

state superintendent shall determine the ~~((approximate))~~ per pupil ~~((cost-of))~~ reimbursement amount for the traffic safety education ~~((and may reimburse up to seventy-five percent of the estimated per pupil cost of traffic safety education))~~ course to be funded by the state. Each school district offering an approved standard traffic safety education course shall be reimbursed or granted an amount up to the level established by the superintendent of public instruction as may be provided from the traffic safety education account. ~~((Per pupil cost of traffic safety education shall include the per pupil cost of vehicles used exclusively in traffic safety education programs and simulators used in such programs amortized by school districts over a sixty-month period.))~~

~~A simulator is any automobile driver training device approved by the superintendent of public instruction to be used for purposes of traffic safety education instruction under simulated driving conditions.))~~

(2) The board of directors of any school district or combination of school districts ~~((shall))~~ may establish a traffic safety education fee, which fee when imposed shall be required to be paid by any duly enrolled student in any such school district prior to ~~((the enrollment))~~ or while enrolled in a traffic safety education course. Traffic safety education fees collected by a school district shall be deposited with the county treasurer to the credit of such school district, to be used to pay costs of the traffic safety education course.

NEW SECTION. Sec. 5. If any provision of this 1977 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.

Passed the Senate February 15, 1977.

Passed the House March 7, 1977.

Approved by the Governor March 30, 1977.

Filed in Office of Secretary of State March 30, 1977.

CHAPTER 77

[Engrossed Senate Bill No. 2385]

LIMITED ACCESS HIGHWAYS—PLANS

AN ACT Relating to limited access facilities; amending section 3, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.135; amending section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180; adding a new section to chapter 47.52 RCW; and declaring an emergency.

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

NEW SECTION. Section 1. There is added to chapter 47.52 RCW a new section to read as follows:

Whenever after the final adoption of a plan for a limited access highway by the highway commission, an additional design public hearing with respect to the facility or any portion thereof is conducted pursuant to federal law resulting in a revision of the design of the limited access plan, the highway commission may modify the previously adopted limited access plan to conform to the revised design without further public hearings providing the following conditions are met:

(1) As compared with the previously adopted limited access plan, the revised plan will not require additional or different right of way with respect to that section

of highway for which the design has been revised, in excess of five percent by area; and

(2) If the previously adopted limited access plan was modified by a board of review convened at the request of a county, city, or town, the legislative authority of the county, city, or town shall approve any revisions of the plan which conflict with modifications ordered by the board of review.

Sec. 2. Section 3, chapter 75, Laws of 1965 ex. sess. and RCW 47.52.135 are each amended to read as follows:

At the hearing any representative of the county, city or town, or any other person may appear and be heard even though such official or person is not an abutting property owner. Such hearing ~~((shall))~~ may, at the option of the highway authority, be conducted in ~~((such a manner as to comply with the requirements of section 116(c) of the Federal Aid Highway Act of 1956 or any act supplemental thereto or amendatory thereof))~~ accordance with federal laws and regulations governing highway design public hearings. The members of such authority shall preside, or may designate some suitable person to preside as examiner. ~~((All testimony or statements given at such hearing shall be taken down by a stenographer under oath, as in superior courts.))~~ The authority shall introduce by competent evidence a summary of the proposal for the establishment of a limited access facility and any evidence that supports the adoption of the plan as being in the public interest. At the conclusion of such evidence, any person entitled to notice who has entered a written appearance shall be deemed a party to this hearing for purposes of this chapter and may thereafter introduce, either in person or by counsel, evidence and statements or counterproposals bearing upon the reasonableness of the proposal. Any such evidence and statements or counterproposals shall receive reasonable consideration by the authority before any proposal is adopted. Such evidence must be material to the issue before the authority and shall be presented in an orderly manner.

Sec. 3. Section 47.52.180, chapter 13, Laws of 1961 and RCW 47.52.180 are each amended to read as follows:

At the conclusion of such hearing, the board shall consider the evidence taken and shall make specific findings with respect to the objections and issues within thirty days after the hearing, which findings shall approve, disapprove, or modify the proposed plan of the state highway commission. Such findings shall be final and binding upon both parties. Any modification of the proposed plan of the highway commission made by the board of review may thereafter be modified by stipulation of the parties.

NEW SECTION. Sec. 4. This 1977 amendatory act is necessary 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 Senate February 17, 1977.

Passed the House March 7, 1977.

Approved by the Governor March 30, 1977.

Filed in Office of Secretary of State March 30, 1977.