

ings and loan association or society;" the word "director" means one of the managing board of such a corporation; and the word "bank" means "mutual savings bank."

Passed the Senate February 1, 1917.

Passed the House March 6, 1917.

Approved by the Governor March 15, 1917.

CHAPTER 155.

[H. B. 271.]

AMENDMENT OF MOTOR VEHICLE ACT.

AN ACT relating to the use of the public highways, and the rights and remedies of persons thereon, and fixing penalties for a violation of the conditions imposed; and providing for the licensing of motor vehicles and the collecting of fees therefor; amending sections 2, 3, 4, 6, 8, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 24, 30, 31 and 34 of chapter 142 of the Laws of 1915, and repealing section 2531 of Remington & Ballinger's Annotated Codes and Statutes of Washington, and all acts and parts of acts in conflict herewith.

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

SECTION 1. That section 2 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 2. The words and phrases herein used, unless Definitions. the same be clearly contrary to or inconsistent with the context of the act or section in which used, shall be construed as follows:

(1) "Motor vehicle" shall include all vehicles or machines propelled by any power other than muscular, used upon the public highways for the transportation of persons, freight, produce or any commodity, except traction engines temporarily upon the public highway, road rollers or road making machines, and motor vehicles that run upon rails or tracks; "Motor vehicle."

(2) "Automobile" shall mean the ordinary four wheeled motor vehicle, and shall be synonymous with the term "motor vehicle" except as otherwise herein provided; "Automobile."

(3) "Motor cycle" shall mean a motor vehicle of two or three wheels intended for the carrying of one, two or "Motor cycle."

three persons, or operated by one person for the carrying of small parcels or packages;

"Auto stage."

(4) "Auto stage" as distinguished from "automobile" shall mean a motor vehicle used for the purpose of carrying passengers and baggage on a regular schedule of time and rates: *Provided, however,* That no motor vehicle shall be considered an auto stage where the whole route traveled by such vehicle is within the corporate limits of any incorporated city;

(5) "Motor truck" shall mean any motor vehicle designated or used for the transportation of commodities, merchandise, produce, freight or animals;

"Trailer."

(5a) "Trailer" shall mean any vehicle which is attached to a motor vehicle for the purpose of being drawn or propelled by such motor vehicle;

"Public highway."

(6) "Public highway" or "public highways" shall include any highway, state road, county road, public street, avenue, alley, driveway, boulevard or other place built, supported, maintained, controlled or used by the public or by the state, county, district or municipal officers for the use of the public as a highway, or for the transportation of persons or freight, or as a place of travel or communication between different localities or communities;

"Local authorities."

(7) "Local authorities" shall include the officers of counties, cities or towns or other municipal sub-divisions of the state having control, power or authority over any of the subject matter embraced within this act;

"Peace officer."

(8) "Peace officer" or "peace officers" shall be taken to mean any officer or officers authorized by law to execute criminal process or to make arrests for the violation of the statutes generally or of any particular statutes relative to the public highways of the state;

"Dealer."

(9) "Dealer" shall be taken to mean any person, firm or corporation engaged in the sale of new or second-hand motor vehicles;

"Privately owned."

(10) "Privately owned" shall include all motor vehicles not offered for hire;

(11) "For hire" shall be taken to mean all motor vehicles, other than auto stages, used for the transportation of persons, for which transportation remuneration of any kind is received, either directly or indirectly.

"For hire."

SEC. 2. That section 3 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 3. The secretary of state, acting through the county auditors of the several counties of the State of Washington as hereinafter provided, shall have the general supervision of the issuing of motor vehicle licenses and of the collecting of fees therefor and shall have full power to do all things necessary and proper to carry out the provisions of this act; he shall have the power to appoint a deputy and such clerk or clerks as may be required from time to time, and may purchase all materials and make all expenditures as may be necessary hereunder.

Duties of secretary of state.

It shall be the duty of the secretary of state to make and furnish to each county auditor, and to such persons as may be in any manner responsible for the collecting of the motor tax hereinafter provided for, a tabulated list of all motor vehicles, except motor cycles, giving the make, model, the year built and horse power and setting opposite each such description the license fee charged therefor.

SEC. 3. That section 4 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 4. No person under fifteen years of age shall operate or drive a motor vehicle upon a public highway unless such person is accompanied by his or her parent, guardian, or the owner of such vehicle; no motor vehicle shall be operated upon a public highway without a license having been first obtained therefor, excepting as hereinafter provided: *Provided, however,* No motor vehicle for hire shall be operated by any person under the age of twenty-one years.

Operation by minors.

SEC. 4. That section 6 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 6. Upon receipt of such application accompanied by the proper fee, the county auditor shall give one

Filing of license application.

copy to the applicant, retain one for the county files, and immediately forward the original together with the proper fee, to the secretary of state. The county auditor shall, at the expense of the county issuing the same, furnish the applicant with a temporary number printed upon durable cardboard, which number shall be displayed always on the vehicle and shall entitle the licensee to operate the same for a period of thirty days from and after the date of such application, or until the permanent number shall have been received from the secretary of state at which time it must be replaced by the permanent number, and the temporary number card returned to the county auditor. All temporary number plates shall contain the name of the county issuing the same, together with the date of such issuance; the letters "Wn" and the year in which such license shall expire; and shall be displayed upon said vehicle in the same relative position as is hereinafter provided for the displaying of the permanent number.

Temporary
number
plates.

SEC. 5. That section 8 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 8. No license shall be transferred from one person to another person, but may be transferred from one vehicle to another vehicle, when duly authorized by the secretary of state on application therefor, through the county auditor, accompanied by the proper fee, and in case such vehicle to which it is desired to have such license transferred is of higher horse power rating than the vehicle for which the original license was issued, the applicant shall accompany such application with the additional amount required to cover the difference between the license fees for the two ratings. A license may be transferred from one classification to a different classification upon application to the county auditor and the payment of the difference between the license fee originally paid and the fee provided by this act for the class to which the transfer is made, together with an additional transfer fee of fifty cents: *Provided*, That no refund shall be made if the fee fixed by this act for the class to which such trans-

Transfer of
of licenses.

Transfer to
different clas-
sification.

fer is made be less than the fee originally paid: *Provided, however,* The original license and the number plates must be returned at the time application for transfer is made.

SEC. 6. That section 10 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 10. A dealer's license and a pair of distinctive number plates shall be issued to an actual dealer for any and all motor vehicles owned, handled, or dealt in by him, and for the fees as hereinafter specified, but shall not be used upon any motor vehicle while the same is being operated for hire, or for the transportation of any produce, freight or commodity unless the same is for the actual use of the dealer owning the vehicle so transporting such produce, commodity or freight: *Provided, however,* That no motor vehicle transporting any produce, commodity or freight under a dealer's license shall exceed 1 ton in carrying capacity: *Provided, further,* That nothing in this section shall be construed to prohibit the use of a motor vehicle of under one ton capacity from rendering assistance to, or transporting necessary supplies to, a motor vehicle which has become disabled.

Dealer's
license and
number
plates.

Such number plates, or duplicates thereof, shall be displayed on every motor vehicle by such dealer whenever the same is operated or driven upon any public highway in this state: *Provided,* That whenever a dealer shall maintain a branch or sub-agency, he shall apply for a separate registration for such branch, or sub-agency, and shall pay therefor the fee hereinafter provided for the registration of motor vehicles owned by, or under the control of said branch or sub-agency.

Display of
number
plates.

Maintenance
of branches.

SEC. 7. That section 11 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 11. Any person resident of another state or country may bring into this state any automobile or motor cycle and operate the same without obtaining a license therefor for a period of ninety (90) days in any one calendar year: *Provided,* Such person has complied in all respects with the laws of his own state or country as to

Right of
foreign
residents.

the registration or licensing of motor vehicles: *And provided further*, That such automobile or motor cycle is not used in this state for hire.

SEC. 8. That section 12 of chapter 142 of the Laws of 1915 be amended to read as follows:

Number
plates.

Section 12. On and after March 1, 1918, the secretary of state shall furnish to each licensee of a motor vehicle two number plates containing the number to be displayed on such vehicle as hereinafter provided. The number shall be in Arabic numerals not less than four inches in height nor less than one-half inches stroke, and shall be preceded by the letters "Wn" and by the last numeral of the year in which such license shall expire, and such number plate if issued to a dealer, shall contain the word "Dealer." The secretary of state may put such other mark or character on such plates or fix the color of same as he may determine, to properly identify the kind of license issued.

Year plate
for renewal
licenses.

The original number plates shall contain six perforations so located as to permit the attachment of the metal year plate hereinafter described, which plate when attached shall cover the letters "Wn" and the numeral indicating the year in which the license expires. Upon receiving an application for a renewal license the secretary of state shall issue the renewal license and furnish two year-plates direct to the applicant which year-plates shall be approximately 3 by $4\frac{3}{4}$ inches in size, and so constructed as to be readily attached to the original number plate in such manner as to cover the letters "Wn" and the numeral of the year in which the original license expired, and shall bear the letters "Wn" and the last numeral of the year in which the renewed license expired, and such other marks or characters as directed by the secretary of state, and shall be of such color as shall be determined by the secretary of state, which color shall be in strong contrast with the color of the number plate.

The size of the numerals for motor cycles shall be $2\frac{1}{2}$ inches high and $\frac{3}{8}$ -inch stroke, and the size of the year-plates shall be in proportion.

The applicant shall immediately upon receipt of the year-plates attach the same to his number plate as herein set forth: *Provided, however,* That if said year-plates shall have been patented and a royalty thereon be demanded on such year-plates furnished the State of Washington or if the holder of such patent refuses to permit the use of such year-plates by said state, then the secretary of state is hereby authorized, in his discretion, to select any other designating mark, or to furnish number plates as provided in section 12, of chapter 142 of the Laws of 1915. Similar number plates shall be furnished by the secretary of state to each licensee of a "trailer," one number plate to be attached to such trailer in the rear if said trailer is drawn or trailed behind a motor vehicle, or in the front thereof in the event that such trailer be propelled in advance of a motor vehicle. Any person who has heretofore obtained from the state a motor vehicle license, and who wishes to obtain a license bearing the same number, may do so by paying the sum of five dollars (\$5.00) in addition to the annual fees provided for herein: *Provided,* At the time such application is received by the secretary of state, such number has not been previously issued.

Plates for trailers.

Retention of license numbers.

SEC. 9. That section 13 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 13. Upon the sale of any motor vehicle the vendor shall remove his number plates therefrom, and delivery thereof shall not be deemed to have been made until the vendor has removed his number plates.

Removal of number plate on sale.

SEC. 10. That section 15 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 15. All fees herein authorized to be collected shall be as follows:

Schedule of fees.

ANNUAL FEES.

MOTOR CYCLES.

All	\$2 50
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AUTOMOBILES.

Automobiles—25 horse power, or under.....	5 00
Over 25 horse power and under 40 horse power.....	7 50
40 horse power and over.....	10 00

AUTOMOBILES FOR HIRE.

Automobiles for hire shall pay at the rate of, per horse power	1 00
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MOTOR TRUCKS AND TRAILERS.

Under one-half ton capacity.....	5 00
One-half ton and under one ton capacity.....	10 00
One ton and under two ton capacity.....	15 00
Two ton and under three ton capacity.....	25 00
Three ton and under four ton capacity.....	35 00
Four ton and not to exceed five ton capacity.....	50 00
Over five ton and not to exceed six ton capacity.....	100 00
Over six ton and not to exceed seven ton capacity.....	250 00

Provided, however, No license shall be issued for any truck with a carrying capacity greater than seven (7) tons. *Provided, further,* That no motor truck license shall be issued for a fee less than that required of an automobile of equivalent horse power.

AUTO STAGES AND TRAILERS.

Auto stages for hire shall pay at the rate of, per horse power	1 00
And in addition thereto for each rated passenger capacity of any such auto stage or trailer, per passenger.....	2 00

DEALER'S.

Motor cycles	3 00
All other motor vehicles regardless of horse power or capacity	25 00
Additional dealer's license plates bearing the same number, except motor cycle dealer's licenses.....	5 00

GENERAL FEES.

Duplication of number plates, except dealer's duplicates, each	1 00
Duplication of year plates, each.....	25
Dealer's duplicate number plates, each.....	2 50
Duplication of motor vehicle license.....	50
Transfer of motor vehicle license, each.....	50

Provided, That the provisions of this section relating to automobiles for hire shall not apply to private automobiles that shall be operated for hire for a period of two days or less, and for which a special permit so to operate shall have been obtained from the county auditor. The fee for any such permit shall be for each automobile the sum of..... \$1 00

SEC. 11. That section 16 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 16. For all motor vehicle licenses issued after the first day of September of any year only one-half the rate named in section 15 shall be charged.

Rates for partial year.

SEC. 12. That section 17 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 17. Motor vehicles owned by any city for the police or fire department, or any apparatus not suitable for the carrying of persons, used in cleaning, sprinkling or flushing of streets or in the transportation of refuse, or of the crematory, lighting or water department thereof, and used exclusively in these departments; and all motor vehicles owned by the United States Government and used exclusively in its service, shall be exempt from payment of license fees as herein provided: *Provided, however*, They must be registered as provided for in this act and display the number assigned by the secretary of state upon the machine; and, except in case of the federal government shall pay for such number a fee of fifty cents and in addition thereto the application fee of twenty-five cents as in section 20 [21] herein provided, nor shall said fire or police apparatus or any motor ambulance for the relief of sick or injured persons, when the emergencies of the occasion demand, be limited to the speed regulations authorized in this act. Any motor vehicle belonging to any city or town found operating outside such city or town shall be required to take out license for said motor vehicle as a privately owned motor vehicle in the class to which it belongs.

Exemption from license.

Speed limit in case of fire, police and ambulance service.

SEC. 13. That section 18 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 18. All fees collected by the secretary of state as herein provided shall be paid into the state treasury as

Disposition of fees.

other funds are paid and after returning, one-half annually, to the general fund the amounts appropriated therefrom each biennium for the expenses of the issuing of such licenses, the surplus shall go first to the various counties of the state in which are located primary highways for the maintenance of the primary highways of the state, a sum equaling \$100 per mile per year for such highways which have been or may hereafter be constructed therein. Such sum to be placed in the permanent highway maintenance fund of such county. The primary highways in order to come under the provisions of this act for maintenance purposes must be of a character equal to and up to the standard of permanent highway construction. The state highway commissioner shall between the 15th day of February and the first day of March of each year certify in duplicate one copy to the state treasurer and the other copy to the county commissioners of each county as aforesaid, the number of miles of such constructed primary highways within such county. The remainder of said automobile fund shall go to the permanent highway fund for the maintenance and repair of permanent highways in addition to the fund heretofore provided by law to be distributed in accordance with the amounts of money paid in to the permanent highway fund by the various counties of the state.

SEC. 14. That section 19 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 19. The authorized number plates of each motor vehicle shall be attached conspicuously to both front and rear of such vehicle. Each number plate shall hang in a horizontal position at a distance of not less than one foot nor more than four feet from the ground, and each number plate shall be kept clean so as to be plainly seen and read at all times.

Number
plates, how
attached.

SEC. 15. That section 21 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 21. Every motor vehicle shall exhibit during the hours of darkness, as least two lamps, one on each side,

Exhibition
of lights.

showing white lights visible two hundred feet or more in advance of said vehicle. Such motor vehicle shall have attached to the rear not less than one lamp showing a red light, visible at least two hundred feet in the rear of such machine, and the same light or additional light casting white rays of sufficient strength on the rear of number plate thereof, so that such number plate may be easily read at a distance of at least sixty feet: *Provided*, That motor cycles shall be required to carry only one light in the front thereof, which shall show white rays visible at least two hundred feet in advance of such motor vehicle: *Provided, further*, That it shall be unlawful to display any light showing red to the front of any motor vehicle. Every motor truck, the body of which exceeds six (6) feet in width shall exhibit during the hours of darkness, in addition to the above required lights, a white light on the left side of the machine defining the limit of the body of the machine or the overhanging load, if any there be, and beyond the outside thereof, so fixed or carried that the light therefrom may be seen both from the front and rear of said motor truck. Every motor truck, automobile or trailer carrying a load which projects over the rear end three feet or more shall be required to display a red flag by day and a red light by night, on the extreme end of such overhanging load. It shall be unlawful to use on a vehicle of any kind operated on the public highways of this state any lighting device of over four candle power equipped with a reflector, unless the same shall be so designed, deflected or arranged that no portion of the beam of reflected light, when measured seventy-five feet or more ahead of the lamps shall rise above forty-two inches from the level surface on which the vehicle stands under all conditions of road: *Provided*, That any vehicle coming under the provisions of this section not equipped as herein provided shall, when meeting another vehicle after dark, reduce speed to not more than four miles an hour until such approaching vehicle has passed. This shall not apply to spotlights, but a spotlight shall not be directed at an ap-

Lighting
equipment
of vehicles
on sale.

proaching vehicle. From and after the first day of July, 1918, it shall be unlawful to sell or offer for sale, or have in possession with intent to sell, any vehicle of any kind for operation on the public highways of this state equipped with any lighting device of over four candle power with a reflector unless such lighting device shall conform to the provisions of the preceding paragraph of this section.

SEC. 16. That section 24 of chapter 142 of the Laws of 1915 be amended to read as follows:

Rate of
speed.

Section 24. In no case shall any motor vehicle be driven, operated or moved at a rate of speed faster than one (1) mile in five (5) minutes at any crossing within the main thickly settled or business portion of any city or town nor within one hundred yards of any school house, on school days between eight o'clock in the morning and five o'clock in the evening within this state, nor in any portion of any city or town faster than one (1) mile in three (3) minutes, nor outside the limits of any city or town on any road, street or public place at a rate of speed faster than one (1) mile in two (2) minutes. No motor vehicle of a carrying capacity of two (2) tons and under three (3) tons shall be driven at a speed faster than at the rate of fifteen (15) miles per hour. Vehicles of a capacity of three (3) tons and under four (4) tons faster than fourteen (14) miles per hour. Vehicles of a capacity of four (4) tons and under five (5) tons faster than twelve (12) miles per hour. Vehicles of five (5) tons and over at a rate of speed not faster than ten (10) miles per hour. Auto stages of more than ten passengers capacity shall not be permitted to exceed a speed of twenty miles an hour on other than paved roads.

School
signs.

SEC. 17. There shall be constructed and maintained within one hundred (100) yards of each approach to each school house in the state, a conspicuous wooden or suitable sign with the words "school, slow down" painted thereon in letters of the following dimensions:

DESCRIPTION OF SCHOOL SIGN.

The size of the board shall be 15 inches by 27 inches over all, with a black border on the outer edges, one-fourth inch in width. The following directions shall be painted on the board in plain block letters in black on white background:

SCHOOL

SLOW DOWN

The word "School" shall be written above the words "Slow Down." The size of the letters shall be four (4) inches in height, about two and three-eighths ($2\frac{3}{8}$) inches in width, and spaced approximately four (4) inches from center to center. The lines forming the letters shall be one-half ($\frac{1}{2}$) inch in width.

The size of the letters in the words "Slow Down" shall be three (3) inches in height, about one and three-fourths ($1\frac{3}{4}$) inch in width, and spaced approximately two and three-fourths ($2\frac{3}{4}$) inches from center to center. The lines forming the letters shall be three-eighths ($\frac{3}{8}$) inch in width. The words "Slow Down" shall be underlined with a black line one-fourth ($\frac{1}{4}$) inch in width.

A margin of approximately two and one-fourth ($2\frac{1}{4}$) inches shall be left between the outer end of the letters and the edge of the board. Said sign shall be constructed and maintained by the local authorities of the city or town in which any of said school houses are situated and at the expense of said city or town. For all school houses located outside the limits of any town or city said sign shall be constructed and maintained by the county in which any of said school houses are situated and at the expense of said county.

Maintenance
by local
authorities.

SEC. 18. That section 30 of chapter 142 of the Laws of 1915 be amended to read as follows:

Section 30. Any person who shall make falsely any statement herein required to be made or who shall obtain any license by any misrepresentation or deceit, or who

Penalty for
deceit and
violations of
act.

shall display any number or license not authorized by law to be used, or who shall in violation of the provisions of this act, loan or permit to be used any license or number issued to him or who shall in any manner violate the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished accordingly: *Provided*, That in no event shall the minimum fine be less than five dollars (\$5.00).

SEC. 19. That section 31 of chapter 142 of the Laws of 1915 be amended to read as follows:

Disposition
of fines.

Section 31. All moneys derived from fines assessed or forfeited bail for the violation of any of the provisions of this act shall be paid into the permanent highway fund, for the maintenance and repair of permanent highways in addition to the funds heretofore provided by law, to be distributed in accordance with the amounts of money paid into the permanent highway fund by the various counties of the state.

SEC. 20. That section 34 of chapter 142 of the Laws of 1915 be amended to read as follows:

Restriction
on local
authorities
as to speed
and license
regulations.

Section 34. The local authorities shall have no power to pass or enforce any ordinance, rule or regulations governing the speed of any motor vehicle, or requiring of the owner or operator of any motor vehicle, any license other than an occupation license or a tax which may be levied in only one city or town when such motor vehicle is engaged in inter-city service, or permitted to use the public highways except as herein provided or to exclude or to prohibit any motor vehicle whose owner has complied with the provisions of this act from the free use of the public highways, and all such rules, ordinances, and regulations now in force are hereby declared to be of no validity or effect: *Provided, however*, That nothing herein shall be construed as limiting the power of the county commissioners or local authorities to make, enforce, and maintain ordinances, rules and regulations governing traffic in addition to the provisions of this act affecting motor vehicles, but not in conflict therewith.

SEC. 21. At the time any application is made to the county auditor for a license, as provided elsewhere in this act, the applicant shall pay to the county auditor the sum of twenty-five cents for each application, in addition to the license fee provided for in section 15 of this act, which fee shall be paid to the county treasurer in the same manner as other fees, collected by the county auditor and credited to the county current expense fund.

Fee for
license
application.

SEC. 22. Every owner or operator of any motor truck or auto stage using the public highways in this state, shall equip such truck or auto stage with a mirror or other device to enable the driver thereof to have such a clear and unobstructed view of the rear as will enable him to obey the "rule of the road" when overtaken by any other vehicle.

Mirrors in
trucks and
auto stages.

SEC. 23. Drivers of all motor vehicles carrying passengers for hire on any of the public highways of this state outside the incorporated limits of any city or town, shall bring said vehicles to a full stop within fifty feet of any unguarded grade crossing of any railroad or inter-urban track before crossing the same.

Stops at
railway
crossings.

SEC. 24. Section 2531 of Remington and Ballinger's Annotated Codes and Statutes of Washington is hereby repealed.

Repealing
clause.

Passed the House February 24, 1917.

Passed the Senate February 28, 1917.

Approved by the Governor March 15, 1917.