

CHAPTER 145.

[Engrossed Substitute House Bill No. 722.]

HIGHWAYS.

An Act relating to highways and the operation of vehicles thereon; describing powers, duties and organization of the Washington state highway commission, the Washington toll bridge authority, the director and department of motor vehicles, the state commission on equipment, and the joint committee on highways; establishing and designating certain highways and alternate routes; relating to transportation toll facilities and the financing thereof; providing for surveys and studies of proposed highway additions; prescribing fees, size, weight, load permits, license plate and equipment restrictions for certain motor vehicles; relating to the licensing of drivers and vehicles; amending section 47.20.030, chapter 13, Laws of 1961 as amended by section 5, chapter 21, Laws of 1961 extraordinary session and RCW 47.20.030; amending section 47.20.050, chapter 13, Laws of 1961 and RCW 47.20.050; amending section 47.20.160, chapter 13, Laws of 1961 as last amended by section 9, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.160; amending section 47.20.410, chapter 13, Laws of 1961 as last amended by section 8, chapter 197, Laws of 1963 and RCW 47.20.410; amending section 47.20.140, chapter 13, Laws of 1961 as amended by section 18, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.140; amending section 47.22.020, chapter 13, Laws of 1961 and RCW 47.22.020; amending section 47.16.050, chapter 13, Laws of 1961 and RCW 47.16.050; amending section 47.20.280, chapter 13, Laws of 1961 and RCW 47.20.280; amending section 47.20.360, chapter 13, Laws of 1961 and RCW 47.20.360; amending section 47.54.010, chapter 13, Laws of 1961 and RCW 47.54.010; amending section 47.54.020, chapter 13, Laws of 1961 and RCW 47.54.020; amending section 84.36.010, chapter 15, Laws of 1961 and RCW 84.36.010; amending section 84.60.050, chapter 15, Laws of 1961 and RCW 84.60.050; amending section 84.60.060, chapter 15, Laws of 1961 and RCW 84.60.060; amending section 47.36.100, chapter 13, Laws of 1961 and RCW 47.36.100; amending section 47.28.070, chapter 13, Laws of 1961 and RCW 47.28.070; amending section 47.28.030, chapter 13, Laws of 1961 as amended by section 1, chapter 233, Laws of 1961 and RCW 47.28.030; amending section 47.04.020, chapter 13, Laws of 1961 as amended by section 3, chapter 24, Laws of 1963 and RCW 47.04.020; amending section 47.04.010, chapter 13, Laws of 1961 and RCW 47.04.010; amending section 1,

chapter 24, Laws of 1963 and RCW 47.36.095; amending section 47.20.640, chapter 13, Laws of 1961 and RCW 47.20.640; amending section 47.08.060, chapter 13, Laws of 1961 and RCW 47.08.060; amending section 46.20.270, chapter 12, Laws of 1961 as amended by section 22, chapter 121, Laws of 1965 extraordinary session and RCW 46.20.270; amending section 43, chapter 121, Laws of 1965 extraordinary session and RCW 46.20.342; amending section 1, chapter 24, Laws of 1905, as last amended by section 1, chapter 227, Laws of 1957, and RCW 9.92.060; amending section 4, chapter 227, Laws of 1957 and RCW 9.95.210; amending section 46.37.005, chapter 12, Laws of 1961 as amended by section 49, chapter 32, Laws of 1967 and RCW 46.37.005; amending section 3, chapter 204, Laws of 1963 and RCW 46.38.030; amending section 15, chapter 155, Laws of 1965 extraordinary session and RCW 46.61.100; amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 52, chapter 3, Laws of 1963 extraordinary session and RCW 46.44.030; amending section 36.88.220, chapter 4, Laws of 1963 and RCW 36.88.220; amending section 2, chapter 111, Laws of 1965 extraordinary session and RCW 35.95.020; amending section 5, chapter 111, Laws of 1965 extraordinary session and RCW 35.95.050; amending section 81.80.060, chapter 14, Laws of 1961 as last amended by section 40, chapter 170, Laws of 1965 extraordinary session and RCW 81.80.060; amending section 82.36.020, chapter 15, Laws of 1961 as last amended by section 2, chapter [83] (House Bill No. 595), Laws of 1967 extraordinary session and RCW 82.36.020; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 8, chapter [83] (House Bill No. 595), Laws of 1967 extraordinary session and RCW 46.68.100; amending section 15, chapter 96, Laws of 1961 and RCW 47.42.150; amending section 47.20.300, chapter 13, Laws of 1961 and RCW 47.20.300; amending section 35, chapter 3, Laws of 1963 extraordinary session as amended by section 64, Laws of 1965 extraordinary session and RCW 44.40.010; adding a new section to chapter 12, Laws of 1961 and to chapter 46.16 RCW; adding new sections to chapter 12, Laws of 1961 and to chapter 46.20 RCW; adding new sections to chapter 12, Laws of 1961 and to chapter 46.44 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.16 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.20 RCW; adding a new section to chapter 13, Laws of 1961 and to chapter 47.36 RCW; adding new sections to chapter 13, Laws of 1961 and to chapter 47.56 RCW; adding a new chapter to chapter 13, Laws of 1961 and to Title 47 RCW; adding a new section to chapter 15, Laws of 1961 and to

chapter 82.36 RCW; repealing section 47.20.415, chapter 13, Laws of 1961 as amended by section 9, chapter 197, Laws of 1963 and RCW 47.20.415; repealing section 47.04.030, chapter 13, Laws of 1961 and RCW 47.04.030; repealing section 2, chapter 24, Laws of 1963 and RCW 47.36.096; amending section 46.16.320, chapter 12, Laws of 1961 as amended by section 21, chapter 32, Laws of 1967 and RCW 46.16.320; making appropriations; providing penalties; and declaring an emergency.

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

Joint committee on highways—Studies—Projects.

Section 1. The joint committee on highways and the Washington state highway commission, shall jointly consider the following proposed highway additions by undertaking appropriate studies and surveys as may be necessary to accomplish an evaluation with respect to their being a part of the modern integrated state highway system. Unless otherwise specified, all studies shall be completed by September 1, 1968:

(1) The addition of the R. H. Thomson expressway as a primary state highway, from the intersection of primary state highway No. 2 and primary state highway No. 5 south of FAI 90, thence northerly to an intersection with primary state highway No. 2 (Bothell branch) in the vicinity of east 90th street.

(2) An extension to secondary state highway No. 1S from its terminus in the vicinity of Yale northerly to a junction with secondary state highway No. 1R in the vicinity of Mt. St. Helens; thence northeasterly to a junction with primary state highway No. 5 in the vicinity of Randle.

(3) A new secondary state highway branch to primary state highway No. 12 beginning at a junction with PSH No. 12 (Ocean Beach highway) where it intersects with 15th Avenue in Longview, Washington, thence south on 15th Avenue to where it again intersects with PSH No. 12 (Oregon Way).

(4) A new secondary state highway branch to primary state highway No. 12 beginning at the junction of PSH No. 12 where it intersects with 4th Avenue and Allen Street in Kelso, Washington, thence west on Allen and West Main Streets to the intersection of SSH No. 12-H at 1st Avenue west and Main Street.

(5) A secondary state highway branch to primary state highway No. 12 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 Pe Ell. In connection with this study the Washington state highway commission is directed to prepare a new traffic report updating the reconnaissance survey report submitted to the 1957 legislature pursuant to section 43, chapter 383, Laws of 1955. Evaluation of this route shall take into account its importance as a connecting highway to the Astoria bridge.

(6) A secondary state highway branch to primary state highway No. 3 beginning at a junction with primary state highway No. 3 in the vicinity of Colton to primary state highway No. 3 in the vicinity of Clarkston, via Steptoe Canyon and Wilma.

(7) An extension to SSH No. 6A from the existing north terminus of SSH No. 6A where it intersects with PSH No. 6 at Tiger, thence northerly to Metaline Falls, thence easterly to the vicinity of Sullivan Lake and through Pass Creek pass to the Idaho-Washington state line.

(8) A highway beginning at the junction of the Grand Ronde river and Snake river in the vicinity of the town of Rogersburg and thence along the left bank of the Snake river to the Washington-Oregon border line.

(9) An extension to SSH No. 1T from Ridgefield

Joint commit-
tee on high-
ways—Studies
—Projects.

northerly to a point on PSH No. 1 in the vicinity of Woodland and Wall boom.

(10) A new highway from PSH No. 2 in the vicinity of Auburn northerly to PSH No. 15 in the vicinity of Bothell, together with such connections to existing state highways west of the said route as might be adjudged necessary to develop an orderly system of highway routes in the said vicinity.

(11) A secondary state highway branch to PSH No. 10 beginning at a junction with PSH No. 10 in the vicinity of the Chief Joseph Dam, thence easterly along the north side of the Columbia river to a junction with SSH No. 10A in the vicinity of Belvedere.

(12) A connection between PSH No. 5 and PSH No. 2 (Echo Lake cutoff) in the vicinity of the east city limits of Auburn. The committee shall determine whether such connecting road should be designated a state highway or county road.

(13) Secondary state highway No. 5N from Eatonville, southeasterly to a junction with primary state highway No. 5 in the vicinity of Elbe.

(14) A pedestrian overpass in King county at the intersection of First Avenue south, being secondary state highway No. 1K, SR 509 and south 140th street.

(15) The joint committee on highways and the Washington state highway commission shall make a study to evaluate the necessity of a pedestrian overpass across south 188th street in the vicinity of Tyee High School.

(16) An extension to SSH No. 3S from the existing west terminus of SSH No. 3S in the vicinity of the boundary between Stevens and Spokane counties, thence northwesterly along the north bank of the Spokane river to connect with PSH No. 22 in the vicinity of the confluence of the Columbia and Spokane rivers. In connection with this study, the

Washington state highway commission is directed to prepare a report updating the reconnaissance survey report submitted to the 1961 Legislature pursuant to section 20, chapter 319, Laws of 1959.

(17) A highway beginning at a junction with primary state highway No. 11, N.E. of the Pasco Airport and thence northwesterly to an extension of the Horn Rapids County Road, and thence to a junction with the intersection of secondary state highway No. 3-R and the Horn Rapids County Road.

Sec. 2. Section 47.20.030, chapter 13, Laws of 1961, as amended by section 5, chapter 21, Laws of 1961 extraordinary session and RCW 47.20.030 are each amended to read as follows:

RCW 47.20.030 amended.

Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highways Nos. 1E and 1F.

Secondary state highway No. 1E; beginning at Conway on primary state highway No. 1, thence in a southerly direction 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 in the city of Bellingham on primary state highway No. 1 (SR 5) at the Lindsay Avenue interchange, thence in a westerly direction by the most feasible route to an intersection with primary state highway No. 1 (SR 11) in the city of Bellingham in the vicinity of Donovan Avenue.

Sec. 3. Section 47.20.050, chapter 13, Laws of 1961 and RCW 47.20.050 are each amended to read as follows:

RCW 47.20.050 amended.

Secondary state highways as branches of pri-

Secondary state highways Nos. 1I and 1J.

mary state highway No. 1, are established as follows:

Secondary state highway No. 1I; beginning at Everett on primary state highway No. 1, in the vicinity of its intersection with secondary state highway No. 2J, 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.

New section.

Sec. 4. There is added to chapter 13, Laws of 1961 and to chapter 47.16 RCW a new section to read as follows:

Pacific highway—Retention as state highway until 7-1-69.

Notwithstanding any other provision of law, that part of primary state highway No. 1 (Pacific highway) from the Broadway junction with FAI 5, in Everett, south to Midway shall remain a part of the state highway system until July 1, 1969.

The joint committee on highways and the Washington state highway commission shall undertake appropriate studies to evaluate this portion of primary state highway No. 1 together with the extension of said highway, formerly primary state highway No. 1 (Pacific highway), southerly to Milton to determine whether or not it should permanently remain on the state system.

RCW 47.20.160 amended.

Sec. 5. Section 47.20.160, chapter 13, Laws of 1961 as last amended by section 9, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.160 are each amended to read as follows:

Secondary state highways as branches of pri-

primary state highway No. 2 are established as follows:

Secondary state highways Nos. 2-H and 2-I.

Secondary state highway No. 2H; beginning in the vicinity of the termination of Idaho state highway 53 at the Washington-Idaho boundary line, thence in a southwesterly direction by way of Newman Lake, Trentwood and Millwood to a junction with primary state highway No. 3 in Spokane;

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.

Sec. 6. There is added to chapter 13, Laws of 1961 and to chapter 47.20 RCW a new section to read as follows:

New section.

Secondary state highway No. 2-K is established as a branch of primary state highway No. 2 according to the following designation and description:

Secondary state highway No. 2-K.

Secondary state highway No. 2-K: Beginning at a junction with primary state highway No. 2 (SR 90) at the West Summit interchange of Snoqualmie Pass, thence along the existing alignment of the Sunset Highway in a southeasterly direction to a junction with primary state highway No. 2 at the Hyak Interchange: *Provided*, That the addition of highway No. 2-K shall not become effective until such time as the interstate, limited access facility bypassing Snoqualmie Summit is constructed and under traffic.

The joint committee on highways and the Washington state highway commission shall undertake appropriate studies to evaluate this portion of secondary state highway No. 2-K to determine whether or not it should permanently remain on the state system.

Sec. 7. Section 47.20.410, chapter 13, Laws of 1961 as last amended by section 8, chapter 197, Laws of

RCW 47.20.410 amended.

Secondary
state high-
ways 11A, 11B
and 11C.

1963 and RCW 47.20.410 are each amended to read as follows:

Secondary state highways as branches of primary state highway No. 11 are established as follows:

Secondary state highway No. 11A; beginning at Yakima on primary state highway No. 3 thence easterly and northerly by way of Cold Creek and Vernita to a point on secondary state highway No. 7C in the vicinity of Othello.

Secondary state highway No. 11B; beginning at a junction with secondary state highway No. 11G west of Connell, thence east to 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.

Secondary state highway No. 11C beginning at a junction with secondary state highway No. 11A near the southerly approach to the Vernita Ferry, thence southeasterly by the most feasible route across the Atomic Energy Commission Reservation to a junction with secondary state highway No. 3R at Richland. The director may enter into negotiations with appropriate federal agencies to secure right of way for said highway over and across the Atomic Energy Commission Reservation.

Repeal.

Sec. 8. Section 47.20.415, chapter 13, Laws of 1961

as amended by section 9, chapter 197, Laws of 1963 and RCW 47.20.415 are each hereby repealed.

Sec. 9. There is added to chapter 13, Laws of 1961 and to chapter 47.16 RCW a new section to read as follows: New section.

Notwithstanding any other provision of law, that portion of existing primary state highway No. 5 now lying between the north city limits of Kent and primary state highway No. 2 in the vicinity of Auburn shall remain as a part of primary state highway No. 5 until such time as the new route of primary state highway No. 5 lying between the north city limits of Kent and primary state highway No. 2 in the vicinity of Auburn has been completed in its entirety and is open to traffic. Primary state highway No. 5
—Continuation.

Sec. 10. There is added to chapter 13, Laws of 1961 and to chapter 47.20 RCW a new section to read as follows: New section.

A secondary state highway as a branch of primary state highway No. 11 is established as follows: Secondary state highway No. 11I.
Secondary state highway No. 11I; beginning at a junction with secondary state highway No. 11G west of Warden, thence east to Warden.

Sec. 11. There is added to chapter 13, Laws of 1961 and to chapter 47.20 RCW a new section to read as follows: New section.

A secondary state highway as a branch of primary state highway No. 16 is established as follows: Secondary state highway No. 16A.
Secondary state highway No. 16A beginning in the vicinity of Okanogan, thence northeasterly on the west side of the Okanogan river to a junction with primary state highway No. 10 north of Omak.

Sec. 12. Section 47.20.140, chapter 13, Laws of 1961 as amended by section 18, chapter 3, Laws of 1963 extraordinary session and RCW 47.20.140 are each amended to read as follows: RCW 47.20.140 amended.

Secondary
state highways
No. 2D and 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; thence southerly to a junction with primary state highway No. 1, Evergreen Point Bridge Route, in the vicinity of Northrup Road.

Secondary state highway No. 2E; beginning in the vicinity of the junction of primary state highway No. 2 and FAI 90 east of Cle Elum, thence in a northwesterly direction by way of Cle Elum and Roslyn to the National Forest boundary in the vicinity of Lake Cle Elum.

RCW 47.22.020
amended.

Sec. 13. Section 47.22.020, chapter 13, Laws of 1961 and RCW 47.22.020 are each amended to read as follows:

Lewis and
Clark High-
way.

There is established the Lewis and Clark highway, which shall be composed of the following existing routes: PSH No. 3 from Clarkston to Waitsburg; SSH No. 3-D and SSH No. 3-E from Waitsburg to Pasco (west); PSH No. 3 from Pasco to Waitsburg via Wallula and Walla Walla (east); PSH No. 8 from Pasco to Maryhill; PSH No. 8, PSH No. 1, and PSH No. 12 from Maryhill to Naselle junction; SSH No. 12-B from Naselle junction to Megler; and PSH No. 12 from Megler to Ilwaco.

RCW 47.16.050
amended.

Sec. 14. Section 47.16.050, chapter 13, Laws of 1961 and RCW 47.16.050 are each amended to read as follows:

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 Morton 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 Morton; 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 direc-

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

RCW 47.20.280 amended.

Sec. 15. Section 47.20.280, chapter 13, Laws of 1961 and RCW 47.20.280 are each amended to read as follows:

Secondary state highways Nos. 5H and 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 to primary state highway No. 1.

RCW 47.20.360 amended.

Sec. 16. Section 47.20.360, chapter 13, Laws of 1961 and RCW 47.20.360 are each amended to read as follows:

Secondary state highway No. 9A.

Secondary state highways as branches of primary state highway No. 9 are established as follows:

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

RCW 47.20.300 amended.

Sec. 17. Section 47.20.300, chapter 13, Laws of 1961 and RCW 47.20.300 are each amended to read as follows:

Secondary state highway No. 5N.

Secondary state highways as branches of primary state highway No. 5 are established as follows:

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

with primary state highway No. 5 in the vicinity of La Grande.

Sec. 18. There is added to chapter 13, Laws of 1961 and to chapter 47.20 RCW a new section to read as follows:

Secondary state highway No. 3U is established as a branch of primary state highway No. 3 as follows:

Secondary state highway No. 3U; beginning at a point approximately one mile south of Valley, thence easterly approximately one and one-half miles to a junction with primary state highway No. 3.

Sec. 19. There is added to chapter 13, Laws of 1961 and to chapter 47.20 RCW a new section to read as follows:

Secondary state highway No. 3V is established as a branch of primary state highway No. 3 as follows:

Secondary state highway No. 3V; beginning at a junction with primary state highway No. 3 approximately one mile east of Sunnyside northeasterly to a junction with secondary state highway No. 11A.

Sec. 20. The state highway commission is authorized and directed to expend for maintenance of the Puget Island-Westport ferry a sum of eight hundred dollars per month for the biennium ending June 30, 1969 for operation of said ferry as a temporary alternate route. The monthly payments provided for herein shall be approved by the state highway commission and disbursed by warrant to the county of Wahkiakum.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1969 the sum of nineteen thousand two hundred dollars, or so much thereof as may be necessary to carry out the provisions of this section.

Sec. 21. The state highway commission is author-

Highway commission—Additional Lake Washington toll bridge—Study—Appropriation.

ized and directed to conduct all studies and surveys, including traffic studies, necessary to the proper location, design, and financing of another toll bridge to cross Lake Washington, together with necessary connecting roads and approaches properly integrated with city streets. The commission shall utilize all prior surveys and reports heretofore made concerning such bridging and shall consider the preservation of the aesthetic and recreational values of Lake Washington. The commission shall further study the need for incorporation of mass transit facilities within the structure and, for this purpose, shall cooperate with any competent local authority in planning the possible inclusion of such facilities as a part of the structure. As part of the studies and surveys, the commission shall fully study an underwater tube as an alternative to a bridge. The state highway commission and any consultants engaged by it pursuant to this section shall present all studies and surveys to the local governments affected for advisory review at appropriate stages of completion of such studies and surveys. Upon completion of such studies the highway commission shall report its findings and recommendations to the Washington toll bridge authority and to the joint committee on highways.

There is hereby appropriated from the motor vehicle fund to the state highway commission the sum of one hundred fifty thousand dollars, or so much thereof as may be necessary to carry out the provisions of this section, which sum shall be considered as a loan from the motor vehicle fund to be repaid to said fund from the proceeds of the subsequent sale of any bonds issued to finance the bridge project.

Joint study—Secondary state highway No. 1B.

Sec. 22. The joint committee on highways and the Washington state highway commission shall jointly consider the feasibility and justification for

undertaking major reconstruction of the following portion of secondary state highway No. 1B:

Beginning at the junction of secondary state highway No. 1B with SR No. 11, thence along secondary state highway No. 1B to its junction with secondary state highway No. 1A in the vicinity of the city limits of Sumas.

Sec. 23. The joint committee on highways is directed to undertake a study of the economic justification for the improvement of the following segments of secondary state highway 1N in relation to the anticipated thermal power plant development in the area served by such highways:

Joint study—
Secondary
state highway
No. 1N.

(1) Secondary state highway No. 1N from a point at the south end of the Skookumchuck river bridge northerly to the Thurston county line on a new location.

(2) Secondary state highway No. 1N from the Lewis county line northerly to Tenino on the existing alignment.

Sec. 24. The joint committee on highways and the Washington state highway commission shall jointly study the feasibility and need for relocating secondary state highway 1V between Tacoma and Des Moines, taking into account the present and projected industrial and commercial development of the area. This study shall include an evaluation of the engineering reconnaissance study of this route dated January, 1966.

Joint study—
Secondary
state highway
No. 1V.

Sec. 25. The joint committee on highways is authorized and directed to investigate and determine the desirability of authorizing a feasibility study of a bridge across Willapa Bay from Leadbetter Point on the Long Beach Peninsula to the mainland in Pacific county in the vicinity of North Cove.

Joint com-
mittee on high-
ways—Study—
Bridge across
Willapa Bay.

Sec. 26. The state highway commission is authorized and directed to conduct preliminary surveys,

Highway com-
mission—
Study—Toll
bridge across
Columbia
River near
Puget Island.

including traffic studies, necessary to determine the financial feasibility of a toll bridge to cross the Columbia River at Puget Island. The proposed toll bridge is to be considered as a replacement to the existing ferry operation between Puget Island in Wahkiakum county, operating to the state of Oregon in the vicinity of Westport, Oregon. The highway commission, shall in cooperation with the county commissioners of Wahkiakum county, utilize all traffic data and statistics available from the Puget Island ferry operation. Upon completion of such studies the highway commission shall report its findings and recommendations to the Washington toll bridge authority and the joint committee on highways. The joint committee on highways shall submit copies of the report to the 1969 Legislature.

Highway com-
mission—
Study—PSH 5
(SR 410) con-
struction.

Sec. 27. The Washington state highway commission is authorized and directed to make a study of the feasibility and need of constructing a new four lane bridge on Linden Drive (present route PSH 5 (SR 410)) over the Puyallup River, and widening the Linden Avenue structure over the Sumner bypass (new route of PSH 5 (SR 410)) from two lanes to four, and street widening to four lanes to accommodate the new structures.

New chapter.

Sec. 28. There is added to chapter 13, Laws of 1961 and to Title 47 RCW a new chapter to read as set forth in sections 29 through 31 of this 1967 amendatory act.

Rest areas—
Rules and reg-
ulations for
use—Adop-
tion.

Sec. 29. Pursuant to chapter 34.04 RCW, the state highway commission shall promulgate rules and regulations consistent with the safety of the traveling public to govern the use and control of rest areas and other areas as designated in RCW 47.12.250, as now or hereafter amended. Nothing herein shall be construed as limiting the powers of the highway commission as provided by law.

Sec. 30. Except where specifically authorized by the state highway commission, it shall be unlawful for any person or persons to stop, stand, or park, any vehicle, including but not limited to trailers, campers, motorcycles, for more than eight hours, or for any person or persons to camp, or to maintain a camp, tent, or other sleeping accommodation or facility, in any rest area or safety rest area within the limits of the right of way of interstate highways or other state highways or in other areas of state or interstate highways as designated in RCW 47.12.250, as now or hereafter amended: *Provided*, That this section shall not apply to disabled vehicles.

Rest areas—
Unlawful acts.

Sec. 31. Any person violating section 30 of this 1967 amendatory act or any rule or regulation adopted or promulgated pursuant to section 30 hereof above shall be guilty of a misdemeanor.

Violations—
Penalty.

Sec. 32. In order to provide information in the specific interest of the traveling public, the commission may establish information centers at safety rest areas and permit maps, informational directories, and advertising pamphlets to be made available there for the purpose of informing the public of places of interest within the state and providing such other information as the commission may deem desirable.

Rest areas—
Information centers—
Authority.

Sec. 33. Section 47.54.010, chapter 13, Laws of 1961 and RCW 47.54.010 are each amended to read as follows:

RCW 47.54.010
amended.

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 free-way, and the space over or under any ramp or interchange, for constructing thereon, thereunder, and in

Limited access
highways—
Lease of air
space, over,
under.

Limited access highways—Lease of air space, over, under.

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; or may by permit grant to a municipal corporation the exclusive use of the space under any limited access highway, freeway, ramp, or interchange, for the storage or parking of municipally owned vehicles including mobile equipment, so long as such use by the municipal corporation in no manner interferes with the limited access highway or freeway.

RCW 47.54.020 amended.

Sec. 34. Section 47.54.020, chapter 13, Laws of 1961 and RCW 47.54.020 are each amended to read as follows:

Lease of air space—Limitations.

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

RCW 84.36.010 amended.

Sec. 35. Section 84.36.010, chapter 15, Laws of 1961 and RCW 84.36.010 are each amended to read as follows:

Property taxes—Exemptions.

All property belonging exclusively to the United States, the state, any county or municipal corporation, and all property under order of immediate possession and use pursuant to RCW 8.04.090, shall be exempt from taxation.

Note: See also section 31, chapter 149, Laws of 1967 ex. sess.

RCW 84.60.050 amended.

Sec. 36. Section 84.60.050, chapter 15, Laws of 1961 and RCW 84.60.050 are each amended to read as follows:

When real property is acquired by purchase or

condemnation by the state of Washington or any of its political subdivisions, including counties, cities, and towns, the property so acquired shall continue to be subject to the tax lien of any tax collectible by the county treasurer, levied by the state, any county, any other municipal corporation or other tax levying public body, and delinquent at the date of sale, condemnation verdict, order of immediate possession and use pursuant to RCW 8.04.090, or judgment if not tried before a jury, except as is otherwise provided in RCW 84.60.070.

Eminent domain proceedings—Tax lien—Effect on property subject to.

Sec. 37. Section 84.60.060, chapter 15, Laws of 1961 and RCW 84.60.060 are each amended to read as follows:

RCW 84.60.060 amended.

Where any of the taxes on real property so acquired by purchase or condemnation are payable but are not delinquent at the date of completion of the sale, date of condemnation verdict, date of the order of immediate possession and use pursuant to RCW 8.04.090, or date of judgment if not tried to a jury, the lien for taxes payable but not delinquent shall be for only one-half of the taxes so payable if the property is so acquired between February 15th and April 30th of the year in which such taxes become payable. If such property is so acquired after April 30th of the year in which such taxes are payable, the lien shall be for the full amount of the taxes payable. If such property is so acquired prior to February 15th of the year in which such taxes become payable, no tax lien for such taxes on such property shall be valid against the state or any of its political subdivisions, and any such taxes levied but not payable shall be canceled as provided in RCW 84.56.400.

Eminent domain proceedings—Tax lien—Effect.

The amount constituting a tax lien on real property acquired as provided in RCW 84.60.050 through 84.60.070 shall be withheld from the purchase price or condemnation award by the public body acquir-

ing the property and shall be paid immediately to the county treasurer in payment and discharge of such lien, except as otherwise provided in RCW 84.60.070.

RCW 47.36.100 amended.

Sec. 38. Section 47.36.100, chapter 13, Laws of 1961 and RCW 47.36.100 are each amended to read as follows:

Highway 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, erected and maintained by the highway commission as follows: Upon all county roads at the point of intersection with any arterial primary or secondary state highway; 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; upon at least one state highway at the intersection of two state highways.

RCW 47.28.070 amended.

Sec. 39. Section 47.28.070, chapter 13, Laws of 1961 and RCW 47.28.070 are each amended to read as follows:

Construction and maintenance—Bids—Form of bids—Refusal to furnish form—Appeal.

Bid proposals upon any construction or improvement of any state highway 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, and shall be submitted once a year and at such other times as the highway commission may require. Whenever the highway commission is not satisfied with the sufficiency of the answers contained in such questionnaire and financial statement or whenever the highway commission determines that such person, firm, or corporation does not meet all of the requirements hereinafter set forth 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. In order to obtain a contract proposal form, a person, firm or corporation shall have all of the following requirements:

- (1) Adequate financial resources, or the ability to secure such resources;
- (2) The necessary experience, organization, and technical qualifications to perform the proposed contract;
- (3) The ability to comply with the required performance schedule taking into consideration all of its existing business commitments;
- (4) A satisfactory record of performance, integrity, judgment, and skills; and
- (5) Be otherwise qualified and eligible to receive an award under applicable laws and regulations.

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.

RCW 47.28.030
amended.

Sec. 40. Section 47.28.030, chapter 13, Laws of 1961 as amended by section 1, chapter 233, Laws of 1961 and RCW 47.28.030 are each amended to read as follows:

Contracts—
Day labor—
Etc.

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.

Whenever the work to be performed is repair or maintenance of an existing highway, and the engineer's estimate indicates the cost of the work would not exceed two thousand five hundred dollars, and delay of performance thereof would jeopardize a state highway or inconvenience the traveling public, the state highway commission may negotiate without a call for bids a contract for the furnishing of any equipment with operator and/or materials and supplies required for performance of the work, and in such instances the contractor furnishing such equipment, and/or materials and supplies need not be prequalified pursuant to RCW 47.28.070 nor furnish a bid deposit or performance bond.

Sec. 41. Section 47.04.020, chapter 13, Laws of 1961 as amended by section 3, chapter 24, Laws of 1963 and RCW 47.04.020 are each amended to read as follows:

RCW 47.04.020
amended.

All public highways in the state of Washington, or portions thereof, outside incorporated cities and towns shall be divided and classified as state highways and county roads. All state highways and branches thereof shall be established by the legislature of the state of Washington by appropriate general location and termini. Any prior distinctions between highways as primary or secondary are hereby abolished. All powers granted to, or duties imposed upon, the state highway commission with regard to either primary or secondary state highways shall be construed to relate to all state highways. Whenever these terms are used, either jointly or independently, each shall be construed to include all state highways. All public highways in the state of Washington, or portions thereof, outside incorporated cities and towns, not established as state highways, are hereby declared to be county roads.

Classification
of highways.

Sec. 42. Section 47.04.010, chapter 13, Laws of 1961 and RCW 47.04.010 are each amended to read as follows:

RCW 47.04.010
amended.

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:

Highways—
Definitions.

(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;

**Highways—
Definitions.**

(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 state highway, or branch thereof;

(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 a 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;

Highways—
Definitions.

(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, co-partnership, 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) "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;

(28) "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;

(29) "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;

(30) "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;

(31) "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;

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

(33) "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;

(34) "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;

(35) "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;

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

Highways—
Definitions.

(37) "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;

(38) "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;

(39) "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;

(40) "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;

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

(42) "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.

Sec. 43. Section 1, chapter 24, Laws of 1963 and RCW 47.36.095 are each amended to read as follows:

The state highway commission is hereby authorized to establish a continuing system for the designating of state highways and branches or portions thereof, heretofore established by the legislature of the state of Washington, to give designations to such state highways and branches, or portions thereof, in accord with such system, and to install signs in accord therewith on such state highways and branches, or portions thereof. Such system may be changed from time to time and shall be extended to new state highways and branches, or portions thereof, as they are hereafter established by the legislature.

RCW 47.36.095 amended.

Highways—Designations.

Sec. 44. Section 47.20.640, chapter 13, Laws of 1961 and RCW 47.20.640 are each amended to read as follows:

In any case where a state highway is relocated in such manner that it shall cease to intersect another state highway, the state highway commission is hereby authorized to extend and designate either of such state highways to reestablish an appropriate intersection.

RCW 47.20.640 amended.

State highways—Extension to re-establish intersection.

Sec. 45. Section 47.08.060, chapter 13, Laws of 1961 and RCW 47.08.060 are each amended to read as follows:

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 highway purposes only.

RCW 47.08.060 amended.

Highways—Disposal of federal funds.

Sec. 46. There is added to chapter 13, Laws of 1961 and to chapter 47.36 RCW a new section to read as follows:

Designations or redesignations assigned under

New section.

Designations of highways—Filing with secretary of state.

such system by the highway commission pursuant to section 43 of this 1967 amendatory act as each is made, shall be filed with the secretary of state and with the auditor of each county. Thereafter such highways shall be so designated for all purposes.

Repeal.

Sec. 47. Section 47.04.030, chapter 13, Laws of 1961 and RCW 47.04.030, section 2, chapter 24, Laws of 1963 and RCW 47.36.096 are each hereby repealed.

New section.

Sec. 48. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

Toll facility trust accounts—Closing after repayment of bonds—Transfer of funds.

The state highway commission is hereby authorized to liquidate and close toll facility trust and other facility accounts established without the state treasury pursuant to the provisions of chapter 47.56 RCW after the removal of tolls from the facility for which the accounts were established. Any balance remaining in such accounts shall thereupon be transferred to the motor vehicle fund. In addition, the state highway commission may, after the removal of tolls from a particular facility or facilities, require that all moneys transferred to the place of payment named in the revenue bonds, for the purpose of paying principal or interest or for redemption of said bonds, not then expended for such purpose, be returned to the state treasurer for deposit in the motor vehicle fund.

New section.

Sec. 49. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

Funds transferred—Valid claims—Repayment.

After transfer of such moneys pursuant to section 48 of this 1967 amendatory act, all valid claims against such accounts, including proper claims for refunds for unused commute media and other prepaid toll fees, may be satisfied, and any outstanding bonds or coupons may be redeemed by payment

from the motor vehicle fund upon proper application to and approval by the highway commission.

Neither the provisions of this section nor of section 48 of this 1967 amendatory act shall be construed to preclude any remedy otherwise available to bond or coupon holders.

Sec. 50. There is added to chapter 12, Laws of 1961 and to chapter 46.20 RCW a new section to read as follows: New section.

Every person applying for a special endorsement of a driver's license authorizing such person to drive a motorcycle or a motor-driven cycle shall pay a motorcycle examination fee which shall not be refundable. The director of motor vehicles shall prescribe the examination fee at an amount equal to the cost of administering such examination but in no event more than four dollars for the initial examination nor more than two dollars for a subsequent renewal examination. Driver's license—Motor vehicle in—endorsement—Examination fee.

Sec. 51. There is added to chapter 12, Laws of 1961 and to chapter 46.20 RCW a new section to read as follows: New section.

The department of motor vehicles shall at the option of a driver license applicant issue a driver's license containing a photograph of the applicant for an additional fee of one dollar. Such fee shall be deposited in the highway safety fund. The department shall not adopt any photographic processes incompatible with its pre-bill system of issuing driver's licenses. Driver's license—Photographic—Optional—Fee.

Section 52. Section 43, chapter 121, Laws of 1965 extraordinary session and RCW 46.20.342 are each amended to read as follows: RCW 46.20.342 amended.

(1) Any person who drives a motor vehicle on any public highway of this state at a time when his privilege so to do is suspended or revoked or when his policy of insurance or bond, when required Driving without license—Penalty.

Motor vehicle driver's license — Driving without — Penalty.

under this chapter, shall have been canceled or terminated, shall be guilty of a misdemeanor. Upon the first conviction therefor, he shall be punished by imprisonment for not less than ten days nor more than six months, *five days of which may not be suspended*. Upon the second such conviction therefor, he shall be punished by imprisonment for not less than ninety days nor more than one year, *ninety days of which shall not be suspended*. Upon the third such conviction therefor, he shall be punished by imprisonment for one year, *no part of which shall be suspended*. There may also be imposed in connection with each such conviction a fine of not more than five hundred dollars.

***Words in italics vetoed by Governor.**

(2) The department upon receiving a record of the conviction of any person under this section upon a charge of driving a vehicle while the license of such person is under suspension shall extend the period of such suspension for an additional like period and if the conviction was upon a charge of driving while a license was revoked the department shall not issue a new license for an additional period of one year from and after the date such person would otherwise have been entitled to apply for a new license.

Note: See also section 7, chapter 167, Laws of 1967.

RCW 9.92.060 amended.

Sec. 53. Section 1, chapter 24, Laws of 1905, as last amended by section 1, chapter 227, Laws of 1957, and RCW 9.92.060 are each amended to read as follows:

Criminal procedure — Suspension of sentence.

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, except as provided in section 52 of this 1967 amendatory act, the court may in its discretion, at the time of imposing sentence upon such person, direct

that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: Provided, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, and (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required. In no case shall a sentence be suspended under the provisions of this section unless the prisoner if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced.

**Words in italics vetoed by Governor.*

Note: See also section 7, chapter 200, Laws of 1967.

Sec. 54. Section 4, chapter 227, Laws of 1957 and RCW 9.95.210 are each amended to read as follows:

RCW 9.95.210 amended.

The court in granting probation, may, except as provided in section 52 of this 1967 amendatory act, suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

Criminal procedure—Suspension of sentence.

The court in the order granting probation and as

Criminal pro-
cedure—Sus-
pension of
sentence.

a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, and (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the board of prison terms and paroles or such officer as the board may designate and as a condition of said probation to follow implicitly the instructions of the board of prison terms and paroles. The board of prison terms and paroles will promulgate rules and regulations for the conduct of such person during the term of his probation.

**Words in italics vetoed by Governor.*

Note: See also section 16, chapter 134 and section 8, chapter 200, Laws of 1967.

RCW 46.20.270
amended.

Sec. 55. Section 46.20.270, chapter 12, Laws of 1961 as amended by section 22, chapter 121, Laws of 1965 extraordinary session and RCW 46.20.270 are each amended to read as follows:

(1) Whenever any person is convicted of any offense for which this title makes mandatory the suspension or revocation of the driver's license of

such person by the department, the privilege of the person to operate a vehicle is suspended until the department takes the action required by this chapter, and the court in which such conviction is had shall forthwith secure the immediate forfeiture of the driver's license of such convicted person and immediately forward such driver's license to the department, and on failure of such convicted person to deliver such driver's license the judge shall cause such person to be confined for the period of such suspension or revocation or until such driver's license is delivered to such judge: *Provided*, That in the event such convicted person shall testify that he does not and at the time of the offense did not have a current and valid vehicle driver's license, then the judge shall cause such person to be charged with the operation of a motor vehicle without a current and valid driver's license and on conviction punished as by law provided, and the department shall not issue a driver's license to such persons during the period of such suspension or revocation: *Provided, also*, That in the event that the driver's license of such convicted person has been lost or destroyed and such convicted person shall make an affidavit to that effect, sworn to before the judge, he shall not be so confined, but the department shall not issue or reissue a driver's license for such convicted person during the period of such suspension or revocation: *Provided*, That perfection of notice of appeal shall stay the execution of sentence including the suspension and/or revocation of the driver's license.

Driver's license
—Suspension
or revocation
—Procedure.

(2) Every court having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, shall forward to the department within ten days an abstract of court record in the form prescribed by rule of the supreme court,

Driver's license
—Suspension
or revocation
—Procedure.

showing the conviction of any person in said court for a violation of any said laws other than regulations governing standing or parking, and may recommend the suspension of the driver's license of the person so convicted.

(3) For the purposes of Title 46 the term "conviction" shall mean a final conviction in either a state or municipal court. An unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty or a finding of guilt on a traffic law violation charge, shall be equivalent to a conviction, under Title 46 regardless of whether the imposition of sentence is deferred or the penalty is suspended.

RCW 46.37.005
amended.

Sec. 56. Section 46.37.005, chapter 12, Laws of 1961 as amended by section 49, chapter 32, Laws of 1967 and RCW 46.37.005 are each amended to read as follows:

State com-
mission on
equipment—
Members.

There is hereby constituted a state commission on equipment which shall consist of the director of the department of motor vehicles, the chief of the Washington state patrol, and the director of the department of highways. The chief of the Washington state patrol shall act as the chairman of the state commission on equipment. He shall appoint a person under his supervision to act as secretary of the state commission on equipment who shall be responsible for the issuance of rules and regulations adopted by the commission and the issuance of certificates of approval for vehicle equipment requiring approval.

In addition to those powers and duties elsewhere granted by the provisions of this title the state commission on equipment shall have the power and the duty to adopt, apply and enforce such reasonable rules and regulations (1) relating to proper types of vehicles or combinations thereof for hauling passengers, commodities, freight and supplies, (2) relating to vehicle equipment, and (3) relating to the en-

forcement of the provisions of this title with regard to vehicle equipment, as may be deemed necessary for the public welfare and safety in addition to but not inconsistent with the provisions of this title.

The state commission on equipment is authorized to adopt by regulation, federal standards relating to motor vehicles and vehicle equipment, issued pursuant to the National Traffic and Motor Vehicle Safety Act of 1966, or any amendment to said act, notwithstanding any provision in Title 46 RCW inconsistent with such standards. Federal standards adopted pursuant to this section shall be applicable only to vehicles manufactured in a model year following the adoption of such standards.

Note: See also section 49, chapter 32, Laws of 1967.

Sec. 57. Section 3, chapter 204, Laws of 1963 and RCW 46.38.030 are each amended to read as follows:

RCW 46.38.030 amended.

Pursuant to Article V (e) of the vehicle equipment safety compact it is the intention of this state and it is hereby provided that any rule, regulation, or code issued by the vehicle equipment safety commission in accordance with Article V of the compact shall take effect when issued in accordance with the Administrative Procedure Act by the state commission on equipment.

Vehicle Equipment Multi-State Compact—Rules and regulation.

Sec. 58. Section 15, chapter 155, Laws of 1965 extraordinary session and RCW 46.61.100 are each amended to read as follows:

RCW 46.61.100 amended.

(1) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

Rules of the road—Driving on right side of road—Exceptions.

(a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

(b) When an obstruction exists making it necessary to drive to the left of the center of the highway; provided, any person so doing shall yield the

Rules of the road—Driving on right side of road—Exceptions.

right of way to all vehicles traveling in the proper direction upon the unobstructed portion of the highway within such distance as to constitute an immediate hazard;

(c) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or

(d) Upon a roadway designated and signposted for one-way traffic.

(2) Upon all roadways any vehicle proceeding at less than the speed of the general flow of traffic at the time and place and under the conditions then existing, shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection, exit, or into a private road or driveway when such left turn is legally permitted.

(3) Upon any roadway having four or more lanes for moving traffic and providing for two-way movement of traffic, no vehicle shall be driven to the left of the center line of the roadway, except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection (1) (b) hereof.

New section.

Sec. 59. There is added to chapter 15, Laws of 1961 and to chapter 82.36 RCW a new section to read as follows:

Motor vehicle fuel tax—Refund—Foreign diplomatic and consular officers.

Every employee of a foreign government, including foreign diplomatic and consular officers, shall receive a refund of the amount of the motor vehicle fuel tax paid on each gallon of motor vehicle fuel used, whether such vehicle fuel tax has been paid either directly to the vendor from whom the motor

vehicle fuel was purchased or indirectly by adding the amount of such tax to the price of such fuel.

For the purposes of this section "employee of a foreign government" shall mean every person who is regularly employed by any foreign government who is not a citizen of the United States. The exemption hereby granted such employees shall be allowed only if the government represented grants an equivalent exemption to employees of the United States performing similar services in such country. No refund shall be allowed unless and until the claimant has complied with the provisions of RCW 82.36.310 and 82.36.330.

Sec. 60. There is added to chapter 12, Laws of 1961 and to chapter 46.16 RCW a new section to read as follows: New section.

All vehicle license number plates issued after January 1, 1968, or such earlier date as the director may prescribe with respect to plates issued in any county, shall be treated with reflectorized materials designed to increase the visibility and legibility of such plates at night. In addition to all other fees prescribed by law, there shall be paid and collected for each vehicle license number plate treated with such materials, the sum of fifty cents and for each set of two plates, the sum of one dollar: *Provided, however,* One plate is available only to those vehicles that by law require only one plate. Such fees shall be deposited in the motor vehicle fund. License plates
—Reflectorized
plates.

Sec. 61. Section 46.44.030, chapter 12, Laws of 1961 as last amended by section 52, chapter 3, Laws of 1963 extraordinary session and RCW 46.44.030 are each amended to read as follows: RCW 46.44.030
amended.

It is unlawful for any person to operate upon the public highways of this state any vehicle having an overall length, with or without load, in excess of thirty-five feet, except that an auto stage shall not exceed an overall length, inclusive of front and rear Maximum
load, length.

**Maximum
load, length.**

bumpers, of forty feet, but the operation of any such auto stage upon the public highways shall be limited as determined by the state highway commission.

It is unlawful for any person to operate on the highways of this state any combination of vehicles which contains a vehicle of which the permanent structure is in excess of forty feet.

It is unlawful for any person to operate upon the public highways of this state any combination consisting of a nonstinger steered tractor and semitrailer which has an overall length in excess of sixty feet without load or in excess of sixty-five feet with load.

It is unlawful for any person to operate on the highways of this state any combination consisting of a truck and trailer, or any lawful combination of three vehicles, with an overall length, with or without load, in excess of sixty-five feet, or a combination consisting of a tractor and a stinger steered semitrailer which has an overall length in excess of sixty-five feet without load or in excess of seventy feet with load.

“Stinger steered” as used in this section shall mean a tractor and semitrailer combination which has the coupling connecting the semitrailer to the tractor located to the rear of the center line of the rear axle of the tractor.

These length limitations shall not apply to vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties but in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

Sec. 62. There is added to chapter 12, Laws of 1961 and to chapter 46.44 RCW a new section to read as follows:

Subject to such terms and conditions as it shall consider proper and on such highways as it shall deem suitable, and when it finds it to be in the public interest, the state highway commission may by special permit authorize the operation of vehicles and combinations of vehicles other than school buses which exceed the restrictions set forth in RCW 46.44.010, 46.44.020, 46.44.030 and 46.44.036. The fee for such permits shall be those set forth in RCW 46.44.094, as amended.

New section.

Permits for
oversize and
overweight
vehicles—
Fees.

Sec. 63. Section 36.88.220, chapter 4, Laws of 1963 and RCW 36.88.220 are each amended to read as follows:

All counties may establish a fund for the purpose of guaranteeing to the extent of such fund and in the manner hereinafter provided, the payment of its road improvement district bonds and warrants issued to pay for any road improvement ordered under this chapter. If the board of county commissioners shall determine to establish such fund it shall be designated "..... county road improvement guaranty fund" and from moneys available for road purposes such county shall deposit annually in said guaranty fund such sums as may be necessary to establish and maintain a balance therein equal to at least five percent of the outstanding obligations guaranteed thereby and to make necessary provision in its annual budget therefor. The moneys held in the guaranty fund may be invested in obligations of the government of the United States or of this state.

RCW 36.88.220
amended.County road
improvement
guaranty fund
—Investment.

Sec. 64. Section 15, chapter 96, Laws of 1961 and RCW 47.42.150 are each amended to read as follows:

The joint fact-finding committee on highways,

RCW 47.42.150
amended.

Joint committee on highways—Study—Federal standards for outdoor advertising.

streets and bridges is authorized and directed to study the application of the federal standards to the regulation of outdoor advertising upon the interstate highways within the state of Washington and criteria for the establishment of additional scenic areas upon any state highway upon which outdoor advertising shall be regulated, and report to the 1963 legislature thereon.

NOTE: The above section was amended by the Legislature but such action was nullified by the Governor's veto of this section. See page 2351 for Governor's explanation.

RCW 35.95.020 amended.

Sec. 65. Section 2, chapter 111, Laws of 1965 extraordinary session and RCW 35.95.020 are each amended to read as follows:

Public transportation systems in cities of the 1st class—Definitions.

The following terms, however used or referred to in this chapter, shall have the following meanings, unless a different meaning is required by the context:

(1) "Corporate authority" shall mean the council or other legislative body of a municipality.

(2) "Municipality" shall mean any incorporated city of the first, second or third class in the state.

(3) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, school district or political subdivision of the state, fraternal, benevolent, religious or charitable society, club or organization, and shall include any trustee, receiver, assignee, or other person acting in a similar representative capacity. The term "person" shall not be construed to include the United States nor the state of Washington.

RCW 35.95.030 amended.

Sec. 66. Section 5, chapter 111, Laws of 1965 extraordinary session and RCW 35.95.050 are each amended to read as follows:

Public transportation systems—Excise tax—Collection of tax.

The tax levied under the provisions of RCW 35.95.040 shall be billed and collected at such times and in the manner fixed and determined by the corporate authorities in an ordinance levying the

tax: *Provided*, That the tax shall be designated and identified as a tax to be used solely for the operation, maintenance, and capital needs of the municipally owned or leased and municipally operated public transit system: *And provided further*, That the corporate authorities may in connection with municipally owned or leased transit systems enter into contracts covering the operation and maintenance of such systems, including the employment of personnel.

Sec. 67. The corporate authorities of a municipality adopting an ordinance for the levy and collection of an excise tax or additional tax as provided in RCW 35.95.040 may refer such ordinance to the voters of the municipality before making such ordinance effective.

Excise tax on public transportation systems—Referendum.

Sec. 68. Section 35, chapter 3, Laws of 1963 extraordinary session as amended by section 64, chapter 170, Laws of 1965 extraordinary session and RCW 44.40.010 are each amended to read as follows:

RCW 44.40.010 amended.

The joint fact-finding committee on highways, streets, and bridges originally created by chapter 111, Laws of 1947, is hereby recreated and renamed the joint committee on highways. The renaming of said committee shall not affect any powers vested in it or its duties imposed upon it by any other statute. All appropriations made to the committee under its former name shall continue to be available to said committee as renamed, the joint committee on highways. The committee shall consist of eleven senators to be appointed by the president of the Senate and twelve members of the House of Representatives to be appointed by the speaker thereof. A list of appointees shall be submitted before the close of each regular legislative session or extraordinary session following a regular session for confirmation of Senate members, by the Senate, and House mem-

Joint committee on highways—Members—Appointment.

bers, by the House. Vacancies occurring shall be filled by the appointing authority.

Joint com-
mittee on
highways—
Studies and
report to 1969
Legislature.

Sec. 69. The joint committee on highways is authorized and directed to undertake the following studies and to report its findings and recommendations in connection therewith to the 1969 legislature prior to its convening:

(1) A comprehensive review of personnel policies of the department of highways and the highway personnel board. The joint committee shall specifically examine the assignment of personnel responsibilities between the state highway commission and the highway personnel board. The committee shall further develop its recommendation as to whether or not the highway personnel system should be integrated with the state department of personnel.

(2) A study of the factors affecting the location of manufacturing industries including labor requirements and the concentration of population. The committee shall consider factors which may motivate industry to locate in rural areas and the impact of such possible industrial development on the state's highway transportation system.

(3) A reexamination of the existing county gas tax allocation formula.

(4) A continuation of the cost allocation study including a thorough evaluation of the department of highways cost allocation report of February 1967.

(5) A study of existing laws relating to highway construction and maintenance contracts. This study shall compare the economic size of construction contracts with the size of contracts currently being awarded and shall determine the effect of highway department contracting policy on Washington's construction industry.

(6) A study to improve the legal procedures for the disposition of abandoned vehicles.

(7) A traffic engineering study to determine the

most efficient and the safest method of providing left turn facilities in highways. This study shall include a consideration of the economic impact upon commercial establishments resulting from the erection of center line barriers precluding left turns.

(8) A comprehensive study of the department of highways budgeting procedures including an examination of the feasibility of utilizing performance standards.

(9) The development of a policy for the state of Washington regarding the most desirable federal-aid highway program following the completion of the interstate system of highways.

(10) A comprehensive study of highway safety including careful development of legislation necessary to comply with federal highway safety standards.

(11) A study of federal highway beautification standards including the development of legislation necessary to comply with federal standards.

(12) A study, analysis and report on the financing of the cost of installation and maintenance of protective signal devices at highway-railroad grade crossings, said committee to give consideration to the report of the Interstate Commerce Commission dated January 22, 1964, regarding "Prevention of Rail-Highway Grade-Crossing Accidents Involving Railway Trains and Motor Vehicles".

(13) A comprehensive study relating to the organizational structure of a department of transportation. The study shall consider the proper role of the state in planning, constructing, operating and coordinating highway, mass transit, water and air transportation facilities. The study shall analyze transportation functions now performed by the various state agencies and shall develop a recommendation for the combination of all proper state

transportation functions within a department of transportation.

Joint committee on highways—
Studies and report to 1969
Legislature.

(14) A study of the feasibility of the exchange between states of audit information relating to the proper payment of fuel taxes and other motor vehicle taxes by interstate motor carriers for the purpose of reducing duplicate audits by the several states.

Joint committee on highways—
Additional studies.

Sec. 70. The joint committee on highways is authorized to procure comprehensive studies related to highway classification, needs, adequacy of existing highways laws, and financing for highway transportation, including:

(1) A functional systems classification of all state highways, county roads and city streets, including identification of those sections that should be developed as a state-wide plan of freeways and expressways, regardless of current jurisdiction.

(2) A forecast of the public road and street needs of the state, the counties, and the cities for a twenty year period.

(3) An estimate of the costs of such highway needs and an outline of the alternative means of financing the same.

(4) Alternative methods for assignment of responsibility and an equitable financial plan for each.

(5) A study of existing highway laws to evaluate their adequacy.

These studies shall be conducted with such participation by the Washington state highway commission as may be necessary to qualify for federal aid planning funds. The studies shall be completed by November 15, 1968.

Joint committee on highways—
Appropriation.

Sec. 71. There is hereby appropriated from the motor vehicle fund to the joint committee on highways for the biennium ending June 30, 1969, the sum of seventy-five thousand dollars.

Sec. 72. The joint committee on highways and the Washington state highway commission, prior to September 1, 1968, shall jointly conduct a study of the need for and cost of the construction of two pedestrian overpasses in Kitsap county, as follows:

Joint committee on highways—Study—Kitsap pedestrian overpasses.

(a) Over P.S.H. No. 21 (S.R. 3) in the vicinity of Silverdale at a location to be determined upon consultation with the board of directors of the central Kitsap school district; and

(b) In the city of Bremerton over Wheaton Way (S.S.H. 21B, S.R. 303) between Sheridan Road and Sylvan Way, at a location to be determined upon consultation with the engineering department of the city of Bremerton.

Sec. 73. If any provision of this 1967 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Severability.

Sec. 74. The joint committee on highways is authorized and directed to investigate and determine the desirability of authorizing a feasibility study of constructing a pedestrian overpass on state highway FAI 405 in the vicinity of the north Renton interchange in the city of Renton.

Renton pedestrian overpass study.

Sec. 75. Section 82.36.020, chapter 15, Laws of 1961 as last amended by section 2, chapter [83] (House Bill No. 595), Laws of 1967 extraordinary session and RCW 82.36.020 are each amended to read as follows:

RCW 82.36.020 amended.

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director of nine cents for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: *Provided*, That under

Motor vehicle fuel tax—Rate—Allocation of proceeds.

Motor vehicle
fuel tax—Rate
—Allocation
of proceeds.

such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel.

The proceeds of the nine cents excise tax collected on the net gallonage after the deduction provided for herein shall be distributed as follows:

(1) Seven cents shall be distributed between the state, cities, and counties under the provisions of RCW 46.68.090 and 46.68.100, as amended in section 8 of this 1967 amendatory act.

(2) Five-eighths of one cent shall be distributed to the state and expended pursuant to section 9 of this 1967 amendatory act.

(3) Five-eighths of one cent shall be paid into the motor vehicle fund and credited to the urban arterial trust account created by section 14 of this 1967 amendatory act.

(4) One-quarter cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350.

(5) One-half cent shall be distributed to the cities and towns directly and allocated between them as provided by RCW 46.68.110, subject to the provisions of RCW 35.76.050: *Provided*, That the funds allocated to a city or town which are attributable to such one-half cent of the additional tax imposed by this 1961 amendatory act shall be used exclusively for the construction, improvement and repair of arterial highways as that term is defined in RCW

46.04.030, or for the payment of any municipal indebtedness which may be incurred after June 12, 1963 in the construction, improvement and repair of arterial highways as that term is defined in RCW 46.04.030. All such sums shall first be subject to proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

Note: See also section 2, chapter 83, Laws of 1967 ex. sess.

Sec. 76. There is hereby appropriated from the motor vehicle fund to the joint committee on highways for the biennium ending June 30, 1969, the sum of ten thousand dollars to be disbursed to the Western Council of State Governments pursuant to resolution of said committee for research and administrative services relating to the proper implementation of the several federal highway programs. This appropriation shall not be available until two or more other states have each authorized expenditures of equivalent or greater sums for the purposes mentioned herein.

Joint committee on highways—Appropriation—Western council of state governments.

Sec. 77. Section 81.80.060, chapter 14, Laws of 1961 as last amended by section 40, chapter 170, Laws of 1965 extraordinary session and RCW 81.80.060 are each amended to read as follows:

RCW 81.80.060 amended.

Every person who engages for compensation to perform a combination of services which includes transportation of property of others upon the public highways shall be subject to the jurisdiction of the commission as to such transportation and shall not engage upon the same without first having obtained a common carrier or contract carrier permit to do so. Every person engaging in such a combination of services shall advise the commission what portion of the consideration is intended to cover the transportation service and if the agreement covering the combination of services is in writing, the rate and charge for such transportation shall be set forth

Motor freight carriers—Combination of services.

Motor freight carriers—Combination of services.

therein. The rates or charges for the transportation services included in such combination of services shall be subject to control and regulation by the commission in the same manner that the rates of common and contract carriers are now controlled and regulated. Any person engaged in extracting and/or processing and, in connection therewith, hauling materials exclusively for the maintenance, construction or improvement of a public highway shall not be deemed to be performing a combination of services.

Note: See also section 2, chapter 69, Laws of 1967.

Study reports—Availability to members of state legislature.

Sec. 78. Whenever a study report prepared by the Washington state highway commission for the joint committee on highways is made available to the committee or its members, the report shall upon request be made available to any member of the Washington state legislature.

RCW 46.68.100 amended.

Sec. 79. Section 46.68.100, chapter 12, Laws of 1961 as last amended by section 8, chapter [83] (House Bill No. 595), Laws of 1967 extraordinary session and RCW 46.68.100 are each amended to read as follows:

Motor vehicle fund—Allocation.

From the net tax amount in the motor vehicle fund there shall be paid sums as follows:

- (1) To the cities and towns of the state sums equal to ten and four-tenths percent of the net tax amount to be paid monthly as the same accrues;
- (2) To the counties of the state sums equal to thirty-two and five-tenths percent of the net tax amount to be paid monthly as the same accrues;
- (3) To the state to be expended as provided by RCW 46.68.130, sums equal to fifty-seven and one-tenth percent of the net tax amount to be paid monthly as the same accrues.

Nothing in this section or in RCW 46.68.090 or 46.68.130 shall be construed so as to violate any

terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle funds.

Note: See also section 8, chapter 83, Laws of 1967 ex. sess.

Sec. 80. Section 46.16.320, chapter 12, Laws of 1961 as amended by section 21, chapter 32, Laws of 1967 and RCW 46.16.320 are each amended to read as follows:

RCW 46.16.320
amended.

Every person having a valid official amateur radio operator's license issued for a term of five years by the federal communications commission, is entitled to apply to the director for, and upon satisfactory showing, to receive, in lieu of the regular motor vehicle license plates similar plates bearing the official amateur radio call letters of the applicant assigned by the federal communications commission instead of numbers, and every person who desires a license plate containing his initials or any other combination of letters or numbers, that is consistent with the existing format of three letters and three numbers as prescribed by the director of motor vehicles may apply to the director for such license plates, and if the director is satisfied that such license plates as requested would be reasonable and proper and would not be a duplication of any other valid license plates, may receive in lieu of regular motor vehicle license plates similar plates bearing the letters or numbers, or combination thereof requested. No combination shall be issued with fewer than six letters and numbers. All sequences of letters and numbers must be approved by a committee of five members appointed to serve at the pleasure of the director to be known as the license plate advisory committee.

Motor vehicles
license plates
—Amateur
radio oper-
ator's plates.

Original applicants shall be issued temporary license plates which will serve until such a time as

Motor vehicles
license plates
—Amateur
radio opera-
tor's plates.

the "personalized plates" can be manufactured by the Washington State Prison Industries, and processed by the Department of Motor Vehicles. The temporary license plates shall be surrendered to the Department at the time the "personalized plates" are issued. Any previously issued license plates assigned to the vehicle involved must be surrendered to the Department at the time of issuance of the "personalized plates".

Each time that "personalized plates" are transferred from one vehicle to another, by the owner, a special transfer fee of five dollars shall be collected by the Department from that owner. Such special fee shall be deposited in the Motor Vehicle Fund.

In addition to the annual license fee collected under chapter 46.16 and chapter 82.44, there shall be collected from each applicant for such special license plates an additional license fee of thirty dollars upon the issue of a state plate but shall not apply on those years that a yearly tab is issued. Application for renewal of the amateur radio operator's call license plate must be made by January 10th of each renewal year and all such applications shall be accompanied by a notarized statement of facts included on the amateur's valid FCC license.

Twenty-five dollars from each original application fee for "personalized plates" shall be deposited in the state treasury and credited to the mass transit trust account which is hereby created in the general fund, for appropriation by the legislature to political subdivisions for the study or construction of rapid transit facilities in accordance with comprehensive rapid transit plans approved by the Highway Commission, to be applied directly to such purpose or to be pledged to pay or secure the payment of principal of and interest on such bonds or other obliga-

tions as may be issued in furtherance of such purpose.

Note: See also section 21, chapter 32, Laws of 1967.

Sec. 81. This 1967 amendatory act is necessary Emergency for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House April 28, 1967.

Passed the Senate April 26, 1967.

Approved by the Governor May 11, 1967, with the exception of certain items in Section 52 and all of Sections 53, 54, and 64, which were vetoed.

NOTE: Governor's explanation of partial veto is as follows:

"This is the highway omnibus bill. It contains 81 sections dealing with a multitude of highway related matters.

"Section 52, added by floor amendment, is the result of the valid concern of many legislators over the failure of the judiciary to apply a consistent policy in sentencing persons convicted of driving while their licenses have been suspended or revoked. The present law provides for a minimum sentence upon conviction of ten days confinement, and a maximum sentence of six months confinement; however, a judge has the power to suspend any or all of the sentence or place the person convicted under probation. Under the amendment contained in Section 52, the penalty for the first conviction would remain at a minimum of ten days and a maximum of six months, but the judge would be prohibited from suspending five days of the sentence. Upon the second conviction, punishment would be imprisonment for a minimum of ninety days to a maximum of one year, ninety days of which could not be suspended. Upon the third conviction, punishment would be imprisonment for one year, no part of which could be suspended. I have no disagreement with the legislative determination that progressively more severe sentences should be given for the offense of driving while a license has been suspended or revoked; for individuals convicted of this offense have previously violated the law and have poor driving records. I believe the growing traffic safety problems in the state require strict enforcement of the law; and more severe sentences play an important role in this program.

"However, I have been urged, not only by judges but by prosecutors, to veto the provisions of this bill which totally remove from the judge all discretion to suspend a sentence. Apparently many cases arise in which an individual is not fully aware that his license has been suspended or revoked, or is honestly mistaken as to the current status of the revocation or suspension. In this type of situation, where the offense is not willful, I believe the judge should retain the discretion to suspend a sentence. For this reason, I have vetoed those items in Section 52 which provide for mandatory jail sentences and all of Sections 53 and 54. However, I am requesting both the Judicial Council and the President of the Washington State Magistrates Association to consider the problem of inconsistent sentences by judges for this offense, in an attempt to standardize sentencing procedures

in cases where there are no mitigating circumstances which are legitimate grounds for a suspended sentence.

"Section 64 amends the 1961 state billboard act regulating billboards on interstate and certain 'scenic' highways. This legislation has a lengthy history.

"The Federal Aid Highway Act of 1959 (Public Law 86-342) established certain national standards for regulation by states of outdoor advertising signs. The act provided that the federal highway administrator could enter into agreements with the various states relative to control of outdoor advertising signs to meet the federal standards. The State of Washington entered into such an agreement on June 23, 1961, after passing the state's 1961 act establishing standards to meet the federal requirements. Our 1961 act was accepted as fully meeting the federal requirements at that time, and accordingly the state has been accumulating the right to receive 'bonus' contributions from the federal government equal to one-half of one percent of federal highway funds authorized under the Federal Aid Highway Act. If the state fails to perform its obligations under the agreement, it will not receive this bonus from the federal government. The total amount of the bonus presently accumulated is \$903,000, with the total amount due the state if it complies with its agreement estimated at over \$2 million.

"Despite this substantial benefit to the state, the 1961 act required only that approximately 470 of the 7,600 signs owned by outdoor advertising companies in the state be removed. Nevertheless, the 1961 act has been the subject of lengthy litigation, having now been held constitutional by the Thurston County Superior Court. Hopefully the litigation under this act will be completed shortly, for the state must remove the signs covered by its agreement with the federal government by January 1, 1968 to retain its eligibility for approximately \$2 million in bonus payments.

"I believe the concept of regulation of billboards along our highways has clearly been accepted by both the state and federal government, and by the overwhelming majority of the citizens of this state. I am unwilling to allow any changes in the state law which would create the possibility of further litigation, either postponing the time at which the 1961 act may become effective or endangering the 'bonus' highway funds the state should receive, unless there is substantial benefit received from the change. I am convinced that Section 64 of Substitute House Bill No. 722 provides little benefit to the state.

"I have been assured by the Chairman of the Subcommittee on Roads of the House Public Works Committee of the Congress and by the Secretary of Transportation that this state will not be penalized in the next biennium for failure to enact legislation in addition to the 1961 state act. It was re-emphasized as late as May 4 that the federal legislation would be completely rewritten, and it is clear that the concept of 'customary use' presently contained in the federal act will no longer be pertinent. Thus, I do not believe the study authorized by Section 64 is pertinent. If the highway interim committee of the state legislature wishes to study this concept and others necessary to comply with any federal beautification requirements, it is authorized and directed to do so under Section 69 (11) of this bill, and does not require any authorization in Section 64.

"Section 64 could result in new litigation over the constitutionality of the classification of signs to remain standing and those to be removed on the interstate and scenic highway systems. The present litigation extending since 1964 will be sufficient to test these issues. The removal of signs should be accomplished in accordance with the 1961 act if the Supreme Court in the present litigation determines it to be constitutional.

"Section 64 also allows the Highway Commission to negotiate an agreement with the Secretary of Transportation, as provided by the Highway Beautification Act of 1965, subject to veto by the joint committee on highways. The Federal Highway Beautification Act of 1965 covers both the interstate and primary highways. The legislature has not enacted any control over outdoor advertising signs along the primary system, except for certain scenic highways. Therefore, the negotiation with the Secretary of Transportation for such an agreement is meaningless. The existing agreement with the federal government under the 1959 federal act referred to above relates to removal of billboards on the interstate system. Modification or failure to perform this agreement by January 1, 1968, may result in the loss of the 'bonus' highway money.

"Section 64 authorizes the Attorney General to institute suit to determine the adequacy of state laws to control billboards. The federal law also gives him that authority. Whether or not it did so, specific legislative authority would not be required to authorize the Attorney General to act to contest any determination that the law of the State of Washington is inadequate to meet federal requirements.

"Finally, the section prohibits erection of signs prior to July 1, 1969, within the areas protected under the 1961 act. This sentence restates, with the addition of the time limit, RCW 47.42.030 which provides:

'Except as permitted under this chapter, no person shall erect or maintain a sign within a protected area or scenic area.'

"This provision has prevented since March 11, 1961 the erection of any new signs prohibited by the 1961 act. The addition of the words 'prior to July 1 1969' to Chapter 47.42 RCW might be construed to amend RCW 47.42.030 and to permit any sign to be erected after July 1, 1969, thus completely nullifying the 1961 act, unless the July 1, 1969 time limit is repealed at the next session of the legislature.

"Thus, I have vetoed Section 64, because its provisions are unnecessary, and create the possibility of additional undesirable litigation over the 1961 state act. I believe the veto of Section 64 will maintain Washington's position of leadership in the field of highway beautification. On the other hand, it should be recognized by the legislature and the citizens of the state that outdoor advertising is a legitimate industry, and signs located in appropriate places frequently serve the interests of the highway traveler. Particularly in the light of changing federal requirements, it would be a great service to the state, if representatives of the outdoor advertising industry and other citizens interested in highway beautification were to work together to develop a statewide policy which would protect the legitimate interests of the industry and still preserve the natural beauty of our state for the highway traveler to view.

"I have not based my decision to veto the aforementioned items on the basis of any determination with regard to the constitutionality of the highway omnibus bill. However, I have been more willing to veto portions of the act in an attempt to decrease the possibility for challenge of constitutionality and because I regret the growing use of 'omnibus bills' in which the legislature combines many provisions in the final moments of the legislative session, which members of each house do not have an opportunity to consider separately. In commenting on this procedure, the Washington State Supreme Court stated in 1951:

'Such bills, popularly called 'omnibus' bills, became a crying evil, not only from the confusion and distraction of the legislative mind by the jumbling together of incongruous subjects, but still more by the facility they afford to corrupt combinations of minorities with different interests to force the passage of bills with provisions which could never succeed if they stood on their sep-

arate merits. So common was this practice, that it got a popular name, universally understood as logrolling.'

"I do not pretend to have removed from the bill every section which may become involved in litigation. Neither do I pretend to reach any conclusion that the bill is not legally proper. However, I am hopeful that in future sessions, the legislature will attempt to avoid provisions which create the possibility of challenge on this basis.

"With the exception of the several items discussed herein, which I have vetoed, the remainder of Substitute House Bill No. 722 is approved."

DANIEL J. EVANS,
Governor.

CHAPTER 146.

[Engrossed House Bill No. 934.]

PROPERTY TAXES—ADDITIONAL LIMITATIONS—
ASSESSORS' PERSONNEL—NOTICE OF VALUATION
CHANGE.

AN ACT relating to revenue and taxation; amending sections 1, 2, 3, 4 and 5, chapter 174, Laws of 1965 extraordinary session, and RCW 84.54.010, 84.54.020, 84.54.030, 84.54.040 and 84.54.050; amending section 36.21.011, chapter 4, Laws of 1963 and RCW 36.21.011; adding a new section to chapter 15, Laws of 1961 and to chapter 84.40 RCW; adding new sections to chapter 174, Laws of 1965 extraordinary session and to chapter 84.54 RCW; and declaring an emergency.

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

RCW 84.54.010
amended.

Section 1. Section 1, chapter 174, Laws of 1965 extraordinary session, and RCW 84.54.010 are each amended to read as follows:

Property taxes
—Limitations
—Definitions.

As used in this chapter:

(1) The term "regular property tax levy" shall mean the total dollar amount of all property tax levies on property in the taxing district, excluding excess levies levied under the provisions of Article VII, section 2 of the Constitution of the state of Washington and chapter 84.52 RCW, excluding levies for bond debt retirement, and excluding levies pursuant to RCW 53.36.100;

(2) The term "revalue" or "revalued" shall mean such changes as are made on the county asses-