

created. If there is a need for two additional judges in King County, they are needed now. On the other hand, if there is a need presently for only one additional judge, it would not seem to be the business of this legislature to predict what the need may be two years hence respecting another judge. This more properly is a matter for the decision of the next legislature.

"I realize that the effect of the veto of section 2 of this bill would advance the time of the judicial vacancy of the second position by almost two years. I entertain some doubt as to whether this may or may not constitute an act of affirmative legislation. Consequently I do not intend to make any appointment to the second position. If this veto has such an affirmative effect and is therefore invalid, the original bill would stand as passed. This would still leave open the question of whether or not the act is invalid as an unconstitutional infringement upon the appointive power of the Chief Executive. This is a judicial question and I make no effort to resolve it. In my opinion, at least to the extent that the legislature intended to create one immediate additional judicial office in King County, the legislative intent is clear. Beyond that I consider both the intent and the legal effect of this act to be somewhat doubtful.

"For these reasons section 2 is vetoed and the remainder of the bill is approved."

CHAPTER 177.

[Sub. S. B. 136.]

HIGHWAYS—SPEED OF MOTOR VEHICLES.

AN Act relating to speeds on highways, roads and streets; amending section 8, chapter 28, Laws of 1951 and RCW 46.48.022; amending section 9, chapter 200, Laws of 1947 and RCW 46.48.090; amending section 10, chapter 200, Laws of 1947 and RCW 46.48.100; amending section 10, chapter 28, Laws of 1951 and RCW 46.48.024; adding a new section to RCW 46.48.

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

Amendment. SECTION 1. Section 8, chapter 28, Laws of 1951 and RCW 46.48.022 are each amended to read as follows:

(RCW 46.48.022) The Washington state highway commission, in case of state highways, and the county commissioners, in case of county roads, shall establish maximum speeds outside any incorporated city or town: *Provided*, No maximum speed established shall be less than twenty-five miles per hour:

State highway commission and county commissioners to establish maximum speeds.

Provided further, All such speed zones shall be properly sign posted at the extremities thereof.

SEC. 2. Section 9, chapter 200, Laws of 1947 and RCW 46.48.090 are each amended to read as follows: Amendment.

(RCW 46.48.090) It shall be unlawful to operate motor trucks having a gross weight including load, exceeding ten thousand pounds, equipped with pneumatic tires over or along any public highway of this state at a greater rate of speed than fifty miles per hour. This section shall not be construed to increase the maximum speed allowed in any instances where a lower speed has been prescribed by law or competent authority. Maximum speed for motor trucks over 10,000 pounds.

SEC. 3. Section 10, chapter 200, Laws of 1947 and RCW 46.48.100 are each amended to read as follows: Amendment.

(RCW 46.48.100) It shall be unlawful to operate any combination of vehicles upon the public highways of this state at a rate of speed in excess of fifty miles per hour. This section shall not be construed to increase the maximum speed allowed in any instance where a lower speed has been prescribed by law or competent authority. Maximum speed for combination of vehicles.

SEC. 4. Section 10, chapter 28, Laws of 1951 and RCW 46.48.024 are each amended to read as follows: Amendment.

(RCW 46.48.024) Sixty miles per hour, subject to RCW 46.48.010, shall be the maximum motor vehicle speed under all circumstances where no lesser speed is required by this chapter: *Provided*, That the Washington state highway commission may establish a lower speed on state highways, where in its opinion, the findings of a traffic engineering investigation warrant such speed: *Provided*, That the maximum speed limit for (a), combination of vehicles, and (b), trucks over ten thousands pounds, shall not exceed fifty miles per hour: *Provided further*, That in carrying out the provisions of this section, the commission shall consult the chief of the Washing- Maximum speed in all cases.

ton state patrol. The zones of such speeds shall be indicated by standard speed control signs.

New section.

SEC. 5. There shall be a new section added to RCW 46.48 to be known as RCW 46.48.041, which shall read as follows:

Maximum
speed on
limited access
facilities.

(RCW 46.48.041) Notwithstanding any law to the contrary or inconsistent herewith, the Washington state highway commission shall have the power and the duty to fix and regulate the speed of vehicles within the maximum speed limit allowed by law for state highways, designated as limited access facilities, regardless of whether a portion of said highway is within the corporate limits of a city or town. No governing body or authority of such city or town or other political subdivision may have the power to pass or enforce any ordinance, rule or regulation requiring a different rate of speed and all such ordinances, rules and regulations contrary to or inconsistent therewith now in force are void and of no effect: *Provided*, That a maximum speed above thirty-five miles per hour may be established in cities or towns only when the findings of a traffic engineering investigation by the state highway department warrants such increase in speed.

Passed the Senate February 10, 1955.

Passed the House March 6, 1955.

Approved by the Governor March 15, 1955.