primary state highway No. 11 and the federal interstate system a bypass in the vicinity of Cheney.

47.16.120 No. 12 Ocean Beach highway. A primary state highway to be known as primary state highway No. 12, or the Ocean Beach highway, is hereby established according to description as follows: Beginning at Chehalis on primary state highway No. 1, thence in a westerly direction by the most feasible route by way of Raymond to South Bend, thence southerly by the most feasible route to the vicinity of a location known as Johnson's Landing, thence southeasterly by the most feasible route by way of Kelso to primary state highway No. 1; also beginning at a junction with primary state highway No. 12, as herein described, in the vicinity of a location known as Johnson's Landing, thence southwesterly by the most feasible route to Ilwaco, thence southeasterly by the most feasible route to Megler; also from a junction with primary state highway No. 12, as herein described, in the vicinity northeast of Ilwaco, thence southerly by the most feasible route to a junction with primary state highway No. 12, as herein described, at a point east of Ilwaco; also beginning at Longview on primary state highway No. 12, as herein described, thence in a southeasterly direction by the most feasible route to a junction with primary state highway No. 1, south of Kelso.

47.16.130 No. 13 Willapa-Grays Harbor highway. A primary state highway to be known as primary state highway No. 13, or the Willapa-Grays Harbor highway, is hereby established according to description as follows: Beginning at Raymond on primary state highway No. 12, thence in a northerly direction by the most feasible route by way of Cosmopolis to Aberdeen on primary state highway No. 9.

47.16.140 No. 14 Navy Yard highway. A primary state highway to be known as primary state highway No. 14, or the Navy Yard highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 21 near the southwest end of Sinclair Inlet, thence northeasterly by way of Port Orchard to Manchester and Point Southworth; also beginning at a junction with primary state highway No. 14 in the vicinity of Port Orchard, as herein described, thence in a

southeasterly direction by way of the Tacoma Narrows Bridge to a junction with primary state highway No. 1 in Tacoma.

The route of primary state highway No. 14 extending to Harper as provided by section 5, chapter 383, Laws of 1955 shall remain a part of such highway until a ferry landing is constructed and opened to public use at Point Southworth.

47.16.150 No. 15 Stevens highway. A primary state highway to be known as primary state highway No. 15, or the Stevens highway, is established as follows: Beginning at a junction with primary state highway No. 2, in the vicinity of Peshastin, thence in a westerly direction by way of Leavenworth, Stevens Pass, and Monroe to Everett on primary state highway No. 1; also, beginning at a junction with primary state highway No. 15, in the vicinity of Monroe, thence to Bothell.

47.16.159 No. 16 Methow Valley highway. (Effective until July 1, 1961.) A primary state highway to be known as primary state highway No. 16, or the Methow Valley highway, is hereby established according to description as follows: Beginning in the vicinity of Pateros on primary state highway No. 10, thence in a northerly direction by the most feasible route by way of Twisp to Mazama; also beginning at a point in the vicinity south of Twisp on primary state highway No. 16, thence in an easterly direction by the most feasible route to a junction with primary state highway No. 10 in the vicinity south of Okanogan.

This section shall be effective until July 1, 1961.

47.16.160 No. 16 Methow Valley highway. (Effective July 1, 1961.) A primary state highway to be known as primary state highway No. 16, or the Methow Valley highway, is hereby established according to description as follows: Beginning in the vicinity of Pateros on primary state highway No. 10, thence in a northerly direction by the most feasible route by way of Twisp to Mazama; also beginning at a point in the vicinity south of Twisp on primary state highway No. 16, thence in an easterly direction by the most feasible route to a junction with primary state highway No. 10 in the vicinity south of Okanogan; also, beginning at a wye connection with primary state highway No. 16, southwest of Okanogan, thence southwesterly to a junction with primary state highway No. 10 in the vicinity of Malott: *Provided*, That until such times as primary state highway No. 16 from southwest of Okanogan to the vicinity of Malott is actually constructed on the location adopted by the highway commission, no existing county roads shall be maintained or improved by the highway commission as a temporary route of said primary state highway No. 16.

This section shall become effective July 1, 1961.

Note: See also section 3, chapter 21, Laws of 1961 extraordinary session.

47.16.170 No. 17 Cascade Wagon road. A primary state highway to be known as primary state highway No. 17, or the Cascade Wagon road, is hereby established according to description as follows: Beginning in the vicinity of Marblemount in Skagit county, thence in an easterly direction by the most feasible route by way of Diablo dam to a junction with primary state highway No. 16 in the vicinity of Mazama.

Note: See also section 6, chapter 21, Laws of 1961 extraordinary session.

47.16.180 Primary state highway No. 18. A primary state highway to be known as primary state highway No. 18 is established as follows: Beginning at the wye junction on primary state highway No. 7, near Burke, thence in an easterly direction by way of Neppel to a junction with primary state highway No. 11, at Ritzville; also, beginning at a point on primary state highway No. 11, in the vicinity of Ritzville, thence in an easterly direction to a junction with primary state highway No. 3, in the vicinity north of Colfax; also, beginning at a junction with primary state highway No. 18 in the vicinity west of Ewan, thence in a northwesterly direction to a junction with primary state highway No. 11 at Sprague.

47.16.190 No. 21 Kitsap Peninsula highway. A primary state highway to be known as primary state highway No. 21, or the Kitsap Peninsula highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 9 near the mouth of the Skokomish river, thence in a northeasterly direction along the southeast shore of Hood Canal to the vicinity of Belfair, thence northeasterly by the most feasible route to Bremerton, thence northerly and easterly by the most feasible route in the vicinity of Poulsbo to Port Gamble, thence southerly and easterly to Kingston; also beginning at Keyport, thence in a westerly direction by the most feasible route to a junction with primary state highway No. 21, as herein described.

The route of primary state highway No. 21, beginning at Lofall established by section 4, chapter 383, Laws of 1955 shall remain a part of such highway to service ferry traffic and shall not be superseded by this section until the Hood Canal bridge and approaches are constructed and opened to traffic.

Note: See also section 7, chapter 21, Laws of 1961 extraordinary session.

47.16.200 No. 22 Coulee Reservoir highway. A primary state highway to be known as primary state highway No. 22, or the Coulee Reservoir highway, is hereby established according to description as follows: Beginning at Davenport on primary state highway No. 2, thence in a northerly direction by the most feasible route to Kettle Falls on primary state highway No. 3; also from a junction with primary state highway No. 3, east of Kettle Falls, thence northeasterly by the most feasible route to the international boundary line.

Chapter 47.20**SECONDARY HIGHWAY ROUTES—MISCELLANEOUS
PROJECTS**

47.20.010 Branches, state highway No. 1—Highways 1A, 1B. Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1A; beginning at a junction with the Mt. Baker branch of primary state highway No. 1 in the vicinity of Lawrence, thence in a northerly direction to the international boundary in the vicinity west of Sumas; also beginning at a junction with secondary state highway No. 1A in the vicinity of Nooksack, thence southwesterly by way of Everson to a junction with secondary state highway No. 1B in the vicinity of Wisner Lake; also beginning at a junction with the Mt. Baker branch of primary state highway No. 1 in the vicinity of Deming, thence in a southerly direction by way of Sedro Woolley, Arlington and Snohomish to a junction with primary state highway No. 2 in the vicinity of Woodinville;

Secondary state highway No. 1B; beginning at Bellingham on primary state highway No. 1, thence in a northerly direction to the international boundary in the vicinity east of Delta; also beginning at a junction with secondary state highway No. 1B approximately 2.7 miles south of the international boundary, thence easterly by way of Van Buren to a junction with secondary state highway No. 1A.

47.20.020 Highways 1C, 1D. Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1C; beginning at a junction with primary state highway No. 1 in the vicinity south of Blanchard, thence in a southerly direction to a junction with primary state highway No. 1 in the vicinity of Whitney; also beginning at a junction with primary state highway No. 1 east of Whitney easterly to a junction with primary state highway No. 1 in the vicinity of Burlington;

Secondary state highway No. 1D; beginning at a junction with primary state highway No. 1 in the vicinity southeast of Anacortes, thence southerly by way of Deception Pass to the vicinity of Columbia Beach in the southern portion of Whidby Island; also beginning at a junction with secondary state highway No. 1D as herein described in the vicinity easterly of the Keystone ferry slip, thence westerly to the Keystone ferry slip.

Note: See also section 4, chapter 21, Laws of 1961 extraordinary session.

47.20.030 Highways 1E, 1F. Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1E; beginning at Conway on primary state highway No. 1, thence in a southerly directly by way of East Stanwood, thence in a southeasterly direction to a junction with primary state highway No. 1, thence in an easterly direction to Arlington on secondary state highway No. 1A; also from the junction of secondary state highway No. 1A at Arlington in a north-easterly and easterly direction to Darrington;

Secondary state highway No. 1F; beginning at a junction with primary state highway No. 1 in the vicinity of Burlington, thence in a northeasterly direction to a junction with secondary state highway No. 1A in Sedro Woolley.

Note: See also section 5, chapter 21, Laws of 1961 extraordinary session.

47.20.040 Highways 1G, 1H. Secondary state highways as branches of primary state highway No. 1, are established as follows:

Secondary state highway No. 1G; beginning at Mt. Vernon on primary state highway No. 1, thence in an easterly direction to a junction with secondary state highway No. 1A.

Secondary state highway No. 1H; beginning at Conway on primary state highway No. 1; thence in a southeasterly direction to McMurray on secondary state highway No. 1A.

47.20.050 Highways 1I, 1J. Secondary state highways as branches of primary state highway No. 1, are established as follows:

Secondary state highway No. 1I; beginning at Everett on primary state highway No. 1, thence in a westerly direction to Mukilteo, thence in a southeasterly direction to a junction with primary state highway No. 1 in the vicinity south of Everett;

Secondary state highway No. 1J; beginning at a junction with primary state highway No. 1 in the vicinity north of Seattle, thence in an easterly direction to the vicinity of Lake Washington, thence in a southeasterly direction to Seattle in the vicinity of the Naval Air Station at Sandpoint.

47.20.060 Highways 1K, 1L. Secondary state highways as branches of primary state highway No. 1, are established as follows:

Secondary state highway No. 1K; beginning at Seattle on primary state highway No. 1, thence in a southerly direction to Des Moines, thence in a southeasterly direction to a junction with primary state highway No. 1;

Secondary state highway No. 1L; beginning on primary state highway No. 1 in the vicinity of Seattle, thence in a westerly direction to a junction with secondary state highway No. 1K near Sunnydale.

47.20.070 Highways 1M, 1N. Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1M, beginning at a junction with primary state highway No. 1, in the vicinity of Maytown, thence in a westerly and southwesterly direction to a junction with primary state highway No. 9 in the vicinity of Rochester;

Secondary state highway No. 1N; beginning at a junction with primary state highway No. 1 in Centralia, thence in a northerly direction by the most feasible route by way of Bucoda to a junction with secondary state highway No. 5H in Tenino.

47.20.080 Highways 1P, 1Q. Secondary state highways as branches of primary state highway No. 1, are established as follows:

Secondary state highway No. 1P; beginning at Toledo on primary state highway No. 1, thence in a southwesterly direction by way of Vader to Ryderwood;

Secondary state highway No. 1Q; beginning at a junction with primary state highway No. 1 in the vicinity south of Toledo, thence in an easterly and southerly direction to a junction with secondary state highway No. 1R in the vicinity north of Toutle.

47.20.090 Highways 1R, 1S. Secondary state highways as branches of primary state highway No. 1, are established as follows:

Secondary state highway No. 1R; beginning at a junction with primary state highway No. 1 in the vicinity north of Castle Rock, thence in an easterly direction by way of St. Helens to the boundary of the Columbia National Forest in the vicinity northwest of Mt. St. Helens;

Secondary state highway No. 1S; beginning at a junction with primary state highway No. 1 in the vicinity north of Woodland, thence in an easterly direction to Amboy, thence in a southerly direction to Battleground, thence in a westerly direction to a junction with primary state highway No. 1 in the vicinity north of Vancouver.

Note: See also section 8, chapter 21, Laws of 1961 extraordinary session.

47.20.100 Highways 1T, 1U. Secondary state highways as branches of primary state highway No. 1, are established as follows:

Secondary state highway No. 1T; beginning at Vancouver on primary state highway No. 1, thence in a northerly direction by way of Sara to Ridgefield, thence in an easterly direction to a junction with primary state highway No. 1 in the vicinity south of LaCenter;

Secondary state highway No. 1U; beginning at Battleground on secondary state highway No. 1S, thence in a southerly direction to Orchard on the secondary state highway No. 8A.

47.20.109 Highways 1V, 1W. (Effective until July 1, 1961.) Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1V; beginning at Tacoma on

primary state highway No. 1, thence in a northeasterly direction west of primary state highway No. 1 by way of Redondo to Des Moines to secondary state highway No. 1K;

Secondary state highway No. 1W; beginning at a junction with primary state highway No. 1 in the vicinity of Snohomish-King county line, thence in a northwesterly direction to Edmonds, thence in a northeasterly direction to a junction with primary state highway No. 1 in the vicinity of Lynnwood.

This section shall be effective until July 1, 1961.

47.20.110 Highways 1V, 1W. (Effective July 1, 1961.) Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1V; beginning at Tacoma on primary state highway No. 1, thence in a northeasterly direction west of primary state highway No. 1 by way of Redondo to Des Moines on secondary state highway No. 1K;

Secondary state highway No. 1W; beginning at a junction with primary state highway No. 1 in the vicinity of Snohomish-King county line, thence in a northwesterly direction to Edmonds, thence in a northeasterly direction to a junction with primary state highway No. 1 in the vicinity of Lynnwood, thence easterly to a junction with secondary state highway No. 2J: *Provided*, That until such times as secondary state highway No. 1W east of Lynnwood is actually constructed on the location adopted by the highway commission, no existing county roads shall be maintained or improved by the highway commission as a temporary route of said secondary state highway No. 1W. This section shall become effective July 1, 1961.

47.20.120 Highways 1X, 1Y, 1Z. Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1X; beginning at a junction with primary state highway No. 1 in the vicinity of Milton, thence in an easterly direction by way of Milton to a junction with secondary state highway No. 5D in the vicinity east of Milton;

Secondary state highway No. 1Y; beginning at a junction with primary state highway No. 1 in the vicinity east of East Stanwood; thence in a westerly direction to a junction with secondary state highway No. 1E in the vicinity of East Stanwood; thence in a westerly direction by way of Stanwood and over a bridge to a point on Camano Island known as McEachern's Corner.

Secondary state highway No. 1Z; beginning at a junction with primary state highway No. 1 northwest of Bellingham, thence in a westerly direction to a junction with a Whatcom county road at a location where construction is feasible from an engineering and economic point of view.

47.20.130 Branches, state highway No. 2—Highways 2A, 2B. Secondary state highways as branches of primary state highway No. 2 are established as follows:

Secondary state highway No. 2A; beginning on primary state highway No. 2 in the vicinity of Woodinville, thence in a southerly direction to a junction with primary state highway No. 1 in the vicinity north of Kirkland.

Secondary state highway No. 2B; beginning at a junction with primary state highway No. 2 in the vicinity of Lake Forest Park, thence in a northwesterly direction to a junction with primary state highway No. 1 in the vicinity of the Snohomish county line.

47.20.140 Highways 2D, 2E. Secondary state highways as branches of primary state highway No. 2 are established as follows:

Secondary state highway No. 2D; beginning at a junction with primary state highway No. 2 in the vicinity west of Issaquah, thence in a northerly direction to the west of Lake Sammamish to Redmond on primary state highway No. 2, thence in a westerly direction to Kirkland.

Secondary state highway No. 2E; beginning at a junction with primary state highway No. 2 west of Cle Elum, thence in a northwesterly direction by way of Roslyn to the National Forest boundary in the vicinity of Lake Cle Elum.

47.20.150 Highways 2F, 2G. Secondary state highways as branches of primary state highway No. 2 are established as follows:

Secondary state highway No. 2F; beginning at a junction with primary state highway No. 2 in the vicinity north of Coulee City, thence in a northeasterly direction to the boundary of the federal reservation at the Grand Coulee dam;

Secondary state highway No. 2G; beginning at a junction with primary state highway No. 2 in the vicinity west of Reardon, thence in a southerly direction by way of Edwall to a junction with secondary state highway No. 11F in the vicinity northwest of Sprague.

47.20.160 Highways 2H, 2I. Secondary state highways as branches of primary state highway No. 2 are established as follows:

Secondary state highway No. 2H; beginning at Spokane on primary state highway No. 2, thence in an easterly direction by way of Millwood to a junction with primary state highway No. 2 in the vicinity of the Washington-Idaho boundary line;

Secondary state highway No. 2I; beginning at a junction with primary state highway No. 2 in the vicinity of Virden, thence southeasterly to a junction with primary state highway No. 3 in the vicinity of Woldale.

47.20.161 Highway 2J. Secondary state highway No. 2J is established as a branch of primary state highway No. 2, according to the following designation and description:

Beginning on primary state highway No. 2 in the vicinity of Bothell, thence in a northerly direction to a junction with primary state highway No. 1 in a vicinity south of Everett.

47.20.165 Highway 2M. Secondary state highway No. 2M is established as a branch of primary state highway No. 2, according to the following designation and description:

Secondary state highway No. 2M; beginning at a junction with primary state highway No. 2 in the vicinity west of Auburn, thence in a northerly direction to a junction with primary state highway No. 1 south of Seattle.

47.20.170 Branches, state highway No. 3—Highways 3A, 3B. Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3A; beginning at Union Gap on primary state highway No. 3, thence in a southeasterly direction to the south of the Yakima river to Toppenish on primary state highway No. 8, thence in a southeasterly direction by way of Mabton to Prosser on primary state highway No. 3;

Secondary state highway No. 3B; beginning at Toppenish on primary state highway No. 8, thence in a westerly direction to White Swan, thence in a southwesterly direction to old Fort Simcoe.

47.20.180 Highway 3D. Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3D; beginning at a junction with primary state highway No. 3 in the vicinity of Burbank, thence in a northeasterly direction by the most feasible route to a point in the vicinity of Eureka, thence in an easterly direction by the most feasible route to a junction with secondary state highway No. 3E in the vicinity of Prescott.

47.20.190 Highways 3E, 3F. Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3E; beginning at Walla Walla on primary state highway No. 3, thence in a northerly direction to Prescott on secondary state highway No. 3D; thence in an easterly direction to a junction on primary state highway No. 3 in the vicinity northeast of Waitsburg.

Secondary state highway No. 3F; beginning at Colfax on primary state highway No. 3, thence in an easterly direction to Palouse on primary state highway No. 3.

47.20.200 Highway 3H. Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3H; beginning at a junction with primary state highway No. 2 in the vicinity of Opportunity, thence in a southerly direction by way of Rockford, Fairfield, Latah, and Tekoa to Oakesdale on primary state highway No. 3; also beginning at Tekoa on secondary state highway No. 3H, thence in an easterly direction to the Washington-Idaho boundary line.

47.20.210 Highways 3J, 3K. Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3J; beginning at a junction with primary state highway No. 3 in the vicinity of Chewelah, thence by way of Springdale in a southwesterly direction across the Spokane river to Long Lake; also, beginning at a junction with said secondary state highway No. 3J at Springdale, thence easterly to a junction of primary state highway No. 3 in the vicinity of Loon Lake: *Provided*, That until such time as the relocation and construction of primary state highway No. 3 from Loon Lake to Chewelah is completed, secondary state highway No. 3J shall begin at a junction with primary state highway No. 3 in the vicinity of Springdale.

Secondary state highway No. 3K; beginning at Pomeroy on primary state highway No. 3, thence in a southeasterly direction to Peola, thence in a northeasterly direction to a junction with primary state highway No. 3 in the vicinity west of Clarkston.

47.20.220 Highways 3L, 3P, 3R, 3S. Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3L; beginning at a junction with primary state highway No. 3 in the vicinity north of Dayton, thence in a northeasterly direction to a junction with primary state highway No. 3 in the vicinity west of Pomeroy;

Secondary state highway No. 3P; beginning at a junction with primary state highway No. 3 at the west end of the Kettle Falls bridge, thence in a westerly direction to a junction with secondary state highway No. 4A east of Republic: *Provided*, That secondary state highway No. 3P, as herein described shall not become a part of the state highway system until after the construction of the Republic-Kettle Falls Forest Highway by the United States Bureau of Public Roads shall have been completed;

Secondary state highway No. 3R; beginning at the Richland wye junction with primary state highway No. 3; thence northerly and westerly via Richland to a junction with primary state highway No. 3 at Kiona.

Secondary state highway No. 3S; beginning at a junction of primary state highway No. 3 in Spokane thence northwesterly along the north bank of the Spokane river to a point in Stevens

county across the Spokane river from the Riverside state park near the boundary line common to Stevens and Spokane counties.

The addition of secondary state highway No. 3S shall become effective July 1, 1961.

Note: See also section 13, chapter 21, Laws of 1961 extraordinary session.

47.20.230 Branches, State Highway No. 4—Highways 4A, 4B. Secondary state highways as branches of primary state highway No. 4 are hereby established according to designation and description as follows:

Secondary state highway No. 4A; beginning at Republic on primary state highway No. 4, thence in a northeasterly direction by the most feasible route to the east of Curlew Lake by way of Curlew to the international boundary line in the vicinity of Danville;

Secondary state highway No. 4B; beginning at a junction of primary state highways Nos. 4 and 2 in the vicinity west of Wilbur, thence in a southerly direction by the most feasible route by way of Odessa to a junction with primary state highway No. 11 in the vicinity of Lind.

47.20.240 Highway 4C. Secondary state highway No. 4C is established as a branch of primary state highway No. 4 as follows:

Secondary state highway No. 4C; beginning at a junction with primary state highway No. 4 in the vicinity north of Wilbur, thence in a westerly direction by the most feasible route to a junction with primary state highway No. 2 in the vicinity south of the Grand Coulee Dam.

Note: See also section 9, chapter 21, Laws of 1961 extraordinary session.

47.20.250 Branches, state highway No. 5—Highways 5A, 5B. Secondary state highways as branches of primary state highway No. 5 are established as follows:

Secondary state highway No. 5A; beginning at a junction with primary state highway No. 5 south of Maple Valley, thence in a westerly direction to Kent on primary state highway No. 5, thence in a westerly direction to a junction with primary state highway No. 1;

Secondary state highway No. 5B; beginning at Auburn on primary state highway No. 5, thence in a northeasterly direction to a junction with secondary state highway No. 5A in the vicinity south of Maple Valley.

47.20.260 Highways 5C, 5D. Secondary state highways as branches of primary state highway No. 5 are established as follows:

Secondary state highway No. 5C; beginning at Renton on primary state highway No. 2, thence in a southerly direction to a junction with secondary state highway No. 5A in the vicinity east of Kent;

Secondary state highway No. 5D; beginning at Puyallup on

primary state highway No. 5, thence in a northerly direction to a junction with primary state highway No. 1.

47.20.270 Highways 5E, 5G. Secondary state highways as branches of primary state highway No. 5 are established as follows:

Secondary state highway No. 5E; beginning at Puyallup on primary state highway No. 5, thence in a southerly direction to Orting, thence in a northeasterly direction to a junction with primary state highway No. 5 in the vicinity south of Buckley;

Secondary state highway No. 5G; beginning at Puyallup on primary state highway No. 5, thence in a westerly direction to a junction with primary state highway No. 5 south of Tacoma, thence in a westerly direction to a junction with primary state highway No. 1 south of Tacoma.

47.20.280 Highways 5H, 5I. Secondary state highways as branches of primary state highway No. 5 are established as follows:

Secondary state highway No. 5H; beginning at a junction with primary state highway No. 5 in the vicinity south of Tacoma, thence in a southwesterly direction by way of McKenna, Yelm, and Rainier, to a junction with secondary state highway No. 1N in Tenino;

Secondary state highway No. 5I; beginning at Yelm on secondary state highway No. 5H, thence in a northwesterly direction via St. Clair and Lacey to primary state highway No. 1.

47.20.290 Highways 5J, 5K. Secondary state highways as branches of primary state highway No. 5 are established as follows:

Secondary state highway No. 5J; beginning at McKenna on secondary state highway No. 5H, thence in an easterly direction to a junction with primary state highway No. 5;

Secondary state highway No. 5K; beginning at Morton on primary state highway No. 5, thence in a westerly direction by way of Onalaska to a junction with primary state highway No. 1 south of Chehalis.

47.20.300 Highways 5L, 5N. Secondary state highways as branches of primary state highway No. 5 are established as follows:

Secondary state highway No. 5L; beginning at Morton on primary state highway No. 5; thence in a southwesterly direction to Riffe on primary state highway No. 5;

Secondary state highway No. 5N; beginning at a junction with primary state highway No. 5 in Puyallup, thence in a southerly direction to Eatonville.

47.20.310 Branches, State highway No. 6—Highways 6A, 6B. Secondary state highways as branches of primary state highway No. 6 are hereby established according to designation and description as follows:

Secondary state highway No. 6A; beginning at Tiger on primary state highway No. 6, thence in a southwesterly direction by the most feasible route to Colville to primary state highway No. 3;

Secondary state highway No. 6B; beginning at Usk on primary state highway No. 6, thence in a southerly direction by the most feasible route by way of Sacheen Lake to a junction with primary state highway No. 6 southwest of Newport.

47.20.320 Branches, state highway No. 7—Highway 7C. Secondary state highways as branches of primary state highway No. 7 are established as follows:

Secondary state highway No. 7C; beginning in the vicinity of the east end of the Vantage bridge on primary state highway No. 7, thence in a southerly direction parallel to the east bank of the Columbia river for a distance of approximately two and one-half miles, thence southeasterly in the vicinity of Othello, thence easterly to a junction with primary state highway No. 11, thence easterly to a junction with secondary state highway No. 11B in the vicinity of Washtucna; also, beginning at a junction with secondary state highway No. 7C south of the Columbia river bridge at Vantage, thence southerly and easterly by way of Beverly and Arrowsmith to a junction with secondary state highway No. 11A north of its crossing of the Columbia river: *Provided*, That until such time as secondary state highway No. 7C is actually constructed on the location adopted by the highway commission, no existing county roads shall be maintained or improved by the highway commission as a temporary route of said secondary state highway No. 7C.

47.20.325 Highway 7E. Secondary state highway No. 7E is hereby established as a branch of primary state highway No. 7, according to the following designation and description:

Beginning at a junction with primary state highway No. 7 in the vicinity west of Odessa; thence in a southwesterly direction by way of Moses Lake to a connection with primary state highway No. 18 west of Moses Lake: *Provided*, That until such times as secondary state highway No. 7E is actually constructed on the location adopted by the highway commission, no existing county roads shall be maintained or improved by the highway commission as a temporary route of said secondary state highway No. 7E.

47.20.330 Branches, state highway No. 8—Highways 8A, 8B. Secondary state highways as branches of primary state highway No. 8 are hereby established according to designation and description as follows:

Secondary state highway No. 8A; beginning at Vancouver on primary state highway No. 8, thence in a northeasterly direction

by the most feasible route to Orchard, thence in a southeasterly direction by the most feasible route to Camas on primary state highway No. 8;

Secondary state highway No. 8B; beginning at Washougal on primary state highway No. 8, thence in a northerly and easterly direction by the most feasible route following the general course of the Washougal river to a junction with primary state highway No. 8 east of Washougal.

Note: See also section 10, chapter 21, Laws of 1961 extraordinary session.

47.20.340 Highways 8C, 8D. Secondary state highways as branches of primary state highway No. 8 are established as follows:

Secondary state highway No. 8C; beginning at a junction on primary state highway No. 8 east of Stevenson, thence in a northwesterly direction following the general course of the Wind river to the boundary of Columbia National Forest;

Secondary state highway No. 8D; beginning at a wye junction with primary state highway No. 8, the west branch in the vicinity east of Underwood and the east branch in the vicinity of White Salmon, thence in a northerly direction to the boundary of the Columbia National Forest.

Note: See also section 11, chapter 21, Laws of 1961 extraordinary session.

47.20.360 Branches, state highway No. 9 — Highway 9A. Secondary state highways as branches of primary state highway No. 9 are established as follows:

Secondary state highway No. 9A; beginning at Port Angeles on primary state highway No. 9, thence in a westerly direction by way of Pysht and Clallam Bay to Neah Bay.

47.20.370 Highways 9C, 9D. Secondary state highways as branches of primary state highway No. 9 are established as follows:

Secondary state highway No. 9C; beginning at a junction with primary state highway No. 9 in Hoquiam, thence in a northwesterly direction by way of Ocean City, Copalis, Pacific Beach, and Moclips to a junction with primary state highway No. 9 in the vicinity of Queets;

Secondary state highway No. 9D; beginning at a junction with primary state highway No. 9 in the vicinity west of McCleary, thence in a northeasterly direction to a junction with primary state highway No. 9 south of Shelton.

47.20.379 Highways 9E, 9F. (Effective until July 1, 1961.) Secondary state highways as branches of primary state highway No. 9 are established as follows:

Secondary state highway No. 9E; beginning at a junction with primary state highway No. 9 in the vicinity south of Discovery Bay, thence in a southeasterly direction to the vicinity of Shine on Hood Canal; thence crossing Hood Canal to a junction with primary state highway No. 21;

This addition to secondary state highway No. 9E shall become effective July 1, 1959.

The route of secondary state highway No. 9E to South Point established by section 38, chapter 383, Laws of 1955 shall remain a part of such highway to service ferry traffic and shall not be superseded by this section until the Hood Canal bridge and approaches are constructed and open to traffic.

Secondary state highway No. 9F; beginning at Sequim on primary state highway No. 9, thence in a northerly direction to Dungeness.

This section shall be effective until July 1, 1961.

47.20.380 Highways 9E, 9F, 9G. (Effective July 1, 1961.) Secondary state highways as branches of primary state highway No. 9 are established as follows:

Secondary state highway No. 9E; beginning at a junction with primary state highway No. 9 in the vicinity south of Discovery Bay, thence in a southeasterly direction to the vicinity of Shine on Hood Canal; thence crossing Hood Canal to a junction with primary state highway No. 21;

This addition to secondary state highway No. 9E shall become effective July 1, 1959.

The route of secondary state highway No. 9E to South Point established by section 38, chapter 383, Laws of 1955 shall remain a part of such highway to service ferry traffic and shall not be superseded by this section until the Hood Canal bridge and approaches are constructed and open to traffic.

Secondary state highway No. 9G; beginning at a junction with primary state highway No. 9 in Port Angeles, thence southerly to the north boundary of the Olympic National Park: *Provided*, That until such time as secondary state highway No. 9G is actually constructed on the location adopted by the highway commission, no existing county roads shall be maintained or improved by the highway commission as a temporary route of said secondary state highway No. 9G.

The deletion of secondary state highway No. 9F and the addition of secondary highway No. 9G shall become effective July 1, 1961.

47.20.390 Branches, state highway No. 10—Highways 10A, 10B. Secondary state highways as branches of primary state highway No. 10, are hereby established according to designation and description as follows:

Secondary state highway No. 10A; beginning at Omak on primary state highway No. 10, thence in a southeasterly direction by the most feasible route by way of Disautel and Nespelem to the boundary of the federal reservation at the Grand Coulee dam;

Secondary state highway No. 10B; beginning at a junction with primary state highway No. 10 east of Bridgeport, thence in an easterly direction by the most feasible route to the boundary of the federal reservation at the Grand Coulee dam; also, a spur beginning at a junction with secondary state highway No. 10B in the vicinity of the boundary of the federal reservation at the Grand Coulee dam and extending to Crown Point; also beginning at a junction with secondary state highway No. 10B, as herein described, in the vicinity of Leahy, thence in a southwesterly direction by the most feasible route by way of Mansfield to a junction with primary state highway No. 2 in the vicinity of Waterville;

From June 7, 1951, and until construction of the extension of secondary state highway No. 10B is completed, the highway commission of the state shall assume control and maintenance of the existing county road running from Sims Corner through Mansfield and south to the junction at Farmer.

47.20.400 Highways 10C, 10D. Secondary state highways as branches of primary state highway No. 10 are established as follows:

Secondary state highway No. 10C; beginning at Chelan on primary state highway No. 10, thence in a northwesterly direction to the north of Lake Chelan to Manson;

Secondary state highway No. 10D; beginning at a wye junction with primary state highway No. 10 in the vicinity east of Chelan, thence in a southerly direction crossing the Columbia river in the vicinity of Chelan Station to a junction with primary state highway No. 2 in the vicinity of Orondo; also beginning at a junction with primary state highway No. 10 in the vicinity south of Azwell, thence southerly to a junction with secondary state highway No. 10D in the vicinity of Chelan Station.

47.20.410 Branches, state highway No. 11—Highways 11A, 11B. Secondary state highways as branches of primary state highway No. 11 are established as follows:

Secondary state highway No. 11A; beginning at Connell on primary state highway No. 11, thence in a westerly direction to Yakima on primary state highway No. 3: The highway commission shall provide and maintain suitable facilities for vehicles and pedestrian crossing of the Columbia river at the point where secondary state highway No. 11A crosses the river, at the expense of the state and without charge to the public;

Secondary state highway No. 11B; beginning at a junction with primary state highway No. 11 in the vicinity of Connell, thence northeasterly by way of Kahlotus, Washtucna and LaCrosse to a junction with primary state highway No. 3 in the vicinity of Dusty; also beginning at a junction with secondary state highway

No. 11B in the vicinity of Washtucna, thence southeasterly to a junction with primary state highway No. 3 at Delaney: *Provided*, That until such time as secondary state highway No. 11B between Washtucna and Delaney is actually constructed on the location adopted by the highway commission no existing county roads shall be maintained or improved by the highway commission as a temporary route of said secondary state highway No. 11B.

Note: See also section 14, chapter 21, Laws of 1961 extraordinary session.

47.20.415 Highway 11A—Relocation—Federal compensation—Columbia river crossing. The highway commission shall relocate and reconstruct secondary state highway No. 11A from a point in the vicinity of Cold creek thence northerly to Vernita, thence crossing the Columbia river, thence easterly, by the most feasible route north of the Columbia river, to a point intersecting secondary state highway No. 11A, in the vicinity of Connell: *Provided*, That nothing in this section shall prohibit such relocation and reconstruction through the control zone of the Hanford atomic energy project as the atomic energy commission and the highway commission may agree.

When compensation is received from the federal government for the condemnation by it of the portion of secondary state highway No. 11A taken for the Hanford atomic energy project, the highway commission is authorized and instructed to use the funds so received, or so much thereof as may be necessary, for the purpose of completing all or any portion of the relocation and reconstruction of said secondary state highway No. 11A, as provided for in this section.

When said relocation and reconstruction has been completed, the highway commission is authorized and instructed to provide suitable facilities for vehicle and pedestrian crossing of the Columbia river at the point at or near Vernita where the relocation of secondary state highway No. 11A crosses the river. Such crossing shall thereafter be maintained at the expense of the state, and without charge to the traveling public.

47.20.420 Highways 11D, 11E. Secondary state highways as branches of primary state highway No. 11 are established as follows:

Secondary state highway No. 11D; beginning at a junction with primary state highway No. 11 at a point approximately three miles northeast of Four Lakes, thence in a westerly and southwesterly direction to the town of Medical Lake, thence in a southerly direction to the vicinity of the state custodial school;

Secondary state highway No. 11E; beginning at Ritzville on primary state highway No. 11, thence in a southerly direction to Washtucna on secondary state highway No. 11B.

47.20.430 Highways 11F, 11G. Secondary state highways as branches of primary state highway No. 11 are established as follows:

Secondary state highway No. 11F; beginning at Sprague on primary state highway No. 11, thence in a northwesterly direction to Harrington on primary state highway No. 7;

Secondary state highway No. 11G; beginning in the vicinity of Eltopia on primary state highway No. 11, thence in a northwesterly direction to a junction with primary state highway No. 18 in the vicinity of Moses Lake, thence northwesterly to a junction with primary state highway No. 7 in the vicinity of Soap Lake with a wye connection from the vicinity of Rocky Ford creek to the vicinity of Ephrata.

Note: See also section 15, chapter 21, Laws of 1961 extraordinary session.

47.20.440 Branches, state highway No. 12—Highways 12A, 12B. Secondary state highways as branches of primary state highway No. 12 are hereby established according to designation and description as follows:

Secondary state highway No. 12A; beginning at a junction with primary state highway No. 12 in the vicinity south of Seaview, thence in a northerly direction by the most feasible route by way of Seaview and Long Beach to Ocean Park;

Secondary state highway No. 12B; beginning at Megler on primary state highway No. 12, thence in an easterly and northerly direction to a junction with primary state highway No. 12 in the vicinity north of Naselle.

47.20.450 Highways 12C, 12D. Secondary state highways as branches of primary state highway No. 12 are established as follows:

Secondary state highway No. 12C; beginning at a junction with primary state highway No. 12 in the vicinity west of Grays river, thence in a southerly direction by the most feasible route to the shore of the Columbia river;

Secondary state highway No. 12D; beginning at a junction with primary state highway No. 12 in the vicinity north of Cathlamet, thence in a northeasterly direction by the most feasible route following the general course of the Elokomin river to the vicinity of its confluence with the west fork of the Elokomin river.

47.20.460 Highways 12E, 12F. Secondary state highways as branches of primary state highway No. 12 are established as follows:

Secondary state highway No. 12E; beginning at a junction with primary state highway No. 12 in the vicinity west of Chehalis, thence in a southerly direction by the most feasible route by way of Napavine and Winlock to a junction with primary state highway No. 1 in the vicinity north of Toledo;

Secondary state highway No. 12F; beginning at the town of Cathlamet at the intersection of primary state highway No. 12, and the north approach of the Puget Island bridge, thence crossing said bridge, thence in a general southerly direction by the most feasible route to the South Ferry landing, as now located, or as it may be relocated, on the south side of Puget Island: *Provided*, That the state of Washington shall not assume or pay any bond or bonds outstanding against said bridge, or interest on said bonds, but said bond or bonds, and interest thereon, shall remain the sole obligation of the obligors named on said bonds.

47.20.461 Highway 12G. A secondary state highway as a branch of primary state highway No. 12 is established as follows:

Secondary state highway No. 12G; beginning at a junction with primary state highway No. 12 in the vicinity of Grays River, thence northeasterly to a junction with primary state highway No. 12 in the vicinity of PeEll: *Provided*, That this highway designation shall not become effective until the location of the proposed lower Columbia river bridge is determined and construction thereof undertaken and the further determination by resolution of the state highway commission that this route is desirable to serve traffic for such bridge.

47.20.462 Highway 12H. A secondary state highway as a branch of primary state highway No. 12 is established as follows:

Secondary state highway No. 12H; beginning at a junction with primary state highway No. 12 in West Kelso, thence northerly to a junction with secondary state highway No. 1P in the vicinity of Vader.

47.20.470 Branches, state highway No. 13—Highway 13A. Secondary state highways as branches of primary state highway No. 13 are hereby established according to designation and description as follows:

Secondary state highway No. 13A; beginning at Raymond on primary state highway No. 13, thence in a westerly direction by the most feasible route by way of Tokeland, North Cove to the shore of Grays Harbor north of Westport; also beginning at Aberdeen on primary state highway No. 13, thence in a southwesterly direction by the most feasible route to a junction with secondary state highway No. 13A in the vicinity south of Westport.

47.20.480 Branches state highway No. 14—Highway 14A. Secondary state highways as branches of primary state highway No. 14 are established as follows:

Secondary state highway No. 14A; beginning at a junction with primary state highway No. 14 in the vicinity of Purdy, thence in a westerly direction to a junction with primary state highway

No. 21 in the vicinity of Belfair; also beginning at a junction with secondary state highway No. 14A, as herein described, thence southwesterly to a junction with primary state highway No. 9 at Shelton.

47.20.490 Branches, state highway No. 15—Highways 15A, 15B. Secondary state highways as branches of primary state highway No. 15 are hereby established according to designation and description as follows:

Secondary state highway No. 15A; beginning at a junction with primary state highway No. 15 in the vicinity east of Everett, thence in a northeasterly direction by the most feasible route to a junction with secondary state highway No. 1A, thence in a northeasterly direction by the most feasible route to Granite Falls;

Secondary state highway No. 15B; beginning at Monroe on primary state highway No. 15, thence in a southerly direction by the most feasible route by way of Duvall to Falls City on primary state highway No. 2.

47.20.500 Highways 15C, 15D. Secondary state highways as branches of primary state highway No. 15 are established as follows:

Secondary state highway No. 15C; beginning at Leavenworth on primary state highway No. 15, thence in a northerly direction by the most feasible route by way of Lake Wenatchee to a junction with primary state highway No. 15 in the vicinity north of Winton;

Secondary state highway No. 15D; beginning at a junction with secondary state highway No. 15C in the vicinity of Lake Wenatchee, thence in a northwesterly direction by the most feasible route to the west of Lake Wenatchee to Telma.

47.20.520 Branches, state highway No. 17—Highway 17A. Secondary state highways as branches of primary state highway No. 17 are hereby established according to designation and description as follows:

Secondary state highway No. 17A; beginning at Marblemount on primary state highway No. 17, thence in a westerly direction by the most feasible route by way of Concrete to Sedro Woolley on secondary state highway No. 1A.

Note: See also section 6, chapter 21, Laws of 1961 extraordinary session.

47.20.540 Branches, state highway No. 21—Highways 21A, 21B. Secondary state highways as branches of primary state highway No. 21 are hereby established as follows:

Secondary state highway No. 21A; beginning at a junction with primary state highway No. 21 in the vicinity north of Poulsbo, thence in a southeasterly direction by the most feasible route across Agate Pass to the north end of Bainbridge Island, thence in a southerly direction by the most feasible route to the vicinity of Winslow;

Secondary state highway No. 21B; beginning at Keyport on primary state highway No. 21, thence in a southerly direction by the most feasible route to East Bremerton; also beginning at a junction with secondary state highway No. 21B in the vicinity north of East Bremerton, thence easterly by the most feasible route to Illahee State Park.

Note: See also section 12, chapter 21, Laws of 1961 extraordinary session.

47.20.541 Highway 21C. Secondary state highway No. 21C as a branch of primary state highway No. 21 is established as follows:

Secondary state highway No. 21C; beginning at a junction with primary state highway No. 21 at Belfair, thence in a general westerly direction to the westerly boundary of the Belfair state park.

47.20.550 Branches, state highway No. 22—Highway 22A. Secondary state highways as branches of primary state highway No. 22 are hereby established according to designation and description as follows:

Secondary state highway No. 22A; beginning at Northport on primary state highway No. 22, thence in a northeasterly direction by the most feasible route to the international boundary in the vicinity of Boundary.

47.20.570 Manette bridge authorized. The director of highways is authorized and directed to construct a bridge across Port Washington Narrows connecting primary state highway No. 21 at or near Bremerton with secondary state highway No. 21B on the Manette Peninsula; to make surveys and plans; and to condemn or otherwise acquire such lands, as are necessary or proper for the approaches to such bridge and relocating any portion of said highway to locate said bridge at the most feasible place. Said bridge shall become and be maintained as a part of the state highway system.

47.20.580 Washington State University highway authorized. The director of highways is hereby authorized and directed to locate, construct, pave and maintain a suitable highway on the most feasible route beginning in the vicinity of the stadium of the Washington State University and extending in a northwesterly direction to a connection with primary state highway No. 3, near the north boundary of the city of Pullman.

47.20.590 University of Washington approach authorized. The director of highways is hereby authorized and directed to select and locate a suitable and fitting street and highway approach to the University of Washington campus in the city of Seattle, from Roosevelt Way to Fifteenth Avenue northeast, including an underpass beneath the surface of Roosevelt Way, and necessary approaches to said underpass.

47.20.600 Washington State University highway, University of Washington approach—Acquisition of property. The director of highways is hereby authorized and directed in the name of the state of Washington to acquire by purchase, gift or condemnation, any and all private real estate, rights and interests necessary to locate, construct and maintain the Washington State University highway and the University of Washington approach provided for herein.

47.20.605 ———Public use. The use of the private real estate, rights and interests, selected by said director as necessary for said approach, underpass and highway, is hereby declared to be a public use.

47.20.610 ———Condemnation. In case of condemnation to secure any real estate, rights or interests, herein authorized, the court actions shall be brought in the name of the state of Washington in the respective counties in which the real estate is located, in the manner provided by law for acquiring property for public uses for the state, and in such actions the selection of the real estate, rights and interests by the director of highways is, in the absence of bad faith, arbitrary, capricious or fraudulent action conclusive upon the court and judge before which the action is brought that said real estate, rights and interests are necessary for public use for the purposes sought.

47.20.620 ———Measure of damage to buildings. If, in any condemnation proceeding authorized herein, it appears that there is any building wholly or partially upon any of the real estate to be taken, the jury, or the court, if the jury be waived, shall add to the value of the land taken the amount of damages to the building. If the entire building is taken, or if the building is damaged so that it cannot be readjusted to the real estate not taken, then the measure of damages shall be the fair cash value of the building. If part of a building is taken or damaged and the building can be readjusted or replaced on the real estate remaining, then the measure of damages shall be the cost of readjusting or moving the building, or part thereof left, together with the depreciation in the market value of said building by reason of said readjustment or moving.

47.20.630 ———Sale of buildings, personalty, acquired in acquisition of land. The director of highways shall have power to sell at public or private sale any building, equipment or fixtures, acquired in the acquisition of said real estate for such price as he shall fix, and to execute to the purchaser upon payment of the purchase price a bill of sale in the name of the state; and the proceeds of said sale shall be placed in the motor vehicle fund of the state treasury. The director of highways shall have power to permit occupation of

buildings on real estate so acquired for such specified limited time as he deems will lapse before construction of the approach, underpass and highway can be undertaken; and in behalf of the state it may be shown in any condemnation proceeding the period during which such occupancy will be permitted for the purpose of mitigating damages.

47.20.635 University of Washington approach—Ordinance requisite—Construction and Maintenance. No action shall be taken by the director of highways for the acquisition of real estate, rights and interests for the approach and underpass to the University of Washington unless and until the city of Seattle, through its legislative authority shall enact an ordinance providing the city of Seattle will, within three months after the necessary real estate, rights and interests have been secured by the state as herein provided, begin the work of grading, paving and such other work as is necessary to complete and render available for use of the public, said approach and underpass and approaches to said underpass; and further providing that the city of Seattle shall thereafter keep and maintain said approach and underpass and approach to said underpass in a good state of repair and suitable for public travel and use, which construction and maintenance work the city of Seattle is hereby authorized and empowered to do and perform.

47.20.640 Designation of new secondary routes to intersect relocated primary—Report to legislature. In any case where a primary state highway is relocated in such manner that one of its branch secondary state highways shall cease to intersect it, the state highway commission is hereby authorized to designate one or more routes from such secondary state highway to an intersection with such relocated primary state highway as a portion of the route of such secondary state highway. The state highway commission shall submit to the legislature next convening, the changes made in the designation of secondary state highways, as described by law, so that such laws designating secondary state highways will be kept current by successive legislatures.

Chapter 47.22

COMBINATION HIGHWAY ROUTES

47.22.010 East Pacific highway. There is hereby established the east Pacific highway which shall be composed of the following existing highway routes: Beginning on primary state highway No. 1 at or near Centralia; thence by way of primary state highway No. 1 to Tenino or by way of secondary state highway 1N between Centralia and Tenino; thence on secondary state highway 5H to

Roy junction with primary state highway No. 5; thence on primary state highway No. 5 to a junction with secondary state highway No. 5G; thence on secondary state highway No. 5G to Puyallup; thence on primary state highway No. 5 to Sumner, Auburn, Kent and Renton; thence on primary state highway No. 2 to secondary state highway No. 2A; thence on secondary state highway No. 2A to Kirkland to primary state highway No. 2 west of Bothell; thence on primary state highway No. 2 to Bothell and Woodinville; and thence on secondary state highway No. 1A to Snohomish, Arlington, Sedro Woolley, Sumas, to the Canadian international boundary.

47.22.020 Lewis and Clark highway. There is established the Lewis and Clark highway, which shall be composed of the following existing routes: Beginning at a junction with primary state highway No. 1 in the city of Vancouver, thence on the routes of primary state highways No. 8 and No. 3, via Kennewick, Walla Walla and Pomeroy, to the Washington-Idaho state line at Clarkston.

Chapter 47.24

CITY STREETS AS PART OF STATE HIGHWAYS

47.24.010 Designation of street as part of highway—Construction, maintenance—Return of street to city or town. The state highway commission shall determine what streets, together with bridges thereon and wharves necessary for use for ferriage of motor vehicle traffic in connection with such streets, if any, in any incorporated cities and towns shall form a part of the route of state highways and between the first and fifteenth days of July of any year the state highway commission shall certify to the state auditor and to the clerk of each city or town, by brief description, the streets, together with the bridges thereon and wharves, if any, in such city or town which are designated as forming a part of the route of any state highway; and all such streets, including curbs and gutters and street intersections and such bridges and wharves, shall thereafter be a part of the state highway system and as such shall be constructed and maintained by the state highway commission from any state funds available therefor: *Provided*, That the responsibility for the construction and maintenance of any such street together with its appurtenances may be returned to a city or a town upon certification by the state highway commission to the state auditor and to the clerk of any city or town that such street, or portion thereof, is no longer required as a part of the state highway system: *Provided further*, That any such certification that a street, or portion thereof, is no longer required as a part of the state highway system shall be made between the first and fifteenth of July following the determination by the state highway

commission that such street or portion thereof is no longer required as a part of the state highway system, but this shall not prevent the state highway commission and any city or town from entering into an agreement that a city or town will accept responsibility for such a street or portion thereof at some time other than between the first and fifteenth of July of any year.

47.24.020 Jurisdiction, control of such streets. The jurisdiction, control and duty of the state and city or town with respect to such streets shall be as follows:

(1) The state highway commission shall have no authority to change or establish any grade of any such street without approval of the governing body of such city or town, except with respect to limited access facilities established by the state highway commission:

(2) The city or town shall exercise full responsibility for and control over any such street beyond the curbs and if no curb is installed, beyond that portion of the highway used for highway purposes: *Provided*, That within incorporated cities and towns the title to a limited access facility, after purchase and construction by the state alone, shall vest in the state, and the Washington state highway commission shall exercise full jurisdiction, responsibility and control to, and over, such facility as provided in chapter 47.52, as amended;

(3) The state highway commission shall have authority to prohibit the suspension of signs, banners, or decorations above the portion of such street between the curbs or portion used for highway purposes up to a vertical height of twenty feet above the surface of the roadway;

(4) The city or town shall at its own expense maintain all underground facilities in such streets, and shall have the right to construct such additional underground facilities as may be necessary in such streets;

(5) The city or town shall have the right to grant the privilege to open the surface of any such street, but all damage occasioned thereby shall promptly be repaired either by the city or town itself or at its direction;

(6) The city or town at its own expense shall provide street illumination and shall clean all such streets, including storm sewer inlets and catch basins, and remove all snow, except that the state shall when necessary plow the snow on the roadway: *Provided*, That in cities and towns having a population of fifteen thousand or less according to the latest federal census, the state, when necessary for public safety, shall assume, at its expense, responsibility, for the stability of the slopes of cuts and fills and the embankments within the right of way to protect the roadway itself: *Provided further*,

That the state shall install, maintain and operate all illuminating facilities on any limited access facility, together with their interchanges, located within the corporate limits of any city or town, and shall assume and pay the costs of all such installation, maintenance and operation incurred after November 1, 1954;

(7) The state highway commission shall have the right to utilize all storm sewers on such highways without cost; and if new storm sewer facilities are necessary in construction of new streets by the state highway commission, the cost of such facilities shall be borne by the state and/or city as may be mutually agreed upon between the state highway commission and the governing body of the city or town;

(8) Cities and towns shall have exclusive right to grant franchises, not in conflict with state laws, over, beneath and upon such streets but the state highway commission shall be authorized to enforce in an action brought in the name of the state any condition of any franchise which a city or town shall have granted on such street: *Provided*, That no franchise for transportation of passengers in motor vehicles shall be granted on such streets without the approval of the state highway commission but the state highway commission shall not refuse to approve such franchise unless another street conveniently located and of strength of construction to sustain travel of such vehicles is accessible;

(9) Every franchise or permit granted any person by a city or town for use of any portion of such street by a public utility shall require the grantee or permittee to restore, repair and replace to its original condition any portion of the street damaged or injured by it;

(10) The city or town shall have the right to issue overload or overwidth permits for vehicles to operate on such streets or roads subject to regulations printed and distributed to the cities and towns by the state highway commission;

(11) Cities and towns shall regulate and enforce all traffic and parking restrictions on such streets, but all regulations adopted shall be subject to the approval of the state highway commission before becoming effective. Traffic control and parking regulations heretofore adopted by a city or town not identical with state laws shall become null and void unless approved by the state highway commission within one year after March 21, 1949;

(12) The state highway commission shall erect, control and maintain at state expense all route markers, and directional signs, except street signs, on such streets;

(13) The state highway commission shall install, operate, maintain and control at state expense all traffic control signals, signs and traffic control devices for the purpose of regulating both pedestrian

and motor vehicular traffic on, entering upon, or leaving state highways in cities and towns having a population of fifteen thousand or less according to the latest federal census: *Provided*, That such cities and towns may submit to the state highway commission a plan for traffic control signals, signs and traffic control devices desired by them, indicating the location, nature of installation, or type thereof, or a proposed amendment to such an existing plan or installation, and the state highway commission shall consult with the cities or towns concerning the same prior to installing such signals, signs, or devices. Cities and towns having a population in excess of fifteen thousand according to the latest federal census shall install, maintain, operate and control such signals, signs and devices at their own expense, subject to approval of the state highway commission for the installation and type only. For the purpose of this subdivision striping, lane marking and channelization are considered traffic control devices;

(14) All revenue from parking meters placed on such streets shall belong to the city or town;

(15) Rights of way for such streets shall be acquired by either the city or town or by the state as shall be mutually agreed upon. Costs of acquiring rights of way may be at the sole expense of the state or at the expense of the city or town or at the expense of the state and the city or town as may be mutually agreed upon. Title to all rights of way so acquired shall vest in the city or town: *Provided*, That no vacation, sale or rental of any unused portion of any such street shall be made by the city or town without the approval of the state highway commission; and all revenue derived from sale, vacation or rental of such rights of way shall be shared by the city or town and the state in the same proportion as the purchase costs were shared;

(16) If any city or town shall fail to perform any of its obligations as set forth in this section or in any cooperative agreement entered into with the state highway commission for the maintenance of a city or town street forming part of the route of a state highway, the state highway commission may notify the mayor of such town to perform such necessary maintenance within thirty days. If the city or town within such thirty days shall fail to perform such maintenance or fail to authorize the state highway commission to perform such maintenance as provided by RCW 47.24.050, the state highway commission may perform such maintenance. The state auditor shall pay the cost of such maintenance on vouchers submitted by the state highway commission and deduct the cost from any sums in the motor vehicle fund credited or to be credited to such city or town.

47.24.030 Acquisition of rights of way—Condemnation proceedings. The highway commission is authorized to acquire rights of way, by purchase, gift or condemnation for any such streets, highways, bridges and wharves. Any such condemnation proceedings shall be exercised in the manner provided by law for condemnation proceedings to acquire lands required for state highways.

47.24.040 Street fund—Expenditures on streets forming part of state highway. All funds accruing to the credit of incorporated cities and towns in the motor vehicle fund shall be paid monthly to such incorporated cities and towns and shall, by the respective cities and towns, be placed in a fund to be designated as "city street fund" and disbursed as authorized and directed by the legislative authority of the city or town, as agents of the state, for salaries and wages, material, supplies, equipment, purchase or condemnation of right of way, engineering or any other proper highway or street purpose in connection with the construction, alteration, repair, improvement or maintenance of any city street or bridge, or viaduct or underpassage along, upon or across such streets. Such expenditure may be made either independently or in conjunction with any federal, state or any county funds.

47.24.050 Aid on streets by state or county—Payment. If a city or town, whether or not any of its streets are designated as forming a part of a state highway, is unable to construct, repair or maintain its streets for good cause, or if it is in need of engineering assistance to construct, repair or maintain any of its streets, it may authorize the highway commission to perform such construction, repair or maintenance, or may secure necessary engineering assistance from the highway commission, to the extent of the funds credited or to be credited in the motor vehicle fund for payment to the city or town. Any sums due from a city or town for such purposes shall be paid on vouchers approved and submitted by the highway commission from moneys credited to the city or town in the motor vehicle fund, and the amount of the payments shall be deducted from funds which would otherwise be paid to the city or town from the motor vehicle fund. The highway commission may in certain special cases, in its discretion, enter into an agreement with the governing officials of such city or town for the performance of such work or services, the terms of which shall provide for reimbursement of the motor vehicle fund for the benefit of the state's share of such fund by such city or town of the cost thereof from any funds on hand of such city or town and legally available for such work or services. The city or town may, by resolution, authorize the board of commissioners of the county in which it is located, to perform any such construction, repair or maintenance

and the same shall be paid for by the city or town at the actual cost thereof as provided for payment for work performed on city streets, and any payment received therefor by a county shall be deposited in the county road fund to be expended under the same provisions as are imposed upon the funds used to perform such construction, repair or maintenance.

Chapter 47.28

CONSTRUCTION AND MAINTENANCE OF HIGHWAYS

47.28.010 Latitude in selecting route. Whenever the general route of any state highway shall be designated and laid out as running to or by way of certain designated points, without specifying the particular route to be followed to or by way of such points, the highway commission shall determine the particular route to be followed by said state highway to or by way of said designated points, and shall be at liberty to select and adopt as a part of such state highway, the whole or any part of any existing public highway previously designated as a county road, primary road or secondary road or now or hereafter classified as a county road. The highway commission need not select and adopt the entire routes for such state highways at one time, but may select and adopt parts of such routes from time to time as it deems advisable. Where a state highway is designated as passing by way of a certain point, this shall not require the highway commission to cause such state highway to pass through or touch such point but such designation is directional only and may be complied with by location in the general vicinity. The highway commission is empowered to construct as a part of any state highway as designated and in addition to any portion meeting the limits of any incorporated city or town a bypass section either through or around any such incorporated city or town.

47.28.020 Width of right of way. From and after April 1, 1937, the width of one hundred feet is the necessary and proper right of way width for state highways unless the highway commission, for good cause, may adopt and designate a different width. This section shall not be construed to require the highway commission to acquire increased right of way for any state highway in existence on such date.

47.28.025 Description and plan of new or limited access highway—Recording. Whenever any authority in behalf of the state shall establish the location, width and lines of any new highway, or declare any such new highway as a limited access facility, it may cause the description and plan of any such highway to be made, showing the center line of said highway and the established width thereof and attach thereto a certified copy of the resolution, and

thereupon such description, plan and resolution shall be recorded in the office of the county auditor of the proper county in a separate book kept for such purposes, which shall be furnished to the county auditor of such county by the Washington state highway commission at the expense of the state.

47.28.026 ———Buildings and improvements prohibited. No owner or occupier of lands, buildings or improvements shall erect any buildings or make any improvements within the limits of any such highway, location, width and lines of which have been established and recorded, as provided in RCW 47.28.025, and if any such erection and improvements shall be made, no allowances shall be had therefor by the assessment of damages. No permits for improvements within said limits shall be issued by any authority: *Provided*, That the establishment of any highway location as set forth in RCW 47.28.025 shall be ineffective after one year from the filing thereof if no action to condemn or acquire the property within said limits has been commenced within said time.

47.28.030 Contracts—Day labor—Monetary Limits—Award by district engineer. A state highway shall be constructed, altered, repaired, or improved by contract or day labor. The work may be done by day labor when the estimated cost thereof is less than fifteen thousand dollars. When the state highway commission determines to do the work by day labor, it shall enter a resolution upon its records to that effect, stating the reasons therefor. The state highway commission may authorize any district engineer of the highway commission to award any contract for work not exceeding a cost of fifteen thousand dollars. All such awards shall be subject to the approval of the commission and shall follow the same procedures as are prescribed for other highway commission contracts except as provided in this section.

Note: See also section 1, chapter 233, Laws of 1961.

47.28.040 Precontract preparation of maps, plans, and specifications—Filing. Before entering into any contract for the construction, alteration, repair or improvement of any state highway the highway commission shall cause the same to be surveyed throughout the entire length of such proposed construction, alteration, repair or improvement and cause to be prepared maps, plans and specifications, together with an estimate of the cost of such proposed work, and such information and directions as will enable a contractor to carry them out. The maps, plans, specifications and directions shall be approved by the highway commission and a copy thereof filed permanently in the office of the highway commission.

47.28.050 Call for bids. The Washington state highway commission shall publish a call for bids for the construction of the highway according to the maps, plans, and specifications, once a week for at

least two consecutive weeks, next preceding the day set for receiving and opening the bids, in not less than one trade paper and one other paper, both of general circulation in the state. The call shall state the time, place, and date for receiving and opening the bids, give a brief description of the location and extent of the work, and contain such special provisions or specifications as the commission deems necessary: *Provided*, That when the estimated cost of any contract to be awarded is less than fifteen thousand dollars, the call for bids need only be published in one paper of general circulation in the county where the major part of the work is to be performed: *Provided further*, That when the estimated cost of a contract to be awarded is five thousand dollars or less, including the cost of materials, supplies, engineering, and equipment, the state highway commission need not publish a call for bids.

47.28.060 Copy of map, plans, etc.—Fee. Any person, firm or corporation shall be entitled to receive copies of the maps, plans, specifications and directions for any work upon which call for bids has been published, upon written request therefor and payment to the highway commission by cash, certified check, cashier's check or money order, the sum of two dollars for each copy of such maps, plans and specifications. Any money so received shall be in payment of rental for such maps, plans and specifications, and the same shall be certified by the highway commission to the state treasurer and deposited to the credit of the motor vehicle fund: *Provided*, That the highway commission may deliver without charge informational copies of maps, plans, specifications and directions at such places as it may from time to time designate.

47.28.070 Form of bid—Data required—Refusal to furnish form—Appeal. Bid proposals upon any construction or improvement of any state highway, a call for bid proposals for which has been published by the highway commission, shall be made upon contract proposal form supplied by the highway commission, and in no other manner. The highway commission shall, before furnishing any person, firm or corporation desiring to bid upon any work for which a call for bid proposals has been published, with a contract proposal form, require from such person, firm or corporation, answers to questions contained in a standard form of questionnaire and financial statement, including a complete statement of the financial ability and experience of such person, firm, or corporation in performing state highway, road or other public work. Such questionnaire shall be sworn to before a notary public or other person authorized to take acknowledgment of deeds. Whenever the highway commission is not satisfied with the sufficiency of the answers contained in such questionnaire and financial statement it may refuse to furnish such person, firm or corporation with a contract

proposal form and any bid proposal of such person, firm or corporation must be disregarded. Such refusal shall be conclusive unless appeal therefrom to the superior court of Thurston county be taken within five days, which appeal shall be heard summarily within ten days after the same is taken and on five days' notice thereof to the highway commission.

47.28.080 Withdrawal of bids—New bids—Time fixed in call controls. Any person, firm, or corporation proposing a bid for the construction or improvement of any state highway in response to a call for bids published therefor may withdraw such bid proposal without forfeiture and without prejudice to the right of such bidder to file a new bid proposal before the time fixed for the opening of such bid proposals: *Provided*, That the request for such withdrawal shall have been made in writing, signed by the person proposing such bid or his duly authorized agent, and filed with the highway commission before the time fixed for the opening of such bid proposals. No bid proposal shall be considered which has not been filed with the highway commission before the time fixed for the opening of bid proposals. In any provisions regarding the filing or withdrawing of bid proposals the time fixed for the opening of bid proposals in the call for bid proposals as published shall control without regard for the time when such bid proposals are actually opened.

47.28.090 Opening of bids and award of contract—Deposit. At the time and place named in the call for bids the Washington state highway commission shall publicly open and read the final figure in each of the bid proposals properly filed and read only the bid items on the three lowest bids, and shall award the contract to the lowest responsible bidder unless the commission has, for good cause, continued the date of opening bids to a day certain, or rejected said bid: *Provided*, That any bid may be rejected if the bidder has previously defaulted in the performance of and failed to complete a written public contract, or has been convicted of a crime arising from a previous public contract. All bids shall be under sealed cover and accompanied by deposit in cash, certified check, cashier's check, or surety bond in an amount equal to five percent of the amount of the bid and no bid shall be considered unless the deposit is enclosed therewith.

48.28.100 Contract and bond—Forfeiture and return of deposits—Rejection of all bids—Readvertisement. If the successful bidder fails to enter into the contract and furnish satisfactory bond as by law provided within twenty days from the award, exclusive of the day of the award, his deposit shall be forfeited to the state and be deposited by the state treasurer to the credit of the motor vehicle

fund, and the highway commission may award the contract to the second lowest responsible bidder. If the second lowest responsible bidder fails to enter into the contract and furnish bond within twenty days after award to him, forfeiture of his deposit shall also be made and the contract may be awarded to the third lowest responsible bidder, and in like manner until the contract and bond are executed by a responsible bidder to whom award is made, or further bid proposals are rejected, or the number of bid proposals are exhausted: *Provided*, That if the contract is not executed or no contractor's bond provided within the time required, and there appear circumstances which are deemed to warrant an extension of time, the commission may extend the time for execution of the contract or furnishing bond for not to exceed twenty additional days. After awarding the contract the deposits of unsuccessful bidders shall be returned: *Provided*, That the commission may retain the deposit of the next lowest responsible bidder or bidders as it desires until such time as the contract is entered into and satisfactory bond provided by the bidder to whom award was ultimately made.

If in the opinion of the commission the acceptance of the bid of the lowest responsible bidder or bidders, or on prior failure of the lowest responsible bidder or bidders, the acceptance of the bid of the remaining lowest responsible bidder or bidders will not be for the best interest of the state, it may reject all bids or all remaining bids and republish call for bids in the same manner as for an original publication thereof.

47.28.110 Sureties—Qualifications—Additional sureties. At any time and as often as it may be deemed necessary, the highway commission may require any or all sureties or any surety company to appear and qualify themselves upon any contractor's bond. Whenever such surety or sureties upon any contractor's bond become insufficient or may be deemed by the highway commission to have become insufficient, the highway commission may demand in writing that the contracting person, firm or corporation furnish such further contractor's bond or bonds or additional surety in an amount not exceeding that originally required as may be deemed necessary considering the extent of the work remaining to be done upon such contract. No further payments shall be made on such contract until such additional surety as required is furnished.

47.28.120 Actions for labor and materials—Limitation of action. Any contracting person, firm or corporation performing any labor or furnishing any materials upon their contract or otherwise for public work or improvement under the direction of the highway commission or any person claiming any right of action upon any

such contract with the state of Washington or who claims a cause of action against the state of Washington arising out of any such contract must bring such suit in the proper court in Thurston county before the expiration of one hundred and eighty days from and after the final acceptance and the approval of the final estimate of such work by the highway commission; otherwise such action shall be forever barred.

47.28.130 Rejection of bids—Work by day labor—Resolution—Publication of result. In all cases where the estimated cost thereof is fifteen thousand dollars or more, the work shall be done by contract: *Provided*, That if the Washington state highway commission considers the bid proposals too high, or for other reasons deems it inadvisable that the contract be awarded to any bidders, they may readvertise a new call for bids or do the work by day labor. A decision to do the work by day labor shall be ordered by resolution to that effect entered upon the records of the highway commission, which resolution shall set out the amount of the bid proposals submitted with the names of the bidders and the fact that the commission has found that in its judgment the work may be more satisfactorily done by day labor. In any case where work is performed by day labor, the commission shall, upon completion thereof, cause to be published in one issue of a newspaper of general circulation in the state, the original estimate of the work and the actual cost thereof by day labor: *Provided further*, That when the estimated cost thereof is more than twenty-five hundred dollars, but less than fifteen thousand dollars, in lieu of publishing the original estimate of the work and the actual cost thereof, as may be required by the provisions of public contract laws, the commission may post the original estimate of the work and the actual cost thereof in the office of the county engineer in that county or counties wherein the work was performed, and make said records available for public inspection in the office of the highway commission at Olympia: *Provided further*, That no publication or posting shall be required for any work the cost of which is less than twenty-five hundred dollars.

47.28.140 Agreements to benefit or improve highways, roads or streets—Labor—Costs. When in the opinion of the governing authorities representing the state department of highways and any agency, instrumentality, municipal corporation or political subdivision of the state of Washington, any highway, road or street will be benefited or improved by constructing, reconstructing, locating, relocating, laying out, repairing, surveying, altering, improving or maintaining by either the said highway department or any agency, instrumentality, municipal corporation or political subdivision of

the state, and it is in the public interest to do so, the authorities may enter into cooperative agreements wherein either agrees to perform the work and furnish the materials necessary and pay the cost thereof, including necessary engineering assistance, which costs and expenses shall be reimbursed by the party whose responsibility it was to do or perform such work or improvement in the first instance. Said work may be done by either day labor or contract, and the cooperative agreement between the parties shall provide for the method of reimbursement. In the case of some special benefit or improvement to a state highway derived from the construction of any public works project, the department of highways may contribute to the cost thereof by making direct payment to the particular state department, agency, instrumentality, municipal corporation or political subdivision on the basis of benefits received, but such payment shall be made only after a cooperative agreement has been entered into for a specified amount or on an actual cost basis prior to the commencement of said particular public works project.

47.28.150 Underpasses, overpasses constructed with aid of federal funds—Apportionment of maintenance costs between railroad and state. Notwithstanding any of the provisions of RCW 81.52.160 (being section 81.53.090 of the 1961 bill to enact Titles 80 and 81 RCW), where the cost of constructing an overpass or underpass which is part of the state highway system has been paid for in whole or in part by the use of federal funds, the state shall at its expense maintain the entire overpass structure and the approaches thereto, and the railroad company shall at its expense maintain the entire underpass structure, including the approaches thereto. The state shall at its expense maintain the roadway, and the railroad company shall at its expense maintain its roadbed and tracks on or under all such structures.

Chapter 47.32

OBSTRUCTIONS ON RIGHT OF WAY

47.32.010 Order to remove obstructions—Removal by state. Whenever the highway commission shall determine and order that it is necessary for the convenience and safety of public travel and the use of (or construction, alteration, repair, improvement or maintenance of) any state highway to have the full width of right of way of any such state highway or of any portion of the right of way of any such state highway free from any and all obstructions, encroachments and occupancy, other than pole lines, pipe lines or other structures maintained thereon for public or quasi public utilities by virtue of a valid franchise, and shall cause due

notice of such order to be given as provided by law, such obstructions, encroachments and means of occupancy, and any structure, building, improvement or other means of occupancy of any of the right of way of said state highway not removed within the time allowed by law shall become thereby and be an unlawful property and may be confiscated, removed and sold or destroyed by the state of Washington according to procedure as hereinafter provided, without any right in anyone to make any claim therefor, either by reason of the removal thereof or otherwise. It shall be unlawful for any person to keep, maintain or occupy any such unlawful structure.

47.32.020 Notice of order, contents, posting—Return. Whenever the highway commission shall determine that the right of way of any state highway or any portion of the right of way of any state highway be made free from any and all obstructions, encroachments and occupancy it shall forthwith cause to be posted, by a competent person over twenty-one years of age upon any and all structures, buildings, improvements and other means of occupancy of such state highway or portion thereof, other than property of public or quasi public utilities, by virtue of a valid franchise, a notice bearing a copy of such order and dated as of the date of posting, to all whom it may concern to vacate such right of way and to remove all property therefrom forthwith and within ten days after the posting of such notice exclusive of the date of posting of the same, and shall require the filing with it of duplicate affidavits in proof of such postings, showing upon what structures, buildings, improvements or other means of occupancy of such state highway or portions thereof, respectively, copies of such notice were posted and the date of each such posting, sworn to by the person making such posting.

47.32.030 Proceedings in rem authorized — Records certified. In case the property or any thereof described in such notice is not removed from such right of way within ten days after the date of such posting, exclusive of the date of posting, all such property upon the right of way of said state highway or portion thereof shall thereupon become unlawful and the highway commission shall commence proceedings in the name of the state of Washington for the removal thereof by court action. The highway commission shall thereupon prepare two original copies of such order together with two copies each of the notice posted and of the affidavits in proof of posting thereof and duplicate copies of a certificate by said highway commission describing with reasonable certainty and with due reference to the center line stationing of said state highway and to proper legal subdivisional points, each structure, building, improvement, encroachment or other means of occupancy,

other than pole lines, pipe lines or other structures maintained for public and quasi public utilities, on the state highway or portion thereof specified in such order and remaining upon such right of way as aforesaid. Thereupon action shall be commenced in rem for the purpose of removal of all such unlawful property, in the superior court of the county in which such state highway or portion thereof containing such structures is situated, entitled and in the name of the state of Washington as plaintiff and describing each such unlawful structure, building, improvement, encroachment or other means of occupancy, which structures, buildings, improvements, encroachments or other means of occupancy shall be briefly named as defendants.

47.32.040 Complaint, contents. The complaint shall, in such action, describe such property unlawfully remaining upon the right of way of such state highway or portion thereof with reasonable certainty by reference to the certificate of the highway commission, which shall be attached to and filed with said complaint, and praying that an order be entered for the removal from the right of way of such state highway or portion thereof of all the described property unlawfully thereon and the disposal thereof.

47.32.050 Notice, action, service, contents—Proceedings void, when. Service of such complaint shall be given by publication of notice thereof once a week for two successive weeks in a newspaper of general circulation in the county in which such action is commenced, which notice shall briefly state the objects of the action and contain a brief description of each structure, building, improvement, encroachment or other means of occupancy sought to be removed from the right of way of the state highway, describe such state highway or portion thereof by number and location and state the time and place when and where the action will come before the court or judge thereof; and a copy of such notice shall also be posted at least ten days before the date of hearing of such action upon each such structure, building, improvement, encroachment or other means of occupancy described therein. Posting may be made by any person qualified to serve legal process. Want of posting upon, or failure to describe any such structure, building, improvement, encroachment or other means of occupancy shall render subsequent proceedings void as to those not posted upon or described but all others described and posted upon shall be bound by the subsequent proceedings.

47.32.060 Hearing—Findings—Order—Appeal. At the time and place appointed for hearing upon said complaint, which hearing shall be by summary proceedings, if the court or judge thereof shall find that due notice has been given by posting and publica-

tion and that the order of the highway commission was duly made, and shall be further satisfied and find that the state highway or portion thereof described is legally a state highway having the width of right of way specified in such order and that the structure, buildings, improvements or other means of occupancy of such state highway or portion thereof as stated in the certificate of the highway commission do in fact encroach, or that any portion thereof encroach, upon such state highway right of way, the court or judge thereof shall thereupon make and enter an order establishing that each of the structures, buildings, improvements and other means of occupancy specified in such order is unlawfully maintained within the right of way and is subject to confiscation and sale and that the same be forthwith confiscated, removed from such right of way and sold, and providing that six days after the entry of such order, a writ shall issue out of said court directed to the sheriff of such county, commanding such sheriff to seize and remove from the right of way of said state highway each such structure, building, improvement or other means of occupancy specified in such order forthwith on receipt of writ based on said order and to take and hold the same in his custody for a period of ten days unless sooner redelivered as provided for by law and if not then so redelivered to sell the same at public or private sale and to pay the proceeds thereof into the registry of the court within sixty days after the issuance of such writ, and further in such action, including costs of posting original notices of the highway commission, the costs of posting and publishing notices of hearing as part thereof and any cost of removal, be paid by the clerk to the state treasurer and by him credited to the motor vehicle fund. Such order shall be filed with the clerk of such court and recorded in the minutes of said court and be final unless review thereof to the supreme court of the state be taken within five days after the filing thereof.

47.32.070 Writ, execution of—Return—Disposition of unsold property. Six days after filing of the order above provided for, if no review thereof be taken to the supreme court of the state, the clerk of the court shall issue under seal of such court a writ directed to the sheriff of the county in which such court is held commanding him to remove, take into custody and dispose of the property described in such order and make returns thereof as provided for such writ by said order. On receipt of such writ it shall be the duty of such sheriff to obey the command thereof, proceed as therein directed and make return within the time fixed by such writ; and said sheriff shall be liable upon his official bond for the faithful discharge of such duties. Upon filing of such return the clerk of court shall make payments as provided for in

the order of court. If by the sheriff's return any of the property seized and removed pursuant to such writ is returned as unsold and as of no sale value, and if the court or judge thereof be satisfied that such is the fact, the court or judge thereof may make further order directing the destruction of such property, otherwise directing the sheriff to give new notice and again offer the same for sale, when, if not sold, the same may on order of court be destroyed.

47.32.080 Property reclaimed—Bond. At any time within ten days after the removal by virtue of such writ of any such property from the right of way of such state highway any person, firm, association or corporation claiming ownership or right of possession of any such property may have the right to demand and to receive the same from the sheriff upon making an affidavit that such claimant owns such property or is entitled to possession thereof, stating on oath the value thereof satisfactory to said sheriff, or which value shall be raised to a value satisfactory to said sheriff, which value shall be indorsed on said affidavit and signed both by said claimant and said sheriff before such sheriff shall be required to accept the bond hereinafter provided for, and deliver to the sheriff a bond with sureties in double the value of such property, conditioned that such claimant will appear in the superior court of such county within ten days after the bond is accepted by the sheriff and make good such claim of title thereto and pay all accrued costs of service of notice to remove, all costs and disbursements to be assessed to such property and the costs of removal and custody thereof and will hold said sheriff and the state of Washington free from any and all claims on account of such property or will return such property or pay its value to said sheriff, and that such claimant will at all times thereafter keep such property off the right of way of the state highway in question.

47.32.090 Sureties on bond—Hearing on claim. The sureties on such bond shall justify as in other cases if the sheriff requires it and in case they do not so justify when required, the sheriff shall retain and sell or dispose of the property; and if the sheriff does not require the sureties to justify, he shall stand good for their sufficiency. He shall date and indorse his acceptance upon the bond, and shall return the affidavit, bond and justification, if any, to the office of the clerk of such superior court, whereupon such clerk shall set the hearing thereof as a separate case for trial, in which such claimant shall be the plaintiff and the sheriff and the state of Washington defendants: *Provided*, That no costs shall, in such case, be assessed against the sheriff or the state of Washington in the event the plaintiff should prevail.

47.32.100 Procedure when claimant wins or loses. If the claimant makes good such claimant's title to or right to possession of the property, upon payment into the registry of the court, of the costs of service or posting of original notice issued by the highway commission with respect to such property, the cost of posting notice of hearing in such court and such proportion of the cost of publication of such notice as the court may fix and direct to be entered and the clerk's fees of filing such affidavit and bond as a separate action and of entry of judgment therein at the amounts provided for in civil actions, judgment shall be entered restoring such property to such claimant without any confirmation of title as to any other claimant thereto, relieving the sheriff from necessity of selling the same and making return thereon, and continuing the effect of such bond for a period of six years thereafter for the benefit of such adverse claimants to said property, if any, as may thereafter make claim to such property. If such claimant shall not make good such claim of title to or right to possession of such property, judgment shall be rendered against such claimant and the sureties of such claimant for the value of such property as finally shown by the affidavit as above provided for, together with such fees for filing such affidavit and bond as a separate action and for entry of judgment therein and other costs and disbursements as taxed in any civil action including the statutory attorney fee as part thereof, for all of which execution may accordingly issue, and relieving the sheriff from the necessity of selling such property or making return thereon.

47.32.110 Merchandising structures — Permit — Removal. It shall be unlawful for any person to build, erect, establish, operate, maintain or conduct along and upon the right of way of any state highway any platform, box, stand or any other temporary or permanent device or structure used or to be used for the purpose of receiving, vending or delivering any milk, milk cans, vegetables, fruits, merchandise, produce or any other thing or commodity of any nature unless a permit therefor shall first have been obtained from the highway commission. The highway commission shall in each instance determine where any platform, box, stand or any other temporary or permanent device or structure shall be permitted and upon the existence of any such device or structure without a permit first obtained, the same shall be considered an obstruction unlawfully upon the right of way of such state highway and the highway commission may proceed to effect the removal of the same.

47.32.120 Business places along highway. It shall be unlawful for any person to erect a structure or establishment or maintain a business, the nature of which requires the use by patrons or

customers of property adjoining such structure or establishment unless such structure or establishment be so located at a distance from the right of way of any state highway that none of the right of way thereof is required for the use of the patrons or customers of any such establishment. Any such structure erected or business maintained which makes use of or tends to invite patrons to make use of the right of way or any portion thereof of any state highway by occupying the same while a patron, is a public nuisance and the highway commission may fence the right of way of such state highway to prevent such unauthorized use thereof.

47.32.130 Dangerous objects and structures as nuisances—Logs—Abatement—Removal. (1) Whenever there shall exist upon the right of way of any state highway or off the right of way thereof in sufficiently close proximity thereto, any structure, device or natural or artificial thing which threatens or endangers such state highway or portion thereof, or which tends to endanger persons traveling thereon, or obstructs or tends to obstruct or constitutes a hazard to vehicles or persons traveling thereon, such structure, device or natural or artificial thing is hereby declared to be a public nuisance and the highway commission is empowered to take such action as may be necessary to effect the abatement of the same. Any such structure, device or natural or artificial thing considered by the highway commission to be immediately or eminently dangerous to travel upon a state highway may be forthwith removed and such removal shall in no event constitute a breach of the peace or trespass.

(2) Logs dumped on any state highway roadway or in any state highway drainage ditch due to equipment failure or for any other reason shall be removed immediately. Logs remaining within the state highway right of way for a period of thirty days shall be confiscated and removed or disposed of as directed by the highway commission.

47.32.140 Railroad crossings, obstructions—Hearing. Each railroad company shall keep its right of way clear of all brush and timber in the vicinity of a railroad grade crossing with a state highway for a distance of one hundred feet from the crossing in such manner as to permit a person upon the highway to obtain an unobstructed view in both directions of an approaching train. The Washington state highway commission shall cause brush and timber to be cleared from the right of way of a state highway in the proximity of a railroad grade crossing for a distance of one hundred feet from the crossing in such manner as to permit a person upon the highway to obtain an unobstructed view in both directions of an approaching train. It shall be unlawful to erect or maintain a sign, signboard, or billboard, except official highway

signs and traffic devices and railroad warning or operating signs, at or near a grade crossing of a state highway and a railroad or within a distance of five hundred feet from the point of intersection of such highway and railroad.

When a person who has erected or who maintains such a sign, signboard, or billboard or when a railroad company permits such brush or timber in the vicinity of a railroad grade crossing with a state highway or permits the surface of a grade crossing to become inconvenient or dangerous for passage and who has the duty to maintain it, fails, neglects, or refuses to remove or cause to be removed such brush, timber, sign, signboard, or billboard, or maintain the surface of the crossing, the public service commission upon complaint of the highway commission or upon complaint of any party interested, or upon its own motion, shall enter upon a hearing in the manner now provided for hearings with respect to railroad-highway grade crossings, and make and enforce proper orders for the removal of the brush, timber, sign, signboard or billboard, or maintenance of the crossing: *Provided*, That nothing in this section shall prevent the posting or maintaining of any legal notice or sign, signal, or traffic device required or permitted to be posted or maintained, or the placing and maintaining thereon of highway or road signs or traffic devices giving directions or distances for the information of the public when the signs are approved by the commission. The commission shall inspect highway grade crossings and make complaint of the violation of any provisions of this section.

47.32.150 Approach roads, other appurtenances. Permit. No person, firm or corporation shall hereafter be permitted to build or construct on state highway rights of way any approach road or any other facility, thing or appurtenance not heretofore permitted by law, without first obtaining written permission from the highway commission of this state.

47.32.160 ———Rules and regulations—Construction, maintenance of approach roads. The highway commission is hereby authorized and empowered at its discretion to adopt reasonable rules and regulations and issue permits, not inconsistent with previous laws in effect, for the construction of any approach road, facility, thing or appurtenance, upon state highway rights of way. Such rules and regulations and such permits may include, but need not be limited to include, provisions for construction of culverts under approaches, requirements as to depth of fills over culverts, and requirements for such drainage facilities insofar as the said commission may deem any of such provisions or requirements to be necessary, and any such permit issued may contain such terms and conditions as may be prescribed. All such con-

struction shall be under the supervision of the highway commission and at the expense of the applicant. After completion of the construction of the particular approach road, facility, thing or appurtenance, the same shall be maintained at the expense of the applicant and in accordance with the directions of the highway commission.

47.32.170 ————**Removal of installations from right of way for default.** Upon failure of the applicant to construct or maintain the particular approach road, facility, thing or appurtenance, in accordance with the conditions of the permit and in accordance with the rules and regulations of the said highway commission therefor, the highway commission may, after the expiration of thirty days following transmittal of a written notice to the applicant, remove all installations upon the right of way at the expense of the applicant, which expense may be recovered from the applicant by the highway commission for the state in any court of competent jurisdiction.

Chapter 47.36

TRAFFIC CONTROL DEVICES

47.36.010 Restoration of U. S. survey markers. It shall be the duty of the highway commission to fix permanent monuments at the original positions of all United States government monuments at township corners, section corners, quarter section corners, meander corners, and witness markers, as originally established by the United States government survey whenever any such original monuments or markers fall within the right of way of any state highway and to aid in the reestablishment of such corners, monuments, or markers destroyed or obliterated by the construction of any state highway by permitting inspection of the records in the office of the highway commission.

47.36.020 Traffic control signals. The highway commission shall adopt specifications for a uniform system of traffic control signals consistent with the provisions of this title for use upon public highways within this state. Such uniform system shall correlate with and so far as possible conform to the system current as approved by the American Association of State Highway Officials and as set out in the manual of uniform traffic control devices for streets and highways.

47.36.030 Traffic control devices—Specifications to be furnished to counties and cities. The highway commission shall have the power and it shall be its duty to adopt and designate a uniform state standard for the manufacture, display, erection and location

of all signs, signals, signboards, guideposts and other traffic devices erected or to be erected upon the state highways of the state of Washington for the purpose of furnishing information to persons traveling upon such state highways regarding traffic regulations, directions, distances, points of danger and conditions requiring caution, and for the purpose of imposing restrictions upon persons operating vehicles thereon. Such signs shall conform as nearly as practicable to the manual of specifications for the manufacture, display, and erection of uniform traffic control devices for streets and highways and all amendments, corrections and additions thereto. The highway commission shall prepare plans and specifications of the uniform state standard of traffic devices so adopted and designated, showing the materials, colors and designs thereof, and shall upon the issuance of any such plans and specifications or revisions thereof and upon request, furnish to the boards of county commissioners and the governing body of any incorporated city or town, a copy thereof. Signs, signals, signboards, guideposts and other traffic devices erected on county roads shall conform in all respects to the specifications of color, design and location devised by the highway commission. Traffic devices hereafter erected within incorporated cities and towns shall conform to such uniform state standard of traffic devices so far as is practicable.

47.36.040 Commission to furnish counties and cities with traffic devices. The highway commission, upon written request, shall cause to be manufactured, painted and printed, and shall furnish to any board of county commissioners or the governing body of any incorporated city or town, directional signboards, guide boards and posts of the uniform state standard of color, shape and design for the erection and maintenance thereof by the board of county commissioners or the governing body of any incorporated city or town upon the roads and streets within their respective jurisdiction. Such directional signboards, guide boards and posts shall be manufactured and furnished, as aforesaid, pursuant to written request showing the number of signs desired and the directional or guide information to be printed thereon. The highway commission is hereby authorized and directed to fix a charge for each signboard, guide board and post manufactured and furnished as aforesaid, based upon the ultimate cost of such operations to the highway commission, and the board of county commissioners, from the county road fund, and the governing body of any incorporated city or town, from the street fund, shall pay the charges so fixed for all signboards, guide boards and posts so received from the highway commission.

47.36.050 Duty to erect traffic devices on state highways and railroad crossings. It shall be the duty of the highway commission

to erect and maintain upon every state highway in the state of Washington suitable and proper signs, signals, signboards, guideposts and other traffic devices according to the adopted and designated state standard of design, erection and location, and in the manner required by law; it shall be the duty of the highway commission to erect and maintain upon all state highways appropriate stop signs, warning signs and school signs. Any person, firm, corporation or municipal corporation, building, owning, controlling or operating a railroad that crosses any state highway at grade shall construct, erect and maintain at or near each point of crossing, or at such point or points as will meet the approval of the highway commission, a sign of the type known as the saw buck crossing sign with the lettering "railroad crossing" inscribed thereon, also a suitable inscription indicating the number of tracks; said sign must be of standard design that will comply with the plans and specifications furnished by the highway commission. Additional safety devices and signs may be installed at any time when required by the public service commission as provided by laws regulating railroad-highway grade crossings.

47.36.053 ————**General duty to erect and maintain devices.** The highway commission shall place and maintain such traffic devices conforming to the manual and specifications adopted upon all state highways as it shall deem necessary to carry out the provisions of this title or to regulate, warn, or guide traffic.

47.36.060 **Traffic devices on county roads and city streets.** Local authorities in their respective jurisdictions shall place and maintain such traffic devices upon public highways under their jurisdiction as are necessary to carry out the provisions of the law or local traffic ordinances or to regulate, warn, or guide traffic. Cities and towns, which as used in this section mean cities and towns having a population of over fifteen thousand according to the latest federal census, shall adequately equip with traffic devices, streets which are designated as forming a part of the route of a primary or secondary state highway and streets which constitute connecting roads and secondary state highways to such cities and towns. Such traffic devices, signs, signals and markers shall comply with the uniform state standard for the manufacture, display, direction and location thereof as designated by the state highway commission. The design, location, erection and operation of traffic devices and traffic control signals upon such city or town streets constituting either the route of a primary or secondary state highway to such city or town or connecting streets to the primary or secondary state highways through the city or town shall be under the direction of the state highway commission and if such city or town fails to comply with any such directions, the state highway commission

shall provide for the design, location, erection, or operation thereof, and any cost incurred therefor shall be charged to and paid from any funds in the motor vehicle fund of the state, which have accrued or may accrue to the credit of such city or town and the state treasurer shall issue warrants therefor upon vouchers submitted and approved by the state highway commission.

47.36.070 Failure to erect signs, procedure. Whenever any person, firm, corporation, municipal corporation or local authorities responsible for the erection and maintenance, or either, of signs at any railroad crossing or point of danger upon any state highway fails, neglects or refuses to erect and maintain, or either, such sign or signs as required by law at highway-railroad grade crossings, it shall be the duty of the public service commission upon complaint of the highway commission or upon complaint of any party interested, or upon its own motion, to enter upon a hearing in the manner now provided by law for hearings with respect to railroad-highway grade crossings and to make and enforce proper orders for the erection or maintenance of such signs, or both.

47.36.080 Signs at railroad crossings. Wherever it is considered necessary or convenient the highway commission may erect approach and warning signs upon the approach of any state highway to a highway-railroad grade crossing situated at a sufficient distance therefrom to make the warning effective. The highway commission may further provide such additional or other highway-railroad grade crossing markings as may be considered to serve the interests of highway safety.

47.36.090 Cooperation with U. S. on road markers. Standard federal road markers shall be placed on state highways in the manner requested by the department of commerce of the United States. The highway commission of the state of Washington is authorized and empowered to cooperate with the several states and with the federal government in promoting, formulating and adopting a standard and uniform system of numbering or designating state highways of an interstate character and in promoting, formulating and adopting uniform and standard specifications for the manufacture, display, erection and location of road markers and signs, for the information, direction and control of persons traveling upon public highways.

47.36.100 Directional, caution, and stop signs. Directional signs showing distance and direction to points of importance may be placed at all crossings and intersections of primary and secondary state highways. The highway commission may place such directional signs as it deems necessary upon any city streets designated by it as forming a part of the route of any primary or secondary

state highway through any incorporated city or town. Caution and warning signs or signals shall be placed wherever practicable on all primary and secondary state highways in a manner provided by law. Stop signs shall be placed as follows: Upon all county roads at the point of intersection with any arterial primary or secondary state highway, which signs shall be erected and maintained by the county having jurisdiction; upon all primary and secondary state highways at the point of intersection with any county road which has been designated by the highway commission as an arterial having preference over the traffic on the state highway, which signs shall be erected and maintained by the highway commission; upon at least one state highway at the intersection of two state highways.

47.36.110 Stop and yield right of way signs. In order to provide safety at intersections on the state highway system, the Washington state highway commission may require persons traveling upon any portion of such highway to stop before entering the intersection. For this purpose there may be erected a standard stop sign as prescribed in the state of Washington "Manual on Uniform Traffic Control Devices for Streets and Highways." All persons traveling upon the highway shall come to a complete stop at such a sign and the appearance of any sign so located shall be sufficient warning to a person that he is required to stop. A person stopping at such a sign shall proceed through such portion of the highway in a careful manner and at a reasonable rate of speed not to exceed twenty miles per hour. It shall be unlawful to fail to comply with the directions of any such a stop sign: *Provided*, That when the findings of a traffic engineering study show that the condition of an intersection is such that vehicles may safely enter the major artery without stopping, the Washington state highway commission or local authorities in their respective jurisdictions shall install and maintain a "Yield Right of Way" sign.

The driver of a vehicle approaching a "Yield Right of Way" sign shall reduce speed or stop if necessary in order to yield the right of way to all traffic on the intersecting street which is so close as to constitute an immediate hazard. A motorist proceeding past such a sign with a resultant collision or other interferences with traffic on the intersecting street shall be prima facie evidence that the motorist had not obeyed the sign and yielded the right of way as provided by this statute.

47.36.120 City limit signs. The highway commission shall erect wherever it deems necessary upon state highways at or near their point of entrance into cities and towns, signs of the standard design designating the city or town limits of such cities or towns.

47.36.130 Meddling with signs prohibited. No person shall without lawful authority attempt to or in fact alter, deface, injure, knock down, or remove any official traffic control signal, traffic device or railroad sign or signal, or any inscription, shield, or insignia thereon, or any other part thereof.

47.36.140 Structures concealing signs prohibited. It shall be unlawful for any person to erect any sign, device or structure in such a manner that it obscures or conceals any official sign, signal, signboard, guidepost or other traffic device in such a manner as to interfere with the full and effective use thereof.

47.36.150 Penalty for defacing, injuring or destroying signs. A person who wilfully defaces, mutilates, damages, removes, alters, or in any manner injures or destroys any sign, signal, signboard, directional or informational sign, or other traffic device erected or maintained by the highway commission upon a public highway, or under its direction, or by a person under permit, or by a county, city or town, shall be guilty of a misdemeanor punishable by a fine of not less than twenty-five or more than one hundred dollars, or by imprisonment for not less than ten or more than thirty days. The minimum sentence provided shall not be suspended.

47.36.160 Unlawful erection of traffic devices. It shall be unlawful for any person, firm, corporation, association or organization to display, erect, or locate any signs, signals, signboards, guideposts or other traffic devices upon the right of way of primary or secondary state highways of this state. Any sign, signal, signboard, guidepost or other traffic device so erected or maintained shall be unlawful and constitute a public nuisance and may be removed by the highway commission or its duly authorized agent and such removal shall not be a breach of the peace.

47.36.170 Imitation of signs. It shall be unlawful for any person to erect or maintain an imitation or counterfeit of any sign, signal, sign board, guidepost, or any other traffic devices for the direction, information, warning, control or restriction of traffic either for use upon any private roads or upon any state highway, or for the purpose of advertising or for any other purpose whatsoever. It shall be unlawful for any person to erect or maintain any sign which simulates in shape, color or design any uniform state standard signal, signboard, guidepost or any other traffic device adopted, designated and used by the highway commission, which might by reason of its shape, color, design or location be mistaken for one such uniform state standard sign, signboard, guidepost or other traffic device. It shall be unlawful for any person to erect any sign for the purpose of the information or the direction of traffic, giving the distance or direction to or from any point or place, unless such

person shall have first applied for and obtained from the highway commission a permit to do so, and the same shall have been constructed, erected and located according to the specific requirements therefor contained in such permit. Any sign so erected or maintained shall be unlawful and constitute a public nuisance and may be removed by the highway commission or its duly authorized agent and such removal, whether of an unlawful sign on private or public property, shall not be a breach of the peace.

47.36.180 Forbidden devices—Penalty. It shall be unlawful to erect or maintain at or near a city street, county road or state highway any structure, sign, or device:

(1) Visible from a city street, county road or state highway and simulating any directional, warning, or danger sign or light likely to be mistaken for such a sign or bearing any such words as "danger," "stop," "slow," "turn," or similar words, figures, or directions likely to be construed as giving warning to traffic;

(2) Visible from a city street, county road or state highway and displaying any red, green, blue, or yellow light or intermittent or blinking light or rotating light identical or similar in size, shape and color to that used on any emergency vehicle or road equipment or any light otherwise likely to be mistaken for a warning, danger, directional, or traffic control signal or sign;

(3) Visible from a city street, county road or state highway and displaying any lights tending to blind persons operating vehicles upon the highway, city street or county road, or any glaring light, or any light likely to be mistaken for a vehicle upon the highway or otherwise to be so mistaken as to constitute a danger; or

(4) Visible from a city street, county road or state highway and flooding or intending to flood or directed across the roadway of the highway with a directed beam or diffused light, whether or not the flood light is shielded against directing its flood beam toward approaching traffic on the highway, city street or county road.

Any structure or device erected or maintained contrary to the provisions of this section is a public nuisance, and the Washington state highway commission, the chief of the Washington state patrol, the county sheriff or the chief of police of any city or town shall notify the owner thereof that it constitutes a public nuisance and must be removed, and if the owner fails to do so, the Washington state highway commission, the chief of the Washington state patrol, the county sheriff or the chief of police of any city or town may abate the nuisance.

If the owner shall fail to remove any such structure or device within fifteen days after being notified to remove such structure or device, he shall be guilty of a misdemeanor.

47.36.200 Signs or flagmen at thoroughfare work sites. When construction, repair or maintenance work is conducted on or adjacent to a public highway, county road, street, bridge or other thoroughfare commonly traveled and when such work interferes with the normal and established mode of travel on such highway, county road, street, bridge or thoroughfare, such location shall be properly posted by prominently displayed signs or flagmen or both. Signs used for posting in such an area shall be consistent with the provisions found in the state of Washington "Manual on Uniform Traffic Control Devices for Streets and Highways" obtainable from the Washington state highway commission.

47.36.210 ———Compliance enjoined. Any contractor, firm, corporation, political subdivision, or other agency performing such work shall comply with RCW 47.36.200 through 47.36.230.

47.36.220 ———Drivers of vehicles engaged in work must obey signs or flagmen. Each driver of a motor vehicle used in connection with such construction, repair, or maintenance work shall obey traffic signs posted for, and flagman stationed at such location in the same manner and under the same restrictions as is required for the driver of any other vehicle.

47.36.230 ———Penalty. A violation of or a failure to comply with any provision of RCW 47.36.200 through 47.36.220 shall be a misdemeanor. Each day upon which there is a violation, or there is a failure to comply, shall constitute a separate violation.

Chapter 47.40

ROADSIDE IMPROVEMENT AND BEAUTIFICATION

47.40.010 Improvement and beautification a highway purpose. The planting and cultivating of any shrubs, trees, hedges or other domestic or native ornamental growth, the improvement of roadside facilities and view points, and the correction of unsightly conditions, upon the right of way of any state highway is hereby declared to be a proper state highway purpose.

47.40.020 Use of funds authorized. Whenever funds are available for the purpose of planting or cultivating any shrubs, trees, hedges or other domestic or native ornamental growth, the improvement of roadside facilities and view points and the correction of unsightly conditions upon the right of way of any state highway and for the roadside development and beautification thereof, the highway commission is empowered to expend such funds, either independently or in conjunction with the funds of any county, political subdivision or any person, firm, corporation, association or organization.

47.40.030 Permit to private persons. Any person, firm, corporation, association or organization owning lands abutting upon any state highway and desiring to plant, cultivate and grow any hedge, shade or ornamental trees or shrubs along the right of way thereof, or to clear and cultivate a portion of such state highway right of way for the purpose of growing crops and destroying noxious weeds, or any person, firm, corporation, association or organization interested in public improvement and desiring to improve and beautify any state highway right of way or any portion thereof by planting, cultivating or growing any hedge, shade or ornamental trees or cultivate along or upon the right of way thereof, may upon application to the highway commission, be granted a permit therefor as by law provided.

47.40.040 Application for permit, contents. Each application for a permit to plant, cultivate and grow any hedge, shade or ornamental trees or shrubbery along or upon the right of way of any state highway or improve such right of way shall be in writing, signed by the applicant, and shall describe the state highway or portion thereof along or upon the right of way of which permit to plant, cultivate, grow or improve is sought, by name, number, or other reasonable description, and the lands bordering thereon by governmental subdivisions, and shall state the names, places or residence and post office addresses of the applicant or applicants owning the land abutting upon such state highway or the name of the person, firm, corporation, association or organization applying for the permit and the names of its officers and their places of residence and their post office addresses, and shall state definitely the purpose for which the permit is sought, giving a description of the kind of hedge, or variety of shrubbery or trees desired to be planted or the kinds of crops to be grown, or improvement to be made, with a diagram illustrating the location and number of hedges, trees or shrubs or the area of cultivation desired or plans of the improvement proposed to be made.

47.40.050 Survey—Report—Permit. Upon the filing of such application, the highway commission shall cause a survey of such state highway to be made with reference to such application and a report of the findings and recommendations as to the granting of the permit, and if it shall appear to the satisfaction of the highway commission that the use of a portion of the state highway for the purpose set out in the application will not interfere with the use of such state highway for public travel and will beautify and improve such state highway, permit may be granted and issued to the applicant to plant, cultivate and grow any hedge, shade or ornamental trees, shrubbery or crops, or make such improvement along or upon the right of way of such portion of such state highway as shall be

definitely described in said permit, and to construct and maintain such temporary and substantial fence on and along the portion of the right of way of the state highway described in the permit as shall be specified in such permit, and such permit shall specify the exact location of all hedges, shade or ornamental trees or shrubbery to be planted and grown or area to be cultivated under such permit, or area to be improved to which specified location the person, firm, corporation, association or organization receiving such permit shall specifically conform: *Provided*, That the highway commission may in its discretion refuse such permit and any such permit granted shall be revocable at the will of the highway commission and nothing in this title shall be construed as in anywise affecting the title of the state to the lands included in such state highway, or the right to use the same for state highway purposes or to remove or destroy any of such hedges, trees, shrubbery or crops for the purpose of construction, alteration, repair, improvement or maintenance of such state highway or for any other purpose and at any time.

47.40.060 Agreement to maintain project. In the event that any such permit is granted the highway commission shall enter into an agreement with any such person, firm, corporation, association or organization agreeing that such roadside development or beautification shall be maintained and kept up by the state through the highway commission or by such person, firm, corporation, association or organization. In the event that any such person, firm, corporation, association or organization so agreeing shall fail or neglect to maintain such roadside development or beautification the highway commission is empowered so to do and the expense thereof shall be a charge against such person, firm, corporation, association or organization.

47.40.070 Damage to project unlawful. It shall be unlawful for any person to injure, destroy or remove any hedge, shade or ornamental trees or shrubbery or crops, plants, cultivated and grown or improvement made upon or along any portion of any state highway under permit from the highway commission or otherwise, or to injure, destroy or remove any fence erected under any such permit or otherwise: *Provided*, That nothing in this section shall be construed to prevent any person with the highway commission to do so or the officers of the state charged with the duty of constructing and maintaining any such state highway, from removing any hedges, trees, shrubbery or crops planted or improvements or fences built under permit, where in their judgment they interfere with or are detrimental to, the use of such state highway for public travel, or such removal is necessary for the construction, alteration, repair, improvement or maintenance of such state highway.

47.40.080 Penalty for destroying native flora on state lands or on or adjoining highways and parks. Any person who shall break or cut from any lands owned by the state of Washington or shall cut down, remove, destroy or uproot any rhododendron, evergreen, huckleberry, native dogwood or any other native tree, shrub, fern, herb, bulb or wild plants, or any part thereof, within three hundred feet of the center line of any state or county road, or who shall cut down, remove or destroy any flowering or ornamental tree or shrub, or any native flowering plant, fern, herb or bulb, either perennial or annual, situate, growing or being on any public street or highway, state or city park, in the state of Washington, unless such person be engaged in the work of constructing or repairing such highway or street under authority and direction of the legally constituted public officials being charged by law with the duty of constructing or repairing such highways or streets, state or city parks, shall be guilty of a misdemeanor.

Chapter 47.44

FRANCHISES ON STATE HIGHWAYS

47.44.010 Wire and pipe line and tram and railway franchises—Application—Notice—Hearing. The highway commission shall have the power to grant franchises to persons, associations, private or municipal corporations, the United States government or any agency thereof, to use any state highway for the construction and maintenance of water pipes, flume, gas pipes, telephone, telegraph and electric light and power lines and conduits, trams or railways, and any other such facilities. All applications for such franchise shall be made in writing and subscribed by the applicant, and shall describe the state highway or portion thereof over which franchise is desired and the nature of the franchise. Upon the filing of any such application a time and place for hearing the same shall be fixed and a notice thereof shall be given in the county or counties in which any portion of the state highway upon which such franchise is applied for is located, at the expense of the applicant, by posting written or printed notices in three public places at the county seat of such county or counties for at least twenty days before the day fixed for such hearing, and by publishing a like notice in three successive weekly issues of a newspaper having a general circulation in such county or counties, the last publication to be at least five days before the day fixed for the hearing; which notice shall state the name or names of the applicant or applicants, a description of the state highway or part thereof over which the franchise is applied for, and the time of such hearing, which shall be held in the transportation building at the state capitol. It shall

be the duty of the county auditor of the respective counties to cause such notices to be posted and published and to file proof of such posting and publication with the highway commission.

Note: See also section 26, chapter 21, Laws of 1961 extraordinary session.

47.44.020 Hearing—Grant of franchise—Conditions. The hearing shall be conducted by the highway commission or such person as it may designate, and may be adjourned from time to time until completed. The applicant may be required to produce all facts pertaining to the franchise, and evidence may be taken for and against granting it.

After the hearing, if the commission deems it to be for the public interest, it may grant the franchise in whole or in part, under such regulations and conditions as it may prescribe, with or without compensation, but not in excess of the reasonable cost to the commission for investigating, handling and granting the franchise. The commission may require that the utility and appurtenances be so placed on the highway that they will, in its opinion, least interfere with other uses of the highway.

The facility shall be made subject to removal when necessary for the construction, alteration, repair, or improvement of the highway and at the expense of the franchise holder, except that the state shall pay the cost of such removal whenever the state shall be entitled to receive proportionate reimbursement therefor from the United States in the cases and in the manner set forth in RCW 47.44.030. Renewal upon expiration of a franchise shall be by application and notice posted and published, and hearing conducted in the same manner as an original application. A person constructing or operating such a utility on a state highway is liable to any person injured thereby for any damages incident to the work of installation or the continuation of the occupancy of the highway by the utility, and except as provided above, is liable to the state for all necessary expenses incurred in restoring the highway to a permanent suitable condition for travel. No franchise shall be granted for a longer period than fifty years, and no exclusive franchise or privilege shall be granted.

47.44.030 Removal of facilities—Notice—Reimbursement of owner when national system involved. If the highway commission deems it necessary that such a facility be removed from the highway for the safety of persons traveling thereon or for construction, alteration, improvement, or maintenance purposes, it shall give notice to the franchise holder to remove the facility at his expense and as the highway commission orders: *Provided*, That notwithstanding any contrary provision of law or of any existing or future franchise held by a public utility, the state highway commission shall pay or reimburse the owner for relocation or removal of any publicly, privately or cooperatively owned public utility facilities

when necessitated by the construction, reconstruction, relocation or improvement of a highway which is part of the national system of interstate and defense highways for each item of cost for which the state shall be entitled to be reimbursed by the United States in an amount equal to at least ninety percent thereof under the provisions of section 123, federal aid highway act of 1958, and any other subsequent act of congress under which the state shall be entitled to be reimbursed by the United States in an amount equal to at least ninety percent of the cost of relocation of utility facilities on said national system of interstate and defense highways.

47.44.031 ————Limitation. The provisions of RCW 47.44.030 authorizing the state highway commission to pay or reimburse the owner of a utility shall apply only to relocation or removal of utility facilities required by state construction contracts which are advertised for bids by the state highway commission after June 30, 1959.

47.44.040 Franchises across joint bridges. Whenever any bridge shall exist on the route of any state highway and crosses any stream, body of water, gulch, navigable water, swamp or other topographical formation constituting the boundary of a county, city or town of this state or the boundary of this state and the same is owned or operated by this state jointly with any such county, city or town of this state, or with such other state or with any county, city or town of such other state, the highway commission is empowered to join with the proper officials of such county, city or town of this state or of such other state or of such county, city or town of such other state in granting franchises to persons or private or municipal corporations for the construction and maintenance thereon of water pipes, flumes, gas pipes, telephone, telegraph and electric light and power lines and conduits, trams and railways, or any other such facilities. All such franchises shall be granted in the same manner as provided for the granting of like franchises on state highways. Any revenue accruing to the state of Washington from such franchises shall be paid to the state treasurer and by him deposited to the credit of the fund from which this state's share of the cost of joint operation of such bridge is paid.

47.44.050 Permit for short distances. The highway commission is empowered to grant a permit to construct or maintain on, over, across or along any state highway any water, gas, telephone, telegraph, light, power or other such facilities when the same does not extend along such state highway for a distance greater than three hundred feet. The highway commission may require such information as it deems necessary in the application for any such permit and may grant or withhold the permit within its discretion.

Any permit granted may be canceled at any time and any facilities remaining upon the right of way of such state highway after thirty days written notice of such cancellation shall be an unlawful obstruction and may be removed in the manner provided by law.

47.44.060 Penalty. Any person, firm or corporation who shall construct or maintain on, over, across or along any state highway any water pipe, flume, gas pipe, telegraph, telephone, electric light or power lines, or tram or railway, or any other such facilities, without having first obtained and having at all times in full force and effect a franchise or permit to do so in the manner provided by law shall be guilty of a misdemeanor and each day of violation shall be a separate and distinct offense.

Chapter 47.48

CLOSING HIGHWAYS AND RESTRICTING TRAFFIC

47.48.010 Closure authorized. Whenever the condition of any state highway, county road or city street, either newly or previously constructed, altered, repaired or improved, or any part thereof is such that for any reason its use or continued use by vehicles or by any class of vehicles will greatly damage such state highway, county road or city street or will be dangerous to traffic thereon or the same is being constructed, altered, repaired, improved or maintained in such a manner as to require that such state highway, county road or city street or any portion thereof be closed to travel by all vehicles or by any class of vehicles for any period of time, the highway commission if it be a state highway, the county commissioners if it be a county road, or the governing body of any city or town if it be a city street, is authorized to close such state highway, county road or city street, as the case may be, to travel by all vehicles or by any class of vehicles for such a definite period as they shall determine: *Provided*, That nothing in the law of this state shall prevent the highway commission, county commissioners, or governing body of any city or town from classifying vehicles according to gross weight, axle weight, height, width, length, braking area, performance, or tire equipment for the purposes of this section.

47.48.020 Notice of closure—Emergency closure. Before any state highway, county road or city street is closed to all vehicles or any class of vehicles, a notice of the date on and after which the state highway, county road or city street or any part thereof shall be closed and the definite period of such closing and whether it shall be closed to all vehicles or to vehicles of a particular class or classes shall be published in one issue of a newspaper of general circulation in the county or city or town in which such state highway,

county road or city street or any portion thereof to be closed is located; and a like notice shall be posted on or prior to the date of publication of such notice in a conspicuous place at each end of the state highway, county road or city street or portion thereof to be closed: *Provided*, That no such state highway, county road or city street or portion thereof shall be closed sooner than three days after the publication and the posting of the notice herein provided for: *Provided, however*, That in cases of emergency the proper officers may, without publication or delay, close state highways, county roads and city streets temporarily by posting notices at each end of the closed portion thereof and at all intersecting state highways if the closing be of a portion of a state highway, at all intersecting state highways and county roads if the closing be a portion of a county road, and at all intersecting city streets if the closing be of a city street. In all emergency cases, as herein provided, the orders of the proper authorities shall be immediately effective.

47.48.040 Penalty. When any state highway, county road or city street or portion thereof shall have been closed, as by law provided, any person, firm or corporation disregarding such closing and using such state highway, county road or city street or portion thereof with any vehicle or any class of vehicle, as the case may be, to which said state highway, county road or city street or portion thereof is closed by any notice or emergency notice, shall be guilty of a misdemeanor, and shall in addition to any penalty for violation of the provisions of this section, be liable in any civil action instituted in the name of the state of Washington or the county or city or town having jurisdiction for any damages occasioned to such state highway, county road, or city street, as the case may be, as the result of disregarding such closing and using such state highway, county road, or city street, or portion thereof with any vehicle or any class of vehicle to which the same is closed.

Chapter 47.52

LIMITED ACCESS FACILITIES

47.52.001 Declaration of policy. Unrestricted access to and from public highways has resulted in congestion and peril for the traveler. It has caused undue slowing of all traffic in many areas. The investment of the public in highway facilities has been impaired and highway facilities costing vast sums of money will have to be relocated and reconstructed. It is the declared policy of this state to limit access to the highway facilities of this state in the interest of highway safety and for the preservation of the investment of the public in such facilities.

47.52.010 "Limited access facility" defined. For the purposes of this chapter a "limited access facility" is defined as a highway or street especially designed or designated for through traffic, and over, from, or to which owners or occupants of abutting land, or other persons, have no right or easement, or only a limited right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility, or for any other reason to accomplish the purpose of a limited access facility. Such highways or streets may be parkways, from which trucks, buses, and other commercial vehicles shall be excluded; or they may be freeways open to use by all customary forms of street and highway traffic.

47.52.011 "Existing highway" defined. For the purposes of this chapter, the term "existing highway" shall include all highways, roads and streets duly established, constructed, and in use. It shall not include new highways, roads or streets, or relocated highways, roads or streets, or portions of existing highways, roads or streets which are relocated.

47.52.020 Powers of highway authorities—State facility, county road crossings. The highway authorities of the state, counties, and incorporated cities and towns, acting alone or in cooperation with each other, or with any federal, state, or local agency, or any other state having authority to participate in the construction and maintenance of highways, may plan, designate, establish, regulate, vacate, alter, improve, construct, maintain, and provide limited access facilities for public use wherever such authority or authorities are of the opinion that traffic conditions, present or future, will justify such special facilities: *Provided*, That upon county roads within counties, such state or county authorities shall be subject to the consent of the board of county commissioners, except that where a state limited access facility crosses a county road the state highway commission may, without the consent of the board of county commissioners, close off such county road so that it will not intersect such limited access facility.

The state highway commission may, in constructing or relocating any state highway, cross any county road at grade without obtaining the consent of the board of county commissioners, and in so doing may revise the alignment of such county road to the extent that the state highway commission finds necessary for reasons of traffic safety or practical engineering considerations.

47.52.025 Additional powers—May control use of limited access facilities. Such highway authorities of the state, counties, and incorporated cities and towns, in addition to the specific powers granted in this chapter, shall also have, and may exercise, relative

to limited access facilities, any and all additional authority, now or hereafter vested in them relative to highways or streets within their respective jurisdictions, and may regulate, restrict, or prohibit the use of such limited access facilities by the various classes of vehicles or traffic in a manner consistent with RCW 47.52.010.

47.52.027 Standards and rules relating to national interstate and defense highways—Construction, maintenance, access. The state highway commission may adopt design standards, rules and regulations relating to construction, maintenance and control of access of the national system of interstate and defense highways within this state as it deems advisable to properly control access thereto, to preserve the traffic-carrying capacity of such highways, and to provide the maximum degree of safety to users thereof. In adopting such standards, rules and regulations the commission shall take into account the policies, rules and regulations of the secretary of commerce and the bureau of public roads relating to the construction, maintenance and operation of the system of interstate and defense highways. The standards, rules and regulations so adopted by the commission shall constitute the public policy of this state and shall have the force and effect of law.

47.52.030 Nonmotorized traffic may be prohibited. The highway commission may by order and local authorities may by ordinance with respect to any limited access roadway under their respective jurisdictions prohibit the use of any such roadway by pedestrians, bicycles, or other nonmotorized traffic: *Provided*, That the highway commission or the local authority adopting any such prohibitory regulations shall erect and maintain official signs on the limited access roadway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

47.52.040 Design of facility—Ingress and egress restricted—Closure of intersecting roads. The highway authorities of the state, counties and incorporated cities and towns may so design any limited access facility and so regulate, restrict, or prohibit access as to best serve the traffic for which such facility is intended; and the determination of design by such authority shall be conclusive and final. In this connection such highway authorities may divide and separate any limited access facility into separate roadways by the construction of raised curbing, central dividing sections, or other physical separations, or by designating such separate roadways by signs, markers, stripes, and the proper lane for such traffic by appropriate signs, markers, stripes and other devices. No person shall have any right of ingress or egress to, from, or across limited access facilities to or from abutting lands, except at designated points at

which access may be permitted by the highway authorities upon such terms and conditions as may be specified from time to time: *Provided*, That any intersecting streets, roads or highways, not made a part of such facility, shall be deemed closed at the right of way line by the designation and construction of said facility and without the consent of any other party or the necessity of any other legal proceeding for such closing, notwithstanding any laws to the contrary.

47.52.041 Closure of intersecting roads—Rights of abutters. No person, firm or corporation, private or municipal, shall have any claim against the state, city or county by reason of the closing of such streets, roads or highways as long as access still exists or is provided to such property abutting upon the closed streets, roads or highways. Circuity of travel shall not be a compensable item of damage.

47.52.042 ————Other provisions of chapter not affected. RCW 47.52.040 and 47.52.041 shall not be construed to affect provisions for establishment, notice, hearing and court review of any decision establishing a limited access facility on an existing highway pursuant to chapter 47.52.

47.52.050 Acquisition of property for facility. For the purpose of this chapter the highway authorities of the state, counties and incorporated cities and towns, respectively, or in cooperation one with the other, may acquire private or public property and property rights for limited access facilities and service roads, including rights of access, air, view and light, by gift, devise, purchase, or condemnation, in the same manner as such authorities are now or hereafter may be authorized by law to acquire property or property rights in connection with highways and streets within their respective jurisdictions. All property rights acquired under the provisions of this chapter shall be in fee simple. In the acquisition of property or property rights for any limited access facility or portion thereof, or for any service road in connection therewith, the state, county, incorporated city and town authority may, in its discretion, acquire an entire lot, block or tract of land, if by so doing the interest of the public will be best served, even though said entire lot, block or tract is not immediately needed for the limited access facility.

47.52.060 Court process to be expedited. Court proceedings necessary to acquire property or property rights for purposes of this chapter shall take precedence over all other causes not involving the public interest in all courts to the end that the provision for limited access facilities may be expedited.

47.52.070 Establishment of facility—Grade separation—Service roads. The designation or establishment of a limited access facility shall by the authority making the designation or establishment, be entered upon the records or minutes of such authority in the customary manner for the keeping of such records or minutes. The state, counties and incorporated cities and towns may provide for the elimination of intersections at grade of limited access facilities with existing state or county roads, and with city or town streets, by grade separation or service road, or by closing off such roads and streets at the right of way boundary line of such limited access facility; and after the establishment of any such facility, no highway or street which is not part of said facility, shall intersect the same at grade. No city or town street, county road, or state highway, or any other public or private way, shall be opened into or connect with any such limited access facility without the consent and previous approval of the highway authority of the state, county, incorporated city or town having jurisdiction over such limited access facility. Such consent and approval shall be given only if the public interest shall be served thereby.

47.52.072 Establishment—Notice—Hearing—Waiver. No existing highway, road or street, or portion of any existing highway, road or street may be established as a limited access facility until the owners or reputed owners of the abutting property of the section affected, as indicated in the tax rolls of the county be given notice of such proposal and an opportunity to be heard thereon. Such notice shall be served upon such owners or reputed owners by United States mail in writing and shall designate the existing highway, road or street or portion thereof, which it is proposed shall be designated as a limited access facility and shall set a time for hearing as to such proposal which time shall be not less than thirty days after mailing of such notice. Such notice shall indicate a suitable location in the county affected where plans for such proposal may be inspected by any party affected or their representatives. When the owners of abutting property are unknown or cannot be located, such notice may be served by publication in the county or by posting a copy thereof at some conspicuous place upon the right of way or proposed right of way of such highway, road or street where it abuts upon the property of such owners. Notice given as herein provided shall be deemed sufficient as to any owner or reputed owner or to any unknown owner or owner who cannot be located for all purposes under this chapter: *Provided*, That any property owner or owners may waive in writing the requirements of said hearing as set forth herein as may affect ownership of property abutting on said proposed limited access highway.

47.52.073 Conduct of hearing. At such hearing the members of such authority shall preside, or may designate some suitable person to preside as examiner. All testimony or statements given at such hearing shall be taken down by a stenographer under oath, as in superior courts. Any person desiring to be heard must first enter an appearance. The authority shall introduce by competent witness a summary of the proposal for the establishment of a limited access facility and any evidence that may be proper as to the public convenience and necessity for such facility. At the conclusion of such evidence, any persons entering an appearance may introduce, either in person or by counsel, evidence and statements or counterproposal bearing upon the reasonableness of the proposal. Any counterproposal shall receive reasonable consideration by the authority before any proposal is adopted. Such evidence must be material to the issue before the authority and shall be presented in an orderly manner. The authority shall have power to find any person guilty of contempt who shall act in a disorderly manner at any such hearing and shall report such contempt to the county prosecuting attorney who shall proceed against such person as for contempt of the superior court.

47.52.074 Hearing—Findings or order—Finality. At the conclusion of such hearing the authority shall consider the evidence taken at such hearing and shall make specific findings in the case of each abutting ownership as to whether such proposal to establish such existing highway, road or street, or portion thereof, as a limited access facility is required by the public convenience and necessity. It may order the adoption of such proposal or counterproposal in entirety or in part, or may modify or reject any proposal. Its findings and order shall be in writing and copies thereof shall be served by United States mail upon all persons entering an appearance at such hearing. Such determination shall become final within thirty days after such mailing as to all the abutting property affected unless a review is taken as hereinafter provided by any individual owner of abutting property who was a party. In case of an appeal, the order shall be final as to the property of all abutting owners not appealing.

47.52.075 Review and appeal. Any party to such hearing may petition for review in the superior court of Thurston county of any portion of such findings and order which affects property owned by him and may appeal from such superior court to the supreme court. If more than one owner desires a review, the court in its discretion may consolidate all cases in one proceeding. Such review and any appeal therefrom shall be considered and disposed of by said courts upon the record of the authority in the manner, under the conditions, and subject to the limitations, and with the effect specified in the public service commission law of this state, as amended.

47.52.080 Abutter's right of access protected—Compensation. No existing public highway, road or street shall be constructed as a limited access facility except upon the waiver, purchase, or condemnation of the abutting owner's right of access thereto as herein provided. In cases involving existing highways, if the abutting property is used for business at the time the notice is given as provided in RCW 47.52.072, the owner of such property shall be entitled to compensation for the loss of adequate ingress to or egress from such property as business property in its existing condition at the time of the notice provided in RCW 47.52.072 as for the taking or damaging of property for public use.

47.52.090 Cooperative agreements—Title to facility—Traffic regulations—Underground utilities and overcrossings—Passenger transportation—Storm sewers—City street crossings. The highway authorities of the state, counties and incorporated cities and towns are authorized to enter into agreements with each other, or with the federal government, respecting the financing, planning, establishment, improvement, construction, maintenance, use, regulation, or vacation of limited access facilities in their respective jurisdictions to facilitate the purposes of this chapter; *Provided*, That within incorporated cities and towns the title to such facility, after purchase and construction by the state alone, shall vest in the state, and the Washington state highway commission shall exercise full jurisdiction, responsibility and control to, and over, such facility; *Provided, further*, That:

(1) Cities and towns shall regulate all traffic restrictions on such facilities except as provided in RCW 46.48.041 and all regulations adopted shall be subject to approval of the state highway commission before becoming effective. Nothing herein shall preclude the state patrol, any county, or city or town from enforcing any traffic regulations and restrictions prescribed by state law, county resolution, or municipal ordinance.

(2) The city or town or franchise holder shall at its own expense maintain its underground facilities beneath the surface across the highway and shall have the right to construct such additional facilities underground or beneath the surface of the facility or necessary overcrossings of power lines and other utilities as may be necessary insofar as such facilities do not interfere with the use of the right of way for limited access highway purposes, and the city or town shall have the right to maintain any municipal utility and the right to open the surface of such highway, and the construction, maintenance until permanent repair is made, and permanent repair of such facilities shall be done in a time and manner authorized by permit to be issued by the state highway commission or its authorized representative, except to meet

emergency conditions for which no permit will be required, but any damage occasioned thereby shall promptly be repaired by the city or town itself, or at its direction. Where a city or town is required to relocate overhead facilities within the corporate limits of a city or town as a result of the construction of a limited access facility, the cost of such relocation shall be paid by the state.

(3) Cities and towns shall have the right to grant utility franchises crossing the facility underground and beneath its surface insofar as such franchises are not inconsistent with the use of the right of way for limited access facility purposes: *Provided*, That such franchises are not in conflict with state laws; *Provided further*, That the state highway commission shall be authorized to enforce, in an action brought in the name of the state, any condition of any franchise which a city or town shall have granted: *And provided further*, That no franchise for transportation of passengers in motor vehicles shall be granted on such highways without the approval of the state highway commission, except cities and towns shall not be required to obtain a franchise for the operation of municipal vehicles or vehicles operating under franchises from the city or town operating within the corporate limits of a city or town and within a radius not to exceed eight miles outside of such corporate limits for public transportation on such facilities, but such vehicles may not stop on the limited access portion of such facility to receive or to discharge passengers.

Every franchise or permit granted any person by a city or town for use of any portion of a limited access facility shall require the grantee or permittee to restore, permanently repair and replace to its original condition any portion of the highway damaged or injured by it. Except to meet emergency conditions, the construction and permanent repair of any limited access facility by the grantee of a franchise shall be in a time and manner authorized by permit to be issued by the state highway commission, or its authorized representative.

(4) The state highway commission shall have the right to utilize all storm sewers which are adequate and available for the additional quantity of run-off proposed to be passed through such storm sewers.

(5) The construction and maintenance of city streets over and under crossings and surface intersections of the limited access facility shall be in accordance with the governing policy entered into between the state highway commission and the association of Washington cities on June 21, 1956, or as such policy may be amended by agreement between the Washington state highway commission and the association of Washington cities.

47.52.100 Existing roads and streets as service roads. In connection with the development of any limited access facility the state, county or incorporated city or town highway authorities are authorized to plan, designate, establish, use, regulate, alter, improve, construct, maintain and vacate local service roads and streets, or to designate as local service roads and streets any existing road or street, and to exercise jurisdiction over service roads in the same manner as is authorized for limited access facilities under the terms of this chapter. If, in their opinion such local service roads and streets are necessary or desirable, such local service roads or streets shall be separated from the limited access facility by such means or devices designated as necessary or desirable by the proper authority.

47.52.105 Landlock prevention roads. Whenever, in the opinion of the Washington state highway commission, frontage or service roads in connection with limited access facilities, are not feasible either from an engineering or economic standpoint, the highway commission may construct any road, street or highway connecting to or leading into any other road, street or highway, when by so doing, it will preserve a limited access facility or reduce compensation required to be paid to an abutter on the proposed or existing limited access facility, by preventing said abutter from becoming landlocked. Before concluding an agreement with any such abutter the commission shall reach agreement with a majority of the board of county commissioners or city governing body of the county or city concerned as to location, future maintenance and control of any road, street or highway to be so constructed. Such road, street or highway need not be made a part of said state highway system or connected thereto, but may upon completion by the state be turned over to the county or city, as the case may be, for location, maintenance and control pursuant to the agreement as part of said system of such county roads or city streets.

47.52.110 Marking of facility with signs. After the opening of any new and additional limited access highway facility, or after the designation and establishment of any existing street or highway, as included the particular highways and streets or those portions thereof designated and established, shall be physically marked and indicated as follows: By the erection and maintenance of such signs as in the opinion of the respective authorities may be deemed proper, indicating to drivers of vehicles that they are entering a limited access area and that they are leaving a limited access area.

47.52.120 Violations specified—Penalty. After the opening of any limited access highway facility, it shall be unlawful for any

person (1) to drive a vehicle over, upon, or across any curb, central dividing section or other separation or dividing line on limited access facilities; (2) to make a left turn or semicircular or U-turn except through an opening provided for that purpose in dividing curb section, separation or line; (3) to drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the central dividing curb, separation section, or line; (4) to drive any vehicle into the limited access facility from a local service road except through an opening provided for that purpose in the dividing curb, or dividing section or dividing line which separates such service road from the limited access facility proper; (5) to stop or park any vehicle or equipment within the right of way of such facility, including the shoulders thereof, except at points specially provided therefor, and to make only such use of such specially provided stopping or parking points as is permitted by the designation thereof: *Provided*, That this subsection shall not apply to authorized emergency vehicles, law enforcement vehicles, or to vehicles stopped for emergency causes or equipment failures; (6) to travel to or from such facility at any point other than a point designated by the establishing authority as an approach to said facility or to use an approach to such facility for any use in excess of that specified by the establishing authority. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and upon arrest and conviction therefor shall be punished by a fine of not less than five dollars nor more than one hundred dollars, or by imprisonment in the city or county jail for not less than five days nor more than ninety days, or by both fine and imprisonment. Nothing contained herein shall prevent the highway authority from proceeding to enforce the prohibitions or limitations of access to such facilities by injunction or as otherwise provided by law.

47.52.121 Prior determinations validated. Any determinations of an authority establishing a limited access facility subsequent to March 19, 1947, and prior to March 16, 1951, in connection with new highways, roads or streets, or relocated highways, roads or streets, or portions of existing highways, roads or streets which are relocated, and all acquirements of property or access rights in connection therewith are hereby validated, ratified, approved and confirmed, notwithstanding any lack of power (other than constitutional) of such authority, and notwithstanding any defects or irregularities (other than constitutional) in such proceedings.

47.52.130 State facility through city or town. Report—Conferences—Proposed plan, hearing, notice. When the state highway commission is planning a limited access facility through an incor-

porated city or town, the commission, or its staff, shall give careful consideration to available data as to the city's comprehensive plan, land use pattern, present and potential traffic volume of city streets crossing the proposed facility, origin and destination traffic surveys, existing utilities and other pertinent surveys, and shall submit to the city officials for study a report showing how these factors have been taken into account and how the proposed plan for a limited access facility will serve public convenience and necessity, together with the locations and access and egress plans, and over and under crossings under consideration.

Conferences shall be held on the merits of this state report and plans, recommended locations and the economic effects of the plan and any proposed modification or alternate proposal of the cities or towns, in order to attempt to reach an agreement between the state highway commission and the city officials. As a result of the conference, the proposed plan, together with any modifications thereof, shall be prepared by the state highway commission and presented to the city for inspection and study at least thirty days before the public hearing thereon. The highway commission shall hold a public hearing within the city or town to determine the desirability of the plan proposed by the commission, at which hearing any city official or person may appear and be heard even though such official or person is not an abutting property owner. Notice of such hearing shall be given by publication once each week for two weeks, the date of first publication to be not less than fifteen days nor more than twenty days prior to such hearing in one or more newspapers of general circulation within the city or town. Such hearing shall be conducted in such a manner as to comply with the requirements of section 116(c) of the federal aid highway act of 1956 or any act supplemental thereto or amendatory thereof.

47.52.140 ———Adoption of plan—Transmittal to mayor—Publication—Objections, request for hearing. After said hearing has been held as provided in RCW 47.52.130, the commission shall adopt a plan with such modifications, if any, as the commission deems proper and necessary. A copy of such plan shall be transmitted to the mayor of the city or town affected thereby, and the state highway commission shall cause a resume of such plan to be published once each week for two weeks in one or more newspapers of general circulation within such city or town beginning not less than ten days after the mailing of such plan. The city or town may, upon receipt of such plan, notify the state highway commission of its approval of such plan in writing, in which event such plan shall be final. Unless such plan shall be disapproved in writing filed with the state highway commission within thirty

days after the mailing thereof to such mayor and if the city or town affected does not request in writing a hearing before a board of review, hereinafter referred to as the board, and file such request with the state highway commission within thirty days after mailing of such plan, such plan shall be final. Such request for hearing shall set forth the portions of the plan of the state highway commission to which the city or town objects, and shall include every issue to be considered by the board.

47.52.150 ———Hearing — Board of review — Composition—Appointment. Upon request for a hearing before the board by any city or town, a board consisting of five members shall be appointed as follows: The mayor shall appoint two members of the board, of which one shall be a duly elected official of the city, county or legislative district, except that of the legislative body of the city or town requesting the hearing, subject to confirmation by the legislative body of the city or town; the state highway commission shall appoint two members of the board who shall not be members of such commission; and one member shall be selected by the four members thus appointed. Such fifth member shall be a licensed civil engineer or a recognized professional city or town planner, who shall be chairman of the board. Such board shall be appointed within thirty days after the next meeting of the state highway commission immediately following the receipt of such a request by the commission. In the event the state highway commission or a city or town shall not appoint members of the board or members thus appointed fail to appoint a fifth member of the board, either the state highway commission or the city or town may apply to the superior court of the county in which the city or town is situated to appoint the member or members of the board in accordance with the provisions of this chapter.

47.52.160 ———Hearing—Evidence by city or town—Determination of issues. The board shall fix a reasonable time not more than thirty days after the date of their appointment and shall indicate the time and place for the hearing, and shall give notice thereof to the city or town and to the state highway commission. At the time and place fixed for the hearing, the state and the city or town shall present all of their evidence with respect to the objections set forth in the request for the hearing before the board, and if either the state or the city or town fails to do so, the board may determine the issues upon such evidence as may be presented to it at said hearing.

47.52.170 ———Hearing—Procedure. No witness's testimony shall be received unless he shall have been duly sworn, and the board may cause all oral testimony to be stenographically re-

ported. Members of the board, its duly authorized representatives, and all persons duly commissioned by it for the purpose of taking depositions, shall have power to administer oaths; to preserve and enforce order during such hearings; to issue subpoenas for, and to compel the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions before any designated individual competent to administer oaths, and it shall be their duty so to do; to examine witnesses; and to do all things conformable to law which may be necessary to enable them, or any of them, effectively to discharge the duties of their office.

47.52.180 ———Hearing—Findings of Board. At the conclusion of such hearing, the board shall consider the evidence taken and shall make specific findings with respect to the objections and issues within thirty days after the hearing, which findings shall approve, disapprove or modify the proposed plan of the state highway commission. Such findings shall be final and binding upon both parties.

47.52.190 ———Hearing—Assistants—Costs—Reporter. The board shall employ such assistance and clerical help as is necessary in the performance of its duties. The costs thereby incurred and incident to the conduct of the hearing, necessary expenses and fees, if any, of members of the board shall be borne equally by the city or town requesting the hearing and the state highway commission. When oral testimony is stenographically reported, the state highway commission shall provide a reporter at its expense.

Chapter 47.54

LIMITED ACCESS HIGHWAYS—PARKING FACILITIES

47.54.010 Parking facilities authorized. The state highway commission may rent or lease to any person, partnership, association, corporation or municipal corporation desiring the use of any part thereof, including the right of way adjoining the paved portion, the air space over, under, or above any part of a limited access highway or freeway, and the space over or under any ramp or interchange, for constructing thereon, thereunder, and in said air space parking lots or other parking facilities for the use of motor vehicles, so long as the use by the lessee in no manner interferes with the freeway.

47.54.020 Term of lease—Reversion of improvements. Any lease entered into under authority granted by this chapter shall be for a period not to exceed fifty years, and may be for such lesser period as the state highway commission shall determine. All im-

improvements placed within the air space over or above or under the freeway or any ramp or interchange thereof by the lessors shall, upon expiration of the lease, revert to and become the property of the state to the same extent that the freeway and its appurtenances are state property.

47.54.030 Lease must require use, improvements for public good and parking facilities. Any lease entered into must include in its provisions requirements that the use of and improvements made or constructed in the leased air space be primarily for the good of the public and for no purpose other than the construction and operation of parking lots or facilities as set forth in RCW 47.54-.010.

47.54.040 Leases to municipal corporations—Subleases—Operation of facility by city over one hundred thousand. The state highway commission may lease any available air space over, under or above any part of a limited access highway or freeway, within the limits of a municipal corporation, to such municipal corporation, for the purpose of constructing and operating parking facilities, upon such terms and conditions as the commission and proper authorities of such municipal corporation deem reasonable and fair, without the necessity for advertisement or order of court and without the necessity of first calling for bids from private persons or firms. The provisions of RCW 47.54.050 through 47.54.110 shall not apply to any such lease to a municipal corporation. The lease may authorize the municipal corporation to sublease such space to any person, partnership, association or corporation desiring to construct and operate parking facilities providing such sublease is made in the manner provided in RCW 47.54.050 through 47.54.110. Any city renting or leasing the lands or interests in lands described in RCW 47.54.010 may develop, construct or improve parking facilities thereon: *Provided, however,* That no city with a population of more than one hundred thousand shall operate any such parking space and/or facilities until after it has called for sealed bids from responsible, private bidders for the operation thereof. The call for bids shall specify the terms and conditions under which the facility will be leased for private operation and shall specify a minimum rental upon which such a lease will be made by the city. The minimum rental may be on a weekly or monthly flat fee basis or may be based upon a weekly or monthly percentage of gross income, but it shall in any event be sufficient to cover all of the city's cost in acquiring and/or constructing or improving the facility to be leased, including interest charges and debt retirement. The call for bids shall specify the time and place at which the bids will be received and the time when the same will be opened, and such call shall be advertised once a week for

two successive weeks before the time fixed for the filing of bids in a newspaper of general circulation in the city. The competitive bid requirements of this chapter shall not apply in any case where such a city shall grant a long-term negotiated lease of any such facility to a private operator on the condition that the tenant-operator shall construct a substantial portion of the facility or the improvements thereto, which construction and/or improvements shall become the property of the city on expiration of the lease. If no bid is received for the operation of such an off-street parking facility, or if none of the bids received meet the minimum rental specified, the legislative body of the city may reject all bids, in the latter case, and in both situations may readvertise the facility for lease or may operate the facility itself. If the city elects to operate the parking facility itself, it shall at least once in every three years again readvertise for bids in the same manner as provided above.

47.54.050 Call for bids to lease—Publication. Whenever the state highway commission determines that air space is available for lease to any person, partnership, association or corporation it shall publish a call for bids thereon at least once each week for two consecutive weeks, the first publication to be not less than forty-five days preceding the day set for receiving and opening the bids. Said publication shall be made in at least one newspaper of general circulation in the county wherein the air space to be leased is located, and shall state the time, place, and date for receiving and opening the bids, give the location of the air space to be leased, the term of the lease which may be granted and contain such other information as the highway commission may deem of value or assistance to prospective bidders.

47.54.060 Bid for lease—Contents, manner, deposit. Each person, firm, corporation, or other association bidding for the lease of air space shall enclose with written bids a comprehensive analysis of plans for the improvement of the air space by the development of motor vehicle parking facilities, and shall set forth the amount of the bid in a manner which will clearly indicate to the commission the total rental to be received by the state over the full term of the lease. All bids shall be under sealed cover and accompanied by deposit in cash, certified check, cashier's check, or surety bond, in an amount not less than the rental for one year as computed from the average annual rental for the full term of the lease, and no bid shall be considered unless the deposit is enclosed therewith.

47.54.070 Bids publicly opened—Notification of bidders—Consideration of improvements. At the time and place named in the

call for bids the state highway commission shall publicly open all bids and read the total of all rentals to be paid for the full term of the lease, as shown on each bid properly filed. Within thirty days after the opening of bids the commission shall notify all bidders by mail of the date and place, not less than seven nor more than fourteen days after mailing of the notice, when the lease will be awarded. Prior to said notification and award, the commission shall give full consideration to the improvements proposed to be made by each bidder and the value thereof upon reversion to the state, and said value shall be considered with the rentals to be paid in determining the successful bid.

47.54.080 Rejection of all bids—Republication of call. If in the opinion of the commission the acceptance of the bid of the best responsible bidder or bidders, or on prior failure thereof, the acceptance of a bid of any of the remaining best responsible bidder or bidders, will not be for the best interest of the state, it may reject all bids or all remaining bids and republish call for bids in the same manner as for an original publication thereof.

47.54.090 Award of lease when bidder fails—Forfeiture of deposit—Return of deposits. If the successful bidder fails to enter into the lease and furnish bond satisfactory to the commission within thirty days from the award, exclusive of the day of award, his deposit shall be forfeited to the state and the commission may award the lease to the second best bidder. If the second best bidder fails to enter into the lease and furnish bond within thirty days after the award to him, forfeiture of his deposit shall also be made and the lease may be awarded to the third best bidder, and in like manner until the lease and bond are executed by a responsible bidder to whom the award is made, or further bid proposals are rejected, or the number of bid proposals exhausted: *Provided*, That if the lease is not executed and bond furnished within the time required, and there appear circumstances which are deemed by the commission to warrant an extension of time, the commission may extend the time for execution of the lease or furnishing bond for not to exceed thirty additional days. After awarding the lease the deposits of unsuccessful bidders shall be returned: *Provided*, That the commission may retain the deposits of the next best responsible bidder or bidders as he desires until such time as the lease is entered into and satisfactory bond provided by the bidder to whom award was ultimately made.

47.54.100 Lessee's bond—Conditions. The bond required to be furnished by a successful bidder, upon the awarding of the lease, shall be conditioned upon the full performance of the lease for the full term thereof, including completion of all improvements

proposed to be constructed by the lessee in the bid submitted, and conditioned further upon the lessee's operation of the leased air space without obstruction or hindrance to the freeway or highway facilities appurtenant thereto.

47.54.110 Qualification of sureties—Additional sureties or bond. The commission may at any time require any or all sureties on a lessee's bond to appear and qualify themselves. If it deems that the surety or sureties on such bond have become insufficient it may demand in writing that the lessee furnish additional sureties or a further bond, in an amount the commission deems necessary, but not in excess of that originally required at the time of making the award.

47.54.120 Rules and regulations—Parking rates. The state highway commission may adopt such rules as are reasonably necessary to implement the purpose of this chapter, and may require covenants and conditions in any lease executed under the authority of this chapter as are deemed necessary to protect the freeway and appurtenant highway facilities and to the fulfillment of the lease by the lessee or lessees. Whenever any air space over, under or above any part of a limited access highway or a freeway is leased to a private person or firm or such space is leased to a municipal corporation authorizing a sublease of such space to a private person or firm, the state highway commission shall reserve to itself or to the municipal corporation subleasing such space, continuing control of parking rates to be charged the public by the lessee or sublessee: *Provided*, That nothing herein contained shall prohibit the state highway commission or a municipal corporation, when leasing or subleasing such air space to a private person or firm, from covenanting to permit any private lessee or sublessee to charge rates for parking during the term of the lease or sublease, adequate to pay costs of operation and maintenance, the cost of construction of parking facilities over a reasonable period of time and to return a fair profit to such private lessee or sublessee.

47.54.130 Proceeds under chapter to be deposited in motor vehicle fund. All money received under this chapter, whether proceeds from a lease, forfeiture of bid deposits, or otherwise, shall be delivered to the state treasurer for deposit in the motor vehicle fund.

47.54.900 Inconsistent laws superseded—Severability. The provisions of this chapter are intended to supersede any laws of the state inconsistent herewith, and to effect repeal thereof where they have application only to situations as herein set forth and to no other business or affairs of the state, and if any provisions of this

chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances, is not affected.

Chapter 47.56

STATE TOLL BRIDGES, TUNNELS AND FERRIES

47.56.010 Definitions. "Toll bridge" means a bridge constructed or acquired under this chapter, upon which tolls are charged, together with all appurtenances, additions, alterations, improvements, and replacements thereof, and the approaches thereto, and all lands and interests therein used therefor, and buildings and improvements thereon;

"Toll road" means any express highway, superhighway or motorway at such locations and between such termini as may hereafter be established by law, and constructed or to be constructed as a limited access highway under the provisions of this chapter by the authority, and shall include, but not be limited to all bridges, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, toll houses, service areas, service facilities, communications facilities, and administration, storage and other buildings which the authority may deem necessary for the operation of such project, together with all property, rights, easements and interests which may be acquired by the authority for the construction or the operation of such project, all of which shall be conducted in the same manner and under the same procedure as provided for the establishing, constructing, operating, and maintaining of toll bridges by the authority, insofar as reasonably consistent and applicable.

47.56.020 Authority created—Members—Compensation and expenses. There is hereby created the Washington toll bridge authority composed of the governor, state auditor, chairman of the public service commission, chairman of the Washington state highway commission, and the director of general administration. The director of highways shall be an ex officio member of said authority but without a vote. Members shall serve without compensation other than that received in the office by virtue of which they are members. Any expenses incurred for clerical or other assistance and necessary supplies shall be paid for in the manner and from funds as provided herein. A majority of the members of the authority shall constitute a quorum for the transaction of business.

Note: See also section 1, chapter 278, Laws of 1961.

47.56.030 Toll bridges—Highway commission in charge of construction, operation and maintenance. The state highway commission shall have full charge of the construction of all toll bridges that may be authorized by the Washington toll bridge authority,

the operation and maintenance thereof and the collection of tolls thereon. The commission shall proceed with the construction of such toll bridge and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable.

Note: See also section 8, chapter 278, Laws of 1961.

47.56.040 Toll bridges authorized—Investigations. The Washington toll bridge authority is empowered, in accordance with the provisions of this chapter, to provide for the establishing and constructing of toll bridges upon any public highways of this state together with approaches thereto wherever the same is considered necessary or advantageous and practicable for crossing any stream, body of water, gulch, navigable water, swamp or other topographical formation whether the same is within this state or constitutes a boundary between this state and an adjoining state or country. The necessity or advantage and practicability of any such toll bridge shall be determined by the Washington toll bridge authority and the feasibility of financing any toll bridge in the manner provided by this chapter shall be a primary consideration and determined according to the best judgment of the Washington toll bridge authority. For the purpose of obtaining information for the consideration of the authority upon the construction of any toll bridge or any other matters pertaining thereto it shall be the duty of any cognizant officer or employee of the state upon the request of the authority to make reasonable examination, investigation, survey or reconnaissance for the determination of material facts pertaining thereto and report the same to the authority. The cost of any such examination, investigation, survey or reconnaissance shall be borne by the department or office conducting the same from the funds provided for such department or office for its usual functions.

47.56.042 State boundary bridges—Investigations—Agreements with counties or states. The Washington toll bridge authority is hereby authorized to enter into agreements with any county of this state and/or with an adjoining state or county thereof for the purpose of implementing an investigation of the feasibility of any toll bridge project for the bridging of a river forming a portion of the boundary of this state, and such adjoining state. The authority may use funds from its revolving fund to carry out the purposes of this section. Such agreements may provide that in the event any such project is determined to be feasible and adopted, any advancement of funds by any state or county may be reimbursed out of any proceeds derived from the sale of bonds or out of tolls and revenues to be derived from such project.

47.56.050 Purchase of bridges and ferries authorized—Provisions applicable. (1) The Washington toll bridge authority, whenever it is considered necessary or advantageous and practicable, is empowered to provide for the acquisition by purchase of, and to acquire by purchase, (a) any bridge or bridges or ferries which connect with or may be connected with the public highways of this state, and (b) together with approaches thereto.

(2) In connection with the acquisition by purchase of any bridge or bridges or ferries pursuant to the provisions of subsection (1) of this section, the Washington toll bridge authority, the state highway commission, the state treasurer, the state auditor, any city, county or other political subdivision of this state, and all said officers—

(a) are empowered and required to do all acts and things as in this chapter provided for the establishing and constructing of toll bridges and operating, financing and maintaining such bridges insofar as such powers and requirements are applicable to the purchase of any bridge or bridges or ferries and their operation, financing and maintenance; and

(b) in purchasing, operating, financing and maintaining any bridge or bridges or ferries acquired or to be acquired by purchase pursuant to the provisions of this section, shall act in the same manner and under the same procedures as are provided in this chapter for the establishing, constructing, operating, financing and maintaining of toll bridges insofar as such manner and procedure are applicable to the purchase of any bridge or bridges or ferries and their operation, financing and maintenance.

(3) Without limiting the generality of the provisions contained in subsections (1) and (2) hereof, the Washington toll bridge authority is empowered (a) to cause surveys to be made for the purpose of investigating the propriety of acquiring by purchase any such bridge or bridges or ferries and the right of way necessary or proper for said bridge or bridges or ferries, and other facilities necessary to carry out the provisions of this chapter; (b) to issue, sell and redeem bonds and to deposit and pay out the proceeds of said bonds for the financing thereof; (c) to collect, deposit, and expend tolls therefrom; (d) to secure and remit financial and other assistance in the purchase thereof; and (e) to carry insurance thereon.

(4) The provisions of RCW 47.56.220 shall apply when any such bridge or bridges or ferries are acquired by purchase pursuant to this section.

47.56.060 Toll bridges—General powers of the authority and officials—Financial statements. The Washington toll bridge authority, the officials thereof and all state officials are empowered to do

such acts and make such agreements not inconsistent with law as may be necessary or desirable in connection with the duties and powers conferred upon them respectively by law regarding the construction, maintenance, operation and insurance of such toll bridges or the safeguarding of the funds and revenues required for such construction and the payment of the indebtedness incurred therefor. The Washington toll bridge authority and the highway commission shall keep full, complete and separate accounts of each toll bridge and annually shall prepare balance sheet and income and profit and loss statements showing the financial condition of each such toll bridge, which statement shall be open to the inspection of holders of bonds issued by said authority at all reasonable times.

47.56.070 Toll facilities authorized—Provisions applicable—Restrictions. The authority may provide for the establishment, construction, and operation of toll tunnels, toll roads and other facilities necessary for their construction and connection with public highways of the state. It may cause surveys to be made to determine the propriety of their establishment, construction, and operation, and may acquire rights of way and other facilities necessary to carry out the provisions hereof; and may issue, sell, and redeem bonds, and deposit and expend them; secure and remit financial and other assistance in the construction thereof; carry insurance thereon; and handle any other matters pertaining thereto, all of which shall be conducted in the same manner and under the same procedure as provided for the establishing, constructing, operating, and maintaining of toll bridges by the authority, insofar as reasonably consistent and applicable. No toll facility, toll bridge, toll road or toll tunnel, shall be combined with any other toll facility for the purpose of financing unless such facilities form a continuous project, to the end that each such facility or project be self-liquidating and self-sustaining: *Provided*, That no toll road shall be constructed, obligations for the construction thereof entered into, or right of way acquired without prior approval of the location, plans and specifications by the Washington state highway commission.

47.56.075 Toll roads, facilities—Legislative authorization or local sponsorship required. The authority shall approve for construction only such toll roads as the legislature shall specifically authorize or such toll facilities as shall be specifically sponsored by a city, town or county.

47.56.077 Concessions to operate private business on toll road right of way prohibited. The authority shall not grant concessions for the operation or establishment of any privately owned business upon toll road rights of way.

47.56.080 Construction of toll bridges and issuance of bonds authorized. Whenever in the judgment of the highway commission it is considered in the best interest of the public highways of the state that any new toll bridge or bridges be constructed upon any public highway and across any stream, body of water, gulch, navigable water, swamp or other topographical formation and operated by the state the highway commission shall submit its recommendation to that effect to the Washington toll bridge authority together with preliminary estimates of the cost of such construction and an estimate of the amount necessary to be raised for such purpose by the issuance of revenue bonds, and a statement of the probable amount of money, property, materials or labor to be contributed from other sources in aid of any such construction. If the Washington toll bridge authority concurs in the recommendation of the highway commission or on its own motion determines to construct any toll bridge or toll bridges, the Washington toll bridge authority shall adopt a resolution declaring that public interest and necessity require the construction of such toll bridge or bridges and authorizing the issuance of revenue bonds for the purpose of obtaining funds in an amount not in excess of that estimated to be required for such construction. The issuance of bonds as provided in this chapter for the construction of more than one toll bridge may at the discretion of the Washington toll bridge authority be included in the same authority and issue of bonds.

47.56.090 Authority to acquire right of way in constructing a toll bridge. Whenever the Washington toll bridge authority shall authorize and direct the highway commission to construct a toll bridge the highway commission is empowered to secure right of way therefor and for approaches thereto by gift or purchase, or by condemnation in the manner provided by law for the taking of private property for public highway purposes.

47.56.100 Toll bridges—Right of way across state land, streets, roads—Compensation. The right of way is hereby given, dedicated and set apart upon which to locate, construct and maintain bridges or approaches thereto or other highway crossings, and transportation facilities thereof or thereto, through, over or across any of the lands which are now or may be the property of this state, including highways, and through, over or across the streets, alleys, lanes and roads within any city, county, or other political subdivision of the state. If any property belonging to any city, county or other political subdivision of the state is required to be taken for the construction of any such bridge or approach thereto or should any such property be injured or damaged by such construction, such compensation therefor as may be proper or necessary and as

shall be agreed upon may be paid by the Washington toll bridge authority to the particular county, city, or other political subdivision of the state owning such property, or condemnation proceedings may be brought for the determination of such compensation.

47.56.110 Toll bridges—Resolution of necessity in acquiring right of way—Effect of. Before the highway commission shall proceed with any action to secure right of way or with construction of any toll bridge under the provisions of this chapter the Washington toll bridge authority shall have first passed a resolution that public interest and necessity require the acquisition of right of way for and the construction of such toll bridge. Such resolution shall be conclusive evidence (1) of the public necessity of such construction; (2) that such property is necessary therefor and, (3) that such proposed construction is planned or located in a manner which will be most compatible with the greatest public good and the least private injury. When it becomes necessary for the highway commission to condemn any real estate to be used in connection with any such bridge, the attorney general of the state shall represent the highway commission. In eminent domain proceedings to acquire property for any of the purposes of this chapter, any toll bridge, real property, personal property, franchises, rights, easements or other property or privileges appurtenant thereto appropriated or dedicated to a public use or purpose by any person, firm, private, public or municipal corporation, county, city, town, district or any political subdivision of the state, may be condemned and taken, and the acquisition and use thereof as herein provided for the same public use or purpose to which such property has been so appropriated or dedicated, or for any other public use or purpose, shall be deemed a superior and permanent right and necessity, and a more necessary use and purpose than the public use or purpose to which such property has already been appropriated or dedicated. It shall not be necessary in any eminent domain proceedings hereunder to plead or prove any acts or proceedings preliminary or prior to the adoption of the resolution hereinbefore referred to describing the property sought to be taken and directing such proceedings.

47.56.120 Toll bridges—Construction directed—Costs. In the event that the Washington toll bridge authority should determine that any toll bridge should be constructed under its authority it shall authorize and direct the highway commission to construct such toll bridge. In the event the highway commission is authorized and directed to construct such toll bridge all cost thereof including right of way, survey and engineering shall be paid out of any funds available for payment of the cost of such toll bridge under this chapter.

47.56.130 Toll bridges—Bonds. Cooperative funds from state and federal government. The Washington toll bridge authority is hereby empowered to issue bonds for the construction of any toll bridge or toll bridges authorized under the provisions of this chapter. Any and all bonds issued for the construction of any toll bridge or toll bridges under the authority of the Washington toll bridge authority, shall be issued in the name of the Washington toll bridge authority and shall constitute obligations only of said Washington toll bridge authority and shall be identified as toll bridge bonds and shall contain a recital on the face thereof that the payment or redemption of said bonds and the payment of the interest thereon is secured by a direct and exclusive charge and lien upon the tolls and other revenues of any nature whatever received from the operation of the particular toll bridge or bridges for the construction of which the bonds are issued and that neither the payment of the principal or any part thereof nor of the interest thereon or any part thereof constitutes a debt, liability or obligation of the state of Washington. The Washington toll bridge authority is empowered to receive and accept funds from the state of Washington or the federal government upon a cooperative or other basis for the construction of any toll bridge authorized under this chapter and is empowered to enter into such agreements with the state of Washington or the federal government as may be required for the securing of such funds.

47.56.140 ————Form, contents, manner of sale—Interim bonds. The revenue bonds may be issued and sold by the authority from time to time and in such amounts as it deems necessary to provide sufficient funds for the construction of the bridge, and to pay interest on outstanding bonds issued for its construction during the period of actual construction and for six months after completion thereof.

The authority shall determine the form, conditions, and denominations of the bonds, and the maturity dates which the bonds to be sold shall bear and the interest rate thereon, which shall not exceed six percent per year. All bonds of the same issue need not bear the same interest rate. Principal and interest of the bonds shall be payable at such place as determined by the authority, and may contain provisions for registration as to principal or interest, or both. They shall be in coupon form with interest payable at such times as determined by the authority, and shall mature at such times and in such amounts as the authority prescribes. The authority may provide for the retirement of the bonds at any time prior to maturity, and in such manner and upon payment of such premiums as it may determine in the resolution providing for the issuance of the bonds. All such bonds shall be signed by the member of the authority who is state

auditor and countersigned by the governor and any interest coupons appertaining thereto shall bear the signature of the state auditor. The countersignature of the governor on such bonds and the signature of the state auditor on such coupons may be their printed or lithographed facsimile signatures. Successive issues of such bonds within the limits of the original authorization shall have equal preference with respect to the redemption thereof and the payment of interest thereon. The authority may fix different maturity dates, serially or otherwise, for successive issues under any one original authorization. The bonds shall be negotiable instruments under the law merchant. All bonds issued and sold hereunder shall be sold on sealed bids to the highest and best bidder after such advertising for bids as the authority deems proper. The authority may reject any and all bids and may thereafter sell the bonds at private sale under such terms and conditions as it deems most advantageous to its own interests; but not at a price below that of the best bid which was rejected. The authority may contract loans and borrow money through the sale of bonds of the same character as those herein authorized, from the United States or any agency thereof, upon such conditions and terms as may be agreed to and the bonds shall be subject to all the provisions of this chapter, except the requirement that they be first offered at public sale.

Temporary or interim bonds, certificates, or receipts, of any denomination, and with or without coupons attached, signed by the state auditor, may be issued and delivered until bonds are executed and available for delivery.

47.56.150 Toll bridges—Bond proceeds and toll revenues, disposition of. Construction fund—Disbursement—Investment. The proceeds from the sale of all bonds authorized under the provisions of this chapter shall be paid to the state treasurer for the credit of the Washington toll bridge authority and be deposited as demand deposits forthwith in such depository or depositories as may be authorized by law to receive deposits of state funds to the credit of a fund to be designated as the construction fund of the particular toll bridge or toll bridges for which such bonds were issued and sold, which fund shall not be a state fund and shall at all times be kept segregated and set apart from all other funds and in trust for the purposes herein set out. Such proceeds shall be paid out or disbursed solely for the construction of such toll bridge or toll bridges, the acquisition of the necessary lands and easements therefor and the payment of interest on such bonds during the period of actual construction and for a period of six months thereafter, only as the need therefor shall arise and the Washington toll bridge authority may agree with the purchaser of said bonds upon any conditions or limitations restricting the disbursement of such funds that may be deemed

advisable, for the purpose of assuring the proper application of such funds. All moneys in such fund and not required to meet current construction costs of the toll bridge or toll bridges for which such bonds were issued and sold, and all funds constituting surplus revenues which are not immediately needed for the particular object or purpose to which they must be applied or are pledged shall be invested in bonds and obligations of the nature eligible for investment of surplus state moneys: *Provided*, That the Washington toll bridge authority may provide in the proceedings authorizing the issuance of said bonds that the investment of such moneys shall be made only in particular bonds and obligations within the classifications eligible for such investment and such provisions shall thereupon be binding upon the said authority and all officials having anything to do with such investment. Any surplus which may exist in said construction fund shall be applied to the retirement of bonds issued for the construction of such toll bridge or toll bridges by purchase or call and in the event such bonds cannot be purchased at a price satisfactory to the Washington toll bridge authority and are not by their terms callable prior to maturity such surplus shall be paid into the fund applicable to the payment of principal and interest of said bonds and shall be used for that purpose. The proceedings authorizing the issuance of bonds may provide limitations and conditions upon the time and manner of applying such surplus to the purchase and call of outstanding bonds and the terms upon which they shall be purchased or called and such limitations and conditions shall be followed and observed in the application and use of such surplus. All bonds so retired by purchase or call shall be immediately canceled.

47.56.160 ————**Toll revenue fund.** All tolls or other revenues received from the operation of any toll bridge or toll bridges constructed with the proceeds of bonds issued and sold hereunder shall be paid over by the highway commission to the state treasurer who shall deposit the same forthwith as demand deposits in such depository or depositories as may be authorized by law to receive deposits of state funds to the credit of a special trust fund to be designated as the toll revenue fund of the particular toll bridge or toll bridges producing such tolls or revenue, which fund shall be a trust fund and shall at all times be kept segregated and set apart from all other funds.

47.56.170 ————**Transfer of funds for bond payments—Surplus funds.** From the money so deposited in each separate construction fund as hereinabove provided, the state treasurer shall transfer to the place or places of payment named in said bonds such sums as may be required to pay the interest as it becomes due on all bonds sold and outstanding for the construction of such particular toll

bridge or toll bridges during the period of actual construction and during the period of six months immediately thereafter. The state treasurer shall thereafter transfer from each separate toll revenue fund to the place or places of payment named in said bonds such sums as may be required to pay the interest on said bonds and redeem the principal thereof as such interest payments and bond redemption become due for all bonds issued and sold for the construction of the particular toll bridge or toll bridges producing the tolls or revenues so deposited in said toll revenue fund. All funds so transferred for the payment of principal or interest on bonds issued for any particular toll bridge shall be segregated and applied solely for the payment of said principal or interest. The proceedings authorizing the issuance of bonds may provide for the setting up of a reserve fund or funds out of the tolls and other revenues not needed for the payment of principal and interest, as the same currently matures and for the preservation and continuance of such fund in a manner to be provided therein, and such proceedings may also require the immediate application of all surplus moneys in such toll revenue fund to the retirement of such bonds prior to maturity, by call or purchase, in such manner and upon such terms and the payment of such premiums as may be deemed advisable in the judgment of said Washington toll bridge authority.

The moneys remaining in each separate toll revenue fund after providing the amount required for interest and redemption of bonds as hereinabove provided, shall be held and applied as provided in the proceedings authorizing the issuance of said bonds. In the event the proceedings authorizing the issuance of said bonds do not require surplus revenues to be held or applied in any particular manner, they shall be allocated and used for such other purposes incidental to the construction, operation and maintenance of such toll bridge or bridges as the Washington toll bridge authority may determine.

47.56.180 ————Payments made by warrants on vouchers—Interest on deposits. Warrants for payments to be made on account of such bonds shall be duly drawn by the state auditor on vouchers approved by the Washington toll bridge authority.

Moneys required to meet the costs of construction and all expenses and costs incidental to the construction of any particular toll bridge or toll bridges or to meet the costs of operating, maintaining and repairing the same, shall be paid from the proper fund therefor by the state auditor upon voucher submitted by the highway commission approved by the Washington toll bridge authority.

All interest received or earned on money deposited in each and every fund herein provided for shall be credited to and become a part of the particular fund upon which said interest accrues.

47.56.190 ————**Agreement on deposit of funds.** The Washington toll bridge authority may provide in the proceedings authorizing the issuance of bonds or may otherwise agree with the purchasers of bonds regarding the deposit of all moneys constituting the construction fund and the toll revenue fund and provide for the deposit of such money at such time and with such depositaries or paying agents and upon the furnishing of such security as may meet with the approval of the purchasers of such bonds: *Provided*, That the depositaries and security so provided for or agreed upon shall be qualified and eligible in accordance with the requirements of law.

47.56.200 ————**Use of bond proceeds and revenue for expenses.** Notwithstanding anything contained in this chapter the proceeds received from the sale of bonds and the tolls or other revenues received from the operation of any toll bridge or toll bridges may be used to defray any expenses incurred by the Washington toll bridge authority in connection with and incidental to the issuance and sale of bonds for the construction of such toll bridge or toll bridges including expenses for the preparation of surveys and estimates and the making of inspections and examinations as may be required by the purchasers of such bonds: *Provided*, That the proceedings authorizing the issuance of such bonds may contain appropriate provisions governing the use and application of said bond proceeds and toll or other revenues for the purposes herein specified.

47.56.210 Toll bridges—Remedies of bond holders. While any bonds issued by said Washington toll bridge authority remain outstanding, the powers, duties or existence of the said Washington toll bridge authority or of the highway commission or of any other official or agency of the state shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of such bonds. The holder of any bond may by mandamus or other appropriate proceeding require and compel the performance of any of the duties imposed upon any state department, official or employee or imposed upon the authority or its officers, agents and employees in connection with the construction, maintenance, operation and insurance of any bridge and in connection with the collection, deposit, investment, application and disbursement of all tolls and other revenues derived from the operation and use of any bridge and in connection with the deposit, investment and disbursement of the proceeds received from the sale of bonds: *Provided*, That the enumeration of such rights and remedies herein shall not be deemed to exclude the exercise or prosecution of any other rights or remedies by the holders of such bonds.

47.56.220 Toll bridges—Limitations on other service—Protection of outstanding bonds. As long as any of the bonds issued hereunder

for the construction of any toll bridge are outstanding and unpaid, there shall not be erected, constructed or maintained any other bridge or other crossing over, under, through or across the waters over which such toll bridge is located or constructed, connecting or joining directly or indirectly the lands or extensions thereof or abutments thereon on both sides of the waters spanned or crossed by such toll bridge within a distance of ten miles from either side of such toll bridge excepting bridges or other highway crossings actually in existence and being maintained, or for which there was outstanding an existing and lawfully issued franchise, at the time of the location of such toll bridge and prior to the time of the authorization of such revenue bonds, and no ferry or other similar means of crossing the said waters within the said distance and connecting or plying directly or indirectly between the lands or extensions thereof or abutments thereon on both sides of the waters spanned or crossed by such bridge shall be maintained or operated or permitted or allowed: *Provided*, That ferries and other similar means of crossing actually in existence and being maintained and operated, or for which there was outstanding an existing and lawfully issued franchise, at the time of the location of such bridge and prior to the time of the authorization of such revenue bonds, may continue and be permitted to be operated and maintained under such existing rights and franchises, or any lawful renewal or extension thereof. The provisions of this section shall be binding upon the Washington toll bridge authority, the state of Washington and all of its departments, agencies or instrumentalities as well as any and all private, political, municipal and public corporations and subdivisions, including cities, counties, and other political subdivisions and the prohibitions of this section shall restrict and limit the powers of the legislature of the state of Washington in respect to the matters herein mentioned as long as any of such bonds are outstanding and unpaid and shall be deemed to constitute a contract to that effect for the benefit of the holders of all such bonds.

47.56.230 Toll bridges—Insurance or indemnity bonds authorized. When any such toll bridge or bridges authorized hereunder is being built by the highway commission the Washington toll bridge authority may carry or cause to be carried such an amount of insurance or indemnity bond or bonds as protection against loss or damage as the Washington toll bridge authority may deem proper. The Washington toll bridge authority is hereby further empowered to carry such an amount of insurance to cover any accident or destruction in part or in whole to any toll bridge or toll bridges until all bonds sold for the construction of such toll bridge or toll bridges and interest accrued thereon have been fully redeemed and paid. All moneys collected on any indemnity bond or insurance policy as the

result of any damage or injury to any such toll bridge or toll bridges shall be used for the purpose of repairing or rebuilding of any such toll bridge or toll bridges as long as there are revenue bonds against any such structure outstanding and unredeemed. The Washington toll bridge authority is also empowered to carry insurance or indemnity bonds insuring against the loss of tolls or other revenues to be derived from any such toll bridge or bridges by reason of any interruption in the use of such toll bridge or toll bridges from any cause whatever, and the proceeds of such insurance or indemnity bonds shall be paid into the fund into which the tolls and other revenues of the bridge thus insured are required to be paid and shall be applied to the same purposes and in the same manner as other moneys in the said fund. Such insurance or indemnity bonds may be in an amount equal to the probable tolls and other revenues to be received from the operation of such toll bridge or toll bridges during any period of time that may be determined upon by the Washington toll bridge authority and fixed in its discretion, and be paid for out of the toll revenue fund as may be specified in said proceedings. The Washington toll bridge authority may provide in the proceedings authorizing the issuance of bonds for the carrying of insurance as authorized by this chapter, and the purchase and carrying of insurance as authorized by this chapter, and the purchase and carrying of such insurance shall thereupon be obligatory upon the said authority and be paid for out of the toll revenue fund as may be specified in said proceedings.

47.56.240 Toll bridges—Fixing of toll rates authorized—Lien of bonds on revenue. The Washington toll bridge authority is hereby empowered to fix the rates of toll and other charges for all toll bridges built under the terms of this chapter. Toll charges so fixed may be changed from time to time as conditions may warrant. The said authority in establishing toll charges shall give due consideration to the cost of operating and maintaining such toll bridge or toll bridges including the cost of insurance and to the amount required annually to meet the redemption of bonds and interest payments thereon. The tolls and charges shall be at all times fixed at rates to yield annual revenue equal to annual operating and maintenance expenses including insurance costs and all redemption payments and interest charges of the bonds issued for any particular toll bridge or toll bridges as the same become due and the bond redemption and interest payments shall constitute a first direct and exclusive charge and lien on all such tolls and other revenues and interest thereon and sinking funds created therefrom received from the use and operation of said toll bridge or toll bridges and such tolls and revenues together with the interest earned thereon shall constitute a trust fund for the security and payment of such bonds and shall

not be used or pledged for any other purpose as long as such bonds or any of them are outstanding and unpaid.

47.56.245 Toll charges retained until costs paid. The authority shall retain toll charges on all existing and future facilities until all costs of investigation, financing, acquisition of property, construction, maintenance, management, operation, repayment of past advances from the motor vehicle fund, and obligations incurred under RCW 47.56.250 and chapter 16, Laws of 1945 have been fully paid. With respect to every future facility, costs of maintenance, management and operation shall be paid periodically out of the revenues of the facility in which such costs were incurred. With respect to each existing facility, costs of maintenance, management and operation together with an amortized payment upon advances from the motor vehicle fund in an amount reasonably anticipated to retire such advances during the toll life of the facility shall be similarly paid to the extent that such payments shall not breach the obligation of any contract.

47.56.250 Contributions by the state or political subdivision—Bonds—Repayment. Whenever a proposed toll bridge, toll road, toll tunnel or any other toll facility of any sort is to be constructed, any city, county or other political subdivision located in relation to such facility so as to benefit directly or indirectly thereby, may, either jointly or separately, at the request of the Washington state highway commission or the authority advance or contribute money, or bonds, rights of way, labor, materials, and other property toward the expense of building the toll facility, and for preliminary surveys and the preparation of plans and estimates of cost therefor and other preliminary expenses. Any such city, county or other political subdivision may, either jointly or separately, at the request of the commission or the authority advance or contribute money or bonds for the purpose of guaranteeing the payment of interest or principal on the bonds issued by the authority to finance the toll facility. Appropriations for such purposes may be made from any funds available, including county road funds received from or credited by the state, or funds obtained by excess tax levies made pursuant to law or the issuance of general obligation bonds for this purpose. General obligation bonds issued by a city, county, or political subdivision may with the consent of the state highway commission or the authority be placed with the Washington toll bridge authority to be sold by the authority to provide funds for such purpose. Money, or bonds or property so advanced or contributed may be immediately transferred or delivered to the authority to be used for the purpose for which contribution was made. The authority may enter into an agreement with a city, county, or other political subdivision to repay any money, or bonds or the value of a right of way, labor, materials,

or other property so advanced or contributed. The authority may make such repayment to a city, county or other political subdivision and reimburse the state for any expenditures made by it in connection with the toll facility out of tolls and other revenues for the use of the toll facility.

47.56.260 Ferry service at Tacoma Narrows—Ratification. All of the acts of the department of highways of the state of Washington, done and performed in connection with the operation and maintenance of ferry service at the Tacoma Narrows after the collapse of the Tacoma Narrows bridge, are hereby ratified.

47.56.261 ————Authorization. The department of highways is hereby authorized to continue to operate said ferries and pay the revenue derived therefrom to the state treasurer for the credit of the motor vehicle fund.

47.56.270 Lake Washington and Tacoma Narrows bridges made a part of primary highways. The Lake Washington bridge and the Tacoma Narrows bridge in chapter 47.16 made a part of the primary state highways of the state of Washington, shall, upon completion, be operated, maintained, kept up and repaired by the highway commission and the Washington toll bridge authority in the manner provided in this chapter, and the cost of such operation, maintenance, upkeep and repair shall be paid from funds appropriated for the use of the highway commission for the construction and maintenance of the primary state highways of the state of Washington. The highway commission is authorized and empowered to enter into agreements with the Washington toll bridge authority, agreeing to construct upon a particular route and between established termini, and fixing a date for the completion thereof, portions of primary state highways or secondary state highways, as the case may be, to and connecting with the Lake Washington bridge and/or the Tacoma Narrows bridge.

47.56.273 Fox Island toll bridge—Need for removal of tolls. Present tolls on the Fox Island toll bridge have retarded the development of Fox Island for residential purposes because of the financial burden upon residents and potential residents resulting from paying these tolls in addition to those imposed upon the Narrows bridge. The removal or readjustment of tolls from the Fox Island toll bridge is required in the interest of the orderly development of Fox Island. The development of Fox Island will provide additional users of the Narrows bridge with a resultant increase of revenue to the state from tolls due to such additional use.

47.56.274 ————Appropriation — Not available until Pierce county assumes obligations. There is hereby appropriated from the motor vehicle fund to the Washington toll bridge authority for the

biennium ending June 30, 1959, the sum of one million three hundred fifty thousand dollars or so much thereof as is necessary to make the payment as provided by RCW 47.56.275. Such appropriation shall not be made unless Pierce county shall by resolution of the board of county commissioners agree to be bound by and perform all obligations imposed upon such county by RCW 47.56.273 through 47.56.278.

47.56.275 ————Retirement of revenue bonds—Deposit of appropriation. As a condition of the appropriation referred to in RCW 47.56.274, Pierce county shall request the toll bridge authority to retire all Fox Island toll bridge revenue bonds issued in accordance with the resolution of the toll bridge authority adopted February 16, 1953, as amended in part by the resolution of the toll bridge authority adopted March 2, 1953. The toll bridge authority shall then direct the state treasurer to deposit so much of such appropriation in the Fox Island toll bridge revenue bond fund, as established by resolutions of the toll bridge authority heretofore referred to in this section, as is required to retire all outstanding Fox Island toll bridge revenue bonds, including interest and premium on bond retirement. The state treasurer shall then deposit such sum in such bond fund, and the toll bridge authority shall then proceed to redeem all Fox Island toll bridge revenue bonds.

47.56.276 ————Tacoma Narrows toll bridge county aid fund—Assignment—Disposition. As a condition of the appropriation referred to in RCW 47.56.274, Pierce county shall by resolution of its board of county commissioners assign to the motor vehicle fund so much of its right, title, and interest in any moneys now or hereafter deposited in the Tacoma Narrows toll bridge county aid fund, established by resolution of Pierce county adopted March 12, 1948, as shall equal the moneys appropriated and paid from the motor vehicle fund in accordance with RCW 47.56.274 and 47.56.275, together with such interest as shall be earned by that portion of the Tacoma Narrows toll bridge county aid fund assigned to the motor vehicle fund in accordance with the terms of RCW 47.56.274 through 47.56.278.

Such resolution of the board of county commissioners of Pierce county shall provide that moneys released from the Tacoma Narrows toll bridge county aid fund in accordance with resolutions of the toll bridge authority adopted March 25, 1948, February 16, 1953, and March 2, 1953, relating to the Tacoma Narrows toll bridge and Fox Island toll bridge bond issues, shall first be paid to the motor vehicle fund until the full amount assigned to said fund, including interest thereon, shall have been so paid. The balance remaining in the county aid fund shall thereafter be released to Pierce county in accordance with resolutions of toll bridge authority adopted March 25, 1948, February 16, 1953, and March 2, 1953.

47.56.277 ————**Continuation of tolls to repay funds—Revision, readjustment of tolls, traffic classification.** Upon the retirement of all Fox Island toll bridge revenue bonds as provided by RCW 47.56.275, the toll bridge authority shall maintain and collect the tolls on the Fox Island toll bridge at the same rates that were in effect at the time the last of said bonds were retired for as long as will be necessary to provide revenue sufficient to repay to Pierce county the amount advanced out of the Tacoma Narrows toll bridge county aid fund from funds deposited with the state treasurer under the provisions of RCW 47.56.275 to pay the principal and interest of the Fox Island toll bridge revenue bonds: *Provided*, That following retirement of all Fox Island toll bridge revenue bonds, the board of county commissioners of Pierce county may by resolution and with the concurrence of the toll bridge authority revise from time to time the schedule of tolls and readjust classifications of traffic on the Fox Island toll bridge and cancel any part of the indebtedness due Pierce county for such advances made by it to pay principal and interest on the Fox Island toll bridge revenue bonds.

47.56.278 ————**Disposition of various funds — Accounts — Audit—Toll operations and maintenance of bridge.** All residual sums in the Fox Island toll bridge accounts shall be transferred to the Fox Island toll bridge revenue bond fund when the one million three hundred and fifty thousand dollars appropriation, as appropriated in RCW 47.56.274, becomes available from the motor vehicle fund for deposit in the Fox Island toll bridge revenue bond fund, except that the Fox Island toll bridge change fund and the Fox Island toll bridge operating fund shall be maintained as now provided by resolution of the toll bridge authority adopted February 16, 1953 and amended by resolution of the toll bridge authority adopted March 2, 1953. All costs of toll collection shall be paid from the operating fund. The balance of tolls collected each month and not retained in the operating fund shall be paid to Pierce county on or before the fifteenth day of the following month.

Proper books of account shall be maintained by the Washington toll bridge authority and shall be audited yearly by a qualified auditor designated by the state auditor. A copy of each yearly audit shall be provided for Pierce county.

Toll operations of the Fox Island toll bridge shall be under the complete control of the toll bridge authority, subject however to the provisions of RCW 47.56.277. Maintenance of the Fox Island toll bridge shall be the sole obligation of Pierce county.

47.56.281 **Additional Lake Washington bridge (1957 act)—Approaches—Site.** The Washington toll bridge authority is hereby authorized and directed to make all surveys necessary, design, and construct an additional bridge, including approaches adequate to

carry a free flow of traffic thereto, across Lake Washington at a site in the vicinity of Union Bay and Evergreen Point or at such other location across Lake Washington which is deemed feasible by the authority.

47.56.282 ————Revenue bonds—Toll charges. The authority is hereby authorized by resolution to issue and sell its revenue bonds in an amount sufficient to provide funds to pay all costs of construction of an additional Lake Washington bridge and approaches and all costs of construction or any alterations to the existing Lake Washington bridge or its approaches as a result of the construction of the additional bridge, including but not limited to all costs of survey, acquisition of rights of way, design, engineering, all expenses of issuance and sale of such bonds, and to pay interest on said bonds during construction and for six months after tolls are first imposed.

Said revenue bonds shall constitute obligations only of the Washington toll bridge authority and shall be payable both principal and interest solely from the tolls and revenues derived from the operation of said toll facility as hereinbefore constituted. Said bonds shall not constitute an indebtedness of the state of Washington and shall contain a recital on the face thereof to that effect, and shall be negotiable instruments under the law merchant. Such bonds shall include a covenant that the payment or redemption thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other revenues received from the operation of said toll facility and from any interest which may be earned from the deposit or investment of any such revenues, except for payment of costs of operation, maintenance and necessary repairs of said facility. The tolls and charges to be imposed shall be fixed in such amounts so that when collected they will produce revenues that shall be at least equal to expenses of operating, maintaining and repairing said toll facility, including all insurance costs, amounts for adequate reserves and coverage of annual debt service on said bonds, and all payments necessary to pay the principal thereof and interest thereon.

47.56.283 ————Imposition of tolls on existing and additional bridges. The authority shall have the right to impose tolls for pedestrian or vehicular traffic over either the additional Lake Washington bridge or the existing Lake Washington bridge, or both bridges, for the purpose of paying the costs of reconstructing and improving the existing bridge and its approaches, if necessary, and the construction of the new bridge and its approaches, to pay interest on and create a sinking fund for the retirement of revenue bonds issued for the account of such project, and to pay any and all costs and expenses incurred by the authority in connection with and inci-

dental to the issuance and sale of bonds, and for the preparation of surveys and estimates and to establish the required interest reserves for and during the estimated construction period and for six months thereafter.

47.56.284 ———Bridges designated as continuous project—Other additional bridges authorized. The existing Lake Washington bridge, the toll bridge authorized herein, and any other bridge hereafter constructed across Lake Washington, are hereby construed and designated as a continuous project within the terms and provisions of RCW 47.56.070; and notwithstanding the provisions of RCW 47.56.220, the authority may authorize additional toll bridges across Lake Washington at such times as traffic may warrant and at such sites as deemed feasible.

47.56.285 ———Appropriation — Repayment from sale of bonds. There is appropriated from the motor vehicle fund to the Washington toll bridge authority for the biennium ending June 30, 1959, the sum of two hundred fifty thousand dollars, or so much thereof as may be necessary, for the purpose of location, design, and all other things preliminary to the construction of an additional Lake Washington bridge. Any funds herein appropriated from the motor vehicle fund shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds as provided in RCW 47.56.282.

47.56.286 ———Interpretation. The provision of chapter 47.56, except where inconsistent with RCW 47.56.281 through 47.56.286, shall govern and be controlling in all matters and things necessary to carry out the purposes of RCW 47.56.281 through 47.56.286. Nothing in RCW 47.56.281 through 47.56.286 is intended to amend, alter, modify or repeal any of the provisions of any statute relating to the powers and duties of the Washington toll bridge authority except as such powers and duties are amplified or modified by the specific provisions of RCW 47.56.281 through 47.56.286 for the uses and purposes herein set forth, and RCW 47.56.281 through 47.56.286 shall be additional to such existing statutes and concurrent therewith.

47.56.290 Additional Lake Washington bridge (1953 act)—Appropriation—Repayment from bond issue. There is hereby appropriated from the motor vehicle fund to the Washington toll bridge authority for the biennium ending March 31, 1955, the sum of two hundred thousand dollars or so much thereof as may be necessary to carry out the provisions of chapter 192, Laws of 1953, which sum shall be considered as a loan from the motor vehicle fund to be repaid to said fund on the sale of bonds issued in connection therewith.

47.56.310 Additional Columbia river bridge authorized—Vancouver to Portland bridges. Cooperation with Oregon. The Washington toll bridge authority is hereby authorized in conjunction with the Oregon state highway commission, to erect an additional bridge or so much thereof as may be agreed upon with the Oregon state highway commission, including approaches thereto, across the Columbia river adjacent to the existing interstate bridge between Vancouver, Washington, and Portland, Oregon, and to reconstruct and improve the said existing interstate bridge and its approaches or so much thereof as may be agreed upon with the Oregon state highway commission. Such additional bridge, together with the existing interstate bridge, shall be an integral part of U. S. highway No. 99, and to the Oregon boundary shall be a part of primary state highway No. 1. All acts necessary to the design and construction of said new bridge and approaches thereto and the reconstruction and alteration of the existing bridge and approaches may be done and performed by either the Oregon state highway commission or the Washington toll bridge authority with the approval of the other or by both of them jointly.

47.56.320 ———Tolls. The Washington toll bridge authority is authorized to enter into an agreement with the Oregon state highway commission that the new bridge, including approaches, provided for herein shall be merged and consolidated with the existing interstate bridge, including its approaches, located between Vancouver, Washington and Portland, Oregon so that both bridges shall be and become a single toll facility.

The Washington toll bridge authority is hereby authorized to operate and to assume the full control of said toll facility and each portion thereof, whether within or without the borders of the state of Washington, with full power to impose and collect tolls from the users of both bridges constituting said toll facility for the purpose of providing revenue at least sufficient to pay the cost and incidental expenses of construction of the new bridge including approaches thereto in both states, the reconstruction and improvement of the existing interstate bridge including approaches thereto in both states, the cost of maintaining, operating and repairing both of said bridges while the same are operated as said toll facility, and for the payment of the principal of and interest on its revenue bonds authorized by, and for the purposes set forth in, RCW 47.56.310 through 47.56.345.

47.56.330 ———Agreements with Oregon authorized. The Washington toll bridge authority and the Washington state highway commission are hereby authorized to enter into such agreements with the Oregon state highway commission as they shall find

necessary or convenient to carry out the purposes of RCW 47.56.310 through 47.56.345.

Any such agreements may include, but shall not be limited to, the following:

(1) A provision that all acts pertaining to the design and construction of said new bridge and the reconstruction and improvement of the existing interstate bridge may be done and performed by the Oregon state highway commission or the Washington toll bridge authority, with the approval of the other, or by both, and that any and all contracts for the construction of the new bridge and the reconstruction and improvement of the existing bridge shall be awarded in the name of the state of Oregon by and through its state highway commission or the state of Washington under direction of the Washington toll bridge authority, or both: *Provided*, That there shall be a further provision that each state shall have full power to design and construct approaches to each bridge within the respective boundaries of said state with reimbursement from the proceeds of the sale of revenue bonds to be issued.

(2) A provision that the state of Oregon, the Oregon state highway commission, and any other duly constituted agency of the state of Oregon, the state of Washington, the Washington toll bridge authority, the Washington state highway commission, and any other duly constituted agency of the state of Washington shall be reimbursed out of the proceeds of the sale of such bonds for any advances they may have made or expenses they may have incurred for any of the purposes for which said revenue bonds may be issued, after duly verified, itemized statements of such advances and expenses have been submitted to and jointly approved by the Oregon state highway commission and Washington toll bridge authority.

(3) A provision that during the period of operation of said bridges and the approaches thereto as a toll facility all maintenance and repair work may be performed by either the Oregon state highway commission or by the Washington toll bridge authority with a provision for reimbursement of the costs of such maintenance and repair from revenue derived from the collection of tolls on said toll facility.

Any such agreements shall include the following provisions:

(1) A provision that the new bridge and approaches provided for herein shall be consolidated and merged with the existing interstate bridge and its approaches located between Vancouver, Washington and Portland, Oregon so that both bridges shall be and become a single toll facility.

(2) A provision that the Washington toll bridge authority shall assume and have complete responsibility for the operation of both bridges and approaches thereto as a single toll facility except as

to repair and maintenance, and with full power in the Washington toll bridge authority to impose and collect all toll charges from the users of said bridges and to disburse the revenue derived therefrom for the payment of expenses of maintenance and operation and repair thereof, all costs of constructing said new bridge and reconstructing and improving said existing bridge and all expenses incidental thereto, and the payment of the principal of and the interest on the revenue bonds herein provided for.

(3) A provision that the Washington toll bridge authority shall provide for the issuance, sale and payment of revenue bonds payable solely from the revenue derived from the imposition and collection of tolls upon both bridges as a single toll facility, and that such bonds shall be in such amounts as to provide funds with which to pay the costs of the design and construction of the proposed new bridge, including the approaches thereto in both states and the costs of acquisition of rights of way therefor, the reconstruction and alteration of the existing bridge and approaches thereto, expenses incident to the issuance of such bonds including the payment of interest for the period beginning with the date of issuance thereof and ending at the expiration of six months after tolls are first imposed, and a reasonable amount for working capital and prepaid insurance, with the further provision that any sale of the bonds to be issued shall be approved by the Oregon state highway commission.

(4) A provision that the Washington toll bridge authority, after consultation with the Oregon state highway commission, shall fix the classifications and amounts of tolls to be charged and collected from users of said toll facility with power after consultation with the Oregon state highway commission to revise the same if deemed necessary, and the time or times when such tolls shall first be imposed, with the further provision that such toll charges shall be removed after all costs of construction of the new bridge and approaches thereto and the reconstruction and improvement of the existing bridge and approaches thereto, including all incidental costs, shall have been paid, and all of said revenue bonds, and interest thereon, issued and sold pursuant to the authority of RCW 47.56.310 through 47.56.345 shall have been fully paid and redeemed.

47.56.340 ————**When toll free.** Both the bridges herein provided for shall be operated as toll-free bridges whenever the costs of construction of the new bridge and approaches thereto and the reconstruction and improvement of the existing bridge and approaches thereto, including all incidental costs shall have been paid, and when all of said revenue bonds and interest thereon issued and sold pursuant to the authority of RCW 47.56.310 through 47.56.345 shall have been fully paid and redeemed.

47.56.343 ————**Revenue bonds.** The Washington toll bridge authority shall have the power and is hereby authorized by resolution to issue and sell its revenue bonds in an amount sufficient to provide funds to pay all the costs of construction of the new bridge and approaches thereto and the reconstruction and improvement of the existing bridge and approaches thereto, including all costs of survey, acquisition of rights of way, engineering, legal and incidental expenses, to pay the interest due thereon during the period beginning with the date of issue of the bonds and ending at the expiration of six months after the first imposition and collection of tolls from the users of said toll facility, and to pay amounts that will provide a reasonable sum for working capital and prepaid insurance and all costs incidental to the issuance and sale of the bonds.

Except as may be otherwise specifically provided in RCW 47.56.310 through 47.56.345, the provisions of chapter 47.56 shall govern the issuance and sale of said revenue bonds, the execution thereof, the disbursement of the proceeds of sale thereof, the interest rate or rates thereon, their form, terms, conditions, covenants, negotiability, denominations, maturity date or dates, the creation of special funds or accounts safeguarding and providing for the payment of the principal thereof and interest thereon, and their manner of redemption and retirement.

Said revenue bonds shall constitute obligations only of the Washington toll bridge authority and shall be payable both principal and interest solely from the tolls and revenues derived from the operation of said toll facility as hereinbefore constituted. Said bonds shall not constitute an indebtedness of the state of Washington and shall contain a recital on the face thereof to that effect, and shall be negotiable instruments under the law merchant. Such bonds shall include a covenant that the payment or redemption thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other revenues received from the operation of said toll facility and from any interest which may be earned from the deposit or investment of any such revenues, except for payment of costs of operation, maintenance and necessary repairs of said facility. The tolls and charges to be imposed shall be fixed in such amounts so that when collected they will produce revenues that shall be at least equal to expenses of operating, maintaining and repairing said toll facility, including all insurance costs, amounts for adequate reserves and coverage of annual debt service on said bonds, and all payments necessary to pay the principal thereof and interest thereon.

47.56.345 ————**Construction—Severability.** Except as may be otherwise specifically provided in RCW 47.56.310 through 47.56.345,

the provisions of chapter 47.56 shall govern and be controlling in all matters and things necessary to carry out the purposes of RCW 47.56.310 through 47.56.345. Nothing in RCW 47.56.310 through 47.56.345 is intended to amend, alter, modify or repeal any of the provisions of any statute relating to the powers and duties of the Washington toll bridge authority except as such powers and duties are amplified or modified by the specific provisions of RCW 47.56.310 through 47.56.345 for the uses and purposes herein set forth, and RCW 47.56.310 through 47.56.345 shall be additional to such existing statutes and concurrent therewith.

If any sentence, clause or phrase of RCW 47.56.310 through 47.56.345 shall be held to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other sentence, clause or phrase of RCW 47.56.310 through 47.56.345.

The provisions of RCW 47.56.310 through 47.56.345 shall be liberally construed so that the uses and purposes hereof may be achieved and accomplished.

47.56.350 Bridging Puget Sound, Hood Canal. Study, construction, authorized—Bonds. For the biennium ending March 31, 1955, there is appropriated to the Washington toll bridge authority from the motor vehicle fund the sum of seven hundred thousand dollars or so much thereof as thereafter may be necessary for the following purposes:

(1) Two hundred fifty thousand dollars of the appropriation shall be available for further study, including traffic surveys acceptable to prospective bond purchasers or investment firms, securing necessary permits for the bridging of Puget Sound, including Hood Canal, as more specifically set forth in the printed report of the Washington toll bridge authority to the governor and the legislature dated December 1, 1952, and entitled "Bridging Puget Sound": *Provided*, That any such study shall be directed to the bridging of Puget Sound and as well the bridging of Hood Canal or to the bridging of both and shall not be applied to either of the said subjects to the exclusion of the other: *Provided further*, That four hundred fifty thousand dollars from the appropriation, or such additional funds which have not been expended, shall lapse and revert to the motor vehicle fund in the event that the authority determines that neither of the projects is feasible.

(2) If a project is deemed feasible by the authority as an integral part of the state highway system and has been approved by the highway commission, the authority shall enter into final design plans, and construction thereof, issue revenue bonds to pay all costs of the project and let contracts in connection with the proposed project. Such revenue bonds shall be issued in accordance with the

applicable provisions of RCW 47.56.080, and in addition to the purposes above stated may be issued to provide funds for paying all costs of issuance and sale of such bonds, to pay interest on said bonds during construction and for six months thereafter, and to pay and redeem all outstanding ferry bonds of the authority theretofore issued for operation of ferries upon Puget Sound.

47.56.360 ————Operation, maintenance, prior charge upon revenue—Appropriations to be repaid. All operation and maintenance on any project while tolls are collected thereon shall be paid as they are incurred as a prior charge upon the revenue and tolls collected upon such project. Any funds herein appropriated from the motor vehicle fund to the Washington toll bridge authority, together with the sum of two hundred twenty-five thousand dollars heretofore appropriated by section 19, chapter 259, Laws of 1951, shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds of any project.

47.56.370 Longview bridge—Agreements with Oregon. The Washington toll bridge authority is authorized to enter into such agreements with the Oregon state highway commission as are convenient and necessary to accomplish the sale of a one-half interest by the state of Washington to the state of Oregon and joint ownership by the states of Washington and Oregon of the existing toll bridge across the Columbia river between Longview, Washington, and Rainier, Oregon, said sale to be upon the basis of the state of Oregon assuming and paying one-half of the total amount of bonded indebtedness, including interest, now outstanding against said bridge. Thereafter the tolls on said bridge may be uniformly reduced in each direction as agreed between the states through their respective authorities.

47.56.380 Express highway—Tacoma-Seattle-Everett—Limited access. The Washington toll bridge authority is hereby authorized to study and if feasible, after approval by the state highway commission, to locate, construct, finance and operate as a toll road, until paid for, an express highway from the vicinity of Tacoma through Seattle to the vicinity of Everett. Right of way shall be acquired as a limited access facility.

47.56.390 ————Operation as toll highway—Part of state system. The toll road, when completed, shall become a part of the state highway system but may be operated as a toll highway by the Washington toll bridge authority until such time as all costs of investigation, financing, acquisition of property, construction, maintenance, management, operation, repayment of advances from the motor vehicle fund, and obligations incurred under RCW 47.56.250 and chapter 16, Laws of 1945, have been fully paid.

47.56.400 ———Powers and duties of the authority. The Washington toll bridge authority shall have the same powers, duties and functions with respect to toll roads as it now has with respect to toll bridges and all the provisions of chapter 47.56 shall apply to and govern toll roads insofar as is reasonably consistent and applicable, except as otherwise provided in RCW 47.56.380 through 47.56.400.

47.56.410 Lopez Island—San Juan toll bridge. Appropriation—Study—Location, exploration, foundation, design. There is appropriated to the Washington toll bridge authority from the motor vehicle fund for the biennium ending June 30, 1959, the sum of one hundred seventy-five thousand dollars or so much thereof as thereafter may be necessary for the following purposes:

(1) Twenty-five thousand dollars of the appropriation shall be available to study and make surveys, including traffic studies acceptable to prospective bond purchasers or investment firms, of the feasibility of the construction of a toll bridge between Lopez Island and San Juan Island in San Juan county so as to permit ferry runs from the mainland to Upright Head, overland travel from Upright Head to Roche Harbor, and ferry runs from Roche Harbor to Sidney, British Columbia. It shall be understood in such feasibility studies that San Juan county shall construct and maintain all road connections between the proposed bridge and the ferry landings at Upright Head and Roche Harbor.

(2) If as a result of the studies referred to above the toll bridge authority determines the project is feasible, and if San Juan county shall agree to sponsor such project and to conduct and maintain the road connections referred to above, one hundred fifty thousand dollars shall be available for the location, foundation exploration, and design of such bridge.

47.56.420 ———Final designs, construction, revenue bonds authorized. If the project is deemed feasible by the authority, the authority shall enter into final design plans, and construction thereof, issue revenue bonds to pay all costs of the project and let contracts in connection with the proposed project. Such revenue bonds shall be issued in accordance with the applicable provisions of RCW 47.56.080 through 47.56.250, and in addition to the purposes above stated may be issued to provide funds for paying all costs of issuance and sale of such bonds, and to pay interest on said bonds during construction and for six months thereafter.

47.56.430 ———Operation, maintenance, prior charge upon revenue—Appropriations to be repaid. All operation and maintenance on any project while tolls are collected thereon shall be paid as they are incurred as a prior charge upon the revenue and tolls

collected upon such project. Any funds herein appropriated from the motor vehicle fund to the Washington toll bridge authority shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds for this project.

47.56.440 ————Effect of toll bridge authority resolution No. 295—Ferry system refunding revenue bonds. Nothing authorized by RCW 47.56.410 through 47.56.440 shall be undertaken or done in any manner not in accord with any of the covenants and conditions contained in resolution No. 295 passed by the toll bridge authority on February 9, 1955, providing for the sale of Washington state ferry system refunding revenue bonds; and all things authorized by RCW 47.56.410 through 47.56.440, including but not limited to feasibility, studies, location, design, construction and financing, shall be performed in accordance with the covenants and conditions of said resolution. If the terms of such resolution shall require that tolls on the bridge authorized by RCW 47.56.410 through 47.56.440 be used to redeem outstanding bonds issued pursuant to said resolution, such tolls shall be so used.

47.56.450 Columbia river bridge at Biggs Rapids. Authorized—Cooperation with Klickitat county, highway commission, Oregon highway commission and Sherman county. If the Washington toll bridge authority should conclude that the construction of a toll bridge across the Columbia river in the vicinity of Biggs Rapids is feasible as a result of studies presently being conducted, the authority is hereby authorized, in conjunction with Klickitat county, the Washington state highway commission, the Oregon state highway commission, and Sherman county, Oregon, to design and construct a toll bridge at such location. All acts necessary to the design and construction of such bridge and approaches thereto may be done by the Washington toll bridge authority, Klickitat county, the Washington state highway commission, the Oregon state highway commission, Sherman county, Oregon, or any of such governmental agencies pursuant to agreement with the Washington toll bridge authority.

47.56.460 ————Appropriation—Repayment from bond issue. There is appropriated from the motor vehicle fund for the biennium ending June 30, 1959, the sum of one hundred fifty thousand dollars, or as much thereof as may be necessary for the purpose of location, design, preparation of cost estimates, and all other things preliminary to the construction of such bridge. Any funds herein appropriated from the motor vehicle fund to the Washington toll bridge authority shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds for this project as provided in RCW 47.56.470.

47.56.470 ————**Revenue bonds.** The Washington toll bridge authority is hereby authorized by resolution to issue and sell its revenue bonds in an amount sufficient to provide funds to pay all the costs of construction of such bridge and approaches thereto, including but not limited to all costs of survey, acquisition of rights of way, design, engineering, all expenses of issuance and sale of such bonds, and to pay interest on said bonds during construction and for six months after tolls are first imposed.

Except as may be otherwise specifically provided in RCW 47.56-.450 through 47.56.500, the provisions of chapter 47.56 shall govern the issuance and sale of said revenue bonds, the execution thereof, the disbursement of the proceeds of sale thereof, the interest rate or rates thereon, their form, terms, conditions, covenants, negotiability, denomination, maturity date or dates, the creation of special funds or accounts safeguarding and providing for the payment of the principal therefor and interest thereon, and their manner of redemption and retirement.

Said revenue bonds shall constitute obligations only of the Washington toll bridge authority and shall be payable both principal and interest solely from the tolls and revenues derived from the operation of said toll facility as hereinbefore constituted. Said bonds shall not constitute an indebtedness of the state of Washington and shall contain a recital on the face thereof to that effect, and shall be negotiable instruments under the law merchant. Such bonds shall include a covenant that the payment or redemption thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other revenues received from the operation of said toll facility and from any interest which may be earned from the deposit or investment of any such revenues, except for payment of costs of operation, maintenance and necessary repairs of said facility. The tolls and charges to be imposed shall be fixed in such amounts so that when collected they will produce revenues that shall be at least equal to expenses of operating, maintaining and repairing said toll facility, including all insurance costs, amounts for adequate reserves and coverage of annual debt service on said bonds, and all payments necessary to pay the principal thereof and interest thereon.

47.56.480 ————**Construction of act.** The provisions of chapter 47.56 shall govern and be controlling in all matters and things necessary to carry out the purposes of RCW 47.56.450 through 47.56-.500. Nothing in RCW 47.56.450 through 47.56.500 is intended to amend, alter, modify or repeal any of the provisions of any statute relating to the powers and duties of the Washington toll bridge authority except as such powers and duties are amplified or modified by the specific provisions of RCW 47.56.450 through 47.56.500 for

the uses and purposes herein set forth, and RCW 47.56.450 through 47.56.500 shall be additional to such existing statutes and concurrent therewith.

47.56.490 ———Powers of toll bridge authority—Tolls. The Washington toll bridge authority is hereby authorized to operate and to assume the full control of said toll facility and each portion thereof, whether within or without the borders of the state of Washington, with full power to impose and collect tolls from the users of such bridge for the purpose of providing revenue at least sufficient to pay the cost and incidental expenses of construction, maintenance, repair, and operation of such bridge and approaches in both states, and for the payment of the principal of and interest on its revenue bonds as authorized by RCW 47.56.470.

47.56.500 ———Agreements authorized. The Washington toll bridge authority, the Washington state highway commission and Klickitat county are each authorized to enter into such agreement with each other, the Oregon state highway commission and Sherman county, Oregon, as they shall find necessary and convenient to carry out the purposes of RCW 47.56.450 through 47.56.500; and the Washington toll bridge authority, the Washington state highway commission and Klickitat county are each authorized to do any and all acts contained in such agreement and necessary and convenient to carry out the purposes of RCW 47.56.450 through 47.56.500.

Such agreement shall include, but shall not be restricted to the following provisions:

(1) A provision that the Washington toll bridge authority shall assume and have complete responsibility for the operation of such bridge and approaches thereto, and with full power in the Washington toll bridge authority to impose and collect all toll charges from the users of such bridge and to disburse the revenue derived therefrom for the expenses of maintenance and operation and repair thereof, all costs of construction, and the payment of principal and interest on any revenue bonds herein provided for.

(2) A provision that the Washington toll bridge authority shall provide for the issuance, sale and payment of revenue bonds payable solely from the revenue derived from the imposition and collection of tolls upon such toll bridge.

(3) A provision that the Washington toll bridge authority, after consultation with the other governmental agencies who are parties to such agreement, shall fix and revise the classifications and amounts of tolls to be charged and collected from the users of the toll bridge, with the further provision that such toll charges shall be removed after all costs of planning, designing, and construction of such toll bridge and approaches thereto and all incidental costs shall have been paid, and all of said revenue bonds, and interest thereon,

issued and sold pursuant to RCW 47.56.450 through 47.56.500 shall have been fully paid and redeemed.

(4) A provision that all acts pertaining to the design and construction of such toll bridge may be done and performed by the Oregon state highway commission, the Washington state highway commission or the Washington toll bridge authority, or any of them, and that any and all contracts for the construction of such toll bridge shall be awarded in the name of the state of Oregon by and through its state highway commission or the state of Washington by and through its state highway commission or its toll bridge authority, or all of them.

(5) A provision that the state of Washington, the state of Oregon, and all governmental agencies party to such agreement shall be reimbursed out of the proceeds of the sale of such bonds for any advances they may have made or expenses they may have incurred for any of the purposes for which said revenue bonds may be issued, after duly verified itemized statements of such advances and expenses have been submitted to and been approved by all parties to such agreement.

(6) A provision that during the period of operation of such bridge and approaches thereto as a toll facility all maintenance and repair may be performed by either the Oregon state highway commission or the Washington state highway commission with a provision for reimbursement of the costs of such maintenance and repair from revenue derived from the collection of tolls on such bridge.

47.56.510 Bridging lower Columbia river. Study, agreements with Oregon and other governmental agencies—Appropriation. The Washington toll bridge authority, the Washington state highway commission, and any county or other political subdivision of the state of Washington, are each authorized to enter into any agreements with each other, the Oregon state highway commission, Port of Astoria, Oregon, or any other governmental agency or political subdivision of either Oregon or Washington for the purpose of continuing traffic, engineering and financial studies, and surveys for the planning of a toll bridge to be constructed at a feasible site on the lower Columbia river. Such studies and surveys shall include but shall not be confined to the following:

- (1) The most desirable design and bridge approaches;
- (2) The most desirable location;
- (3) The cost of construction and length of construction time required; and
- (4) The financial feasibility of the bridge together with any supplementary aid which may be available to finance it.

In order to carry out the provisions of this section the Washington

toll bridge authority, the Washington state highway commission and any political subdivision of the state of Washington may:

(1) Consult, cooperate and enter into agreements with the government of the United States or any of its agencies, the state of Oregon or any of its agencies or political subdivisions, or any other governmental agency, person, or corporation;

(2) Accept and expend moneys from any public or private source, including the government of the United States, which is now or may be made available for the carrying out of the purposes contained in this section.

There is appropriated from the motor vehicle fund to the Washington toll bridge authority for the biennium commencing July 1, 1957 and ending June 30, 1959 the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this section. Any funds herein appropriated from the motor vehicle fund to the Washington toll bridge authority shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds for this project.

Note: See also section 11, chapter 209, Laws of 1961.

47.56.520 ————Agreements with governmental agencies for financing, location, construction, operation and maintenance. If the financial studies and surveys as provided in RCW 47.56.510 or future financial studies and surveys shall conclude that the construction of a toll bridge over the lower Columbia river is feasible, the Washington toll bridge authority, the Washington state highway commission and any county or political subdivision of the state of Washington, are each authorized to enter into agreement with each other, the Oregon state highway commission, the Port of Astoria, Oregon, or any other governmental agency or political subdivision of the states of Oregon or Washington or the federal government, providing for the financing, design, location, acquisition of right of way, construction, operation and maintenance of such bridge and approaches.

Note: See also section 11, chapter 209, Laws of 1961.

47.56.530 ————Provisions between Oregon and Washington—Advances, expenses—Maintenance, repair. Any agreement pursuant to RCW 47.56.520 may include, but shall not be limited to, the following:

(1) A provision that the state of Oregon, the Oregon state highway commission, and any other duly constituted agency of the state of Oregon, the state of Washington, the Washington toll bridge authority, the Washington state highway commission, and any other duly constituted agency of the state of Washington shall be reimbursed out of the proceeds of the sale of such bonds for any advances they may have made or expenses they may have incurred for any of the purposes for which said revenue bonds may be issued,

after duly verified, itemized statements of such advances and expenses have been submitted to and jointly approved by the Oregon state highway commission and the Washington toll bridge authority.

(2) A provision that during the period of operation of said bridges and the approaches thereto as a toll facility all maintenance and repair work may be performed by either the Oregon state highway commission or by the Washington toll bridge authority with a provision for reimbursement of the costs of such maintenance and repair from revenue derived from the collection of tolls on said toll facility.

Note: See also section 11, chapter 209, Laws of 1961.

47.56.540 ——— **Revenue bonds.** Pursuant to any agreement made under the authority of RCW 47.56.520, the Washington toll bridge authority shall have the power and is hereby authorized by resolution to issue and sell its revenue bonds in an amount sufficient to provide funds to pay all the costs of construction of the new bridge and approaches thereto, including all costs of survey, acquisition of rights of way, engineering, legal and incidental expenses, to pay the interest due thereon during the period beginning with the date of issue of the bonds and ending at the expiration of six months after the first imposition and collection of tolls from the users of said toll facility, and to pay amounts that will provide a reasonable sum for working capital and prepaid insurance and all costs incidental to the issuance and sale of the bonds.

Except as may be otherwise specifically provided in RCW 47.56.310 through 47.56.510, the provisions of chapter 47.56 shall govern the issuance and sale of said revenue bonds, the execution thereof, the disbursement of the proceeds of sale thereof, the interest rate or rates thereon, their form, terms, conditions, covenants, negotiability, denominations, maturity date or dates, the creation of special funds or accounts safeguarding and providing for the payment of the principal thereof and interest thereon, and their manner of redemption and retirement.

Said revenue bonds shall constitute obligations only of the Washington toll bridge authority and shall be payable both principal and interest solely from the tolls and revenues derived from the operation of said toll facility as hereinbefore constituted. Said bonds shall not constitute an indebtedness of the state of Washington and shall contain a recital on the face thereof to that effect, and shall be negotiable instruments under the law merchant. Such bonds shall include a covenant that the payment or redemption thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other revenues received from the operation of said toll facility and from any interest which may be earned from the deposit or investment of any such revenues, except for payment of

costs of operation, maintenance and necessary repairs of said facility. The tolls and charges to be imposed shall be fixed in such amounts so that when collected they will produce revenues that shall be at least equal to expenses of operating, maintaining and repairing said toll facility, including all insurance costs, amounts for adequate reserves and coverage of annual debt service on said bonds, and all payments necessary to pay the principal thereof and interest thereon.

Note: See also section 11, chapter 209, Laws of 1961.

47.56.550 ————Tolls. Pursuant to any agreement made under the authority of RCW 47.56.520, the Washington toll bridge authority is hereby authorized to operate and to assume the full control of said toll facility, whether within or without the borders of the state of Washington, with full power to impose and collect tolls from the users of the bridge constituting said toll facility for the purpose of providing revenue at least sufficient to pay the cost and incidental expenses of construction of the new bridge including approaches thereto in both states, the cost of maintaining, operating and repairing said bridge while the same is operated as said toll facility, and for the payment of the principal of and interest on its revenue bonds authorized by, and for the purposes set forth in RCW 47.56.310 through 47.56.345.

Note: See also section 11, chapter 209, Laws of 1961.

47.56.560 ————Construction of act. Except as may be otherwise specifically provided in RCW 47.56.520 through 47.56.560, the provisions of chapter 47.56 shall govern and be controlling in all matters and things necessary to carry out the purposes of RCW 47.56.520 through 47.56.560. Nothing in RCW 47.56.520 through 47.56.560 is intended to amend, alter, modify or repeal any of the provisions of any statute relating to the powers and duties of the Washington toll bridge authority except as such powers and duties are amplified or modified by the specific provisions of RCW 47.56.520 through 47.56.560 for the uses and purposes herein set forth, and shall be additional to such existing statutes and concurrent therewith.

Note: See also section 11, chapter 209, Laws of 1961.

47.56.570 Naches Pass tunnel. Study—May be part of highway system or toll project—Description. The Washington state highway commission and the Washington toll bridge authority are hereby authorized and directed, acting jointly with the joint fact-finding committee on highways, streets and bridges, to retain an independent engineering firm to prepare traffic, engineering and financial studies, and surveys to determine the feasibility of undertaking the construction of a Naches cut-off and tunnel on primary state highway No. 5 through the Cascade mountains, together with the necessary approaches connecting to existing highways in whole

or in part as an improvement on the state highway system, or as a toll tunnel project, in either case making use of federal agency funds as appropriate and available and funds contributed or advanced by any political subdivisions which it is determined will be economically benefited by construction of the project, said cut-off shall start on state highway No. 5 near the junction of the White and Greenwater rivers; thence in an easterly direction through Greenwater river drainage area to the west portal of the tunnel under Pyramid Park, a distance of 1.85 miles to the east portal, thence following the north fork of the Little Naches river to the Little Naches river, thence down it to its junction with the Bumping river at state primary highway No. 5.

47.56.580 ————**What studies and surveys shall include.** Such studies and surveys shall include but shall not be confined to the following:

(1) The most desirable design, tunnel approaches, and connecting roads;

(2) The most desirable location;

(3) The cost of construction and the length of construction time required;

(4) The financial feasibility of the tunnel and the amount, if any, of supplementary aid required to finance it;

(5) The relative economic benefit to counties, cities, or other political subdivisions to be principally served by construction of the tunnel;

(6) The benefit to the state highway system, taking into account the statewide interest in the tunnel and the estimated additional motor vehicle fuel tax revenue which would accrue to the motor vehicle fund as a result of the construction of the tunnel.

47.56.590 ————**Plan for financing.** Upon the completion of such studies and surveys, the highway commission and the toll bridge authority, in cooperation with the joint fact-finding committee on highways, streets and bridges, shall prepare a plan for financing the project. The plan shall include the cost of the entire project; the portion of such total cost which can be financed by the issuance of toll bridge authority revenue bonds; the portion of such total cost and the amount of guarantee funds which should be contributed or advanced by any political subdivisions to be economically benefited by construction of the project; and the portion of such total cost and the amount of guarantee funds which should be contributed from that portion of the motor vehicle fund available to the department of highways for state highway purposes. When completed, the financing plan shall be adopted by resolution of the commission and the authority.

47.56.600 ————**Design.** Upon adoption of the financing plan the commission and the authority, acting jointly, shall forthwith proceed to make the design for the entire project.

47.56.610 ————**Contribution by political subdivisions.** After adoption of the financing plan, the authority and the highway commission, acting jointly, shall request any political subdivision which will be benefited by the construction of the project, to advance or contribute money or bonds toward the expenses of construction or to guarantee toll bridge authority revenue bonds to be issued to finance the project.

47.56.620 ————**Appropriation.** There is appropriated from the motor vehicle fund jointly to the Washington state highway commission and the Washington toll bridge authority for the period beginning July 1, 1959 and ending June 30, 1961, the sum of one hundred thousand dollars or so much thereof as shall be necessary to carry out the provisions of RCW 47.56.570 through 47.56.630.

47.56.630 ————**Repayment to motor vehicle fund of funds appropriated.** All funds herein appropriated from the motor vehicle fund to the Washington state highway commission and the Washington toll bridge authority shall be considered as a loan and shall be repaid by the commission and the authority to the motor vehicle fund upon the sale of bonds for this project.

Chapter 47.57

BRIDGE, TUNNEL OR FERRY DISTRICTS

47.57.010 Purpose of chapter. This chapter is designed to provide a means whereby cities, counties and towns, or portions thereof, acting singly or jointly with each other, may form bridge, tunnel, or ferry districts for the purpose of:

(1) Adding existing or projected facilities by guaranteeing the payment of bonds issued to finance such facilities and thereby enabling the sale of such bonds at lower rates of interest (which would be reflected in lower tolls); or

(2) Expediting the retirement of obligations of an existing toll facility in order to bring about the early removal of toll charges.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.020 Definitions. As used in this chapter:

“Municipality” shall mean any city, county or town, or portion thereof;

“District” shall mean a toll facility aid district established under the provisions of this chapter and shall be either a “bond guarantee district” or a “bond retirement district”;

“Toll authority” shall mean the Washington toll bridge authority;

“Governing body” shall mean the chief legislative authority of any municipality;

“District authority” shall mean the governing authority of a district.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.030 Purpose of district. Any municipality or any municipalities, acting jointly may create a district:

(1) For the purpose of guaranteeing the bonds or securities of any project constructed, or to be constructed by the toll authority; or

(2) For the purpose of expediting the retirement of any bonds heretofore issued in connection with any facility of the toll authority, in the manner set forth in this chapter.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.040 Election as to proposed district. At any general election, or at any special election which may be called for that purpose, the governing body of any municipality or the governing bodies of any municipalities acting jointly may, or on petition of three hundred qualified electors within a district proposed by the petition to be formed, shall submit to the voters within the proposed district the proposition whether such a district shall be formed.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.050 Election as to tax levy. The governing body or bodies shall likewise at the same election submit to the voters the question whether a general tax levy of not to exceed three mills upon the assessed valuation of the taxable property in the district shall be levied for district purposes. It may also state the limit of duration of any levy of such tax.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.060 Ordinance as to intended district and tax—Publication—Ballot. Prior to such election the governing body or bodies shall by ordinance declare the intention to submit to the voters within the proposed district the proposition of creating a district and the levy of assessments therefor for a stated period of years. The ordinance shall be published once a week for three weeks in a daily newspaper generally circulated in the proposed district, the last publication to be at least ten days before the election. The proposition shall appear upon the ballot in substantially the following language:

FOR the formation of a bond guarantee (retirement) district in aid of facility (project) and the levy of.....

..... mill(s) assessment therefor.....

AGAINST the formation of a bond (retirement) guarantee district for facility (project).....

Note: See also section 49, chapter 181, Laws of 1961.

47.57.070 Election—Conduct of. Elections for the formation of toll facility aid districts shall be held in accordance with the general election laws of the state. Special precincts may be established for the purpose of holding such elections.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.080 Election—Results. If a majority of those voting shall vote in favor of the formation of the district and such levy, the district shall then be a municipal corporation for the purposes of this chapter voted upon. If the propositions shall fail to carry, the governing body or bodies of municipalities participating, shall by resolution declare the proceedings for the formation of the district to be void.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.090 Organization or election expense—Payment. The governing body or bodies may appropriate by emergency appropriation from any funds available any sums necessary to pay the preliminary, organizational or election expenses of a new district.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.100 Organization of district — Administrative officials. Upon such favorable vote, the governing body of the municipality, or in the case municipalities have acted jointly, then the governing bodies of all such municipalities participating, acting as one body, shall constitute the district authority, and the auditing, treasury, taxing, and assessing officials of the component municipality comprising in area the largest part of the district shall, for the purpose of this chapter, be deemed to be district treasury, taxing and assessing officials. The first act of the district authority shall be to declare the district organized. A copy of the resolution so declaring shall be filed with the district taxing and assessing officials.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.110 Project may be made contingent on formation of district—Liability for assessments. The toll authority may, in its discretion, make the construction of any new bridge, tunnel or ferry contingent upon the formation of a guaranteed bond district hereunder, and levy of assessments thereby. If any facility is constructed with the proceeds of bonds or securities issued pursuant to and guaranteed by such approval, such levy of assessments shall, for the purposes of the guarantee, and for so long as may be necessary, be an obligation of the district to the bond or security holders of the toll authority as long as any such bonds or securities remain an obligation of the toll authority, and no district shall impair such contractual obligation.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.120 Appeal from actions in organizing district. Any person having a substantial interest in and feeling aggrieved by any

action of the governing body or bodies, or the district authority, made in the proceedings for the organization of a district, may appeal within five days after such action was taken, to a superior court within the district or proposed district, in the same manner as appeals from the orders of the boards of county commissioners are made and the court shall dispose of such appeal as provided by law for such cases.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.130 Formation of district final on failure to appeal. If no appeal is taken as provided in RCW 47.57.120, the resolution of the district authority shall be final and the formation of the district complete and its legal existence shall not thereafter be questioned by any person by reason of any defect in the proceedings had for the organization thereof.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.140 Assessments—Termination and reinstatement. If any assessment levy authorized under this chapter should for any reason prove unnecessary, the toll authority shall so notify the district authority, which shall thereafter not levy such assessment. Nothing in this section shall forbid the reinstatement of such levy at any time, if in the discretion of the toll authority the reinstatement is necessary to continue any guarantee given pursuant to this chapter and to fulfill the obligation of the district, and the toll authority shall so notify the district authority.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.150 Assessments—May exceed tax limit—Temporary levy. Nothing contained in RCW 84.52.050 shall prevent the formation of a district and the levy of assessments under the provisions of this chapter. If any such district is formed in aid of an existing toll facility or to expedite the retirement of the bonds or securities of an existing facility, the levy authorized may be for one year only and the district authority may in its discretion, submit to the voters of the district at the next general election, the proposition of continuing the levy.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.160 Budget—Basis of tax levy. After the equalization of assessments for tax purposes in any year, the district authority shall prepare a budget of the requirements of each such district fund and certify and deliver it by the first Tuesday in September of each year to the district taxing and assessing officials to levy and collect in the manner provided by the general tax laws of this state.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.170 Levy part of general taxes. The levies authorized by this chapter shall be made against property in the district in ac-

cordance with the equalized valuations thereof for general tax purposes and as a part of the general taxes.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.180 District treasurer—Duties. The district treasurer shall receive and disburse all district revenues, collect all assessments authorized and levied hereunder, and credit all district revenues to the proper fund.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.190 “District expense fund” and “aid fund” created. There is created in the office of the district treasurer the following funds: “District expense fund” and “aid fund.” All sums collected by the treasurer for the district shall be placed in either of these two funds. Such amounts as are necessary and reasonable for the business operations of the district shall be allocated to the “expense fund”; all other sums shall be placed in the “aid fund.”

Note: See also section 49, chapter 181, Laws of 1961.

47.57.200 “Aid fund”—Purposes. The proceeds of the aid fund of any district shall be available and used in the case of a district formed to guarantee bonds and their interest, issued in aid of a projected facility, to pay any securities or the interest thereon, as and if necessary, or in the case of a district formed to aid an existing facility, in aid of the continued financial operations of the facility. If the levy was made to bring about the early removal of tolls by the retirement of existing bonds or securities of the toll authority issued for such facility, then such fund shall be used for such purpose.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.210 “Aid fund”—Disbursements and use of proceeds. The district authority shall issue vouchers in favor of the toll authority and upon receipt of such vouchers the district auditing officer shall issue warrants therefor and the district treasurer shall pay out money in the aid fund to the toll authority to carry out the purposes of this chapter. The toll authority shall forthwith apply any sums so received to carry out such purposes.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.220 Dissolution of district—Unexpended funds. When the purposes of this chapter have been accomplished, the district authority shall proceed to wind up the affairs of the district and by resolution bring about the dissolution thereof. If any unexpended funds remain in the funds of any district, such funds shall revert to and be paid by the treasurer into the general expense fund of the municipality or component municipalities.

Note: See also section 49, chapter 181, Laws of 1961.

47.57.900 Construction. The provisions of this chapter and all proceedings taken hereunder shall be liberally construed in order to carry out the purposes of this chapter.

Note: See also section 49, chapter 181, Laws of 1961.

Chapter 47.58**EXISTING AND ADDITIONAL BRIDGES**

47.58.010 Improvement of existing bridge and construction of new bridge as single project—Agreement—Tolls. Whenever the legislature shall specifically authorize, as a single project, the construction of an additional toll bridge, including approaches, and the reconstruction of an existing adjacent bridge, including approaches, and the imposition of tolls on both bridges, the state highway commission and the Washington toll bridge authority are each hereby authorized to enter into appropriate agreements whereunder the existing bridge or its approaches will be reconstructed and improved and an additional bridge, including approaches and connecting highways will be constructed as a part of the same project to be located adjacent to or within two miles of such existing bridge and will be financed through the issuance of revenue bonds of the same series. The authority shall have the right to impose tolls for traffic over the existing bridge as well as the additional bridge for the purpose of paying the cost of operation and maintenance of said bridge or bridges and the interest on and creating a sinking fund for retirement of revenue bonds issued for account of such project, all in the manner permitted and provided by this chapter.

47.58.020 Examinations and surveys—Preliminary expenses—Financing. For the purpose of obtaining information as to the necessity of the reconstruction or improvement of any such bridge and the expediency of constructing any such additional bridge it shall be the duty of the director of highways upon request of the state highway commission or the authority to make any examination, investigation, survey or reconnaissance pertaining thereto and the cost of any such examination, investigation, survey or reconnaissance, and all preliminary expenses in the issuance of any revenue bonds, making surveys and appraisals and drafting, printing, issuance and sale of bonds under this chapter, shall be advanced by any interested municipality, agency or department of the state of Washington and all such advancements shall be reimbursed out of any proceeds derived from the sale of bonds or out of tolls and revenues to be derived by the authority through its operations hereunder for account of the project, as may be agreed upon between the authority and such municipality, agency or department.

47.58.030 Construction, operation of bridges—Collection of tolls—Schedule of charges. The director of highways shall have full charge of the construction of all such improvements and reconstruction work and the construction of any additional bridge, including approaches and connecting highways, that may be authorized by the

authority under this chapter and the operation of such bridge or bridges, as well as the collection of tolls and other charges for services and facilities thereby afforded. The schedule of charges for such services and facilities shall be fixed and revised from time to time by the authority so that the tolls and revenues collected will yield annual revenue and income sufficient, after payment or allowance for all operating, maintenance and repair expenses, to pay the interest on all revenue bonds outstanding under the provisions of this chapter for account of the project and to create a sinking fund for the retirement of such revenue bonds at or prior to maturity, and such charges shall be continued until all such bonds and interest thereon and unpaid advancements, if any, shall have been paid.

47.58.040 Revenue bonds—Form—Sale—Interim bonds—Deposit of proceeds. For the purpose of paying the cost of all or any part of such improvement and reconstruction work and the construction of any such additional bridge, approaches thereto and connecting highways, the authority is hereby authorized by resolution to issue its revenue bonds which shall constitute obligations only of the authority and shall be payable solely and only from all or such part of the revenues and income from the operation of the bridge or bridges constituting the project as may be provided in and by such resolution. Each such revenue bond shall contain a recital that payment or redemption of the bond and payment of the interest thereon is secured by a direct charge and lien upon the tolls and revenues pledged for that purpose and that such bond does not constitute an indebtedness of the state of Washington. Such revenue bonds may bear such date or dates, may mature at such time or times as the authority shall determine, may bear interest at such rate or rates not exceeding five percent per annum, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be made subject to such terms of redemption with or without premium, and may contain such other terms and covenants not inconsistent with this chapter as may be provided in such resolution. Notwithstanding the form or tenor thereof, and in the absence of an express recital on the face thereof that the bond is nonnegotiable each such revenue bond shall at all times be and shall be treated as a negotiable instrument for all purposes. All such bonds shall be signed by the member of the authority who is state auditor and countersigned by the governor and any interest coupons appertaining thereto shall bear the signature of the state auditor: *Provided*, That the countersignature of the governor on such bonds and the signature of the state auditor on such coupons may be their printed or lithographed facsimile signatures. Pending the issuance of definitive bonds, temporary or interim bonds, certificates or receipts of any denomi-

nation and with or without coupons attached may be issued as may be provided by said resolution. All bonds issued under or by authority of this chapter shall be sold to the highest and best bidder at such price or prices that the net interest cost to the authority shall not be greater than six percent per annum, computed to maturity according to standard tables of bond values and after such advertising for bids as the authority may deem proper: *Provided*, That the authority may reject any and all bids so submitted and thereafter sell such bonds so advertised under such terms and conditions as the authority may deem advantageous. The purchase price of all bonds issued hereunder shall be paid to the state treasurer consistent with the provisions of the resolution pursuant to which such bonds have been issued or to the trustee designated in the bond resolution and held as a separate trust fund to be disbursed on the orders of the authority.

Note: See also section 1, chapter 102, Laws of 1961.

47.58.050 Revenue bonds—Expenses includable—Conditions—Remedies of bondholders. In determining the amount of bonds required to be issued there may be included any expenses incurred by the authority, or approved by the authority, in connection with and incidental to the issuance and sale of bonds and for the preparation of surveys and estimates and making inspections and examinations, required reserves, if any, interest during the estimated construction period, and for six months thereafter, and a reasonable amount for initial operating expenses and prepaid insurance. The authority is hereby empowered to include in any resolution authorizing the issuance of the bonds such covenants, stipulations and conditions as may be deemed necessary with respect to the continued use and application of the revenues and income from the bridge or bridges. The holder of any bond or the trustee for any bonds designated by resolution may by mandamus or other appropriate proceeding require and compel performance of any duties imposed upon any state department official or employee, including any duties imposed upon or undertaken by the authority or its officers, agents and employees in connection with any improvement or reconstruction work on any such existing bridge, the construction of any such additional bridge, including approaches and connecting highways, provided to be so constructed, the maintenance and operation of the bridge or bridges and in connection with the collection, deposit, investment, application and disbursement of the proceeds of the bonds and the revenues and income derived from the operation of the bridge or bridges.

47.58.060 Bond resolution—Disposition of income and revenues. Each resolution providing for the issuance of revenue bonds shall provide for setting aside the necessary amounts for the reasonable

and proper operation, maintenance and repair expenses, and shall fix and determine the amounts to be set apart and applied to the payment of the interest on and retirement of the revenue bonds. All income and revenues as collected shall be paid to the state treasurer for the account of the authority as a separate trust fund and to be segregated and set apart for the payment of the revenue bonds or may be remitted to and held by a designated trustee in such manner and with such collateral as may be provided in the resolution authorizing the issuance of said bonds.

47.58.070 Bonds legal investment for state moneys. Notwithstanding any other provision of the law, bonds issued under this chapter shall be legal investments by the state finance committee of any state moneys in its hands, except permanent school funds.

47.58.080 Eminent domain. The authority is hereby authorized and empowered to acquire in the name of the state by the exercise of the power of eminent domain any lands, property, rights, rights of way, franchises, easements and other property of any person, firm or corporation, political subdivision or other owner, deemed necessary or convenient for the construction, reconstruction, improvement and operation of any project initiated and carried on by the authority under this chapter. Such proceedings shall be in accordance with and subject to the provisions of any and all laws applicable to the exercise of the power of eminent domain by the state.

47.58.090 Study of projects—Construction, finance, requires specific authorization. Under the provisions of this chapter projects other than those specifically authorized herein involving existing bridges may be studied and analyzed by the authority and the commission, and recommendations therefor may be submitted to the legislature, but such other projects shall not be financed or constructed by the said authority under the provisions hereof until further specific authorization therefor has been provided by the legislature.

47.58.500 Manette bridge—Port Washington Narrows project. (1) The authority is especially authorized under the provisions of this chapter to reconstruct and improve the existing approaches and construct new approaches to the Manette bridge on secondary state highway 21-B in the city of Bremerton, and to construct an additional bridge, including approaches, over Port Washington Narrows in the vicinity of the said Manette bridge, at such exact location as may be selected by the director of highways, the state highway commission and the authority. Such project shall be known and designated as the Port Washington Narrows project and such new bridge and approaches when constructed shall be and become an

integral part of the state highway system to be connected with and be a part of secondary state highway 21-B.

(2) The authority shall have the right to impose tolls for pedestrian and vehicular traffic over the existing Manette bridge, as well as such new bridge when constructed, for the purpose of paying the costs of reconstructing and improving approaches and constructing new approaches to the existing Manette bridge, constructing the new bridge in the vicinity thereof, to pay interest on and create a sinking fund for the retirement of revenue bonds issued for account of such project, and to pay any and all costs and expenses incurred by the authority in connection with and incidental to the issuance and sale of bonds, and for the preparation of surveys and estimates and to establish the required interest reserves for and during the estimated construction period and for six months thereafter.

47.58.900 Chapter provides additional method. This chapter shall be deemed to provide an additional and alternative method for the doing of the things authorized thereby, and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers existing on June 8, 1955.

Chapter 47.60

PUGET SOUND FERRY AND TOLL BRIDGE SYSTEM

47.60.010 Ferry system, toll bridges, and facilities authorized—**Power to contract.** The Washington toll bridge authority hereinafter referred to as the authority is hereby authorized to acquire by lease, charter, contract, purchase, condemnation or construction, and partly by any or all of such means, and to thereafter operate, improve and extend, a system of ferries on and crossing Puget Sound and any of its tributary waters and connections thereof and connecting with the public streets and highways in the state, such system of ferries to include such boats, vessels, wharves, docks, approaches, landings, franchises, licenses, and appurtenances, as shall be determined by the authority to be necessary or desirable for efficient operation of the ferry system and best serve the public. The authority may in like manner acquire by purchase, condemnation or construction and include in such ferry system such toll bridges, approaches and connecting roadways as may be deemed by the authority advantageous in channeling traffic to points served by the ferry system. In addition to the powers of acquisition herein granted the authority is hereby empowered to enter into any contracts, agreements or leases with any person, firm or corporation and to thereby provide, on such terms and conditions as it shall determine,

for the operation of any ferry or ferries or system thereof, whether acquired by the authority or not.

47.60.015 "Washington State Ferries"—Name authorized. The Washington toll bridge authority is hereby authorized to operate its ferry system under the name: "Washington State Ferries."

47.60.020 Eminent domain—Condemnation proceedings. For the purpose of carrying out any or all of the powers herein granted the authority shall have the power of eminent domain for the acquisition of either real or personal property, used or useful for such Puget Sound ferry system. Condemnation pursuant to this chapter shall be the procedure set out in chapter 8.04: *Provided*, That the authority may institute condemnation proceedings in the superior court of any county or other court of competent jurisdiction in which any of the property sought to be condemned is located or in which the owner of any thereof does business, and the court in any such action shall have jurisdiction to condemn property wherever located within the state: *Provided further*, That it shall not be necessary to allege or prove any offer to purchase or inability to agree with the owners thereof for the purchase of any such property in said proceedings. It is the intention of this section to permit the consolidation in one action of all condemnation proceedings necessary to acquire a ferry system, and every type of property incident thereto, irrespective of its location within the state or diversity of ownership. Upon the filing of a petition for condemnation as provided in this section the court may issue an order restraining the removal from the jurisdiction of the state of any personal property sought to be acquired by the proceeding during the pendency thereof. The court shall further have the power to issue such orders or process as shall be necessary to place the authority into possession of any property condemned.

47.60.030 Existing contracts—Prior negotiations and bids validated. In any case where the authority shall take over any property or properties which are under lease, contract or concession, or where the authority has heretofore entered into any contract or negotiation or received any bid for any of the purposes set forth in this chapter, the authority is hereby authorized to continue in effect and carry out any such contract, lease or concession or complete any such negotiation or accept any such bid or any modification of any of them which shall appear advantageous to the authority without regard to any limitations or directions as to the manner thereof contained in this chapter: *Provided*, That this section shall not be construed as requiring the authority so to act, but this section shall be permissive only and then only in respect to contracts, leases,

concessions, negotiations or bids existing, entered into or received prior to April 1, 1949.

47.60.040 Survey by highway commission. For the purpose of obtaining information for the consideration of the authority upon the acquisition of any ferries or ferry facilities or the construction of any toll bridge under this chapter, it shall be the duty of the highway commission, upon request of the authority, to make any examination, investigation, survey or reconnaissance for the determination of material facts pertaining thereto and report the same to the authority.

The cost of any such examination, investigation, survey or reconnaissance and all preliminary expenses leading up to and resulting in the issuance of any revenue bonds including, but not being limited to expenses in making surveys and appraisals and the drafting, printing, issuance and sale of bonds under this chapter shall be borne by the highway commission out of the motor vehicle fund. All such costs and expenses as well as any thereof heretofore incurred shall be reimbursed to said motor vehicle fund out of any proceeds derived from the sale of bonds or out of tolls and revenues to be derived by the authority through its operations hereunder.

47.60.050 Improvement of facilities—Financing. Any facility which the authority acquires or is authorized to acquire under the provisions of this chapter may be rehabilitated, rebuilt, enlarged or improved, and the cost thereof may be paid from the revenues of the system or through the issuance of bonds as hereinafter provided.

47.60.060 Revenue bonds authorized — Issuance — Conditions — Negotiability—Interim bonds. For the purpose of paying the cost of acquiring by lease, charter, contract, purchase, condemnation or construction all or any part of such Puget Sound ferry system, including toll bridges, approaches and roadways incidental thereto, and for rehabilitating, rebuilding, enlarging or improving all or any part of said system, the authority is hereby authorized by resolution to issue its revenue bonds which shall constitute obligations only of the authority and shall be payable solely and only from all or such part of the revenues from the operation of the system as may be provided in and by such resolution.

Each such revenue bond shall contain a recital that payment or redemption of the bond and payment of the interest thereon is secured by a direct charge and lien upon the tolls and revenues pledged for that purpose and that such bond does not constitute an indebtedness of the state of Washington.

The authority is hereby empowered to include in any resolution authorizing the issuance of the bonds such covenants, stipulations and conditions as may be deemed necessary with respect to the

continued use and application of the income and revenues from the undertaking.

Such revenue bonds may bear such date or dates, may mature at such time or times as the authority shall determine, may bear interest at such rate or rates not exceeding five percent per annum, may be in such denomination or denominations, may be in such form, either coupon or registered, may carry such registration and conversion privileges, may be made subject to such terms of redemption with or without premium, and may contain such other terms and covenants not inconsistent with this chapter as may be provided in such resolution. Notwithstanding the form or tenor thereof, and in the absence of an express recital on the face thereof that the bond is nonnegotiable each such revenue bond shall at all times be and shall be treated as a negotiable instrument for all purposes. All such bonds shall be signed by the member of the authority who is state auditor and countersigned by the governor and any interest coupons appertaining thereto shall bear the signature of the state auditor: *Provided*, That the countersignature of the governor on such bonds and the signature of the state auditor on such coupons may be their printed or lithographed facsimile signatures.

Pending the issuance of definitive bonds, temporary or interim bonds, certificates or receipts of any denomination and with or without coupons attached may be issued as may be provided by said resolution.

47.60.070 Bond resolution to provide for setting aside funds. Any resolution of the Washington toll bridge authority providing for the issuance of revenue bonds shall provide for setting aside the necessary amounts for the reasonable and proper operation, maintenance, and repair expenses, and shall fix and determine the amounts to be set apart and applied to the payment of the interest on and retirement of the revenue bonds, and the amounts to be set apart and paid into any special funds for renewals, replacements, rebuilding, enlarging, or improving the system. Each such resolution made hereafter shall provide for proceeds of the sale of revenue bonds to be placed in the "authority revolving fund," as established by RCW 47.60.180 as follows: Three-fourths of one percent on the first five million dollars or part thereof; five-eighths of one percent on the amount over five million dollars to and including ten million dollars; one-half of one percent on the amount over ten million dollars to and including twenty-five million dollars; three-eighths of one percent on the amount over twenty-five million dollars to and including fifty million dollars; one-quarter of one percent on the amount over fifty million dollars to and including seventy-five million dollars; and one-eighth of one percent on all amounts over

seventy-five million dollars: *Provided*, That no such payments shall be made to the authority revolving fund from proceeds derived from the sale of bonds for the construction, maintenance, and operation of facilities between the state of Washington and any other state, territory or province, where such other state, territory, or province, or any political subdivision thereof, joins with the state of Washington in the construction or operation of such facility: *Provided further*, That no such payments shall be made into the authority revolving fund from the proceeds of bonds sold for the purpose of refunding outstanding revenue bonds of the Washington toll bridge authority.

47.60.080 Determining amount of bonds to be issued. In determining the amount of bonds required to be issued there may be included any expenses incurred by the authority in connection with and incidental to the issuance and sale of bonds and for the preparation of surveys and estimates and making inspections and examinations, interest during the estimated construction period, and for six months thereafter, and a reasonable amount for working capital and prepaid insurance.

47.60.090 Sale of bonds—Deposit, disbursement of proceeds. All bonds issued under or by authority of this chapter shall be sold to the highest and best bidder after such advertising for bids as the authority may deem proper: *Provided*, That the authority may reject any and all bids so submitted and thereafter sell such bonds so advertised under such terms and conditions as the authority may deem most advantageous to its own interests. The purchase price of all bonds issued hereunder shall be paid to the state treasurer consistent with the provisions of the resolution pursuant to which such bonds have been issued or to the trustee designated in the bond resolution and held as a separate trust fund to be disbursed on the orders of the authority.

47.60.100 Bonds are legal investment for state moneys. Notwithstanding any other provision of the law, bonds issued by the authority shall be legal investments by the state finance committee of any state moneys in its hands, except permanent school funds and motor vehicle funds.

47.60.110 Bondholders may compel performance. The holder of any bond or the trustee for any bonds designated by resolution may by mandamus or other appropriate proceeding require and compel performance of any duties imposed upon any state department, official or employee, including any duties imposed upon or undertaken by the authority or its officers, agents and employees in connection with the construction, maintenance and operation of the ferry system and in connection with the collection, deposit, invest-

ment, application and disbursement of the proceeds of the bonds and the revenue and income derived from the operation of the system.

47.60.113 Refunding bonds. Authorization—Amount—Interest—Conditions. The Washington toll bridge authority is hereby authorized to refund, at the maturity thereof, or before the maturity thereof if they are subject to call prior to maturity or if all of the holders thereof consent thereto, upon such terms and conditions as it shall deem best, any or all of its revenue bonds now or hereafter outstanding, issued for the purpose of acquiring, constructing or reconstructing any toll bridge, toll road, toll tunnel, ferry system, or any other toll facility of any sort, or issued for the purpose of refunding such bonds, which revenue bonds are payable out of all or part of the revenues of such toll facility. Refunding bonds may be issued hereunder in a sufficient amount to provide additional funds for acquiring, constructing, reconstructing, rehabilitating, rebuilding, enlarging or improving any toll bridge, toll road, toll tunnel, ferry system, or any other toll facility of any sort, and to pay all refunding costs and expenses and to provide adequate reserves for said toll facility and for any such refunding bonds. Various issues and series of such outstanding bonds, including refunding bonds, may be combined and refunded by a single issue of refunding bonds. Such refunding bonds shall bear interest at such rates and mature at such times, without limitation by the interest rates or maturity of the bonds being refunded, and shall contain such other covenants and conditions as the Washington toll bridge authority shall determine by resolution.

47.60.114 ———Payable from revenues. Any refunding bonds authorized herein shall constitute obligations of the Washington toll bridge authority only and not of the state of Washington. They shall be payable solely out of all or such part of the revenues derived from the operation of the toll bridge, toll road, toll tunnel, ferry system, or any other toll facility, as shall be provided in the resolution authorizing the issuance of such refunding bonds.

47.60.115 ———Disposition—Laws applicable. The bonds herein authorized shall, in the discretion of the Washington toll bridge authority, be exchanged at the best possible price for the bonds being refunded or any such bonds not exchanged shall be sold in the manner provided in RCW 47.60.090. The bonds herein authorized shall be issued in accordance with, and shall be subject to, the provisions of RCW 47.60.050, 47.60.060, 47.60.070, 47.60.080, 47.60.100, 47.60.110 and 47.60.120.

47.60.120 Other crossings—Infringement of existing franchises—Protection of outstanding bonds. In the event the authority acquires or constructs, maintains and operates any ferry crossings upon or toll

bridges over Puget Sound or any of its tributary or connecting waters there shall not be constructed, operated or maintained any other ferry crossing upon or bridge over any such waters within ten miles of any such crossing or bridge operated or maintained by the authority excepting such bridges or ferry crossings in existence, and being operated and maintained under a lawfully issued franchise at the time of the location of the ferry crossing or construction of the toll bridge by the authority. The authority shall not maintain and operate any ferry crossing or toll bridge over Puget Sound or any of its tributary or connecting waters which would infringe upon any franchise lawfully issued by the state and in existence and being exercised at the time of the location of the ferry crossing or toll bridge by the authority, without first acquiring the rights granted to such franchise holder under said franchise.

While any revenue bonds issued by the authority under the provisions of this chapter are outstanding no additional bonds shall be issued for the purposes of acquiring, constructing, operating or maintaining any ferries or toll bridges within the aforesaid ten mile distance by the authority unless the revenues of any such additional ferries or toll bridges are pledged to the bonds then outstanding to the extent provided by the resolution authorizing the issue of such outstanding bonds. The provisions of this section shall be binding upon the state, and all of its departments, agencies and instrumentalities, as well as any and all private, political, municipal and public corporations and subdivisions, including cities, towns, counties and other political subdivisions, and the prohibitions of this section shall restrict and limit the powers of the legislature of the state in respect to the matters herein mentioned so long as any of such bonds are outstanding and unpaid and shall be deemed to constitute a contract to that effect for the benefit of the holders of all such bonds.

47.60.122 Ferries, terminal facilities—Interim revenue warrants authorized. For the purpose of paying the cost of acquiring, constructing or reconstructing ferries or ferry terminal facilities, and all costs which may be incurred in connection therewith, the Washington toll bridge authority is hereby authorized to issue interim revenue warrants, which shall constitute obligations only of the authority, and which shall not be obligations of the state of Washington. Such warrants shall be payable solely out of part or all of the revenues derived from the operation of the Puget Sound ferry system as shall be provided in the resolution authorizing their issuance, and shall be drawn upon, and the principal thereof and interest thereon shall be payable out of, such fund or funds as shall be created in and provided by such resolution. Such warrants may be interest bearing coupon warrants with a fixed maturity date, or

may be interest bearing registered warrants payable in order of their issuance whenever there is sufficient money in the fund upon which they were drawn to redeem any of the same.

47.60.124 Revenue refunding bonds to redeem interim warrants. In the event it is deemed advisable or found necessary to redeem any or all of such warrants, the authority is authorized to issue its revenue refunding bonds for such purpose. Said bonds shall constitute obligations only of the authority, and shall not be obligations of the state of Washington. Such refunding bonds shall be payable solely out of part or all of the revenues derived from the operation of the Puget Sound ferry system as shall be provided in the resolution authorizing their issuance.

47.60.126 Interim warrants and refunding bonds—Laws applicable. All provisions of chapter 47.60 pertaining and applicable to the revenue bonds of the authority authorized therein are made applicable to the warrants and revenue refunding bonds authorized herein except insofar as otherwise provided by RCW 47.60.122 through 47.60.126.

47.60.130 Unit or combined operation—Continuous project—Rental, charter, sale, of system property. Such ferry system, including any toll bridges, approaches, and roadways incidental thereto, may be financed and operated in combination or separately as one or more units as the authority may determine, and such ferry system together with any toll bridge hereafter constructed by the authority upon or across the waters of Puget Sound or Hood Canal, or any part of either, replacing one or more presently operated ferry routes, is declared to be a continuous project within the meaning of RCW 47.56.070. The authority is empowered to rent, lease, or charter any property acquired under this chapter. Whenever the authority shall determine that any land, including improvements thereon is no longer needed for the purposes of the ferry system, it may offer the same for sale upon notice and bids in the manner of letting contracts for state highway improvements. The authority may reject all such bids if the highest bid does not equal the reasonable fair market value of the real property plus the value of the improvements thereon, computed on the basis of the reproduction value, less depreciation. It may accept the highest and best bid and request the attorney general to prepare the necessary instrument of conveyance which shall be executed by the governor. The proceeds of all such sales shall be paid into the separate trust fund of the state treasury established pursuant to RCW 47.60.150.

47.60.140 System as self-liquidating undertaking—Powers of highway commission—Concessions. The authority is empowered to operate such ferry system, including all operations, whether intra-

state or international, upon any route or routes, and toll bridges as a revenue producing and self-liquidating undertaking. The highway commission shall have full charge of the construction, rehabilitation, rebuilding, enlarging, improving, operation and maintenance of the ferry system, including toll bridges, approaches and roadways incidental thereto that may be authorized by the authority, including the collection of tolls and other charges for the services and facilities of the undertaking: *Provided*, That the authority shall have the exclusive right to enter into leases and contracts for use and occupancy by other parties of the concessions and space located on the ferries, wharves, docks, approaches and landings, but no such leases or contracts shall be entered into for more than five years, nor without public advertisement for bids as may be prescribed by the authority: *Provided, further*, That the authority may accept and continue leases and contracts for a period of ten years without advertisement or bid, if such leases or contracts were in effect or entered into at the time of the purchase of the Puget Sound ferry system, and any leases or contracts so made are hereby validated.

47.60.150 Fixing of charges—Deposit, segregation, and disbursement of revenues. The schedule of charges for the services and facilities of the system shall be fixed and revised from time to time by the authority so that the tolls and revenues collected will yield annual revenue and income sufficient, after allowance for all operating, maintenance and repair expenses to pay the interest and principal and sinking fund charges for all outstanding revenue bonds, and to create and maintain a fund for ordinary renewals and replacements: *Provided*, That if provision is made by any resolution for the issuance of revenue bonds for the creation and maintenance of a special fund for rehabilitating, rebuilding, enlarging or improving all or any part of the ferry system then such schedule of tolls and rates of charges shall be fixed and revised so that the revenue and income will also be sufficient to comply with such provision.

All income and revenues as collected shall be paid to the state treasurer for the account of the authority as a separate trust fund and to be segregated and disbursed upon order of the authority: *Provided*, That the fund so segregated and set apart for the payment of the revenue bonds may be remitted to and held by a designated trustee in such manner and with such collateral as may be provided in the resolution authorizing the issuance of said bonds.

47.60.160 Reimbursement of motor vehicle fund. In the event it be ascertained that any expense to the motor vehicle fund has been incurred in any manner under this chapter through the authority, the highway commission, or otherwise, all such expenses shall be promptly reimbursed to the motor vehicle fund out of tolls and

revenues derived by the authority through any or all of its operations hereunder.

47.60.170 Ferries revolving fund authorized—Deposit of excess funds. Nothing in RCW 47.60.150 shall forbid the establishment by the authority of a Washington state ferries revolving fund of not to exceed three hundred thousand dollars from the proceeds of any bonds sold under the provisions of this chapter. Such fund may be deposited by the authority in such banks or financial institutions as it may select throughout the state. The provisions of RCW 43.01.050 shall not be applicable to such fund or any deposits therein made by the authority under the provisions of this section. The authority may deposit thereafter therein all moneys received under the provisions of this chapter. All expenses whatsoever arising in the operations of the Puget Sound ferry system shall be paid from such fund if established by check or voucher in such manner as may be prescribed by the authority.

All moneys received by the authority or any employee under the foregoing sections of this chapter, except an amount of petty cash for each day's needs as fixed by the regulation of the authority, shall be each day and as often during such day as advisable, deposited in the nearest authorized depository selected by the authority under the terms of this section.

Whenever the fund shall exceed three hundred thousand dollars, the authority shall forthwith transmit such excess to the state treasurer for deposit in the trust fund established by RCW 47.60.150.

47.60.180 "Authority revolving fund" established—Purposes. There is hereby established a permanent fund in the state treasury to be known as the "authority revolving fund," which fund shall be available to the Washington toll bridge authority in lieu of any allocation from any other appropriation from the motor vehicle fund. Said authority shall use said fund firstly to pay its investigation, management, maintenance and operation costs, unless otherwise provided for; secondly to reimburse for past and future advances from the motor vehicle fund, at such times and in such amounts as the authority shall in its discretion deem feasible. The projects to be investigated must propose facilities to be financed by revenue bonds of the authority to be repaid by tolls or charges.

47.60.190 Projects established through authority revolving fund—Repayment of fund. Any sums expended under the provisions of RCW 47.60.180 as to each projected facility which shall be adopted and constructed by the authority shall be repaid from the revenues of such facility after it becomes operative to the authority revolving fund. The authority shall take into account any such expense in setting up any schedule of tolls or charges for such project. The

authority shall make and order an orderly schedule of payments for the recovery of such expenses from any constructed facility within a reasonable time, which schedule shall be so made that it will not interfere with the other necessary expenses to be recovered by tolls or charges but shall operate with such other expense charges. Any sums so recovered shall be paid into the state treasury and by the treasurer deposited in the authority revolving fund.

47.60.200 Consent to liability not general liability of state. Any consent to liability given under the provisions of this chapter shall create liability of the authority only and shall not create any general liability of the state.

47.60.210 Seamen may sue for injuries—Venue. The state consents to suits against the authority by seamen for injuries occurring upon vessels of the authority in accordance with the provisions of section 688, title 46, of the United States code. The venue of such actions may be in the superior court for Thurston county or the county where the injury occurred.

47.60.220 Authority as common carrier—Rights and liabilities. The authority shall have all the obligations, duties and rights of a common carrier of persons and property in its operation of ferries, terminals or other facilities used in its ferry operations, including the right to participate in joint rates and through routes, agreements, and divisions of through and joint rates with railroads and other common carriers and the right to make any filings with the interstate commerce commission, the United States maritime commission or any other state or federal regulatory or governmental body and to comply with the lawful rules and regulations or requirements of any such body, and shall be subject to laws relating to carrier's liability for loss or damage to property transported, and for personal injury or death of persons transported.

47.60.230 Liability for damages as to persons or property. In case of property loss or damage, personal injuries or death resulting from the operation of any ferry or terminal by the authority, any person or the personal representative of any person shall, subject to and to the extent hereinafter provided, have a right of action against the authority for such damage, loss, injury or death.

47.60.240 Liability to persons other than shippers or passengers—Limitation. The right of action extended by this chapter shall be applicable to loss or damage of property and/or personal injury or death, resulting from the operation of ferries or terminals by the authority to persons other than shippers or passengers, but

any recovery of damages in such cases shall not exceed an amount equal to the limitations of the insurance carried by the authority to insure it against loss for such liability.

47.60.250 Claim for damages—Filing—Contents—Time limitations. As a condition to a recovery thereon, a verified claim against the authority growing out of such damages, loss, injuries or death must first be presented to the authority and filed with its secretary within thirty days after the time when such claim accrued. If the claimant shall be incapacitated from verifying and filing his claim within said thirty days, or if the claimant be a minor, then the claim may be verified and presented on behalf of said claimant by his relative, attorney or agent. Each such claim must accurately locate and describe the event or defect that caused the damage, loss, injury or death, reasonably describe the damage, loss or injury, and state the time when the same occurred, give the claimant's residence for six months last past and contain the items of damages claimed. No action shall be maintained against the authority upon such claim until the same has been presented to, and filed with, the authority and sixty days have elapsed after such presentation and filing, nor more than three years after such claim accrued.

47.60.260 Payment of claims. The authority may upon such terms and conditions as it may impose and under such rules and regulations as it may adopt, pay claims arising under its operation of ferries or terminals or compromise or settle such claims. No claim shall be paid by the authority or any settlement or compromise hereof be made except from its operating revenues derived from its operation of ferries or terminals or from the proceeds of insurance recoveries.

47.60.270 Venue of actions—Enforcement of judgment. Actions for the recovery of damages under RCW 47.60.220 through 47.60.260 may be brought in Thurston county or in the county in which the aggrieved person resides. No execution upon a judgment or attachment shall be levied against the property of the authority, nor does the state consent to any maritime lien against vessels of the authority, but the authority may be required by order of court to pay any judgment.

47.60.280 Ferry service—Lummi Island to Orcas Island—Limitation on operation. The Washington toll bridge authority is hereby authorized and directed to establish and operate a ferry service from a suitable point on Lummi Island in Whatcom county to a suitable point on Orcas Island in San Juan county by the most feasible route if and when Whatcom county constructs a bridge from Gooseberry Point on the mainland to Lummi Island. The

actual operation of such ferry service shall not begin until Whatcom county has completed the construction of such bridge.

47.60.290 State ferries—Review of tariffs and charges. The Washington toll bridge authority is hereby authorized and directed to review tariffs and charges as applicable to the operation of the Washington state ferries for the purpose of establishing a more fair and equitable tariff to be charged passengers, vehicles, and commodities on the routes of the Washington state ferries.

47.60.300 ———Scope of review—Periodic reviews required. The review is to include but shall not be limited to tariffs for automobiles, passengers, trucks, commutation rates, and volume discounts. The review shall give proper consideration to time of travel, distance of travel, operating costs, maintenance and repair expenses, and the resultant effect any change in tariff might have on the debt service requirements of the authority as specifically provided in existing financing programs. The review shall also include the allocation of vessels to particular runs, the scheduling of particular runs, the adequacy and arrangements of docks and dock facilities, and any other subject deemed by the authority to be properly within the scope of the review. The authority is further authorized and directed to make a like review within every three year period.

47.60.310 ———Local expressions—Local advisory committees. The authority is further directed to conduct such review by soliciting and obtaining expressions from local community groups in order to be properly informed as to problems being experienced within the area served by the Washington state ferries. In order that local representation may be established, the authority is hereby directed to advise the board of county commissioners of each county wherein a terminal of the Washington state ferries is located prior to the time that the review is to be commenced, and each board of county commissioners is hereby directed to appoint a committee to consist of no more than five members to serve as an advisory committee to the authority or its designated representative in such review. The committees to be appointed by the boards of county commissioners shall serve without fee or compensation. It is not the intent of RCW 47.60.290 through 47.60.320 that any powers or duties now prescribed and delegated to the authority shall be assumed by any other board or committee.

47.60.320 ———Change in tariffs, restrictions. No change in tariff shall be considered by the authority unless said authority shall first have obtained the approval of the consulting engineer appointed by the authority to serve for the account of the Washington state ferries. Further, no change in tariff shall be consid-

ered by the authority that can be construed as contrary to the provisions of the governing bond resolutions then presently outstanding between the authority and the holders of bonds which have theretofore been sold by the authority in connection with financing related to the Washington state ferries.

Chapter 47.64

MARINE EMPLOYEE COMMISSION

47.64.005 Declaration of policy. The state of Washington, as a public policy, declares that sound labor relations are essential to the development of a ferry and bridge system which will best serve the interests of the people of the state.

47.64.010 Definitions. Words and phrases used in this chapter shall have the meaning in this chapter ascribed to them except where, from the context thereof, they shall clearly have a contrary meaning:

(1) "Washington toll bridge authority" and "authority," "toll bridge authority" shall be used herein interchangeably and shall mean the Washington toll bridge authority as now, or as hereafter constituted by law, or such board, commission, authority, or officers as shall succeed to its duties;

(2) "Marine employee commission" and "commission" shall be used herein interchangeably and shall mean the marine employee commission as prescribed herein;

(3) "Ferry" shall mean any ferry, ferry system, wharves, terminals constructed or acquired under the authority of the Washington toll bridge authority;

(4) "Employee" shall mean any person employed aboard ferries, wharves, or terminals acquired or constructed under the authority of the Washington toll bridge authority.

47.64.020 Marine employee commission to be established—Membership—Terms—Compensation. In the event the state of Washington through the Washington toll bridge authority exercises the powers granted in RCW 47.60.010 to 47.60.160, the authority shall immediately appoint a marine employee commission to consist of three members, one member to be appointed from labor, one member from industry and one member from the public, which last named member shall be chairman of the commission. One member shall be appointed for a term of two years, one member for a term of three years, and the chairman for a term of four years. Thereafter each member shall be appointed for a term of four years. Members of the commission shall serve without compensation with the exception of the member from the public, whose salary shall be determined by the authority and shall be

paid from the Washington state ferries revolving fund. Members of the commission shall be reimbursed by the authority for all necessary expenses incurred in the performance of their duties, which expenses shall likewise be paid from the Washington state ferries revolving fund.

47.64.030 Duties of commission in general. The authority is empowered to negotiate and to enter into labor agreements with its employees or their representatives, including provisions for health and welfare benefits for its employees to be financed either wholly or in part by contributions from the operating fund. The commission shall have the authority to administer labor relations and to adjudicate all labor disputes on the best interests of the efficient operation of any ferry or ferry system. In adjudicating disputes, the commission shall take into consideration that though an individual employee shall be free to decline to associate with his fellow employees, it is necessary that he have full freedom of association, self-organization and designation of representatives of his own choosing who shall represent him in all respects before the commission to negotiate the terms and conditions of his employment and the settlement of his labor disputes. The commission shall make such surveys of wages, hours and working conditions as it deems necessary, shall consider the prevailing practices for similarly skilled trades in the area in which the employee is employed, and shall adjust complaints, grievances and disputes concerning labor arising out of the operation of the ferry or ferry system.

47.64.040 Adjudication of labor disputes—Hearings—Subpoenas. Any employee, employee's representative, or Washington toll bridge authority claiming labor disputes shall in writing notify the marine employee commission who shall make careful inquiry into the cause thereof and issue an order in writing advising the employee, or his representative, and the authority as to the decision of the commission.

The parties shall be entitled to offer evidence relating to disputes at all hearings conducted by the commission. All evidence, statements and testimony in any commission hearing under this chapter shall be transcribed and preserved by the commission and be available as a public record. The orders and awards of the marine employee commission shall be final and binding upon any employee or employees or their representatives affected thereby and upon the Washington toll bridge authority.

The commission shall by regulation prescribe its rules of procedure.

The commission shall have the authority to subpoena any employee or employees, or their representatives, and any member

or representative of the Washington toll bridge authority, and any witnesses. The commission shall have power to require attendance of witnesses and the production of all pertinent records at any hearings held by the commission. The subpoenas of the commission shall be enforceable by order of any superior court in the state of Washington for the county within which such proceedings may be pending.

47.64.050 Unemployment compensation. The commission shall place all employees engaged in the operation of ferries acquired by the authority under the unemployment compensation benefits secured to workmen as set forth in Title 50. The department of employment security is authorized and directed to accept coverage under this section.

47.64.060 Federal social security—State employees' retirement. All employees engaged in the operation of ferries acquired by the authority shall remain subject to the federal social security act and shall be under the state employees' retirement act. The authority shall make such deductions from salaries of employees and contributions from revenues of the authority as shall be necessary to qualify such employees for benefits under the federal social security act; and the appropriate officials are authorized to contract with the secretary of health, education and welfare to effect such coverage.

47.64.070 Employees subject to industrial insurance laws. Employees, except the masters and members of the crews of vessels, shall be subject to and entitled to the benefits of the industrial insurance laws of the state, and are hereby declared to be in extra-hazardous employment within the meaning of such laws.

47.64.080 Employee seniority rights. All employees employed at the time of the acquisition of any ferry or ferry system by the toll bridge authority shall have seniority rights to the position they occupy aboard said ferries or ferry system. In the event of curtailment of ferry operations for any reason, employees shall be relieved of service on the basis of their duration of employment in any ferry or ferry system acquired by the toll bridge authority.

47.64.090 Other party operating ferry by rent, lease or charter to be subject to chapter—Working conditions—Adjudication of labor disputes. Should any party assume the operation and maintenance of any ferry or ferry system by rent, lease or charter from the Washington toll bridge authority, such party shall assume and be bound by all the provisions herein and any agreement or contract for such operation of any ferry or ferry system entered into by the Washington toll bridge authority shall provide that the

wages to be paid, hours of employment, working conditions and seniority rights of employees will be established by the marine employees commission in accordance with the terms and provisions of this chapter and it shall further provide that all labor disputes shall be adjudicated by the marine employees commission.

Chapter 47.65

PUGET SOUND TRANSPORTATION SYSTEM— EMPLOYEES' RETIREMENT

47.65.010 Puget sound transportation stabilization fund. There is created in the state treasury a permanent fund to be known as the Puget Sound transportation stabilization fund to the credit of which shall be deposited all moneys directed by law to be deposited therein and to be expended as provided by RCW 47.65.020.

Note: See also section 26, chapter 7, Laws of 1961 extraordinary session.

47.65.020 State employees' retirement system and OASI coverage for employees of Washington State Ferries. The Washington toll bridge authority, as an incident of its operation of the Puget Sound transportation system including the operation of toll bridges and ferries, is authorized and directed to make from the Puget Sound transportation stabilization fund such additional payments as are required by extending the coverage of the state employees' retirement system and the federal social security act to employees of the Washington state ferries, a part of the Puget Sound transportation system. Payments shall be made by the authority from the Puget Sound transportation stabilization fund on the presentation of vouchers duly processed and approved by the authority.

Note: See also section 26, chapter 7, Laws of 1961 extraordinary session.

47.65.050 Stabilization fund—Reversion of unexpended balance. Any funds credited to the Puget Sound transportation stabilization fund and remaining unexpended at the expiration of each biennium shall revert to the motor vehicle fund.

Note: See also section 26, chapter 7, Laws of 1961 extraordinary session.

47.65.060 Employees to be members of state employees' retirement system—Employer's contribution—Former service credit. Subject to the provisions of chapter 41.40 every employee of the Washington toll bridge authority shall become a member of the state employees' retirement system. The Washington toll bridge authority shall pay into the state retirement system the required employer's contributions for each employee for the period beginning April 1, 1949 or from the time he became eligible for membership. Each eligible member shall receive credit for all of his former service from the beginning of his employment on ferries, wharves, or terminals acquired, leased or constructed by or for the Washington

toll bridge authority. Satisfactory proof of service with previous employer shall be furnished the state employees' retirement board by employee.

47.65.080 Employer's contribution for former service. Any employer's contribution required to establish employees' credit for former service under RCW 47.65.060, shall be paid by the Washington toll bridge authority in such amount as will entitle the employee to all rights, benefits and privileges that he would have been entitled to had he been a member of the state employees' retirement system from the beginning of his employment with the authority on or after June 1, 1951. Such contributions for former service shall be payable at the rate of seventy-five thousand dollars in each calendar year and shall continue at such rate until such payments are equal to the then outstanding liability for former service credits.

47.65.091 Appropriation—1959 Act. There is appropriated from the Puget Sound transportation stabilization fund to the Washington toll bridge authority for the biennium beginning July 1, 1959, and ending June 30, 1961, the sum of five hundred thousand dollars or so much thereof as is necessary to carry out the provisions of chapter 47.65.

47.65.110 Chapter expires June 30, 1961. Chapter 271, Laws of 1957 and RCW 47.65.010 through 47.65.110 shall expire on June 30, 1961.

Note: See also section 25, chapter 7, Laws of 1961 extraordinary session.

Chapter 47.98

CONSTRUCTION

47.98.010 Continuation of existing law. The provisions of this title insofar as they are substantially the same as statutory provisions repealed by this chapter, and relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments. Nothing in this 1961 reenactment of this title shall be construed as authorizing any new bond issues or new or additional appropriations of moneys but the bond issue authorizations herein contained shall be construed only as continuations of bond issues authorized by prior laws herein repealed and re-enacted, and the appropriations of moneys herein contained are continued herein for historical purposes only and this act shall not be construed as a reappropriation thereof and no appropriation contained herein shall be deemed to be extended or revived hereby and such appropriation shall lapse or shall have lapsed in accordance with the original enactment: *Provided*, That this act shall not

operate to terminate, extend, or otherwise affect any appropriation for the biennium commencing July 1, 1959 and ending June 30, 1961.

47.98.020 Provisions to be construed in pari materia. The provisions of this title shall be construed in *pari materia* even though as a matter of prior legislative history they were not originally enacted in the same statute. The provisions of this title shall also be construed in *pari materia* with the provisions of Title 46 RCW, and with other laws relating to highways, roads, streets, bridges, ferries and vehicles. This section shall not operate retroactively.

47.98.030 Title, chapter, section headings not part of law. Title headings, chapter headings, and section or subsection headings, as used in this title do not constitute any part of the law.

47.98.040 Invalidity of part of title not to affect remainder. If any provision of this title, or its application to any person or circumstance is held invalid, the remainder of the title, or the application of the provision to other persons or circumstances is not affected.

47.98.050 Repeals and saving. The following acts or parts of acts are repealed:

- (1) Chapter 56, Laws of 1913;
- (2) Chapter 65, Laws of 1913;
- (3) Chapter 29, Laws of 1915;
- (4) Chapter 164, Laws of 1915;
- (5) Chapter 76, Laws of 1917;
- (6) Chapter 77, Laws of 1917;
- (7) Chapter 78, Laws of 1917;
- (8) Chapter 118, Laws of 1917;
- (9) Chapter 56, Laws of 1919;
- (10) Chapter 146, Laws of 1919;
- (11) Chapter 21, Laws of 1921;
- (12) Chapter 89, Laws of 1921;
- (13) Chapter 95, Laws of 1921;
- (14) Chapter 41, Laws of 1923;
- (15) Chapter 102, Laws of 1923;
- (16) Chapter 129, Laws of 1923;
- (17) Chapter 185, Laws of 1923;
- (18) Chapter 4, Laws of 1925;
- (19) Chapter 24, Laws of 1925;
- (20) Chapter 26, Laws of 1925;
- (21) Chapter 59, Laws of 1925 extraordinary session;
- (22) Chapter 131, Laws of 1925 extraordinary session;
- (23) Chapter 214, Laws of 1927;

- (24) Chapter 232, Laws of 1927;
- (25) Chapter 242, Laws of 1927;
- (26) Chapter 88, Laws of 1929;
- (27) Chapter 116, Laws of 1929.
- (28) Chapter 146, Laws of 1929;
- (29) Chapter 171, Laws of 1929;
- (30) Chapter 214, Laws of 1929;
- (31) Chapter 29, Laws of 1931;
- (32) Chapter 30, Laws of 1931;
- (33) Chapter 31, Laws of 1931;
- (34) Chapter 36, Laws of 1931;
- (35) Chapter 37, Laws of 1931;
- (36) Chapter 38, Laws of 1931;
- (37) Chapter 117, Laws of 1931;
- (38) Chapter 118, Laws of 1931;
- (39) Chapter 129, Laws of 1931;
- (40) Chapter 133, Laws of 1933;
- (41) Chapter 144, Laws of 1935;
- (42) Sections 1 through 3, and 5 through 107, chapter 53, Laws of 1937;
- (43) Chapter 113, Laws of 1937;
- (44) Chapter 173, Laws of 1937;
- (45) Chapter 185, Laws of 1937;
- (46) Sections 59, 60, 61, 63 and 65, chapter 187, Laws of 1937;
- (47) Chapter 190, Laws of 1937;
- (48) Chapter 207, Laws of 1937;
- (49) Chapter 5, Laws of 1939;
- (50) Chapter 81, Laws of 1939;
- (51) Sections 7 and 8, chapter 181, Laws of 1939;
- (52) Chapter 9, Laws of 1941;
- (53) Chapter 136, Laws of 1941;
- (54) Sections 9 through 11, chapter 82, Laws of 1943;
- (55) Chapter 132, Laws of 1943;
- (56) Chapter 135, Laws of 1943;
- (57) Chapter 147, Laws of 1943;
- (58) Chapter 212, Laws of 1943;
- (59) Chapter 239, Laws of 1943;
- (60) Chapter 253, Laws of 1943;
- (61) Chapter 265, Laws of 1943;
- (62) Chapter 266, Laws of 1943;
- (63) Chapter 27, Laws of 1945;
- (64) Chapter 127, Laws of 1945;
- (65) Chapter 146, Laws of 1945;
- (66) Chapter 176, Laws of 1945;
- (67) Chapter 178, Laws of 1945;

- (68) Chapter 248, Laws of 1945;
- (69) Chapter 250, Laws of 1945;
- (70) Chapter 266, Laws of 1945;
- (71) Chapter 4, Laws of 1947;
- (72) Chapter 96, Laws of 1947;
- (73) Chapter 201, Laws of 1947;
- (74) Chapter 202, Laws of 1947;
- (75) Chapter 206, Laws of 1947;
- (76) Chapter 232, Laws of 1947;
- (77) Chapter 64, Laws of 1949;
- (78) Chapter 70, Laws of 1949;
- (79) Section 1, chapter 75, Laws of 1949;
- (80) Chapter 148, Laws of 1949;
- (81) Chapter 162, Laws of 1949;
- (82) Chapter 179, Laws of 1949;
- (83) Section 13, chapter 196, Laws of 1949;
- (84) Sections 1 through 6, 14 and 15, chapter 220, Laws of 1949;
- (85) Chapter 225, Laws of 1949;
- (86) Chapter 8, Laws of 1951;
- (87) Chapter 54, Laws of 1951;
- (88) Chapter 82, Laws of 1951;
- (89) Chapter 121, Laws of 1951;
- (90) Chapter 167, Laws of 1951;
- (91) Chapter 188, Laws of 1951;
- (92) Chapter 199, Laws of 1951;
- (93) Sections 1 through 15, chapter 247, Laws of 1951;
- (94) Chapter 259, Laws of 1951;
- (95) Sections 1 through 23, 25 through 28, and 30, chapter 273, Laws of 1951;
- (96) Chapter 28, Laws of 1953;
- (97) Chapter 29, Laws of 1953;
- (98) Chapter 30, Laws of 1953;
- (99) Chapter 32, Laws of 1953;
- (100) Chapter 33, Laws of 1953;
- (101) Chapter 42, Laws of 1953;
- (102) Chapter 53, Laws of 1953;
- (103) Chapter 54, Laws of 1953;
- (104) Chapter 55, Laws of 1953;
- (105) Chapter 59, Laws of 1953;
- (106) Chapter 78, Laws of 1953;
- (107) Chapter 79, Laws of 1953;
- (108) Chapter 82, Laws of 1953;
- (109) Chapter 100, Laws of 1953;
- (110) Chapter 131, Laws of 1953;
- (111) Chapter 132, Laws of 1953;

- (112) Chapter 154, Laws of 1953;
- (113) Chapter 159, Laws of 1953;
- (114) Chapter 183, Laws of 1953;
- (115) Chapter 192, Laws of 1953;
- (116) Chapter 193, Laws of 1953;
- (117) Chapter 211, Laws of 1953;
- (118) Chapter 220, Laws of 1953;
- (119) Section 1, chapter 254, Laws of 1953;
- (120) Sections 1 through 28 and 30, chapter 280, Laws of 1953;
- (121) Chapter 285, Laws of 1953;
- (122) Chapter 17, Laws of 1955;
- (123) Chapter 21, Laws of 1955;
- (124) Chapter 22, Laws of 1955;
- (125) Chapter 49, Laws of 1955;
- (126) Chapter 54, Laws of 1955;
- (127) Chapter 63, Laws of 1955;
- (128) Chapter 75, Laws of 1955;
- (129) Chapter 83, Laws of 1955;
- (130) Chapter 84, Laws of 1955;
- (131) Chapter 117, Laws of 1955;
- (132) Section 6, chapter 146, Laws of 1955;
- (133) Chapter 147, Laws of 1955;
- (134) Chapter 152, Laws of 1955;
- (135) Chapter 161, Laws of 1955;
- (136) Chapter 166, Laws of 1955;
- (137) Chapter 178, Laws of 1955;
- (138) Chapter 179, Laws of 1955;
- (139) Chapter 203, Laws of 1955;
- (140) Chapter 208, Laws of 1955;
- (141) Section 20, chapter 285, Laws of 1955;
- (142) Sections 7 and 8, chapter 310, Laws of 1955;
- (143) Chapter 311, Laws of 1955;
- (144) Chapter 383, Laws of 1955;
- (145) Sections 8 and 12 through 14, chapter 384, Laws of 1955;
- (146) Chapter 83, Laws of 1957;
- (147) Chapter 95, Laws of 1957;
- (148) Chapter 141, Laws of 1957;
- (149) Chapter 142, Laws of 1957;
- (150) Chapter 152, Laws of 1957;
- (151) Sections 1 through 36 and 38 through 60, chapter 172, Laws of 1957;
- (152) Chapter 189, Laws of 1957;
- (153) Chapter 204, Laws of 1957;
- (154) Chapter 206, Laws of 1957;
- (155) Chapter 230, Laws of 1957;

- (156) Chapter 235, Laws of 1957;
- (157) Chapter 266, Laws of 1957;
- (158) Chapter 270, Laws of 1957;
- (159) Sections 1 and 2 and 5 through 12, chapter 271, Laws of 1957;
- (160) Chapter 144, Laws of 1959;
- (161) Chapter 160, Laws of 1959;
- (162) Chapter 162, Laws of 1959;
- (163) Chapter 167, Laws of 1959;
- (164) Chapter 184, Laws of 1959;
- (165) Chapter 198, Laws of 1959;
- (166) Chapter 199, Laws of 1959;
- (167) Chapter 242, Laws of 1959;
- (168) Sections 1 through 5 and 7, chapter 292, Laws of 1959;
- (169) Sections 1 through 19, and 33 through 35, chapter 319, Laws of 1959;
- (170) Section 3, chapter 326, Laws of 1959;
- (171) Chapter 330, Laws of 1959;
- (172) Section 2, chapter 4, Laws of 1959 first extraordinary session; and
- (173) RCW 43.27.020 through 43.27.200 (recodified herein as chapter 47.01).

Such repeals shall not be construed as affecting any existing right acquired under the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder, nor any administrative action taken thereunder, nor the term of office or appointment or employment of any person appointed or employed thereunder.

Such repeals shall not affect the adoption by reference in sections 47.16.140, 47.16.190 and 47.20.380 of the highway routes established respectively by sections 5, 4, and 38, chapter 383, Laws of 1955.

47.98.060 Emergency. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing institutions and shall take effect immediately: *Provided*, That the effective date of sections 47.16.160, 47.20.110, and 47.20.380 shall be July 1, 1961.

TITLE 47

Explanatory
note.

STATE HIGHWAYS AND TOLL BRIDGES

EXPLANATORY NOTE

I. Introductory.

a. General.

In the course of its current program to restore session law language to the Revised Code of Washington, the reviser's office and the codifications subcommittee of the Statute Law Committee have carefully examined the provisions of Title 47 relating to state highways and toll bridges and of Title 46 relating to motor vehicles. Pursuant to such

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note.

study, and after thorough discussion between the reviser and the codifications subcommittee, the committee determined that because of the complicated statutory problems relating to these subjects the titles in question are nonrestorable and that the public interest could best be served by the preparation and submission to the legislature of companion bills to reenact these titles as primary law and which in the reenactment process would correct such statutory problems as might be corrected without altering the substance of the law.

In preparing these bills, the provisions of the Revised Code of Washington were carefully compared with their session law sources by the reviser's office, significant language and organizational variances were documented, and preliminary drafts were prepared. Such drafts and the comprehensive study materials which accompanied them were minutely considered by the codifications subcommittee of the Statute Law Committee in concert with representatives of the department of licenses, the state highway commission and the Washington state patrol and pursuant to hearings held by the subcommittee on October 21 and 22, 1960, the instant drafts were evolved. They were approved by the Statute Law Committee at its next regular meeting thereafter.

It should be noted that the appearance of the phrase "this Act" and similar phrases, as they appear in the session laws codified herein, have caused considerable difficulty due to the complex statutory background of these titles. Herein, such phrases have been translated to "this title", "this chapter", "this section", or to specific code section numbers, in accordance with what most nearly corresponds to their original application, but at the same time taking into consideration the doctrine of statutes in *pari materia*, and the necessity for harmonizing the provisions of this reenactment. While many other statutes are herein contained, the basic acts comprising this title are the 1937 highway statutes. In view of the above stated purposes, the broad translation of the phrase "this act" and other similar phrases appear to be justified by the fact that the numerous highway and vehicle acts enacted by the 1937 legislative session were prepared and submitted to the 1937 legislature pursuant to the mandate of 1935 c 111 § 10 which provided:

"That for the purpose of securing a complete codification of the laws of this state with reference to highways and the licensing and regulation of vehicles thereon, the director of highways is hereby directed to submit to the legislature at its regular session of 1937 a complete code of highway law. Advanced copies of such code of highway law shall be submitted to every elected member of the Senate and House of Representatives by November 15, 1936."

In addition, the *pari materia* nature of the 1937 highway and vehicles acts was recognized by our court in *Great Northern Railroad Co. v. Glover*, 194 Wash. 146, wherein the court observed that:

"Chapters 53, 187 and 207, Laws of 1937 are *in pari materia*, announce the same classification, reflect a legislative intent to integrate our entire highway system throughout the state, and to legislate completely with respect to all roads and highways located within the state . . .".

In a footnote appended to the recent decision of *City of Bellingham v. Shampera*, 157 Wash. Dec. 1, construing the 1937 motor vehicle acts which were enacted in concert with the highway legislation of that year, our court has pointed out that in the present state of Title 46 of the Revised Code of Washington, being a mere compilation of the various statutes relating to motor vehicles, the translations of the 1941 Code Committee of the phrase "this act" should be viewed with caution.

In order to clarify the matter of *pari materia* construction to be accorded to this reenactment, a provision has been inserted in chapter

47.98 hereof declaring that the provisions of this title shall be construed **Explanatory**
in *pari materia*. **note.**

b. *Devolution of powers and duties of director of highways to state highway commission.*

The powers and duties of the director of highways and the department of highways have comprehensively devolved upon the state highway commission as provided by the highway commission act: 1951 c 247, chapter 43.27 RCW, herein codified as chapter 47.01. In accordance with this broad transfer of powers and duties, the terms "state highway commission" and "highway commission" have been generally substituted for "director of highways" and "department of highways" but such substitution has generally not been made when related to certain past actions of the director, e.g. Sec. 47.20.580, in the bonding acts, chapter 47.10, and in certain enactments or amendments subsequent to 1951 wherein the legislature has referred both to the commission and to the director. Nor has it been made with respect to the department as an administrative entity, e.g. Secs. 47.01.160 and 47.01.200. Each substitution is documented below in the section comment; correlative changes in pronouns have likewise been made but are not documented.

c. *"Primary state highway."*

The problem relating to the use of "primary state highway" is inherent in the series of major 1937 highway acts. Briefly stated: One of these acts, 1937 c 53, in section 5 thereof, classified all highways as primary state highways, city streets, and county roads. A later 1937 act, 1937 c 207, which created and designated the basic secondary highway system, (in section 1 thereof; herein 47.04.020), classified all highways into primary state highways, secondary state highways, city streets and county roads, and further granted to the director of highways (in section 20 thereof; herein 47.04.030) all the powers and duties with relation to state secondary highways as are granted by law with respect to primary highways. Thus in many instances where "Primary state highway" is used in the session laws, such designation appears to be too restrictive to be carried forward in reenactment, in view of the provisions of the later 1937 act and other subsequent laws. As documented in the section comment below, the term "state highway" has been generally substituted herein for "primary state highway". Similar translations by the 1941 Code Committee have appeared in RCW since 1951.

Each of the above translations, substitutions, and deletions was carefully considered and discussed at the series of meetings mentioned above. The remainder of these notes consist of source notes and a section by section comment regarding this reenactment. The complete study materials relating to these titles are on permanent file in the office of the code reviser, at Olympia.

II. Section Comment.

Chapter 47.01 Highway Commission

The provisions of this chapter 43.27 are herein codified as chapter 47.01.

47.01.010 Source—[1951 c 247 § 1.]

47.01.020 Source—[1951 c 247 § 2.]

Formerly 43.27.070.

"the passage of this act" to "March 19, 1951".

This was the date the governor signed the act.

47.01.030 Source—[1951 c 247 § 3.]

Formerly 43.27.080.

47.01.040 Source—[1951 c 247 § 13.]

Formerly 43.27.090.

47.01.050 Source—[1951 c 247 § 4.]

Formerly 43.27.100.

"duties now vested" to "duties vested . . . as of July 1,

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note.

- 1951", to conform to date of transfer of powers and duties as prescribed in 47.01.060.
- 47.01.060 Source—[1951 c 247 § 7.]
Formerly 43.27.110.
"section 4 of this act" to "RCW 47.01.050".
"this act" to "this title".
"now vested in" to "then vested in" as it relates to the date of July 1, 1951.
- 47.01.070 Source—[1951 c 247 § 5.]
Formerly 43.27.120.
"is now designated" to "was on July 1, 1951 designated" to conform to date of transfer of powers and duties as prescribed in 47.01.060.
- 47.01.080 Source—[1951 c 247 § 6.]
Formerly 43.27.130.
"this act" to "this title".
- 47.01.090 Source—[1951 c 247 § 8.]
Formerly 43.27.140.
- 47.01.100 Source—[1951 c 247 § 9.]
Formerly 43.27.150.
- 47.01.110 Source—[1951 c 247 § 10.]
Formerly 43.27.160.
- 47.01.120 Source—[1951 c 247 § 11.]
Formerly 43.27.170.
- 47.01.130 Source—[1957 c 172 § 31; 1951 c 247 § 12.]
Formerly 43.27.180.
- 47.01.140 Source—[1951 c 247 § 14.]
Formerly 43.27.190.
- 47.01.150 Source—[1955 c 383 § 45; 1953 c 254 § 1; 1951 c 247 § 15.]
Formerly 43.27.200.
- 47.01.160 Source—[1937 c 53 § 3; RRS § 6400-3.]
Formerly 43.27.020.
Section edited to reflect devolution of powers and duties formerly vested in director, to highway commission.
"director of highways" to "state highway commission" and "commission".
"primary state highway" to "state highway".
"at the office of the director of highways" to "at the office of the highway commission".
Concerning subd. (7) of this section, see note for sec. 47.98.050.
- 47.01.170 Source—[1945 c 176 § 1; Rem. Supp. 1945 § 6400-3f.]
Formerly 43.27.030.
"director of highways" to "commission".
- 47.01.180 Source—[1943 c 253 § 1; Rem. Supp. 1943 § 6402-35.]
Formerly 43.27.040.
"director of highways" to "commission".
- 47.01.190 Source—[1949 c 220 § 2; Rem. Supp. 1949 § 6400-3g.]
Formerly 43.27.050.
"director of highways" to "commission".
- 47.01.200 Source—[1955 c 383 § 44; 1949 c 220 § 3; Rem. Supp. 1949 § 6400-3h.]
Formerly 43.27.060.
Repealed by 1961 c 1 § 33(9) (Initiative 207).
See note for sec. 47.98.050.
- 47.01.210 Source—[1955 c 84 § 1; 1953 c 100 § 1.]
Formerly 43.27.105.
In first clause "state department of highways acting through" deleted.
- 47.01.220 Source—[1957 c 172 § 30.]
Formerly 43.27.192.

Chapter 47.04 General Provisions

Explanatory
note.

- 47.04.010 Source—[1937 c 53 § 1; RRS § 6400-1.]
Words “or unless otherwise defined in the chapter of which they are a part” have been added to introductory paragraph to provide for subsequent enactments after 1937.
Words “or secondary” have been added to the definition of “county road” to conform it to the classification of highways set forth in 47.04.020.
Under “commercial vehicle” “(of) the” changed to “the”.
“this act” to “this title” throughout.
Definition of “secondary state highway” added on basis of 47.04.020, 47.04.030 and other sections in chapter 47.20 derived from 1937 c 207 which established the system of secondary state highways.
Definition of “state highway” added as this term appears throughout the title, often as a result of deletion of the word “primary” from the phrase “primary state highway”. See introductory note, *supra*.
- 47.04.020 Source—[1937 c 207 § 1; RRS § 6402-1; 1937 c 53 § 5; RRS § 6400-5; 1913 c 65 § 1; RRS § 6790.]
- 47.04.030 Source—[1937 c 207 § 20; RRS § 6402-20.]
“this act” to “this title”.
“director of highways” to “highway commission”.
- 47.04.040 Source—[1937 c 53 § 29; RRS § 6400-29.]
“Upon the taking effect of this act” changed to “Upon and after April 1, 1937”.
“the effective date of this act” changed to “April 1, 1937”.
“director of highways” to “highway commission”.
- 47.04.050 Source—[1937 c 53 § 43; RRS § 6400-43; 1917 c 76 § 1; RRS § 6844.]
- 47.04.060 Source—[1937 c 53 § 47; RRS § 6400-47; 1917 c 76 § 5, part; RRS § 6848, part.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
“secretary of commerce” is substituted for “secretary of agriculture”. Functions of the Federal Bureau of Public Roads are now vested in the Secretary of Commerce by virtue of reorganization plan #7 (63 Stat. 1070) adopted pursuant to the reorganization act of 1949 (63 Stat. 203). Earlier transfers of this function are as follows: From the secretary of agriculture to the Federal Works Agency, reorganization plan # 1 (53 Stat. 1423) adopted pursuant to the reorganization act of 1939 (53 Stat. 561) and from the Federal Works Agency to the General Service Administration by Section 103(a), Act of June 30, 1949 (63 Stat. 380).
- 47.04.070 Source—[1937 c 53 § 44; RRS § 6400-44; 1917 c 76 § 5, part; RRS § 6848, part.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
“secretary of agriculture” to “secretary of commerce”; see 47.04.060, above.
- 47.04.080 Source—[1937 c 53 § 47½; RRS § 6400-47 ½.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.04.090 Source—[1937 c 53 § 95; RRS § 6400-95.]
“this act” to “this title”.

Chapter 47.08 Highway Funds

- 47.08.010 Source—[1937 c 53 § 32, part; RRS § 6400-32, part.]
The 1941 Code Committee codified the first sentence of this section as 47.08.010 and codified the remainder of the section

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note.

- as 47.28.040. The RCW division is herein retained while restoring session law language.
 "primary state highway" to "state highway".
 "director of highways" to "highway commission".
- 47.08.020 Source—[1937 c 53 § 46; RRS § 6400-46; 1917 c 76 § 3; RRS § 6846.]
 "primary state highways" to "state highways".
 "secretary of agriculture" to "secretary of commerce"; see 47.04.060, above.
- 47.08.030 Source—[1949 c 75 § 1; 1937 c 53 § 96; Rem. Supp. 1949 § 6400-96.]
 "this act" to "this title".
- 47.08.040 Source—[1937 c 113 § 1; RRS § 6450-91.]
 "primary highway" to "highway".
 "director of highways" to "highway commission".
- 47.08.050 Source—[1937 c 113 § 2; RRS § 6450-92.]
 "section 1 of this act" to "RCW 47.08.040".
 "director of highways" to "highway commission".
- 47.08.060 Source—[1937 c 113 § 3; RRS § 6450-93.]
 "section 1 hereof" to "RCW 47.08.040".
- 47.08.070 Source—[1945 c 127 § 2; Rem. Supp. 1945 § 6400-121.]
 "director of highways" to "highway commission".
 "department of highways" to "highway commission".
- 47.08.080 Source—[1937 c 187 § 59; RRS § 6450-59.]
 "director of highways" to "highway commission".
 "primary state highways" to "state highways".
- 47.08.090 Source—[1937 c 187 § 65; RRS § 6450-65.]
 "created" to "credited" to correct manifest clerical error.
 "director of highways" to "highway commission".
 "primary" deleted from "primary state highway".
- 47.08.100 Source—[1943 c 82 § 13, part; 1937 c 187 § 66, part; Rem. Supp. 1943 § 6450-66, part.]
 1943 c 82 § 13 was divided by the 1941 Code Committee, the first paragraph thereof being codified as rewritten in 47.08.110 and 36.75.290 and the remainder as 47.08.100; such division and codification is here retained with a restoration of session law language. Due to the inclusion of part thereof in Title 36, 1943 c 82 § 13 and 1937 c 187 § 66 are not herein presented for repeal, but will be considered in connection with a later bill for the reenactment of Title 36.
 For a general penalty comparable to that part of this section which is codified in 36.75.290, see herein 47.04.090. See also 9.01.090 and 9.92.030.
 "director of highways" to "highway commission".
- 47.08.110 Source—[1943 c 82 § 13, part; 1937 c 187 § 66, part; Rem. Supp. 1943 § 6450-66, part.]
 See 47.08.100 above.
 "this act" to "this title".
 At end of section, "authorized by this act" to "authorized by law" as much of the authority pertaining to the funds mentioned herein is contained in Title 36 and some in Title 35.
- 47.08.120 Source—[1943 c 135 § 1; 1935 c 144 § 10; Rem. Supp. 1943 § 6600-1c.]
 "director of highways" and "department of highways" to "highway commission".
- 47.08.121 Source—[1959 c 326 § 3.]
 Emergency clause omitted.
- 47.08.130 Source—[1937 c 53 § 45; RRS § 6400-45; 1931 c 129 § 1; 1929 c 146 § 1; 1927 c 214 § 1; 1925 c 4 § 1; 1923 c 41 § 1; 1921 c 89 § 1; 1919 c 56 § 1; RRS § 6850.]
 "director of highways" to "highway commission".
 "secretary of agriculture" to "secretary of commerce"; see 47.04.060, above.

**Chapter 47.10 Highway Construction Bonds
First Priority project—1951 Act**

Explanatory
note.

This chapter reenacts prior laws authorizing the issuance of bonds, including the appropriation of moneys. For provisions directing that this reenactment shall be construed as a continuation of existing laws and not as new legislation, see chapter 47.98, *infra*. Consistent herewith, reference to the terminal date of the biennium appropriated for has been inserted in all sections declaring an appropriation.

- 47.10.010 Source—[1951 c 121 § 1.]
 47.10.020 Source—[1955 c 117 § 1; 1951 c 121 § 2.]
 47.10.030 Source—[1951 c 121 § 3.]
 “this act” to “RCW 47.10.010 through 47.10.140”. 1951 c 121 is so codified except for section 14 thereof which amends 47.60-.100 and section 16, an emergency section not qualified for codification.
 47.10.040 Source—[1951 c 121 § 4.]
 “this chapter” to “RCW 47.10.010 through 47.10.140”. 1951 c 121 uses both “this act” (see 47.10.030 above) and “this chapter”. Due to subsequent acts being codified in this chapter under separate subheadings it is thus necessary to translate “this chapter” when used in session law language in the 1951 act.
 47.10.050 Source—[1951 c 121 § 5.]
 “this chapter” to “RCW 47.10.010 through 47.10.140”.
 47.10.060 Source—[1951 c 121 § 6.]
 47.10.070 Source—[1951 c 121 § 7.]
 “section 9 of this act” to “RCW 47.10.110”.
 47.10.080 Source—[1951 c 121 § 8.]
 “section 7” changed to “RCW 47.10.070”.
 47.10.090 Source—[1951 c 121 § 11.]
 47.10.100 Source—[1951 c 121 § 12.]
 “section 9” to “RCW 47.10.110”.
 47.10.110 Source—[1951 c 121 § 9.]
 “this chapter” to “RCW 47.10.010 through 47.10.140”.
 47.10.120 Source—[1951 c 121 § 10.]
 47.10.130 Source—[1951 c 121 § 13.]
 47.10.140 Source—[1951 c 121 § 15.]
 “this chapter” to “RCW 47.10.010 through 47.10.140”.
 “for the biennium ending March 31, 1953” added, see note at beginning of chapter.

Additional Bonds—1953 Act

- 47.10.150 Source—[1953 c 154 § 1.]
 “the act” to “RCW 47.10.010 through 47.10.140”. 1951 c 121 is so codified with the exception of section 14 thereof which amended 47.60.100 and section 16 thereof, an emergency section not qualified for codification.
 47.10.160 Source—[1955 c 117 § 2; 1953 c 154 § 2.]
 47.10.170 Source—[1953 c 154 § 3.]
 “this act” to “RCW 47.10.150 through 47.10.270”.
 47.10.180 Source—[1953 c 154 § 4.]
 “this chapter” to “RCW 47.10.150 through 47.10.270”.
 47.10.190 Source—[1953 c 154 § 5.]
 “issued hereunder” to “issued under RCW 47.10.150 through 47.10.270”.
 “this chapter” to “RCW 47.10.150 through 47.10.270”.
 47.10.200—Source—[1953 c 154 § 6.]
 47.10.210 Source—[1953 c 154 § 7.]
 47.10.220 Source—[1953 c 154 § 8.]
 “payments hereunder” to “payments under RCW 47.10.150 through 47.10.270”.

Explanatory note.	47.10.230	Source—[1953 c 154 § 9.]
	47.10.240	Source—[1953 c 154 § 10.] “authorized herein” to “authorized by RCW 47.10.150 through 47.10.270”.
	47.10.250	Source—[1953 c 154 § 11.] “authorized herein” to “authorized by RCW 47.10.150 through 47.10.270”.
	47.10.260	Source—[1953 c 154 § 12.] “authorized herein” to “authorized by RCW 47.10.150 through 47.10.270”.
	47.10.270	Source—[1953 c 154 § 13.] “authorized herein” to “authorized by RCW 47.10.150 through 47.10.270”.

Additional Bonds—1955 Act

47.10.280	Source—[1955 c 311 § 1.]
47.10.290	Source—[1955 c 311 § 2.]
47.10.300	Source—[1955 c 311 § 3.] “this act” to “RCW 47.10.280 through 47.10.400”.
47.10.310	Source—[1955 c 311 § 4.] “this chapter” to “RCW 47.10.280 through 47.10.400”.
47.10.320	Source—[1955 c 311 § 5.] “this chapter” to “RCW 47.10.280 through 47.10.400”.
47.10.330	Source—[1955 c 311 § 6.]
47.10.340	Source—[1955 c 311 § 7.] “section 9 of this act” to “RCW 47.10.360”.
47.10.350	Source—[1955 c 311 § 8.] “section 7 of this act” to “RCW 47.10.340”.
47.10.360	Source—[1955 c 311 § 9.] “this chapter” to “RCW 47.10.280 through 47.10.400”.
47.10.370	Source—[1955 c 311 § 10.]
47.10.380	Source—[1955 c 311 § 11.]
47.10.390	Source—[1955 c 311 § 12.]
47.10.400	Source—[1955 c 311 § 13.] “this chapter” to “RCW 47.10.280 through 47.10.400”. “for the biennium ending June 30, 1957” added, see note at beginning of chapter.

Additional Bonds—1957 Act

47.10.410	Source—[1957 c 206 § 1.]
47.10.420	Source—[1957 c 206 § 2.]
47.10.430	Source—[1957 c 206 § 3.] “this chapter” to “RCW 47.10.410 through 47.10.500”.
47.10.440	Source—[1957 c 206 § 4.] “this chapter” to “RCW 47.10.410 through 47.10.500”.
47.10.450	Source—[1957 c 206 § 5.] “this chapter” to “RCW 47.10.410 through 47.10.500”.
47.10.460	Source—[1957 c 206 § 6.] “section 1 of this chapter” to “RCW 47.10.410”.
47.10.470	Source—[1957 c 206 § 7.]
47.10.480	Source—[1957 c 206 § 8.] “this chapter” to “RCW 47.10.410 through 47.10.500”.
47.10.490	Source—[1957 c 206 § 9.]
47.10.500	Source—[1957 c 206 § 10.] “this chapter” to “RCW 47.10.410 through 47.10.500”. “for the biennium ending June 30, 1959” added, see note at beginning of chapter.

Tacoma-Seattle-Everett Facility—1957 Act

47.10.700	Source—[1957 c 189 § 1.]
47.10.702	Source—[1957 c 189 § 2.] “this act” to “RCW 47.10.700 through 47.10.724”.

- 47.10.704 Source—[1957 c 189 § 3.]
- 47.10.706 Source—[1957 c 189 § 4.]
 “section 1 above” to “RCW 47.10.700”.
 “this chapter” to “RCW 47.10.700 through 47.10.724”.
- 47.10.708 Source—[1957 c 189 § 5.]
- 47.10.710 Source—[1957 c 189 § 6.]
 “this chapter” to “RCW 47.10.700 through 47.10.724”.
- 47.10.712 Source—[1957 c 189 § 7.]
 “sections 1, 2 and 3 hereof” to “RCW 47.10.700, 47.10.702 and 47.10.704”.
- 47.10.714 Source—[1957 c 189 § 8.]
 “this chapter” to “RCW 47.10.700 through 47.10.724”.
- 47.10.716 Source—[1957 c 189 § 9.]
- 47.10.718 Source—[1957 c 189 § 10.]
 “sections 1, 2 and 3 of this act” to “RCW 47.10.700, 47.10.702 and 47.10.704”.
- 47.10.720 Source—[1957 c 189 § 11.]
 “section 9 of this act” to “RCW 47.10.716”.
 “section 10 of this act” to “RCW 47.10.718”.
- 47.10.722 Source—[1957 c 189 § 12.]
 “section 10 of this act” to “RCW 47.10.718”.
- 47.10.724 Source—[1957 c 189 § 13.]
 “this chapter” to “RCW 47.10.700 through 47.10.724”.
 “for the biennium ending June 30, 1959” added, see note at beginning of chapter.

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note.

Chapter 47.12 Acquisition and Disposition of State Highway Property

- 47.12.010 Source—[1937 c 53 § 25, part; RRS § 6400-25, part.]
 “primary state highway” to “state highway”.
 The 1941 Code Committee drastically streamlined the provisions of 1937 c 53 § 25 and divided it into 47.12.010, 47.12.020 and 47.12.030. Subsequently, in 1953, 47.12.020 was amended by adding the phrase “including lands or property rights needed in connection with limited access facilities established pursuant to chapter 47.52 . . .” We have herein restored this section to session law language and have accepted the RCW division as to RCW 47.12.010 and 47.12.020 but in order to preserve the proviso form of the session law we have rejoined 47.12.030 with 47.12.020. The 1953 amendment to 47.12.020 which was written to blend in with the 1941 Code Committee’s revision of that section, cannot, in its exact 1953 language, be made to harmonize with the 1937 session law language herein restored as 47.12.020. The sense and effect of the 1953 amendment are preserved herein by adding at the end of 47.12.020 the following sentence: “‘State highway’ as used in this section shall include limited access facilities established under chapter 47.52.”
 “primary state highway” to “state highway”.
 “director of highways” to “highway commission”.
- 47.12.011 Source—[1955 c 49 § 1.]
- 47.12.020 Source—[1953 c 54 § 1; 1937 c 53 § 25, part; RRS § 6400-25, part.]
 See 47.12.010 above.
- 47.12.030 Source—[1937 c 53 § 25, part; RRS § 6400-25, part.]
 See 47.12.010 above.
- 47.12.040 Source—[1943 c 266 § 1; 1937 c 53 § 26; Rem. Supp. 1943 § 6400-26.]
 “director of highways” to “highway commission”.
- 47.12.050 Source—[1937 c 53 § 27; RRS § 6400-27.]
 “primary state highway” to “state highway”.
 “director of highways” to “highway commission”.
- 47.12.060 Source—[1955 c 384 § 13. Prior: 1945 c 146 § 1, part; 1937 c 53 § 28, part; Rem. Supp. 1945 § 6400-28, part.]

- Explanatory note.
- 47.12.070 Source—[1955 c 384 § 14. Prior: 1945 c 146 § 1, part; 1937 c 53 § 28, part; Rem. Supp. 1945 § 6400-28, part.]
- 47.12.080 Source—[1945 c 127 § 1; Rem. Supp. 1945 § 6400-120.]
- 47.12.090 Source—[1937 c 185 § 1; RRS § 6400-111.]
“director of highways” to “highway commission”.
- 47.12.100 Source—[1937 c 185 § 2; RRS § 6400-112.]
47.12.100 combined 1937 c 185 §§ 2 and 3; 1937 c 185 § 3 is herein recodified as 47.12.105.
“director of highways” to “highway commission”.
- 47.12.105 Source—[1937 c 185 § 3; RRS § 6400-113.]
See 47.12.100 above.
“director of highways” to “highway commission”.
- 47.12.110 Source—[1937 c 185 § 4; RRS § 6400-114.]
“this act” to “RCW 47.12.090 through 47.12.105”.
“director of highways” to “highway commission”.
- 47.12.120 Source—[1949 c 162 § 1; Rem. Supp. 1949 § 6400-122.]
47.12.120 combined 1949 c 162 §§ 1 and 2; 1949 c 162 § 2 is herein recodified as 47.12.125.
“director of highways” to “highway commission”.
- 47.12.125 Source—[1949 c 162 § 2; Rem. Supp. 1949 § 6400-123.]
See 47.12.120 above. “hereof” to “RCW 47.12.120”.
- 47.12.130 Source—[1953 c 28 § 1.]
- 47.12.140 Source—[1953 c 42 § 1.]
- 47.12.150 Source—[1953 c 55 § 1.]
“state highway department” to “highway commission”.
- 47.12.160 Source—[1953 c 131 § 1.]

Chapter 47.16 Primary Highway Routes

- 47.16.010 Source—[1957 c 172 § 2; 1937 c 190 § 1; RRS § 6401-1. Prior: (i) 1931 c 36 § 1; 1925 c 26 § 8; 1923 c 185 § 1; 1915 c 164 § 1; 1913 c 65 § 2(a); RRS § 6791-1. (ii) 1931 c 38 § 1; RRS § 6791-1a.]
- 47.16.020 Source—[1955 c 383 § 2; 1949 c 225 § 3; 1939 c 5 § 1; 1937 c 190 § 2; Rem. Supp. 1949 § 6401-2. Prior: 1925 c 26 § 7; 1923 c 185 § 2; RRS § 6791-2.]
- 47.16.030 Source—[1937 c 190 § 3; RRS § 6401-3. Prior: 1925 c 26 § 6; 1923 c 185 § 3; RRS § 6791-3.]
- 47.16.040 Source—[1937 c 190 § 4; RRS § 6401-4. Prior: 1925 c 26 § 1; 1923 c 185 § 14; RRS § 6791-14.]
- 47.16.050 Source—[1959 c 319 § 1. Prior: (i) 1937 c 190 § 5; RRS § 6401-5; 1931 c 29 § 1; 1925 c 26 § 4; 1923 c 185 § 4; RRS § 6791-4. (ii) 1943 c 239 § 1; Rem. Supp. 1943 § 6401-5d.]
- 47.16.060 Source—[1959 c 319 § 2; 1937 c 190 § 6; RRS § 6401-6. Prior: 1923 c 185 § 5; RRS § 6791-5.]
- 47.16.070 Source—[1949 c 225 § 7; 1937 c 190 § 7; Rem. Supp. 1949 § 6401-7. Prior: 1923 c 185 § 6; RRS § 6791-6.]
- 47.16.080 Source—[1957 c 172 § 9; 1953 c 280 § 1. Prior: (i) 1937 c 190 § 8; RRS § 6401-8; 1923 c 185 § 7; RRS § 6791-7. (ii) 1943 c 239 § 3; Rem. Supp. 1943 § 6401-8a.]
- 47.16.090 Source—[1959 c 319 § 3; 1937 c 190 § 9; RRS § 6401-9. Prior: 1925 c 26 § 5; 1923 c 185 § 8; RRS § 6791-8.]
- 47.16.100 Source—[1955 c 383 § 3; 1951 c 273 § 2; 1937 c 190 § 10; RRS § 6401-10. Prior: 1931 c 31 § 1; 1923 c 185 § 9; RRS § 6791-9.]
- 47.16.110 Source—[1957 c 172 § 13; 1941 c 136 § 1; 1937 c 190 § 11; Rem. Supp. 1941 § 6401-11. Prior: 1929 c 171 § 1; 1923 c 185 § 10; RRS § 6791-10.]
- 47.16.120 Source—[1937 c 190 § 12; RRS § 6401-12. Prior: 1923 c 185 § 11; RRS § 6791-11.]
- 47.16.130 Source—[1937 c 190 § 13; RRS § 6401-13. Prior: 1931 c 30 § 1; 1923 c 185 § 12; RRS § 6791-12.]
- 47.16.140 Source—[1957 c 172 § 10; 1955 c 383 § 5; 1951 c 8 § 1; 1949 c 225 § 4; 1939 c 5 § 2; 1937 c 190 § 14; Rem. Supp. 1949 § 6401-14. Prior: 1923 c 185 § 13; RRS § 6791-13.]

- 47.16.150 Source—[(i) 1937 c 190 § 15; RRS § 6401-15. Prior: 1931 c 35 § 1; RRS § 6791-13a. (ii) 1943 c 239 § 4; Rem. Supp. 1943 § 6401-15a.] This section enacts the two session law sources as combined by the 1941 Code Committee. Explanatory note.
- 47.16.159 Source—[1949 c 225 § 1; 1937 c 190 § 16; Rem. Supp. 1949 § 6401-16. Prior: 1925 c 26 § 2; 1923 c 185 § 15; RRS § 6791-15.] As the effective date of the 1959 amendment to 47.16.160 was expressly delayed until July 1, 1961, 47.16.160 as in effect prior to the effective date of the 1959 amendment is here presented as 47.16.159, with the last sentence added to limit its duration.
- 47.16.160 Source—[1959 c 319 § 12; 1949 c 225 § 1; 1937 c 190 § 16; Rem. Supp. 1949 § 6401-16. Prior: 1925 c 26 § 2; 1923 c 185 § 15; RRS § 6791-15.]
See note to 47.16.159 above.
“director of highways” and “state department” to “highway commission”.
- 47.16.170 Source—[1949 c 225 § 2; 1937 c 190 § 17; Rem. Supp. 1949 § 6401-17.]
- 47.16.180 Source—[1953 c 285 § 1. Prior: (i) 1937 c 190 § 18; RRS § 6401-18. (ii) 1943 c 239 § 5; Rem. Supp. 1943 § 6401-18a.]
- 47.16.190 Source—[1957 c 172 § 11; 1955 c 383 § 4; 1949 c 225 § 5; 1937 c 190 § 19; Rem. Supp. 1949 § 6401-19. Prior: 1929 c 116 § 1; RRS § 6806-1; 1915 c 164 § 21; RRS § 6814.]
- 47.16.200 Source—[1937 c 190 § 20; RRS § 6401-20. Prior: 1931 c 37 § 1; 1925 c 26 § 3; 1915 c 164 § 12; RRS § 6810.]

Chapter 47.20 Secondary Highway Routes—Miscellaneous Projects

- 47.20.010 Source—[1957 c 172 § 14; 1955 c 383 § 7. Prior: 1953 c 280 § 2; 1951 c 273 § 3; 1943 c 239 § 6(a), (b); 1943 c 212 § 1 (a), (b); 1937 c 207 § 2 (a), (b); Rem. Supp. 1943 § 6402-2 (a), (b).]
- 47.20.020 Source—[1959 c 319 § 4; 1955 c 383 § 8. Prior: 1943 c 239 § 6 (c), (d); 1943 c 212 § 1 (c), (d); 1937 c 207 § 2 (c), (d); Rem. Supp. 1943 § 6402-2 (c), (d).]
- 47.20.030 Source—[1959 c 319 § 5; 1957 c 172 § 15; 1955 c 383 § 9. Prior: 1953 c 280 § 3; 1943 c 239 § 6 (e), (f); 1943 c 212 § 1 (e), (f); 1937 c 207 § 2 (e), (f); Rem. Supp. 1943 § 6402-2 (e), (f).]
- 47.20.040 Source—[1955 c 383 § 10. Prior: 1943 c 239 § 6(g), (h); 1943 c 212 § 1(g), (h); 1937 c 207 § 2(g), (h); Rem. Supp. 1943 § 6402-2 (g), (h).]
- 47.20.050 Source—[1955 c 383 § 11. Prior: 1943 c 239 § 6(i), (j); 1943 c 212 § 1(i), (j); 1937 c 207 § 2(i), (j); Rem. Supp. 1943 § 6402-2 (i), (j).]
- 47.20.060 Source—[1957 c 172 § 3; 1955 c 383 § 12. Prior: 1943 c 239 § 6(k), (l); 1943 c 212 § 1(k), (l); 1937 c 207 § 2(k), (l); Rem. Supp. 1943 § 6402-2(k), (l).]
- 47.20.070 Source—[1959 c 319 § 6; 1955 c 383 § 13. Prior: 1953 c 280 § 4; 1943 c 239 § 6(m), (n); 1943 c 212 § 1(m), (n); 1937 c 207 § 2(m), (n); Rem. Supp. 1943 § 6402-2(m), (n).]
- 47.20.080 Source—[1955 c 383 § 14. Prior: 1943 c 239 § 6(o), (p); 1943 c 212 § 1(o), (p); 1937 c 207 § 2(o), (p); Rem. Supp. 1943 § 6402-2(o), (p).]
- 47.20.090 Source—[1955 c 383 § 15. Prior: 1943 c 239 § 6(q), (r); 1943 c 212 § 1(q), (r); 1937 c 207 § 2(q), (r); Rem. Supp. 1943 § 6402-2(q), (r).]
- 47.20.100 Source—[1955 c 383 § 16. Prior: 1943 c 239 § 6(s), (t); 1943 c 212 § 1(s), (t); 1937 c 207 § 2(s), (t); Rem. Supp. 1943 § 6402-2(s), (t).]
- 47.20.109 Source—[1957 c 172 § 16; 1955 c 383 § 17. Prior: 1943 c 239 § 6(u), (v); 1943 c 212 § 1(u), (v); 1937 c 207 § 2(u), (v); Rem. Supp. 1943 § 6402-2(u), (v).]
As the effective date of the 1959 amendment to 47.20.110 was expressly delayed until July 1, 1961, 47.20.110 as in effect prior

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to the effective date of the 1959 amendment is here presented as 47.20.109, with the last sentence added to limit its duration.

- 47.20.110 Source—[1959 c 319 § 13; 1957 c 172 § 16; 1955 c 383 § 17. Prior: 1943 c 239 § 6(u), (v); 1943 c 212 § 1(u), (v); 1937 c 207 § 2(u), (v); Rem. Supp. 1943 § 6402-2(u), (v).] “director of highways” and “state department” to “highway commission”.
- 47.20.120 Source—[1955 c 383 § 18. Prior: 1953 c 280 § 5. (i) 1943 c 239 § 6(w); 1943 c 212 § 1(w); 1937 c 207 § 2(w); Rem. Supp. 1943 § 6402-2(w). (ii) 1945 c 248 § 2; Rem. Supp. 1945 § 6402-2a.]
- 47.20.130 Source—[1937 c 172 § 5. Prior: 1943 c 239 § 7(a), (b); 1937 c 207 § 3(a), (b); Rem. Supp. 1943 § 6402-3(a), (b).]
- 47.20.140 Source—[1959 c 319 § 7; 1957 c 172 § 6. Prior: 1943 c 239 § 7(d), (e); 1937 c 207 § 3(d), (e); Rem. Supp. 1943 § 6402-3(d), (e).]
- 47.20.150 Source—[1957 c 172 § 7. Prior: 1943 c 239 § 7(f), (g); 1937 c 207 § 3(f), (g); Rem. Supp. 1943 § 6402-3(f), (g).]
- 47.20.160 Source—[1957 c 172 § 8. Prior: 1953 c 280 § 6; 1951 c 273 § 4; 1943 c 239 § 7(h), (i); 1937 c 207 § 3(h), (i); Rem. Supp. 1943 § 6402-3(h), (i).]
- 47.20.161 Source—[1957 c 172 § 17.]
- 47.20.165 Source—[1959 c 319 § 8.]
- 47.20.170 Source—[1957 c 172 § 18; 1955 c 383 § 20. Prior: 1937 c 207 § 4(a), (b); RRS § 6402-4(a), (b).]
- 47.20.180 Source—[1957 c 172 § 19; 1955 c 383 § 21. Prior: 1951 c 273 § 5; 1937 c 207 § 4(c), (d); RRS § 6402-4(c), (d).]
- 47.20.190 Source—[1955 c 383 § 22. Prior: 1937 c 207 § 4(e), (f); RRS § 6402-4(e), (f).]
- 47.20.200 Source—[1955 c 383 § 23. Prior: 1953 c 280 § 7; 1937 c 207 § 4(g), (h); RRS § 6402-4(g), (h).]
- 47.20.210 Source—[1959 c 319 § 14; 1957 c 172 § 20; 1955 c 383 § 24. Prior: 1937 c 207 § 4 (i), (j); RRS § 6402-4 (i), (j).]
- 47.20.220 Source—[1959 c 319 § 15; 1955 c 383 § 25. Prior: 1953 c 280 § 8; 1937 c 207 § 4 (k), (l); RRS § 6402-4 (k), (l).]
- 47.20.230 Source—[1937 c 207 § 5 (a), (b); RRS § 6402-5 (a), (b).] 1937 c 207 § 5 was divided into two RCW sections by the 1941 Code Committee, sub-section (c) thereof being codified as 47.20.240; the division is herein retained.
- 47.20.240 Source—[1937 c 207 § 5(c); RRS § 6402-5(c).] See 47.20.230 above.
- 47.20.250 Source—[1955 c 383 § 27. Prior: 1943 c 212 § 2 (a), (b); 1937 c 207 § 6(a), (b); Rem. Supp. 1943 § 6402-6(a), (b).]
- 47.20.260 Source—[1955 c 383 § 28. Prior: 1943 c 212 § 2 (c), (d); 1937 c 207 § 6 (c), (d); Rem. Supp. 1943 § 6402-6 (c), (d).]
- 47.20.270 Source—[1955 c 383 § 29. Prior: 1943 c 212 § 2 (e), (f); 1937 c 207 § 6 (e), (f); Rem. Supp. 1943 § 6402-6 (e), (f).]
- 47.20.280 Source—[1959 c 319 § 9; 1955 c 383 § 30. Prior: 1943 c 212 § 2 (g), (h); 1937 c 207 § 6 (g), (h); Rem. Supp. 1943 § 6402-6 (g), (h).]
- 47.20.290 Source—[1955 c 383 § 31. Prior: 1943 c 212 § 2 (i), (j); 1937 c 207 § 6 (i), (j); Rem. Supp. 1943 § 6402-6 (i), (j); Rem. Supp. 1943 § 6402-6 (i), (j).]
- 47.20.300 Source—[1959 c 319 § 10; 1955 c 383 § 32. Prior: 1943 c 212 § 2(k), (l); 1937 c 207 § 6(k), (l); Rem. Supp. 1943 § 6402-6(k), (l).]
- 47.20.310 Source—[1937 c 207 § 7; RRS § 6402-7.]
- 47.20.320 Source—[1957 c 172 § 21; 1955 c 383 § 33; 1953 c 280 § 9; 1951 c 273 § 6; 1937 c 207 § 8; RRS § 6402-8.] “director of highways” and “state department” to “highway commission”.
- 47.20.325 Source—[1959 c 319 § 16; 1955 c 383 § 34.] “director of highways” and “state department” to “highway commission”.

- 47.20.330 Source—[1943 c 239 § 8(a), (b); 1937 c 207 § 9(a), (b); Rem. Supp. 1943 § 6402-9(a), (b).]
 The 1941 Code Committee divided 1943 c 239 § 8 into three sections, subsections (c) and (d) as subsequently amended by 1951 c 273 § 7 appearing as 47.20.340 and subsection (e) as 47.20.350, repealed by 1953 c 280 § 10. The division is herein retained.
- 47.20.340 Source—[1951 c 273 § 7; 1943 c 239 § 8(c), (d); 1937 c 207 § 9(c), (d); Rem. Supp. 1943 § 6402-9(c), (d).]
 See 47.20.330 above.
- 47.20.360 Source—[1955 c 383 § 36. Prior: 1947 c 232 § 1(a), (b); 1937 c 207 § 10(a), (b); Rem. Supp. 1947 § 6402-10(a), (b).]
- 47.20.370 Source—[1955 c 383 § 37. Prior: 1951 c 273 § 8; 1947 c 232 § 1(c), (d); 1937 c 207 § 10(c), (d); Rem. Supp. 1947 § 6402-10(c), (d).]
- 47.20.379 Source—[(i) 1959 c 319 § 17, part. (ii) 1957 c 172 § 12, part.]
- 47.20.380 Source—[1959 c 319 § 17; 1957 c 172 § 12; 1955 c 383 § 38. Prior: 1947 c 232 § 1(e), (f); 1937 c 207 § 10(e), (f); Rem. Supp. 1947 § 6402-10(e), (f).]
 “director of highways” and “state department” to “highway commission”.
 As the effective date of that portion of the 1959 amendment to 47.20.380 which deletes SSH No. 9F and adds SSH No. 9G was expressly delayed until July 1, 1961, 47.20.380 as in effect prior to the effective date of the 1959 amendment is here presented as 47.20.379, with the last sentence added to limit its duration.
- 47.20.390 Source—[1955 c 383 § 40. Prior: 1951 c 273 § 9; 1937 c 207 § 11(a), (b); RRS § 6402-11(a), (b).]
 “the effective date of this section, June 7, 1951” to “June 7, 1951”.
 “highway department” to “highway commission”.
- 47.20.400 Source—[1959 c 319 § 18; 1955 c 383 § 41. Prior: 1937 c 207 § 11(c), (d); RRS § 6402-11 (c), (d).]
- 47.20.410 Source—[1957 c 172 § 23. Prior: 1943 c 239 § 9(a), (b); 1937 c 207 § 12(a), (b); Rem. Supp. 1943 § 6402-12(a), (b).]
 “director”, “director of highways” and “state highway department” to “highway commission”.
- 47.20.415 Source—[1953 c 59 § 1.]
 “director” and “director of highways” to “highway commission”.
- 47.20.420 Source—[1959 c 319 § 11; 1957 c 172 § 24. Prior: 1953 c 285 § 2; 1953 c 280 § 11; 1943 c 239 § 9(c), (d); 1937 c 207 § 12(c), (d); Rem. Supp. 1943 § 6402-12(c), (d).]
- 47.20.430 Source—[1957 c 172 § 25. Prior: 1951 c 273 § 10; 1943 c 239 § 9 (e); 1937 c 207 § 12 (e); Rem. Supp. 1943 § 6402-12 (e).]
- 47.20.440 Source—[1943 c 147 § 1 (a), (b); 1937 c 207 § 13 (a), (b); Rem. Supp. 1943 § 6402-13 (a), (b).]
 The 1941 Code Committee divided 1943 c 147 into three sections, subsections (c) and (d) appearing as 47.20.450 and subsections (e) and (f) appearing as 47.20.460. The division is herein retained.
- 47.20.450 Source—[1943 c 147 § 1 (c), (d); 1937 c 207 § 13 (c), (d); Rem. Supp. 1943 § 6402-13 (c), (d).]
 See 47.20.440 above.
- 47.20.460 Source—[1943 c 147 § 1(e), (f); 1937 c 207 § 13(e), (f); Rem. Supp. 1943 § 6402-13 (e), (f).]
 See 47.20.440 above.
- 47.20.461 Source—[1959 c 319 § 19.]
- 47.20.462 Source—[1957 c 172 § 26.]
- 47.20.470 Source—[1937 c 207 § 14; RRS § 6402-14.]
- 47.20.480 Source—[1955 c 383 § 42; 1939 c 5 § 3; 1937 c 207 § 15; RRS § 6402-15.]

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- 47.20.490 Source—[1937 c 207 § 16 (a), (b); RRS § 6402-16 (a), (b).]
The 1941 Code Committee divided 1937 c 207 § 16 into two RCW sections, subsections (c) and (d) appearing as 47.20.500. The division is herein retained.
- 47.20.500 Source—[1937 c 207 § 16 (c), (d); RRS § 6402-16 (c), (d).]
See 47.20.490 above.
- 47.20.520 Source—[1937 c 207 § 17; RRS § 6402-17.]
- 47.20.540 Source—[1951 c 273 § 11; 1949 c 225 § 6; 1937 c 207 § 18; Rem. Supp. 1949 § 6402-18.]
- 47.20.541 Source—[1957 c 172 § 27.]
- 47.20.550 Source—[1937 c 207 § 19; RRS § 6402-19.]
- 47.20.570 Source—[1947 c 4 p 6 § 2; Rem. Supp 1947 § 6584a-1.]
- 47.20.580 Source—[1945 c 27 § 1; Rem. Supp. 1945 § 6402-40.]
“Washington State College” to “Washington State University”.
See 1959 c 77 § 1.
- 47.20.590 Source—[1945 c 27 § 2; Rem. Supp. 1945 § 6402-41.]
- 47.20.600 Source—[1945 c 27 § 3; Rem. Supp. 1945 § 6402-42.]
47.20.600 combined 1945 c 27 §§ 3 and 4; 1945 c 27 § 4 is herein recodified as 47.20.605.
“College” to “University”. See 47.20.580 above.
- 47.20.605 Source—[1945 c 27 § 4; Rem. Supp. 1945 § 6402-43.]
- 47.20.610 Source—[1945 c 27 § 5; Rem. Supp. 1945 § 6402-44.]
- 47.20.620 Source—[1945 c 27 § 6; Rem. Supp. 1945 § 6402-45.]
- 47.20.630 Source—[1945 c 27 § 7; Rem. Supp. 1945 § 6402-46.]
- 47.20.635 Source—[1945 c 27 § 8; Rem. Supp. 1945 § 6402-47.]
Not heretofore codified in RCW.
- 47.20.640 Source—[1953 c 82 § 1.]

Chapter 47.22 Combination Highway Routes

- 47.22.010 Source—[1951 c 273 § 1.]
- 47.22.020 Source—[1955 c 178 § 1.]

Chapter 47.24 City Streets as Part of State Highways

- 47.24.010 Source—[1959 c 160 § 1; 1957 c 83 § 2; 1955 c 179 § 2; 1949 c 220 § 5, part; 1945 c 250 § 1, part; 1943 c 82 § 10, part; 1937 c 187 § 61; Rem. Supp. 1949 § 6450-61, part.]
The 1941 Code Committee divided 1949 c 220 § 5 into 47.24.010 subsequently amended by 1955 c 179 § 2 and last amended by 1959 c 160 § 1, 47.24.020 subsequently amended by 1953 c 193 § 1 and last amended by 1957 c 83 § 3, and 47.24.030, which is the last paragraph of the 1949 act; the division is herein retained, that portion of 1949 c 220 § 5 codified as 47.24.030 being restored to session law language.
“director of highways” to “highway commission”.
- 47.24.020 Source—[1957 c 83 § 3; 1955 c 179 § 3; 1953 c 193 § 1; 1949 c 220 § 5, part; 1945 c 250 § 1, part; 1943 c 82 § 10, part; 1937 c 187 § 61, part; Rem. Supp. 1949 § 6450-61, part.]
See 47.24.010 above.
- 47.24.030 Source—[1949 c 220 § 5, part; 1945 c 250 § 1, part; 1943 c 82 § 10, part; 1937 c 187 § 61, part; Rem. Supp. 1949 § 6450-61, part.]
See 47.24.010 above.
- 47.24.040 Source—[1949 c 220 § 4; 1947 c 96 § 1; 1943 c 82 § 9; 1939 c 181 § 8; 1937 c 187 § 60; Rem. Supp. 1949 § 6450-60.]
- 47.24.050 Source—[1951 c 54 § 1; 1949 c 220 § 6; 1943 c 82 § 11; 1937 c 187 § 63, Rem. Supp. 1949 § 6450-63.]
“director of highways” to “highway commission”.

Chapter 47.28 Construction and Maintenance of Highways

- 47.28.010 Source—[1937 c 53 § 31; RRS § 6400-31.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.

- 47.28.020 Source—[1937 c 53 § 30; RRS § 6400-30; 1913 c 65 § 8; RRS § 6831.] Explanatory note.
 “That from and after the taking effect of this act” in first sentence changed to “From and after April 1, 1937”.
 In second sentence “at the time of the taking effect of this act” to “on such date”.
 “primary state highway” to “state highway”.
 “director of highways” to “highway commission”.
- 47.28.025 Source—[1955 c 161 § 1.]
- 47.28.026 Source—[1955 c 161 § 2.]
 “this act” to “RCW 47.28.025”. Contents necessitate reference only to section 1 of this two section act.
 “section 1 of this act” to “RCW 47.28.025”.
- 47.28.030 Source—[1953 c 29 § 1; 1949 c 70 § 1, part; 1943 c 132 § 1, part; 1937 c 53 § 41, part; Rem. Supp. 1949 § 6400-41, part.]
 “department” to “commission”.
- 47.28.040 Source—[1937 c 53 § 32, part; RRS § 6400-32, part.]
 See 47.08.010 above.
 “director of highways” to “highway commission”.
 “department of highways” to “highway commission”.
- 47.28.050 Source—[1959 c 319 § 33; 1955 c 147 § 1; 1937 c 53 § 33; RRS § 6400-33.]
 “director” to “commission”.
- 47.28.060 Source—[1937 c 53 § 34; RRS § 6400-34.]
 “director of highways” to “highway commission”.
- 47.28.070 Source—[1937 c 53 § 35; RRS § 6400-35.]
 “primary state highway” to “state highway”.
 “director of highways” and “department of highways” to “highway commission”.
- 47.28.080 Source—[1937 c 53 § 36; RRS § 6400-36.]
 “primary state highway” to “state highway”.
 “director of highways” to “highway commission”.
- 47.28.090 Source—[1955 c 83 § 1; 1949 c 64 § 1; 1937 c 53 § 37; Rem. Supp. 1949 § 6400-37.]
- 47.28.100 Source—[1953 c 53 § 1; 1937 c 53 § 38; RRS § 6400-38.]
 “director of highways” to “highway commission” and “commission”.
- 47.28.110 Source—[1937 c 53 § 39; RRS § 6400-39.]
 “director of highways” to “highway commission”.
- 47.28.120 Source—[1937 c 53 § 40; RRS § 6400-40.]
 “director of highways” to “highway commission”.
- 47.28.130 Source—[1955 c 147 § 2; 1949 c 70 § 1, part; 1943 c 132 § 1, part; 1937 c 53 § 41, part; Rem. Supp. 1941 § 6400-41, part.]
 “department of highways” and “director of highways” to “highway commission”.
- 47.28.140 Source—[1955 c 384 § 8.]
- 47.28.150 Source—[1959 c 319 § 34.]
 Matter in parentheses added in recognition of the renumbering of RCW 81.52.160 in the 1961 companion bill to reenact Titles 80 and 81 RCW.
- 47.28.160 Source—[1959 c 319 § 35.]
 Herein codified as Sec. 47.52.027.

Chapter 47.32 Obstructions on Right of Way

- 47.32.010 Source—[1937 c 53 § 68; RRS § 6400-68. Prior: 1925 ex.s. c 131 § 1; RRS § 6837-1.]
 “primary state highway” to “state highway”.
 “director of highways” to “highway commission”.
- 47.32.020 Source—[1937 c 53 § 69; RRS § 6400-69. Prior: 1925 ex.s. c 131 § 2; RRS § 6837-2.]
 “primary state highway” to “state highway”.
 “director of highways” to “highway commission”.

- Explanatory
note.
- 47.32.030 Source—[1937 c 53 § 70; RRS § 6400-70. Prior: 1925 ex.s. c 131 § 3; RRS § 6837-3.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.32.040 Source—[1937 c 53 § 71; RRS § 6400-71. Prior: 1925 ex.s. c 131 § 4; RRS § 6837-4.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.32.050 Source—[1937 c 53 § 72; RRS § 6400-72. Prior: 1925 ex.s. c 131 § 5; RRS § 6837-5.]
“primary state highway” to “state highway”.
- 47.32.060 Source—[1937 c 53 § 73; RRS § 6400-73. Prior: 1925 ex.s. c 131 § 7; RRS § 6837-7.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.32.070 Source—[1937 c 53 § 74; RRS § 6400-74. Prior: 1925 ex.s. c 131 § 8; RRS § 6837-8.]
- 47.32.080 Source—[1937 c 53 § 75; RRS § 6400-75. Prior: 1925 ex.s. c 131 § 9; RRS § 6837-9.]
“primary state highway” to “state highway”.
- 47.32.090 Source—[1937 c 53 § 76; RRS § 6400-76. Prior: 1925 ex.s. c 131 § 10; RRS § 6837-10.]
- 47.32.100 Source—[1937 c 53 § 77; RRS § 6400-77. Prior: 1925 ex.s. c 131 § 11; RRS § 6837-11.]
“director of highways” to “highway commission”.
- 47.32.110 Source—[1937 c 53 § 78; RRS § 6400-78; 1927 c 309 § 48; RRS § 6362-48; 1923 c 181 § 10; RRS § 6358-1.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.32.120 Source—[1937 c 53 § 79; RRS § 6400-79.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.32.130 Source—[1937 c 206 § 3; 1937 c 53 § 80; Rem. Supp. 1947 § 6400-80.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.32.140 Source—[1955 c 310 § 7; 1937 c 53 § 81; RRS § 6400-81. Prior: 1923 c 129 §§ 1-6; RRS §§ 10510-1—10510-6.]
- 47.32.150 Source—[1947 c 201 § 1; Rem. Supp. 1947 § 6402-50.]
“director of highways” to “highway commission”.
- 47.32.160 Source—[1947 c 201 § 2; Rem. Supp. 1947 § 6402-51.]
“provisions of requirements” to “provisions or requirements”
in correction of clerical error.
“director of highways” to “highway commission”.
- 47.32.170 Source—[1947 c 201 § 3; Rem. Supp. 1947 § 6402-52.]
“director of highways” to “highway commission”.

Chapter 47.36 Traffic Control Devices

- 47.36.010 Source—[1937 c 53 § 42; RRS § 6400-42; 1931 c 117 § 1; RRS § 6830-1.]
“primary state highway” to “state highway”.
“director of highways” and “Department of Highways” to
“highway commission”.
- 47.36.020 Source—[1937 c 53 § 50; RRS § 6400-50. Prior: 1927 c 309 § 6; RRS § 6362-6.]
“this act” to “this title”.
“director of highways” to “highway commission”.
- 47.36.030 Source—[1945 c 178 § 1, part; 1937 c 53 § 48, part; Rem. Supp. 1945 § 6400-48, part. Prior: 1931 c 118 § 1, part; RRS § 6308-1, part; 1923 c 102 § 1, part; 1917 c 78 § 1, part; RRS § 6303, part.]
1945 c 178 § 1 was divided and codified by the 1941 Code Committee as 47.36.030 and 47.36.040; the division is herein retained.

- “primary state highways” to “state highways”.
“director of highways” to “highway commission”.
47.36.040 Source—[1945 c 178 § 1, part; 1937 c 53 § 48, part; Rem. Supp. 1945 § 6400-48, part. Prior: 1931 c 118 § 1, part; RRS § 6308-1, part; 1923 c 102 § 1, part; 1917 c 78 § 1, part; RRS § 6303, part.] See 47.36.030 above.
“director of highways” and “Department of Highways” to “highway commission”.
47.36.050 Source—[1937 c 53 § 49; RRS § 6400-49. Prior: 1931 c 118 § 1, part; RRS § 6308-1, part; 1923 c 102 § 1, part; RRS § 6303, part; 1919 c 146 § 1; 1917 c 78 § 2; RRS § 6304.]
47.36.050 combined two session law sections, 1937 c 53 § 49 and 1937 c 53 § 51; 1937 c 53 § 51 is herein recodified as 47.36.053.
“primary state highway” to “state highway”.
“department of public service” to “public service commission”.
“director of highways” to “highway commission”.
47.36.053 Source—[1937 c 53 § 51; RRS § 6400-51.]
See 47.36.050 above.
“this act” to “this title”.
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
47.36.060 Source—[1955 c 179 § 4; 1939 c 81 § 1; 1937 c 53 § 52; RRS § 6400-52.]
“state auditor” to “state treasurer” in view of transfer of duties by the budget and accounting act (1959 c 328).
47.36.070 Source—[1937 c 53 § 54; RRS § 6400-54.]
“primary state highway” to “state highway”.
“department of public service” to “public service commission”.
“director of highways” to “highway commission”.
47.36.080 Source—[1937 c 53 § 57; RRS § 6400-57.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
47.36.090 Source—[1937 c 53 § 55; RRS § 6400-55. Prior: 1925 c 24 § 1; RRS § 6303-1.]
“primary state highways” to “state highways”.
“director of highways” to “highway commission”.
“department of agriculture” to “department of commerce”, see 47.04.060, above.
47.36.100 Source—[1947 c 206 § 1; 1937 c 53 § 56; Rem. Supp. 1947 § 6400-56.]
“director of highways” to “highway commission”.
47.36.110 Source—[1955 c 146 § 6; 1937 c 53 § 59; RRS § 6400-59.]
47.36.120 Source—[1937 c 53 § 58; RRS § 6400-58.]
“primary state highways” to “state highways”.
“director of highways” to “highway commission”.
47.36.130 Source—[1937 c 53 § 53; RRS § 6400-53.]
47.36.140 Source—[1937 c 53 § 63; RRS § 6400-63.]
47.36.150 Source—[1951 c 188 § 1; 1937 c 53 § 64; RRS § 6400-64.]
“director of highways” to “highway commission”.
47.36.160 Source—[1947 c 206 § 2; 1937 c 53 § 60; Rem. Supp. 1947 § 6400-60.]
“director of highways” to “highway commission”.
47.36.170 Source—[1937 c 53 § 61; RRS § 6400-61.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
47.36.180 Source—[1957 c 204 § 1; 1937 c 53 § 62; RRS § 6400-62.]
47.36.200 Source—[1957 c 95 § 1.]
“department of highways” to “highway commission”.
47.36.210 Source—[1957 c 95 § 2.]
“this act” to “RCW 47.36.200 through 47.36.230”; 1957 c 95 is so codified.

Explanatory note.

Explanatory
note.

- 47.36.220 Source—[1957 c 95 § 3.]
- 47.36.230 Source—[1957 c 95 § 4.]
“this act” to “RCW 47.36.200 through 47.36.220”.

Chapter 47.40 Roadside Improvement and Beautification

- 47.40.010 Source—[1937 c 53 § 88; RRS § 6400-88.]
“primary state highway” to “state highway”.
- 47.40.020 Source—[1937 c 53 § 89; RRS § 6400-89.]
“director of highways” to “highway commission”.
- 47.40.030 Source—[1937 c 53 § 90; RRS § 6400-90. Prior: 1927 c 242 § 1;
RRS § 6437-1.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.40.040 Source—[1937 c 53 § 91; RRS § 6400-91. Prior: 1927 c 242 § 2;
RRS § 6437-2.]
“primary state highway” to “state highway”.
- 47.40.050 Source—[1937 c 53 § 92; RRS § 6400-92. Prior: 1927 c 242 § 3,
part; RRS § 6437, part.]
“primary state highway” to “state highway”.
“this act” to “this title”.
“director of highways” to “highway commission”.
- 47.40.060 Source—[1937 c 53 § 93; RRS § 6400-93. Prior: 1927 c 242 § 3,
part; RRS § 6437-3, part.]
“director of highways” and “Department of Highways” to
“highway commission”.
- 47.40.070 Source—[1937 c 53 § 94; RRS § 6400-94. Prior: 1927 c 242 § 4;
RRS § 6437-4.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.40.080 Source—[1933 c 133 § 1; 1925 ex.s. c 59 § 1; RRS § 2787-1.]

Chapter 47.44 Franchises on State Highways

- 47.44.010 Source—[1943 c 265 § 2; 1937 c 53 § 83; Rem. Supp. 1943 § 6400-
83.]
“director of highways” to “highway commission”.
- 47.44.020 Source—[1959 c 330 § 1; 1937 c 53 § 84; RRS § 6400-84.]
“section 2 of this act” to “RCW 47.44.030”.
“The hearing shall be conducted by the director or his
assistant” to “The hearing shall be conducted by the com-
mission or such person as it may designate . . .”.
“director” to “highway commission”.
- 47.44.030 Source—[1959 c 330 § 2; 1937 c 53 § 85; RRS § 6400-85.]
“director” to “highway commission”.
- 47.44.031 Source—[1959 c 330 § 3.]
- 47.44.040 Source—[1937 c 53 § 86; RRS § 6400-86.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.44.050 Source—[1943 c 265 § 3; 1937 c 53 § 87; Rem. Supp. 1943
§ 6400-87.]
“director of highways” to “highway commission”.
- 47.44.060 Source—[1943 c 265 § 1; 1937 c 53 § 82; Rem. Supp. 1943 § 6400-
82.]

Chapter 47.48 Closing Highways and Restricting Traffic

- 47.48.010 Source—[1937 c 53 § 65; RRS § 6400-65. Prior: 1929 c 214 § 1;
1927 c 232 § 1; 1921 c 21 § 1; RRS § 6839.]
“primary state highway” to “state highway”.
“director of highways” to “highway commission”.
- 47.48.020 Source—[1937 c 53 § 66, part; RRS § 6400-66, part. Prior: 1921
c 21 § 2, part; RRS § 6840, part.]
The 1941 Code Committee divided 1937 c 53 § 66 into 47.48.020

- and 47.48.030 thereby making straight matter of the proviso relating to emergency closure. It is here rejoined and the caption revised accordingly. Explanatory note.
- “primary state highway” to “state highway”.
- 47.48.030 Source—[1937 c 53 § 66, part; RRS § 6400-66, part. Prior: 1921 c 21 § 2, part; RRS § 6840, part.]
Herein codified in 47.48.020 above.
- 47.48.040 Source—[1937 c 53 § 67; RRS § 6400-67. Prior: 1921 c 21 § 3; RRS § 6841.]
“primary state highway” to “state highway”.

Chapter 47.52 Limited Access Facilities

- 47.52.001 Source—[1951 c 167 § 1.]
- 47.52.010 Source—[1951 c 167 § 2; 1947 c 202 § 1; Rem. Supp. 1947 § 6402-60.]
- 47.52.011 Source—[1951 c 167 § 3.]
“this act” to “this chapter”.
- 47.52.020 Source—[1957 c 235 § 2. Prior: 1953 c 30 § 1; 1951 c 167 § 4; 1947 c 202 § 2, part; Rem. Supp. 1947 § 6402-61, part.]
- 47.52.025 Source—[1957 c 235 § 3. Prior: 1951 c 167 § 5; 1947 c 202 § 2, part; Rem. Supp. 1947 § 6402-61, part.]
- 47.52.027 Source—[1959 c 319 § 35.]
Presently codified as RCW 47.28.160.
- 47.52.030 Source—[1949 c 196 § 13; RRS § 6360-98f.]
“director of highways” to “highway commission”.
- 47.52.040 Source—[1955 c 75 § 1; 1947 c 202 § 3; Rem. Supp. 1947 § 6402-62.]
- 47.52.041 Source—[1955 c 75 § 2.]
- 47.52.042 Source—[1955 c 75 § 3.]
“Sections 1 and 2 of this act” to “RCW 47.52.040 and 47.52.041”.
- 47.52.050 Source—[1947 c 202 § 4; Rem. Supp. 1947 § 6402-63.]
“this act” to “this chapter”.
- 47.52.060 Source—[1947 c 202 § 5; Rem. Supp. 1947 § 6402-64.]
“this act” to “this chapter”.
- 47.52.070 Source—[1951 c 167 § 10; 1947 c 202 § 6; Rem. Supp. 1947 § 6402-65.]
In the second sentence “sections” to “intersections”.
- 47.52.072 Source—[1955 c 54 § 1; 1951 c 167 § 6.]
- 47.52.073 Source—[1951 c 167 § 7.]
- 47.52.074 Source—[1951 c 167 § 8.]
In third sentence “findings of order” to “findings and order”.
- 47.52.075 Source—[1951 c 167 § 9.]
- 47.52.080 Source—[1955 c 54 § 2; 1951 c 167 § 11; 1947 c 202 § 7; Rem. Supp. 1947 § 6402-66.]
- 47.52.090 Source—[1957 c 235 § 4; 1947 c 202 § 8; Rem. Supp. 1947 § 6402-67.]
- 47.52.100 Source—[1947 c 202 § 9; Rem. Supp. 1947 § 6402-68.]
“this act” to “this chapter”.
- 47.52.105 Source—[1955 c 63 § 1.]
- 47.52.110 Source—[1947 c 202 § 10; Rem. Supp. 1947 § 6402-69.]
- 47.52.120 Source—[1959 c 167 § 1; 1947 c 202 § 11; Rem. Supp. 1947 § 6402-70.]
- 47.52.121 Source—[1951 c 167 § 12.]
“Any prior determinations of an authority establishing a limited access facility subsequent to the effective date of chapter 202, Laws of 1947” to “Any determinations of an authority establishing a limited access facility subsequent to March 19, 1947 and prior to March 16, 1951 . . .” March 19, 1947 was the effective date of 1947 c 202 and March 16, 1951 was the effective date of 1951 c 167 which enacted this section.
- 47.52.130 Source—[1959 c 242 § 1; 1957 c 235 § 5.]

Explanatory
note.

- 47.52.140 Source—[1959 c 242 § 2; 1957 c 235 § 6.]
“section 1 of this amendatory act” to “RCW 47.52.130”. 1959
c 242 § 1 is so codified.
- 47.52.150 Source—[1959 c 242 § 3; 1957 c 235 § 7.]
- 47.52.160 Source—[1957 c 235 § 8.]
- 47.52.170 Source—[1957 c 235 § 9.]
- 47.52.180 Source—[1957 c 235 § 10.]
- 47.52.190 Source—[1957 c 235 § 11.]

Chapter 47.54 Limited Access Facilities—Parking Facilities

- 47.54.010 Source—[1959 c 184 § 2.]
- 47.54.020 Source—[1959 c 184 § 3.]
- 47.54.030 Source—[1959 c 184 § 4.]
“section 2 of this chapter” to “RCW 47.54.010”.
- 47.54.040 Source—[1959 c 184 § 5.]
“sections 6 through 12” to “RCW 47.54.050 through 47.54.110”.
“section 2 hereof” to “RCW 47.54.010”.
“this act” to “this chapter”.
- 47.54.050 Source—[1959 c 184 § 6.]
- 47.54.060 Source—[1959 c 184 § 7.]
- 47.54.070 Source—[1959 c 184 § 8.]
- 47.54.080 Source—[1959 c 184 § 9.]
- 47.54.090 Source—[1959 c 184 § 10.]
- 47.54.100 Source—[1959 c 184 § 11.]
- 47.54.110 Source—[1959 c 184 § 12.]
- 47.54.120 Source—[1959 c 184 § 13.]
- 47.54.130 Source—[1959 c 184 § 14.]
- 47.54.900 Source—[1959 c 184 § 15.]

Chapter 47.56 State Toll Bridges, Tunnels, and Ferries

- 47.56.010 Source—[1953 c 220 § 1; 1937 c 173 § 1, part; RRS § 6524-1, part.]
1937 c 173 § 1 defined the following terms:
 - subdivision (a) defined “Washington toll bridge authority”.
 - subdivision (b) defined “Governor”, “State auditor” etc.
 - subdivision (c) defined “Toll bridge”.
 - subdivision (d) defined “Bonds”.
 - subdivision (e) defined “Person”.

The last paragraph related to tense and gender.
The 1941 Code Committee omitted subdivisions (b), (e) and the last paragraph. This section was subsequently amended by 1953 c 220 § 1 which deleted the definition of “Authority” and “bonds”. The 1953 amendment is codified herein. Note that a comprehensive definition of “person” appears herein in 47.04.010.
- 47.56.020 Source—[1955 c 285 § 20; 1953 c 220 § 2; 1937 c 173 § 2; RRS § 6524-2.]
Note that while under the provisions of the 1951 commission act (herein 47.01.070) the director's membership on boards and commissions shall be determined by the highway commission, he is expressly made an ex officio member of the Toll Bridge Authority by the 1953 amendment to the instant section.
- 47.56.030 Source—[1937 c 173 § 10; RRS § 6524-10.]
- 47.56.040 Source—[1937 c 173 § 3; RRS 6524-3. Prior: 1913 c 56 § 2; RRS § 6525.]
“this act” to “this chapter”.
- 47.56.042 Source—[1955 c 203 § 1.]
- 47.56.050 Source—[1945 c 266 § 1; Rem. Supp. 1945 § 6524-3a.]
“this act” to “this chapter”.
“section 13 of this act” to “RCW 47.56.220”.
1945 c 266 § 1 added section 3 A to 1937 c 173; 1937 c 173 § 13 is so codified.
“director of highways” to “state highway commission”.

- 47.56.060 Source—[1937 c 173 § 17; RRS § 6524-17.]
 “director of highways” to “highway commission”. Explanatory note.
- 47.56.070 Source—[1953 c 220 § 3; 1937 c 173 § 3½; RRS § 6524-3½.]
- 47.56.075 Source—[1953 c 220 § 7.]
 47.56.075; 47.56.077; 47.56.380; 47.56.390; 47.56.400. The session law source of these sections (1953 c 220 §§ 8, 9 and 1953 c 183 §§ 1-3) as well as these RCW sections were repealed by 1955 c 268 § 29; 1955 c 268 was subsequently declared unconstitutional in its entirety in *Washington Toll Bridge Authority v. State*, 149 Wn. Dec. 502.
 Sutherland says in such instances “ . . . where the repeal is intended to clear the way for the operation of the act containing the repealing clause, thereby showing an intention to displace the old law with the new, if the latter is unconstitutional, the repealing clause will be dependent and inoperative.” (See Chapter VIII, page 457, Lewis Sutherland Statutory Construction, Vol. 1, Second Edition, for cases cited.)
 Subsequent to the *Toll Bridge* case, 1957 c 211 § 1 repealed all of 1955 c 268 except section 29 which was the 1955 section which purported to repeal 47.56.075, 47.56.077, and 47.56.380 through 47.56.400. In the 1957 action of repealing all of the 1955 act except section 29 thereof, the draftsman was possibly attempting to preserve the 1955 repealer (sec. 29 of the 1955 act) thus wiping out the above enumerated 1953 sections. If, however, the *Toll Bridge* case in declaring the 1955 act unconstitutional had the effect of reinstating the 1953 act, it correlatively destroyed the 1955 repealer and the omission of the 1955 repealer from the 1957 repealing act could not breathe new life into the 1955 repealer. It seems that the only manner in which the 1957 bill could have repealed the 1953 sections would have been to do so expressly.
 In view of these uncertainties we have deemed it best to include 47.56.75, 47.56.077, and 47.56.380 through 47.56.400 for reenactment.
- 47.56.077 Source—[1953 c 220 § 8.]
 See note to 47.56.075 above.
- 47.56.080 Source—[1937 c 173 § 6; RRS § 6524-6.]
 “this act” to “this chapter”.
 “director of highways” to “highway commission”.
- 47.56.090 Source—[1937 c 173 § 5; RRS § 6524-5.]
 “director of highways” to “highway commission”.
- 47.56.100 Source—[1937 c 173 § 16; RRS § 6524-16.]
- 47.56.110 Source—[1937 c 173 § 11; RRS § 6524-11.]
 “this act” to “this chapter”.
 “director of highways” to “highway commission”.
- 47.56.120 Source—[1937 c 173 § 4; RRS § 6524-4.]
 “this act” to “this chapter”.
 “director of highways” to “highway commission”.
- 47.56.130 Source—[1937 c 173 § 7; RRS § 6524-7.]
 “this act” to “this chapter”.
- 47.56.140 Source—[1937 c 79 § 1; 1937 c 173 § 8; RRS § 6524-8.]
- 47.56.150 Source—[1937 c 173 § 14, part; RRS § 6524-14, part.]
 The 1941 Code Committee codified 1937 c 173 in RCW 47.56.150 through 47.56.200; the division is herein retained.
 “this act” to “this chapter”.
- 47.56.160 Source—[1937 c 173 § 14, part; RRS § 6524-14, part.]
 “director of highways” to “highway commission”.
 See 47.56.150 above.
- 47.56.170 Source—[1937 c 173 § 14, part; RRS § 6524-14, part.]
 See 47.56.150 above.
- 47.56.180 Source—[1937 c 173 § 14, part; RRS § 6524-14, part.]
 See 47.56.150 above.
 “director of highways” to “highway commission”.

- Explanatory
note.
- 47.56.190 Source—[1937 c 173 § 14, part; RRS § 6524-14, part.]
See 47.56.150 above.
- 47.56.200 Source—[1937 c 173 § 14, part; RRS § 6524-14, part.]
See 47.56.150 above.
“this act” to “this chapter”.
- 47.56.210 Source—[1937 c 173 § 18; RRS § 6524-18.]
“director of highways” to “highway commission”.
- 47.56.220 Source—[1937 c 173 § 13; RRS § 6524-13.]
- 47.56.230 Source—[1937 c 173 § 15; RRS § 6524-15.]
“this act” to “this chapter”.
“director of highways” to “highway commission”.
- 47.56.240 Source—[1937 c 173 § 9; RRS § 6524-9.]
- 47.56.245 Source—[1953 c 220 § 6.]
- 47.56.250 Source—[1959 c 162 § 1; 1955 c 166 § 1; 1937 c 173 § 12; RRS § 6524-12.]
- 47.56.260 Source—[1941 c 9 § 1; Rem. Supp. 1941 § 6524-3b.]
47.56.260 codified two session law sections, 1941 c 9 §§ 1 and 2; 1941 c 9 § 2 is herein recodified as 47.56.261.
- 47.56.261 Source—[1941 c 9 § 2; Rem. Supp. 1941 § 6524-3c.]
See 47.56.260 above.
- 47.56.270 Source—[1939 c 5 § 4; RRS § 6524-3a.]
“this act” to “chapter 47.16”. Those sections of 1939 c 5 making the bridges a part of the primary highway of the state are §§ 1, 2, codified as 47.16.020 and 47.16.140.
“manner provided in chapter 173, Session Laws of 1937” to “this chapter”. 1937 c 173 as amended is codified in its entirety herein, chapter 47.56.
“director of highways” to “highway commission”.
- 47.56.273 Source—[1957 c 270 § 1.]
- 47.56.274 Source—[1957 c 270 § 2.]
“section 3 of this act” to “RCW 47.56.275”.
“this act” to “RCW 47.56.273 through 47.56.278”.
“For the biennium ending June 30, 1959” added; see note at the beginning of chapter 47.10.
- 47.56.275 Source—[1957 c 270 § 3.]
“section 2 above” to “RCW 47.56.274”.
- 47.56.276 Source—[1957 c 270 § 4.]
“section 2 above” to “RCW 47.56.274”.
“sections 2 and 3 of this act” to “RCW 47.56.274 and 47.56.275”.
“this act” to “RCW 47.56.273 through 47.56.278”.
- 47.56.277 Source—[1957 c 270 § 5.]
“section 3 of this act” to “RCW 47.56.275”.
- 47.56.278 Source—[1957 c 270 § 6.]
“section 2 of this act” to “RCW 47.56.274”.
“section 5 of this act” to “RCW 47.56.277”.
- 47.56.281 Source—[1957 c 266 § 1. Prior: 1953 c 192 § 1.]
- 47.56.282 Source—[1957 c 266 § 2.]
- 47.56.283 Source—[1957 c 266 § 3.]
- 47.56.284 Source—[1957 c 266 § 4.]
- 47.56.285 Source—[1957 c 266 § 5.]
“upon the sale of bonds as provided in section 3 of this act” to “upon the sale of bonds as provided in RCW 47.56.282”. 1957 c 266 § 3 deals with the imposition of tolls and disposition of receipts therefor while 1957 c 266 § 2 (RCW 47.56.282) deals with bonds and the sale thereof; use of section 3 in session law language was apparently a clerical error. “For the biennium ending June 30, 1959”, see note at beginning of chapter 47.10.
- 47.56.286 Source—[1957 c 266 § 6.]
“this act” to “RCW 47.56.281 through 47.56.286”.
- 47.56.290 Source—[1953 c 192 § 2.]
“this act” to “chapter 192, Laws of 1953”. The other two

- two sections of 1953 c 192 codified as RCW 47.56.280 and 47.56-.300 were repealed by 1957 c 266. The instant section is retained herein because of the repayment provision. Explanatory note.
- "for the biennium ending March 31, 1955" added, see note at beginning of chapter 47.10.
- 47.56.310 Source—[1955 c 152 § 1; 1953 c 132 § 1.]
- 47.56.320 Source—[1955 c 152 § 2; 1953 c 132 § 2.]
"this act" to "RCW 47.56.310 through 47.56.345".
- 47.56.330 Source—[1955 c 152 § 4; 1953 c 132 § 3.]
"this act" to "RCW 47.56.310 through 47.56.345".
In second subdivision (2): "principal of the interest on" changed to "principal of and the interest on" to correct manifest clerical error.
- 47.56.340 Source—[1955 c 152 § 3; 1953 c 132 § 4.]
"this act" to "RCW 47.56.310 through 47.56.345".
- 47.56.343 Source—[1955 c 152 § 5.]
"this act" to "RCW 47.56.310 through 47.56.345".
- 47.56.345 Source—[1955 c 152 § 6.]
"this act" to "RCW 47.56.310 through 47.56.345".
- 47.56.350 Source—[1953 c 78 § 1.]
With respect to the appropriation, note that the session law already limits it to "the biennium ending March 31, 1955".
- 47.56.360 Source—[1953 c 78 § 2.]
- 47.56.370 Source—[1953 c 272 § 1.]
- 47.56.380 Source—[1953 c 183 § 1.]
See note to 47.56.075 above.
- 47.56.390 Source—[1953 c 183 § 2.]
See note to 47.56.075 above.
- 47.56.400 Source—[1953 c 183 § 3.]
See note to 47.56.075 above.
"this act" to "RCW 47.56.380 through 47.56.400". 1953 c 183 was a six section act, section 6 thereof being vetoed by the governor; sections 4 and 5 being appropriations sections, were not codified.
- 47.56.410 Source—[1957 c 141 § 1.]
"for the biennium ending June 30, 1959" added, see note at beginning of chapter 47.10.
- 47.56.420 Source—[1957 c 141 § 2.]
- 47.56.430 Source—[1957 c 141 § 3.]
- 47.56.440 Source—[1957 c 141 § 4.]
"this act" to "RCW 47.56.410 through 47.56.440".
- 47.56.450 Source—[1957 c 142 § 1.]
- 47.56.460 Source—[1957 c 142 § 2.]
"section 3 of this act" to "RCW 47.56.470".
"For the biennium ending June 30, 1959" added, see note at beginning of chapter 47.10.
- 47.56.470 Source—[1957 c 142 § 3.]
"this act" to "RCW 47.56.450 through 47.56.500".
- 47.56.480 Source—[1957 c 142 § 4.]
"this act" to "RCW 47.56.450 through 47.56.500".
- 47.56.490 Source—[1957 c 142 § 5.]
"section 3 of this act" to "RCW 47.56.470".
- 47.56.500 Source—[1957 c 142 § 6.]
"this act" to "RCW 47.56.450 through 47.56.500".
- 47.56.510 Source—[1957 c 172 § 39.]
- 47.56.520 Source—[1959 c 144 § 1.]
- 47.56.530 Source—[1959 c 144 § 2.]
"section 1 of this act" to "RCW 47.56.520".
- 47.56.540 Source—[1959 c 144 § 3.]
"section 1 of this act" to "RCW 47.56.520".
- 47.56.550 Source—[1959 c 144 § 4.]
"section 1 of this act" to "RCW 47.56.520".

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note.

- 47.56.560 Source—[1959 c 144 § 5.]
 “this act” to “RCW 47.56.520 through 47.56.560”.
- 47.56.570 Source—[1959 c 292 § 1.]
- 47.56.580 Source—[1959 c 292 § 2.]
- 47.56.590 Source—[1959 c 292 § 3.]
- 47.56.600 Source—[1959 c 292 § 4.]
- 47.56.610 Source—[1959 c 292 § 5.]
- 47.56.620 Source—[1959 c 292 § 6.]
 “this act” to “RCW 47.56.570 through 47.56.630”.
- 47.56.630 Source—[1959 c 292 § 7.]

Chapter 47.57 Bridge, Tunnel or Ferry Districts

- 47.57.010 Source—[1951 c 199 § 1.]
 “this act” to “this chapter”.
- 47.57.020 Source—[1951 c 199 § 2.]
 “this act” to “this chapter”.
- 47.57.030 Source—[1951 c 199 § 3.]
 “this act” to “this chapter”.
- 47.57.040 Source—[1951 c 199 § 4.]
- 47.57.050 Source—[1951 c 199 § 5.]
- 47.57.060 Source—[1951 c 199 § 6.]
- 47.57.070 Source—[1951 c 199 § 7.]
- 47.57.080 Source—[1951 c 199 § 8.]
 “this act” to “this chapter”.
- 47.57.090 Source—[1951 c 199 § 9.]
- 47.57.100 Source—[1951 c 199 § 10.]
 “this act” to “this chapter”.
- 47.57.110 Source—[1951 c 199 § 11.]
- 47.57.120 Source—[1951 c 199 § 12.]
- 47.57.130 Source—[1951 c 199 § 13.]
 “section 12” to “RCW 47.57.120”.
- 47.57.140 Source—[1951 c 199 § 14.]
 “this act” to “this chapter”.
- 47.57.150 Source—[1951 c 199 § 15.]
 “this act” to “this chapter”.
- 47.57.160 Source—[1951 c 199 § 18.]
- 47.57.170 Source—[1951 c 199 § 19.]
 “this act” to “this chapter”.
- 47.57.180 Source—[1951 c 199 § 16.]
- 47.57.190 Source—[1951 c 199 § 17.]
- 47.57.200 Source—[1951 c 199 § 20.]
- 47.57.210 Source—[1951 c 199 § 21.]
 “this act” to “this chapter”.
- 47.57.220 Source—[1951 c 199 § 22.]
 “this act” to “this chapter”.
- 47.57.900 Source—[1951 c 199 § 23, part.]
 This section presently codified as a footnote to RCW 47.57.010 is here made 47.57.900 with the severability sentence deleted as covered by the major severability section to be included in chapter 47.98.

Chapter 47.58 Existing and Additional Bridges

- 47.58.010 Source—[1955 c 208 § 1.]
 “this act” to “this chapter”.
- 47.58.020 Source—[1955 c 208 § 2.]
 “this act” to “this chapter”.
- 47.58.030 Source—[1955 c 208 § 3.]
 “this act” to “this chapter”.
- 47.58.040 Source—[1955 c 208 § 4.]
 “this act” to “this chapter”.
- 47.58.050 Source—[1955 c 208 § 5.]
- 47.58.060 Source—[1955 c 208 § 6.]

- 47.58.070 Source—[1955 c 208 § 7.]
“this act” to “this chapter”. Explanatory note.
- 47.58.080 Source—[1955 c 208 § 8.]
“this act” to “this chapter”.
- 47.58.090 Source—[1955 c 208 § 11.]
“this act” to “this chapter”.
- 47.58.500 Source—[1955 c 208 § 10.]
“this act” to “this chapter”.
- 47.58.900 Source—[1955 c 208 § 9.]
“this act” to “this chapter”.
“any powers now existing” to “any powers existing on June 8, 1955”.
- 47.58.910 Source—[1955 c 208 § 12.]
severability section decodified as covered by major severability section in chapter 47.98.
- Chapter 47.60 Puget Sound Ferry and Toll Bridge System
- 47.60.010 Source—[1949 c 179 § 1; Rem. Supp. 1949 § 6584-30.]
- 47.60.015 Source—[1953 c 33 § 1.]
- 47.60.020 Source—[1949 c 179 § 2; Rem. Supp. 1949 § 6584-31.]
“this act” to “this chapter”.
“chapter 64, Laws of 1891, as amended (sec. 891, et seq. Rem. Rev. Stat.)” changed to “chapter 8.04”. The use of “chapter 64” in session law language was apparently a clerical error. 1891 c 64 does not apply to eminent domain but was an act establishing municipal courts. 1891 c 74 does relate to eminent domain by the state and is the act compiled as “sec. 891 et seq., Rem. Rev. Stat.” and is codified as chapter 8.04 RCW. The other later acts codified therein, appear to be in pari materia.
- 47.60.030 Source—[1949 c 179 § 7; Rem. Supp. 1949 § 6584-36.]
“this act” to “this chapter”.
“prior to the passage of this act” to “prior to April 1, 1949”.
- 47.60.040 Source—[1949 c 179 § 4, part; Rem. Supp. 1949 § 6584-33, part.]
The 1941 Code Committee divided and codified 1949 c 179 § 4 into 47.60.040, 47.60.060, 47.60.080, 47.60.090 and 47.60.110; the division is herein retained.
“this act” to “this chapter”.
“Director of highways” and “Department of highways” to “highway commission”.
- 47.60.050 Source—[1949 c 179 § 3, part; Rem. Supp. 1949 § 6584-32, part.]
The 1941 Code Committee divided 1949 c 179 § 3 into 47.60.050 and 47.60.130, the latter receiving legislative recognition by a 1953 and a 1955 amendment; the division is herein retained.
“this act” to “this chapter”.
“which Authority acquires” to “which the authority acquires”.
- 47.60.060 Source—[1949 c 179 § 4, part; Rem. Supp. 1949 § 6584-33, part.]
See 47.60.040 above.
“this act” to “this chapter”.
- 47.60.070 Source—[1957 c 230 § 1; 1955 c 21 § 1; 1953 c 220 § 4; 1949 c 179 § 5, part; Rem. Supp. 1949 § 6584-34, part.]
The 1941 Code Committee divided 1949 c 179 § 5 into 47.60.070, 47.60.140, 47.60.150 and 47.60.160; history note above indicates legislative recognition of division and it is herein retained through amendment; 47.60.140 was also amended by 1951 c 259 § 1; 47.60.150 and 47.60.160 parts restored herein to session law language.
- 47.60.080 Source—[1949 c 179 § 4, part; Rem. Supp. 1949 § 6584-33, part.]
See 47.60.040 above.
- 47.60.090 Source—[1949 c 179 § 4, part; Rem. Supp. 1949 § 6584-33, part.]
See 47.60.040 above.
- 47.60.100 Source—[1953 c 154 § 14; 1951 c 259 § 3; 1951 c 121 § 14; 1949 c 179 § 8; Rem. Supp. 1949 § 6584-37.]

- Explanatory note.
- 47.60.110 Source—[1949 c 179 § 4, part; Rem. Supp. 1949 § 6584-33, part.]
See 47.60.040 above.
- 47.60.113 Source—[1957 c 152 § 1; 1955 c 17 § 1.]
- 47.60.114 Source—[1957 c 152 § 2; 1955 c 17 § 2.]
- 47.60.115 Source—[1957 c 152 § 3; 1955 c 17 § 3.]
- 47.60.120 Source—[1949 c 179 § 6; Rem. Supp. 1949 § 6584-35.]
“this act” to “this chapter”.
- 47.60.122 Source—[1953 c 159 § 1.]
- 47.60.124 Source—[1953 c 159 § 2.]
- 47.60.126 Source—[1953 c 159 § 3.]
“this act” to “RCW 47.60.122 through 47.60.126”.
- 47.60.130 Source—[1955 c 22 § 1; 1953 c 32 § 1; 1949 c 179 § 3, part; Rem. Supp. 1949 § 6584-32, part.]
See 47.60.050 above.
- 47.60.140 Source—[1951 c 259 § 1; 1949 c 179 § 5, part; Rem. Supp. 1949 § 6584-34, part.]
See 47.60.070 above.
“Director of highways” to “highway commission”.
- 47.60.150 Source—[1949 c 179 § 5, part; Rem. Supp. 1949 § 6584-34, part.]
See 47.60.070 above.
- 47.60.160 Source—[1949 c 179 § 5, part; Rem. Supp. 1949 § 6584-34, part.]
“this act” to “this chapter”.
“Director of highways” to “highway commission”.
- 47.60.170 Source—[1951 c 259 § 13.]
“this act” to “this chapter”.
See 47.60.020 above.
- 47.60.180 Source—[1953 c 220 § 5; 1951 c 259 § 14.]
“from the motor vehicle fund said authority shall use” to
“from the motor vehicle fund. Said authority shall use”. Cor-
rection of grammatical omission in session law.
- 47.60.190 Source—[1951 c 259 § 15.]
“section 14” to “RCW 47.60.180”.
- 47.60.200 Source—[1951 c 259 § 5.]
“this act” to “this chapter”.
- 47.60.210 Source—[1951 c 259 § 6.]
- 47.60.220 Source—[1951 c 259 § 7.]
- 47.60.230 Source—[1951 c 259 § 8.]
- 47.60.240 Source—[1951 c 259 § 9.]
“this act” to “this chapter”.
- 47.60.250 Source—[1951 c 259 § 10.]
- 47.60.260 Source—[1951 c 259 § 11.]
- 47.60.270 Source—[1951 c 259 § 12.]
“all the foregoing provisions of this act except section 6” to
“RCW 47.60.220 through 47.60.260”. 1951 c 259 § 12 reads “Actions
for . . . damages under all the foregoing provisions of
this act except section 6.” Only foregoing sections of act
[1951 c 259] dealing with recovery of damages are §§ 6-11,
§ 7-11 being codified as 47.60.220 through 47.60.260.
- 47.60.280 Source—[1959 c 198 § 1.]
- 47.60.290 Source—[1959 c 199 § 1.]
- 47.60.300 Source—[1959 c 199 § 2.]
- 47.60.310 Source—[1959 c 199 § 3.]
“this act” to “RCW 47.60.290 through 47.60.320”.
- 47.60.320 Source—[1959 c 199 § 4.]
- Chapter 47.64 Marine Employee Commission**
- 47.64.005 Source—[1949 c 148 § 1; Rem. Supp. 1949 § 6524-22.]
Presently codified as a footnote to RCW 47.64.010.
- 47.64.010 Source—[1949 c 148 § 2; Rem. Supp. 1949 § 6524-23.]
“this act” to “this chapter”.
- 47.64.020 Source—[1953 c 211 § 1; 1949 c 148 § 3, part; Rem Supp. 1949
§ 6524-24, part.]
See 47.64.040 below.

- 47.64.030 Source—[1953 c 211 § 2; 1949 c 148 § 3, part; Rem. Supp. 1949 § 6524-24, part.] Explanatory note.
See 47.64.040 below.
- 47.64.040 Source—[1949 c 148 § 3, part; Rem. Supp. 1949 § 6524-24, part.]
The 1941 Code Committee divided 1949 c 148 § 3 into 47.64.020, 47.64.030 and 47.64.040; the division received legislative ratification through 1953 amendments of 47.64.020 and 47.64.030 and is thus preserved for reenactment purposes.
“this act” to “this chapter”.
- 47.64.050 Source—[1951 c 82 § 1; 1949 c 148 § 4; Rem. Supp. 1949 § 6524-25.]
- 47.64.060 Source—[1957 c 271 § 7; 1951 c 82 § 2; 1949 c 148 § 5; Rem. Supp. 1949 § 6524-26.]
- 47.64.070 Source—[1951 c 259 § 2; 1949 c 148 § 6; Rem. Supp. 1949 § 6524-27.]
- 47.64.080 Source—[1949 c 148 § 7; Rem. Supp. 1949 § 6524-28.]
- 47.64.090 Source—[1949 c 148 § 8; Rem. Supp. 1949 § 6524-29.]
“this act” to “this chapter”.

Chapter 47.65 Puget Sound Transportation
System—Employees' Retirement

- 47.65.010 Source—[1957 c 271 § 1.]
“section 2 of this act” to “RCW 47.65.020”.
- 47.65.020 Source—[1957 c 271 § 2.]
- 47.65.030 } Cross reference sections to 46.68.100 and 46.68.130. To be
47.65.040 } omitted from reenactment but recodified after bill has passed.
- 47.65.050 Source—[1957 c 271 § 5.]
- 47.65.060 Source—[1957 c 271 § 6.]
- 47.65.070 Cross reference section to 47.64.060. To be omitted from
reenactment but recodified after bill has passed.
- 47.65.080 Source—[1957 c 271 § 8.]
“section 6” to “RCW 47.65.060”.
- 47.65.090 Source—[1957 c 271 § 9.]
An obsolete appropriation section to be repealed without
reenactment.
- 47.65.091 Source—[1959 1st ex.s. c 4 § 3.]
- 47.65.100 Source—[1957 c 271 § 10.]
Temporary section relating to a subsidization study. To be
repealed without reenactment.
- 47.65.110 Source—[1959 1st ex.s. c 4 § 2; 1957 c 271 § 12.]

Chapter 47.98 Construction

- 47.98.010 This section has been added to preserve the continuity of
the laws which this bill reenacts.
- 47.98.020 See part I of these notes.
- 47.98.030 Provides that chapter, headings are not part of the law.
- 47.98.040 Severability.
- 47.98.050 Repeals and saving.
The laws set forth in the schedule of repeals were either
repealed previously or are substantially reenacted by this
bill. Omitted from reenactment without comment are certain
emergency and effective date sections, obsolete appropriations
and other obsolete or temporary sections heretofore uncodified.
A list of said sections is permanently filed in the reviser's
office.
RCW 43.27.060 [1955 c 383 § 14; 1949 c 220 § 3] relating to the
Highway Department personnel merit system was included
herein as Sec. 47.01.200. It has been subsequently deleted
prior to introduction of this bill, since it was expressly re-
pealed by 1961 c 1 § 33(9) (Initiative 207, approved Nov. 8,
1960). Note also the provisions of RCW 43.27.020 (7) [1937 c

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note.

53 8 3(7)] herein Sec. 47.01.160(7) relating to the same subject but not expressly repealed by the initiative and hence not deleted herefrom. However, the relative time sequence of the two acts, for purposes of a possible repeal by implication of the 1937 act by the initiative, is believed to be preserved by the construction section, 47.98.010, which directs that the instant act shall be construed as a reenactment and continuation of existing law and not as a new enactment.

47.98.060 Emergency clause.