

than twelve months prior to the expiration date of a license in effect at the time of reissuance, the license fee shall be prorated on a monthly basis and a credit be allowed at the first renewal of a license for any period of one month or more covered by the previous license. Application for renewal of the license, accompanied by the necessary fee, shall be filed with the department of ((health)) social and health services annually, not less than ten days prior to its expiration and if application is not so filed, the license shall be automatically canceled.

Passed the Senate May 10, 1971.

Passed the House May 9, 1971.

Approved by the Governor May 20, 1971.

Filed in Office of Secretary of State May 21, 1971.

CHAPTER 248

[Substitute Senate Bill No. 401]

MOTOR VEHICLES--

PERMITS USE OF HIGHWAYS BY LARGER VEHICLES--

INCREASES FEES--

ISSUANCE OF OVERWEIGHT PERMITS BY CITIES AND COUNTIES

AN ACT Relating to motor vehicles; authorizing the operation of vehicles of certain sizes; amending section 46.44.220, chapter 12, Laws of 1961 as amended by section 1, chapter 43, Laws of 1965 and RCW 46.44.020; amending section 46.44.030, chapter 12, Laws of 1961 as last amended by section 61, chapter 145, Laws of 1967 ex. sess. and RCW 46.44.030; amending section 2, chapter 137, Laws of 1965 as amended by section 8, chapter 174, Laws of 1967 and RCW 46.44.0941; and amending section 46.44.096, chapter 12, Laws of 1961 as amended by section 31, chapter 281, Laws of 1969 ex. sess. and RCW 46.44.096.

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

Section 1. Section 46.44.020, chapter 12, Laws of 1961 as amended by section 1, chapter 43, Laws of 1965 and RCW 41.44.020 are each amended to read as follows:

It shall be unlawful for any vehicle unladen or with load to exceed a height of thirteen feet and six inches above the level surface upon which the vehicle stands: PROVIDED, That automobile transporters and boat transporters shall not exceed fourteen feet and that these height limitations shall not apply to authorized emergency vehicles or repair equipment of a public utility engaged in reasonably necessary operation. The provisions of this section shall not relieve the owner or operator of a vehicle or combination of

vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the public highways where such vehicle or combination of vehicles is being operated; and no liability shall attach to the state or to any county, city, town or other political subdivision by reason of any damage or injury to persons or property by reason of the existence of any structure over or across any public highway where the vertical clearance above the roadway is thirteen feet six inches or more; or, where such vertical clearance is less than thirteen feet six inches, if impaired clearance signs of a design approved by the Washington state highway commission are erected and maintained on the right side of any such public highway: In cities and towns at a distance of not less than two hundred feet and not more than three hundred feet; and in rural areas at a distance of not less than three hundred fifty feet and not more than five hundred feet, from each side of such structure. If any structure over or across any public highway is not owned by the state or by a county, city, town or other political subdivision, it shall be the duty of the owner thereof when billed therefor to reimburse the Washington state highway commission or the county, city, town or other political subdivision having jurisdiction over such highway for the actual cost of erecting and maintaining such impaired clearance signs, but no liability shall attach to such owner by reason of any damage or injury to persons or property caused by impaired vertical clearance above the roadway.

Sec. 2. Section 46.44.030, chapter 12, Laws of 1961 as last amended by section 61, chapter 145, Laws of 1967 ex. sess. and RCW 46.44.030 are each amended to read as follows:

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 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-five 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-five 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. 3. Section 2, chapter 137, Laws of 1965 as amended by section 8, chapter 174, Laws of 1967 and RCW 46.44.0941 are each amended to read as follows:

The following fees, in addition to the regular license and tonnage fees, shall be paid for all movements under special permit made upon state primary or secondary highways. All funds collected shall be forwarded to the state treasury and shall be deposited in the motor vehicle fund:

All overlegal loads, except overweight,	
single trip.....	\$(3.00) <u>5.00</u>
Continuous operation of overlegal loads	
having either overwidth or overheight	
features only for a period not to	
exceed thirty days.....	\$20.00
Continuous operations of overlegal loads	
having overlength only for a period	
not to exceed thirty days.....	\$10.00
((Operation of combination of vehicles	
 composed of more than two vehicles	
 single trip.....	\$ 3.00)
<u>Continuous operation of a vehicle having</u>	
<u> a maximum height not to exceed fourteen</u>	
<u> feet for a period of one year.....</u>	<u>\$150.00</u>
<u>Continuous operation of a combination of</u>	
<u> vehicles not to exceed seventy-three</u>	
<u> feet overall length for a period of</u>	
<u> one year.....</u>	<u>\$60.00</u>

Overweight Fee Schedule

Fee per mile on

state highways

Weight over total registered gross weight plus additional gross weight purchased under provisions of RCW 46.44.095, 46.44.047, 46.44.037 as now or hereafter amended, or any other statute authorizing the state highway commission to issue annual overweight permits.

1- 5,999 pounds	\$.05
6,000-11,999 pounds	\$.10
12,000-17,999 pounds	\$.15
18,000-23,999 pounds	\$.25
24,000-29,999 pounds	\$.35
30,000-35,999 pounds	\$.45
36,000-41,999 pounds	\$.60
42,000-47,999 pounds	\$.75
48,000-53,999 pounds	\$.90
54,000-59,999 pounds	\$1.05
60,000-65,999 pounds	\$1.20
66,000-71,999 pounds	\$1.45
72,000-77,999 pounds	\$1.70
80,000 pounds or more	\$2.00

PROVIDED: (1) the minimum fee for any overweight permit shall be \$5.00, (2) when computing overweight fees which result in an amount less than even dollars the fee shall be carried to the next full dollar if fifty cents or over and shall be reduced to the next full dollar if forty-nine cents or under.

This section shall become effective July 1, 1967.

Sec. 4. Section 46.44.096, chapter 12, Laws of 1961 as amended by section 31, chapter 281, Laws of 1969 ex. sess. and RCW 46.44.096 are each amended to read as follows:

In determining fees according to RCW 46.44.094, mileage on state primary and secondary highways shall be determined from the planning survey records of the department of highways and the gross weight of the vehicle or vehicles, including load, shall be declared by the applicant. Overweight on which fees shall be paid will be gross loadings in excess of loadings authorized by law or axle loadings in excess of loadings authorized by law, whichever is the greater. Loads which are overweight and oversize shall be charged the fee for the overweight permit without additional fees being assessed for the oversize features.

Fees established in RCW 46.44.094 shall be paid to the political body issuing the permit if the entire movement is to be confined to roads, streets or highways for which that political body is responsible; when a movement involves a combination of state highways, county roads and/or city streets the fee shall be paid to

the state highway commission. When a movement is confined within the city limits of a city or town upon city streets, including routes of state highways on city streets, all fees shall be paid to the city or town involved. A permit will not be required from city or town authorities for a move involving a combination of city or town streets and state highways when the move through a city or town is being confined to the route of the state highway. When a move involves a combination of county roads and city streets the fee shall be paid to the county authorities, but the fee shall not be collected nor the county permit issued until valid permits are presented showing the city or town authorities approve of the move in question. When the movement involves only county roads the fees collected shall be paid to the county involved. Fees established ((in RCW 46.44.095)) shall be paid to the political body issuing the permit if the entire use of the vehicle during the period covered by the permit shall be confined to the roads, streets, or highways for which that political body is responsible((; when the use of the vehicle during the permit period will ordinarily be confined to city streets, including state highways within city limits, and the use of county roads and state highways outside of the city limits will be unusual and infrequent, the fee will be paid to and permit issued by the city; when the use of the vehicle during the permit period will ordinarily be confined to county roads and the use of city streets or state highways will be unusual and infrequent, the fee will be paid to and the permit issued by the county; when the use of the vehicle during the permit period will ordinarily be on state highways and will include some use of city streets and county roads, the fee will be paid to and the permit issued by the state.

Each political body will honor the permits of the other political bodies when issued and used in accordance with the preceding paragraph.))

If, pursuant to RCW 46.44.090, cities or counties issue additional tonnage permits similar to those provided for issuance by the state highway commission in RCW 46.44.095, the state highway commission shall authorize the use of such additional tonnage permits on state highways subject to the following conditions:

(1) The owner of the vehicle covered by such permit shall establish to the satisfaction of the state highway department that the primary use of the vehicle is on the streets or roads of the city or county issuing the additional tonnage permit.

(2) That the fees paid for such additional tonnage are not less than those established in RCW 46.44.095.

(3) That the city or county issuing such permit shall allow the use of permits issued by the state pursuant to RCW 46.44.095 on the streets or roads under its jurisdiction.

(4) That all of the provisions of RCW 46.44.040, 46.44.042 and 46.44.044 shall be observed.

When the department of highways is satisfied that the above conditions have been complied with the state highway department by suitable endorsement on the permit shall authorize its use on such highways as the state highway commission has authorized for such permits pursuant to RCW 46.44.095, and all such use of such highways shall be subject to whatever rules and regulations the state highway commission has adopted for such permits.

Passed the Senate March 31, 1971.

Passed the House May 10, 1971.

Approved by the Governor May 20, 1971.

Filed in Office of Secretary of State May 21, 1971.

CHAPTER 249

[Engrossed Senate Bill No. 450]

VIOLATIONS OF SPECIAL LOAD PERMITS--

CITY SPECIAL LOAD PERMITS FOR LOGGING TRUCKS

AN ACT Relating to motor vehicles; amending section 46.44.097, chapter 12, Laws of 1961 and RCW 46.44.097; amending section 46.44.047, chapter 12, Laws of 1961, as amended by section 35, chapter 21, Laws of 1961 ex. sess. and RCW 46.44.047; and prescribing penalties.

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

Section 1. Section 46.44.097, chapter 12, Laws of 1961 and RCW 46.44.097 are each amended to read as follows:

Any person who misrepresents the size or weight of any load in obtaining a special permit or does not follow the requirements and conditions of the special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars or more than one hundred dollars.

Any person who operates any vehicle, the gross weight of which is in excess of the maximum for which such vehicle may be eligible for license, or in excess of legal size limitations, without first obtaining a special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars.

Every special permit issued hereunder shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any peace officer or authorized agent of any authority granting such permit.

((Any state highway patrol officer who shall find any person operating a vehicle in violation of the conditions of a special