

sion system, to participate in the benefits of the existing firemen's pension system. However, as drafted, section 32 will actually allow persons who become firemen subsequent to March 1, 1970, to participate in the benefits of the existing firemen's pension system. This is in direct conflict with section 4 (1) of the bill which specifically excludes all fire fighters employed subsequent to March 1, 1970, from any pension system existing under any prior act.

In order to conform section 32 to the clear intent of this legislation I have vetoed two items in that section to make clear that firemen employed subsequent to March 1, 1970, will not participate in the existing firemen's pension system.

The remainder of the bill is approved.

CHAPTER 210
[Substitute House Bill No. 349]
PUBLIC SERVICE COMPANIES

AN ACT Relating to public service companies; amending section 80.04-.500, chapter 14, Laws of 1961 and RCW 80.04.500; amending section 80.28.210, chapter 14, Laws of 1961 and RCW 80.28.210; adding a new section to chapter 14, Laws of 1961, and to chapter 80.28 RCW; amending section 81.12.010, chapter 14, Laws of 1961 as last amended by section 4, chapter 105, Laws of 1965 ex. sess., and RCW 81.12.010; amending section 81.16.010, chapter 14, Laws of 1961 and RCW 81.16.010; amending section 81.24-.010, chapter 14, Laws of 1961 as amended by section 11, chapter 59, Laws of 1963, and RCW 81.24.010; amending section 81-.44.085, chapter 14, Laws of 1961 and RCW 81.44.085; amending section 81.53.060, chapter 14, Laws of 1961 and RCW 81.53.060; amending section 81.53.080, chapter 14, Laws of 1961 and RCW 81.53.080; amending section 81.68.010, chapter 14, Laws of 1961 and RCW 81.68.010; amending section 9, chapter 295, Laws of 1961 as amended by section 12, chapter 59, Laws of 1963 and RCW 81.77.080; amending section 81.80.270, chapter 14, Laws of 1961 as last amended by section 1, chapter 134, Laws of 1965 ex. sess., and RCW 81.80.270; amending section 81.80.300, chapter 14, Laws of 1961 as amended by section 1, chapter 170, Laws

of 1967, and RCW 81.80.300; amending section 81.80.320, chapter 14, Laws of 1961 as amended by section 4, chapter 170, Laws of 1967, and RCW 81.80.320; amending section 81.80.312, chapter 14, Laws of 1961 as amended by section 2, chapter 170, Laws of 1967, and RCW 81.80.312; amending section 81.80.060, chapter 14, Laws of 1961 as last amended by section 1, chapter 33, Laws of 1969 and RCW 81.80.060; prescribing penalties; and providing an effective date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 80.04.500, chapter 14, Laws of 1961 and RCW 80.04.500 are each amended to read as follows:

Nothing in this title shall authorize the commission to make or enforce any order affecting rates, tolls, rentals, contracts or charges or service rendered, or the (~~safety~~) adequacy or sufficiency of the facilities, equipment, instrumentalities or buildings, or the reasonableness of rules or regulations made, furnished, used, supplied or in force affecting any telephone line, gas plant, electrical plant or water system owned and operated by any city or town, or to make or enforce any order relating to the safety of any telephone line, electrical plant or water system owned and operated by any city or town, but all other provisions enumerated herein shall apply to public utilities owned by any city or town.

Sec. 2. Section 80.28.210, chapter 14, Laws of 1961 and RCW 80.28.210 are each amended to read as follows:

Every person or corporation (~~(7-except-a-city-or-town)~~) transporting natural gas by pipeline, or having for one or more of its principal purposes the construction, maintenance or operation of pipelines for transporting natural gas, in this state, even though such person or corporation not be a public service company under chapter 80.28, and even though such person or corporation does not deliver, sell or furnish any such gas to any person or corporation within this state, shall be subject to regulation by the utilities and transportation commission insofar as the construction and operation of such

facilities shall affect matters of public safety, and every such company shall construct and maintain such facilities as will be safe and efficient. The commission shall have the authority to prescribe rules and regulations (~~((in-the-manner-prescribed-in-RCW-80-04-160))~~) to effectuate the purpose of this enactment. Every such person and every such officer, agent and employee of a corporation who, as an individual or as an officer or agent of such corporation, violates or fails to comply with, or who procures, aids, or abets another, or his company, in the violation of, or noncompliance with, any provision of this section or any order, rule or requirement of the commission hereunder, shall be guilty of a gross misdemeanor.

NEW SECTION. Sec. 3. There is added to chapter 14, Laws of 1961 and to chapter 80.28 RCW a new section to read as follows:

Any gas company which violates any provision of RCW 80.28.210 as now exists or is later amended or of any regulation issued thereunder, shall be subject to a civil penalty to be directly assessed by the commission, such penalty not to exceed one thousand dollars for each violation for each day that the violation persists, but the maximum civil penalty shall not exceed two hundred thousand dollars for any related series of violations. Any civil penalty may be compromised by the commission. In determining the amount of the penalty, or the amount agreed upon and compromised, the appropriateness of the penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the gas company charged in attempting to achieve compliance after notification of the violation, shall be considered. The amount of the penalty, when finally determined, or the amount agreed upon and compromised, may be recovered in a civil action in the superior court of Thurston county or of some other county in which such violator may do business. In all such actions for recovery the procedure and rules of evidence shall be the same as in ordinary civil actions. All penalties recovered under this title shall be paid into the state treasury and credited to the public service revolving fund.

Sec. 4. Section 81.12.010, chapter 14, Laws of 1961 as last amended by section 4, chapter 105, Laws of 1965 ex. sess., and RCW 81.12.010 are each amended to read as follows:

The term "public service company," as used in this chapter, shall mean every company now or hereafter engaged in business in this state as a public utility and subject to regulation as to rates and service by the utilities and transportation commission under the provisions of this title (~~(ex-Title-22)~~): PROVIDED, That it shall not include common carriers subject to regulation by the Interstate Commerce Commission: PROVIDED FURTHER, That it shall not include motor freight carriers subject to the provisions of chapter 81.80 or garbage and refuse collection companies subject to the provisions of chapter 81.77 RCW or storage warehousemen subject to the provisions of chapter 81.92 RCW or wharfingers and warehousemen subject to the provisions of chapter 81.94 RCW: PROVIDED FURTHER, That nothing contained in this chapter shall relieve public service companies from the necessity for compliance with the provisions of RCW 81.80.270.

Sec. 5. Section 81.16.010, chapter 14, Laws of 1961 and RCW 81.16.010 are each amended to read as follows:

As used in this chapter, the term "public service company" shall include every corporation engaged in business as a public utility and subject to regulation as to rates and service by the (~~public service-commission~~) utilities and transportation commission under the provisions of this title (~~(ex-Title-22)~~).

As used in this chapter, the term "affiliated interest," means:

Every corporation and person owning or holding directly or indirectly five percent or more of the voting securities of any public service company engaged in any intrastate business in this state;

Every corporation and person, other than those above specified, in any chain of successive ownership of five percent or more of voting securities, the chain beginning with the holder of the voting securities of such public service company;

Every corporation five percent or more of whose voting securi-

ties are owned by any person or corporation owning five percent or more of the voting securities of such public service company or by any person or corporation in any such chain of successive ownership of five percent or more of voting securities;

Every corporation or person with which the public service company has a management or service contract; and

Every person who is an officer or director of such public service company or of any corporation in any chain of successive ownership of five percent or more of voting securities.

Sec. 6. Section 81.24.010, chapter 14, Laws of 1961 as amended by section 11, chapter 59, Laws of 1963, and RCW 81.24.010 are each amended to read as follows:

Every company subject to regulation by the commission, except auto transportation companies, steamboat companies, warfingers or warehousemen, motor freight carriers, and storage warehousemen shall, on or before the first day of April of each year, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee equal to ~~((four-tenths))~~ six-tenths of one percent of its intrastate gross operating revenue: PROVIDED ~~((FURTHER))~~, That the fee shall in no case be less than one dollar.

The percentage rates of gross operating revenue to be paid in any one year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose such companies shall be classified as follows: Railroad, express, sleeping car, and toll bridge companies shall constitute class two. Every other company subject to regulation by the commission, for which regulatory

fees are not otherwise fixed by law shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

Sec. 7. Section 81.44.085, chapter 14, Laws of 1961 and RCW 81.44.085 are each amended to read as follows:

Every person operating a common carrier railroad in this state shall equip each locomotive and caboose used in train or yard switching service, and every car used in passenger service with a first aid kit of a type to be approved by the commission, which kit shall be plainly marked and be readily visible and accessible and be maintained in a fully equipped condition: PROVIDED, That such kits shall not be required on equipment used exclusively in yard or switching service where such kits are maintained in the yard or terminal.

Each locomotive and caboose shall also be furnished with sanitary cups and sanitary ice-cooled drinking water.

For the purpose of this section a "locomotive" shall include all railroad engines propelled by any form of energy and used in rail line haul or yard switching service.

Any person violating any provisions of this section shall be guilty of a misdemeanor.

Sec. 8. Section 81.53.060, chapter 14, Laws of 1961 and RCW 81.53.060 are each amended to read as follows:

The mayor and city council, or other governing body of any city or town, or the county commissioners of any county within which there exists any under-crossing, over-crossing or grade crossing, or where any street or highway is proposed to be located or established across any railroad, or any railroad company whose road is crossed by any highway, may file with the commission their or its petition in writing, alleging that the public safety requires the establishment of an under-crossing or over-crossing, or an alteration in the method and manner of an existing crossing and its approaches, or in the style and nature of construction of any existing over-crossing, under-crossing or grade crossing, or a change in the location of an existing highway or crossing, the closing or discontinuance of an existing

highway crossing, and the diversion of travel thereon to another highway or crossing, or if not practicable, to change such crossing from grade or to close and discontinue the same, the opening of an additional crossing for the partial diversion of travel and praying that the same may be ordered. If the existing or proposed crossing is on a state road, highway or parkway, the petition may be filed by the director of highways or state parks and recreation commission. Upon such petition being filed, the commission shall fix a time and place for hearing the petition and shall give not less than ~~((ten))~~ twenty days' notice thereof to the petitioner, the railroad company and the municipality or county in which the crossing is situate. If the highway involved is a state highway or parkway, like notice shall be given to the director of highways or state parks and recreation commission. If the change petitioned for requires that private lands, property, or property rights be taken, damaged, or injuriously affected to open up a new route for the highway, or requires that any portion of any existing highway be vacated and abandoned, ~~((ten))~~ twenty days' notice of the hearing shall be given to the owner or owners of the private lands, property, and property rights which it is necessary to take, damage or injuriously affect, and to the owner or owners of the private lands, property, or property rights that will be affected by the proposed vacation and abandonment of the existing highway. The commission shall also cause said notice of hearing to be published once in some newspaper of general circulation in the community where such crossing is situate, which publication shall appear at least two days prior to the date of hearing. At the time and place fixed in the notice, all persons and parties interested shall be entitled to be heard and introduce evidence: PROVIDED, That in the case of a petition for closure of a grade crossing the commission may order such grade crossing closed without hearing where: (1) notice of the filing of the petition is posted at, or as near as practical to, the crossing; (2) notice of the filing of the petition is published once in some newspaper of general circulation in the community or area

where such crossing is situated, which publication shall appear with-
in the same week that the notice referred to in (1) above is posted;
and (3) no objections are received by the commission within twenty
days from the date of the publication of the notice.

Sec. 9. Section 81.53.080, chapter 14, Laws of 1961 and RCW 81.53.080 are each amended to read as follows:

After February 24, 1937, no building, loading platform, or other structure which will tend to obstruct the vision of travelers on a highway or parkway, of approaching railway traffic, shall be erected or placed on railroad or public highway rights of way within a distance of one hundred feet of any grade crossing located outside the corporate limits of any city or town unless authorized by the commission, and no trains, railway cars or equipment shall be spotted less than one hundred feet from (~~such-crossing~~) any grade crossing within or without the corporate limits of any city or town except to serve station facilities and existing facilities of industries.

The commission shall have the power to specify the minimum vertical and horizontal clearance of under-crossings constructed, repaired or reconstructed after February 24, 1937, except as to primary state highways.

Sec. 10. Section 81.68.010, chapter 14, Laws of 1961 and RCW 81.68.010 are each amended to read as follows:

As used in this chapter:

- (1) "Corporation" means a corporation, company, association or joint stock association.
- (2) "Person" means an individual, firm or a copartnership.
- (3) "Auto transportation company" means every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any motor propelled vehicle not usually operated on or over rails used in the business of transporting persons, and baggage, mail and express on the vehicles of auto transportation companies carrying passengers, for compensation over any public highway in this state between fixed

termini or over a regular route, and not operating exclusively within the incorporated limits of any city or town: PROVIDED, That the term "auto transportation company" shall not include corporations or persons, their lessors, trustees, receivers or trustees appointed by any court whatsoever insofar as they own, control, operate or manage taxicabs, hotel buses, school buses, motor propelled vehicles ((7)) operated exclusively in transporting agricultural, horticultural, or dairy or other farm products from the point of production to the market, or any other carrier which does not come within the term "auto transportation company" as herein defined.

No portion of this section shall apply to persons operating motor vehicles when operated wholly within the limits of incorporated cities or towns, and for a distance not exceeding three road miles beyond the corporate limits of the city or town in Washington in which the original starting point of such vehicle is located, and which operation either alone or in conjunction with another vehicle or vehicles is not a part of any journey beyond said three mile limit.

(4) "Public highway" means every street, road, or highway in this state.

(5) The words "between fixed termini or over a regular route" mean the termini or route between or over which any auto transportation company usually or ordinarily operates any motor propelled vehicle, even though there may be departure from said termini or route, whether such departures be periodic or irregular. Whether or not any motor propelled vehicle is operated by any auto transportation company "between fixed termini or over a regular route" within the meaning of this section shall be a question of fact and the finding of the commission thereon shall be final and shall not be subject to review.

Sec. 11. Section 9, chapter 295, Laws of 1961 as amended by section 12, chapter 59, Laws of 1963, and RCW 81.77.080 are each amended to read as follows:

Every garbage and refuse collection company shall, on or before the 1st day of April of each year, file with the commission a state-

ment on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to (~~four-tenths~~) five-tenths of one percent of the amount of gross operating revenue: PROVIDED, That the fee shall in no case be less than one dollar.

It is the intent of the legislature that the fees collected under the provisions of this chapter shall reasonably approximate the cost of supervising and regulating motor carriers subject thereto, and to that end the utilities and transportation commission is authorized to decrease the schedule of fees provided in this section by general order entered before March 1st of any year in which it determines that the moneys then in the garbage and refuse collection companies account of the public service revolving fund and the fees currently to be paid will exceed the reasonable cost of supervising and regulating such carriers.

All fees collected under this section or under any other provision of this chapter shall be paid to the commission and shall be by it transmitted to the state treasurer within thirty days to be deposited to the credit of the public service revolving fund.

Sec. 12. Section 81.80.270, chapter 14, Laws of 1961 as last amended by section 1, chapter 134, Laws of 1965 ex. sess., and RCW 81.80.270 are each amended to read as follows:

No permit issued under the authority of this chapter shall be construed to be irrevocable. Nor shall such permit be subject to transfer or assignment except upon a proper showing that property rights might be affected thereby, and then in the discretion of the commission, and upon the payment of a fee of twenty-five dollars.

No person, partnership or corporation, singly or in combination with any other person, partnership or corporation, whether a carrier holding a permit or otherwise, or any combination of such, shall acquire control or enter into any agreement or arrangement to acquire control of a common or contract carrier holding a permit through ownership of its stock or through purchase, lease or contract

to manage the business, or otherwise except after and with the approval and authorization of the commission: PROVIDED, That upon the dissolution of a partnership, which holds a permit, because of the death, bankruptcy, or withdrawal of a partner where such partner's interest is transferred to his spouse or to one or more remaining partners, or in the case of a corporation which holds a permit, in the case of the death of a shareholder where a shareholder's interest upon death is transferred to his spouse or to one or more of the remaining shareholders, the commission shall transfer the permit to the newly organized partnership which is substantially composed of the remaining partners, or continue the corporation's permit without making the proceeding subject to hearing and protest. In all other cases any such transaction either directly or indirectly entered into without approval of the commission shall be void and of no effect, and it shall be unlawful for any person seeking to acquire or divest control of such permit to be a party to any such transaction without approval of the commission.

Every carrier who shall cease operation and abandon his rights under the permits issued him shall notify the commission within thirty days of such cessation or abandonment, and return to the commission the identification (~~plates~~) cards issued to him.

Sec. 13. Section 81.80.300, chapter 14, Laws of 1961 as amended by section 1, chapter 170, Laws of 1967, and RCW 81.80.300 are each amended to read as follows:

The commission shall prescribe an identification cab card and identification decal or stamp or number which must be carried within the cab of each motive power vehicle of each motor carrier required to have a permit under this chapter.

The identification cab card and the decal or stamp or number provided for herein may be in such form and contain such information as required by the commission.

It shall be unlawful for any "common carrier" or "contract carrier" to operate any motor vehicle within this state unless there is

carried within the cab of the motive power vehicle, either operating as a solo vehicle or in combination with trailers, the identification cab card and decal or stamp or number required by this section and the payment by such carrier of a total fee of three dollars for each such decal or stamp or number plus (~~(7-for-a-sole-truck)~~) the applicable gross weight fee prescribed by RCW 81.80.320 (~~(7-for-a-combination-of-vehicles, 7-for-a-motive-power-vehicle-and-a-trailer-or combination-of-trailers, a-payment-of-a-total-fee-of-three-dollars plus-two-times-the-applicable-gross-weight-fee-prescribed-by-RCW 81.80.320-for-the-motive-power-vehicle)~~).

Equipment of carriers operated between points in this state and points outside the state exclusively in interstate commerce, may be operated with cab cards and decals or stamps or numbers not assigned to specific motive power vehicles upon application therefor and payment for each such decal or stamp or number a total fee of three dollars plus (~~(7-for-a-sole-truck)~~) two times the applicable gross weight fee prescribed by RCW 81.80.320 (~~(7-for-the-motive-power-vehicle, 7-for-a-combination-of-vehicles, 7-for-a-motive-power-vehicle-and a-trailer-or-combination-of-trailers, a-payment-of-a-total-fee-of three-dollars-plus-four-times-the-applicable-gross-weight-fee-prescribed-by-RCW-81.80.320, 7-for-the-motive-power-vehicle)~~).

The commission may adopt rules and regulations imposing a reduced schedule of fees for short term operations, requiring reports of carriers, and imposing such conditions as the public interest may require with respect to the operation of such vehicles.

The commission shall not be required to collect the excise tax prescribed by RCW 82.44.070 for any fees collected under this chapter.

The decal or stamp or number required herein shall be issued annually under the rules and regulations of the commission, and shall be affixed to the identification cab card required by this section not later than January 1st of each year: PROVIDED, That such decal or stamp or number may be issued for the ensuing calendar year on and after the first day of December preceding and may be used from the

date of issue until December 1st of the succeeding calendar year for which the same was issued. In case an applicant receives a permit after January 1st of any year such decal or stamp or number shall be obtained and attached to the identification cab card and carried within the cab of the motive power vehicle subject to this chapter before operation of any such vehicle is commenced.

It shall be unlawful for the owner of said permit, his agent, servant or employee, or any other person to use or display any identification cab card and decal or stamp or number, the permit number or other insignia of authority from the commission after said permit has expired, been canceled or disposed of, or to operate any vehicle under permit without such identification cab card and decal or stamp or number.

The commission shall collect all fees provided in this section and all such fees shall be deposited in the state treasury to the credit of the public service revolving fund.

Sec. 14. Section 81.80.320, chapter 14, Laws of 1961 as amended by section 4, chapter 170, Laws of 1967, and RCW 81.80.320 are each amended to read as follows:

In addition to all other fees to be paid by him, every "common carrier" and "contract carrier" shall pay to the commission each year at the time of, in connection with, and before receiving his identification decal or stamp or number for each motive power vehicle operated by him, based upon the maximum gross weight thereof as set by the carrier in his application for his regular license plates, plus any additional tonnage or log tolerance permits, the following fees:

- ((less-than-4,000-pounds-----\$7.00
- 4,000-pounds-or-more-and-less-than-6,000-pounds-----8.00
- 6,000-pounds-or-more-and-less-than-8,000-pounds-----9.00
- 8,000-pounds-or-more-and-less-than-10,000-pounds-----10.00
- 10,000-pounds-or-more-and-less-than-12,000-pounds-----11.00
- 12,000-pounds-or-more-and-less-than-14,000-pounds-----12.00
- 14,000-pounds-or-more-and-less-than-16,000-pounds-----13.00

16,000-pounds-or-more-and-less-than-18,000-pounds	14.00
18,000-pounds-or-more-and-less-than-20,000-pounds	15.00
20,000-pounds-or-more-and-less-than-22,000-pounds	16.00
22,000-pounds-or-more-and-less-than-24,000-pounds	17.00
24,000-pounds-or-more-and-less-than-26,000-pounds	18.00
26,000-pounds-or-more-and-less-than-28,000-pounds	19.00
28,000-pounds-or-more-and-less-than-30,000-pounds	20.00
30,000-pounds-or-more-and-less-than-32,000-pounds	21.00
32,000-pounds-or-more-and-less-than-34,000-pounds	22.00
34,000-pounds-or-more-and-less-than-36,000-pounds	23.00
Less than 4,000 pounds	\$ 7.00
<u>4,000 pounds or more and less than 8,000 pounds</u>	<u>9.00</u>
<u>8,000 pounds or more and less than 12,000 pounds</u>	<u>11.00</u>
<u>12,000 pounds or more and less than 16,000 pounds</u>	<u>13.00</u>
<u>16,000 pounds or more and less than 20,000 pounds</u>	<u>15.00</u>
<u>20,000 pounds or more and less than 24,000 pounds</u>	<u>17.00</u>
<u>24,000 pounds or more and less than 28,000 pounds</u>	<u>19.00</u>
<u>28,000 pounds or more and less than 32,000 pounds</u>	<u>21.00</u>
<u>32,000 pounds or more and less than 36,000 pounds</u>	<u>23.00</u>
<u>36,000 pounds or more and less than 40,000 pounds</u>	<u>30.00</u>
<u>40,000 pounds or more and less than 44,000 pounds</u>	<u>32.00</u>
<u>44,000 pounds or more and less than 48,000 pounds</u>	<u>34.00</u>
<u>48,000 pounds or more and less than 52,000 pounds</u>	<u>36.00</u>
<u>52,000 pounds or more and less than 56,000 pounds</u>	<u>38.00</u>
<u>56,000 pounds or more and less than 60,000 pounds</u>	<u>40.00</u>
<u>60,000 pounds or more and less than 64,000 pounds</u>	<u>42.00</u>
<u>64,000 pounds or more and less than 68,000 pounds</u>	<u>44.00</u>
<u>68,000 pounds or more and less than 72,000 pounds</u>	<u>46.00</u>
<u>72,000 pounds or more and less than 76,000 pounds</u>	<u>48.00</u>

In the event that trailers or semitrailers are separately licensed for gross weight and not included within the licensed gross weight of the motive power vehicle as prescribed above, the fees provided herein shall be computed on the basis of the licensed gross

weight of the trailer or semitrailer, plus any additional tonnage or log tolerance, and a separate identification cab card will be issued in the same manner as for a motive power vehicle under RCW 81.80.300.

It is the intent of the legislature that the fees collected under the provisions of this chapter shall reasonably approximate the cost of supervising and regulating motor carriers subject thereto, and to that end the utilities and transportation commission is authorized to decrease the schedule of fees provided in this section by general order entered before November 1st of any year in which it determines that the moneys then in the motor carrier account of the public service revolving fund and the fees currently to be paid will exceed the reasonable cost of supervising and regulating such carriers during the next succeeding calendar year. Whenever the cost accounting records of the commission indicate that the schedule of fees as previously reduced should be increased such increase, not in any event to exceed the schedule set forth in this section, may be effected by a similar general order entered before November 1st. Any decrease or increase of gross weight fees as herein authorized, shall be made on a proportional basis as applied to the various classifications of equipment.

All fees collected under this section or under any other provision of this chapter shall be paid to the commission and shall be by it transmitted to the state treasurer within thirty days to be deposited to the credit of the public service revolving fund.

NEW SECTION. Sec. 15. Sections 13 and 14 of this 1969 amendatory act shall take effect on December 1, 1969.

Sec. 16. Section 81.80.312, chapter 14, Laws of 1961 as amended by section 2, chapter 170, Laws of 1967 and RCW 81.80.312 are each amended to read as follows:

No carrier shall interchange its trailers or semitrailers with any other carrier without first filing an interchange agreement with and securing approval thereof by the commission. The interchange agreement providing for the transfer or interchange of trailers or semi-

trailers pursuant thereto shall be authorized only on through movements between connecting regular route carriers.

No carrier shall interchange its power units, with or without drivers, with any other carrier, and no carrier shall interchange its trailers or semitrailers with any other carrier beyond that authorized in the preceding paragraph without first filing an interchange agreement with and securing approval thereof under rules adopted by the commission: PROVIDED, That such approval shall be given only for interchanges between connecting regular route carriers and only within an area which the commission has, following hearing, found to be within the distribution area around a city or cities one of which has a population of not less than one hundred thousand, and has further found it consistent with the public interest to allow such interchange agreements due to a lack of service or a resultant improvement in service and operating economies: PROVIDED FURTHER, That such interchange agreements are limited to traffic having both origin and final destination within such area and the points or point of interchange are located within such area and are common to both carriers and are named in the interchange agreement.

Any carrier operating any motive power vehicle owned by another person or party but not operated pursuant to an interchange agreement shall secure identification cab cards and decals or stamps or numbers in his own name for such motive power vehicles as required by RCW 81.80.300.

Sec. 17. Section 81.80.060, chapter 14, Laws of 1961 as last amended by section 1, chapter 33, Laws of 1969, and section 2, chapter 69, Laws of 1967, and section 77, chapter 145, Laws of 1967 ex. sess., and RCW 81.80.060 is amended to read as follows:

Every person who engages for compensation to perform a combination of services a substantial portion of 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. An example of such a combination of services shall include, but not be limited to, the delivery of household appliances for others where the delivering carrier also unpacks or uncrates the appliances and makes the initial installation thereof. 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 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.

Passed the House April 28, 1969.

Passed the Senate April 25, 1969.

Approved by the Governor May 8, 1969.

Filed in office of Secretary of State May 8, 1969.

CHAPTER 211
[Engrossed House Bill No. 425]
RETIREMENT FUNDS--INVESTMENT

AN ACT Relating to investment of retirement funds; amending section 35.39.040, chapter 7, Laws of 1965 as amended by section 1, chapter 19, Laws of 1965 and RCW 35.39.040; and amending section 9, chapter 207, Laws of 1939 and RCW 41.28.080; and adding a new section to chapter 41.28 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 35.39.040, chapter 7, Laws of 1965 as amended by section 1, chapter 19, Laws of 1965 and RCW 35.39.040 are each amended to read as follows:

Any city or town now or hereafter operating an employees' pension system, established and operated pursuant to state statute or charter provision, or any pension system operating now or hereafter