

shall be paid by the owner or driver of the vehicle and shall be a lien upon the vehicle until paid.

Rules promulgated under this section shall be binding only upon those towing operators appointed by the commission for the purpose of performing towing services at the request of the Washington state patrol. Any person aggrieved by a decision of the commission made under this section may appeal the decision under chapter 34.04 RCW.

NEW SECTION. Sec. 6. 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 House April 29, 1977.

Passed the Senate May 26, 1977.

Approved by the Governor June 6, 1977.

Filed in Office of Secretary of State June 6, 1977.

CHAPTER 168

[House Bill No. 389]

RAILROAD CROSSING OR OVERPASS CONSTRUCTION—TRAFFIC CONTROL

AN ACT Relating to railroads; adding new sections to chapter 81.53 RCW; prescribing penalties; and declaring an emergency.

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

NEW SECTION. Section 1. Whenever any railroad company engages in the construction, maintenance, or repair of a crossing or overpass, the company shall install and maintain traffic control devices adequate to protect the public and railroad employees, subject to the requirements of sections 2 and 3 of this act.

NEW SECTION. Sec. 2. All traffic control devices used under section 1 of this act shall be subject to the following conditions:

(1) Any traffic control devices shall be used at a repair or construction site only so long as the devices are needed or applicable. Any devices that are no longer needed or applicable shall be removed or inactivated so as to prevent confusion;

(2) All barricades, signs, and similar devices shall be constructed and installed in a workmanlike manner;

(3) Bushes, weeds, or any other material or object shall not be allowed to obscure any traffic control devices;

(4) All signs, barricades, and other control devices intended for use during hours of darkness shall be adequately illuminated or reflectorized, with precautions taken to protect motorists from glare; and

(5) Flagpersons shall be provided where necessary to adequately protect the public and railroad employees. The flagpersons shall be responsible and competent and possess at least average intelligence, vision, and hearing. They shall be neat in appearance and courteous to the public.

NEW SECTION. Sec. 3. The utilities and transportation commission shall adopt rules to implement the provisions of sections 1 and 2 of this act pursuant to chapter 34.04 RCW. The commission shall invite the participation of all interested

parties in any hearings or proceedings taken under this section, including any parties who request notice of any proceedings.

Any rules adopted under this section and any devices employed under section 2 of this act shall conform to the national standards established by the current manual, including any future revisions, on the Uniform Traffic Control Devices as approved by the American National Standards Institute as adopted by the federal highway administrator of the United States department of transportation.

Rules adopted by the commission shall specifically prescribe the duties, procedures, and equipment to be used by the flagpersons required by section 2 of this act.

Sections 1 through 3 of this act and rules adopted thereunder shall be enforced by the commission under the provisions of chapter 81.04 RCW: PROVIDED, That rules adopted by the commission shall recognize that cities with a population in excess of four hundred thousand are responsible for specific public thoroughfares and have the specific responsibility and authority for determining the practices relating to safeguarding the public during construction, repair, and maintenance activities.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act shall be added to chapter 81.53 RCW.

NEW SECTION. Sec. 5. This 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 House April 14, 1977.

Passed the Senate May 26, 1977.

Approved by the Governor June 6, 1977.

Filed in Office of Secretary of State June 6, 1977.

CHAPTER 169

[Substitute House Bill No. 472]

REGIONAL UNIVERSITIES AND THE EVERGREEN STATE COLLEGE

AN ACT Relating to higher education; amending section 2, chapter 194, Laws of 1937 and RCW 17.08.020; amending section 6, chapter 152, Laws of 1919 and RCW 17.12.060; amending section 2, chapter 156, Laws of 1947 and RCW 17.24.110; amending section 2, chapter 216, Laws of 1941 and RCW 27.44.020; amending section 28B.10.020, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.020; amending section 4, chapter 176, Laws of 1974 ex. sess. and RCW 28B.10.025; amending section 28B.10.050, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.050; amending section 28B.10.140, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.140; amending section 28B.10.280, chapter 223, Laws of 1969 ex. sess. as last amended by section 27, chapter 15, Laws of 1970 ex. sess. and RCW 28B.10.280; amending section 10, chapter 269, Laws of 1969 ex. sess. and RCW 28B.10.290; amending section 28B.10.300, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 130, Laws of 1973 1st ex. sess. and RCW 28B.10.300; amending section 1, chapter 258, Laws of 1971 ex. sess. and RCW 28B.10.350; amending section 28B.10.400, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 212, Laws of 1975 1st ex. sess. and RCW 28B.10.400; amending section 28B.10.405, chapter 223, Laws of 1969 ex. sess. as last amended by section 2, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.405; amending section 28B.10.410, chapter 223, Laws of 1969 ex. sess. as last amended by section 3, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.410; amending section 28B.10.415, chapter 223, Laws of 1969 ex. sess. as last amended by section 4, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.415; amending section 5, chapter 261, Laws of 1971 ex. sess. and RCW 28B.10.417; amending section 28B.10.420, chapter 223, Laws of 1969 ex. sess. as amended by section 5, chapter 149, Laws of 1973 1st ex. sess. and RCW 28B.10.420; amending section 28B.10.500, chapter 223,