

CHAPTER 242.

[H. B. 273.]

MOTOR FREIGHT CARRIERS.

AN ACT relating to public service companies; and amending sections 81.80.070 and 81.80.170, chapter 14, Laws of 1961 and RCW 81.80.070 and RCW 81.80.170; adding three new sections to 81.80 RCW.

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

RCW 81.80.070 amended.

SECTION 1. Section 81.80.070, chapter 14, Laws of 1961, and RCW 81.80.070 are each amended to read as follows:

Motor freight carriers. Grant or denial of permit.

No "common carrier," "contract carrier," or "temporary carrier" shall operate for the transportation of property for compensation in this state without first obtaining from the commission a permit so to do. Permits heretofore issued or hereafter issued to any carrier, shall be exercised by said carrier to the fullest extent so as to render reasonable service to the public. Applications for common or contract carrier permits or extensions thereof shall be on file for a period of at least thirty days prior to the granting thereof unless the commission finds that special conditions require the earlier granting thereof.

A permit or extension thereof shall be issued to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing, and able properly to perform the services proposed and conform to the provisions of this chapter and the requirements, rules and regulations of the commission thereunder, and that such operations will be consistent with the public interest, and, in the case of common carriers, that the same are or will be required by the present or future public convenience and necessity, otherwise such application shall be denied.

Nothing contained in this chapter shall be construed to confer upon any person or persons the exclusive right or privilege of transporting property for compensation over the public highways of the state.

SEC. 2. Section 81.80.170, chapter 14, Laws of 1961, and RCW 81.80.170 are each amended to read as follows: RCW 81.80.170 amended.

The commission may issue temporary permits to temporary "common carriers" or "contract carriers" for a period not to exceed one hundred eighty days, but only after it finds that the issuance of such temporary permits is consistent with the public interest. It may prescribe such special rules and regulations and impose such special terms and conditions with reference thereto as in its judgment are reasonable and necessary in carrying out the provisions of this chapter. Temporary permits.

The commission may also issue temporary permits pending the determination of an application filed with the commission for approval of a consolidation or merger of the properties of two or more common carriers or contract carriers or of a purchase or lease of one or more common carriers or contract carriers.

SEC. 3. Hearings on applications shall be heard in the county or adjoining county of the residence of the applicant. Hearings on applications, where heard.

SEC. 4. Appeals from rulings and orders shall be heard in the superior court of the county of the residence of the applicant or Thurston County at the option of the applicant. Appeals, where heard.

SEC. 5. A permit or extension thereof for hauling unprocessed or unmanufactured agricultural commodities and livestock for a distance not to exceed eighty miles from the point of production to primary Permit for hauling agricultural commodities and livestock.

markets shall be issued to any qualified applicant therefor, authorizing the whole or part of the operations covered by the application, if it is found that the applicant is fit, willing, and able properly to perform the services proposed and conform to the provisions of this chapter and the requirements, rules and regulations of the commission thereunder, and that such operations will be consistent with the public interest.

Passed the House March 11, 1963.

Passed the Senate March 10, 1963.

Approved by the Governor March 26, 1963.

CHAPTER 243.

[H. B. 153.]

LAKES—WATER LEVEL.

AN ACT relating to water rights; and amending section 4, chapter 107, Laws of 1939, as last amended by section 2, chapter 258, Laws of 1959, and RCW 90.24.030.

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

RCW 90.24.030 amended.

SECTION 1. Section 4, chapter 107, Laws of 1939, as last amended by section 2, chapter 258, Laws of 1959, and RCW 90.24.030 are each amended to read as follows:

Regulation of outflow of lakes. Title of petition—Service and publication of petition and notice.

The petition shall be entitled "In the matter of fixing the level of Lake in county, Washington", and shall be filed with the clerk of the court and a copy thereof, together with a copy of the order fixing the time for hearing the petition, shall be served on each owner of property abutting on the lake, not less than ten days before the hearing. Like copies shall also be served upon the director of fisheries and of game and the supervisor of water resources. The copy of the petition and of the order fixing time for hearing