

CHAPTER 179.

[S. B. 118.]

RAILROAD AND HIGHWAY CROSSINGS.

AN ACT relating to railroad and highway crossings, and amending Sections 10519, 10529 and 10531 of Remington's Compiled Statutes.

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

SECTION 1. That Section 10519 of Remington's Compiled Statutes be amended to read as follows:

Section 10519. The department of public works, in its discretion, good cause appearing therefor, and upon such conditions as it may prescribe, shall have power, without notice or hearing, to grant a permit to construct and maintain a temporary grade crossing for a period not exceeding six months, and may revoke such permit at any time: *Provided*, that nothing contained in this section shall be construed to prohibit the department of public works, after notice and investigation, from permitting the maintenance of a temporary grade crossing for a longer period than six months: *And Provided, further*, that this section shall not apply to any state road unless advance written concurrence in any such permit with respect thereto be secured from the state highway committee and bond in such amount and on such conditions as such state highway committee shall require be filed with the department of public works. Any order granting, refusing to grant, or revoking a permit for a temporary grade crossing shall not be reviewable.

Amends § 5646, Pierce's Code.

Permit for temporary grade crossing.

If state road concurrence of state highway committee essential.

Order not reviewable.

SEC. 2. That Section 10529 of Remington's Compiled Statutes be amended to read as follows:

Section 10529. Whenever, to carry out any work ordered under this act, it is necessary to erect and maintain posts, piers or abutments in a highway, the right and authority to erect and maintain

Amends § 5656, Pierce's Code.

Obstructions in highway.

Highway  
engineer's  
approval  
if state road.

the same is hereby granted: *Provided*, that, in case of a state road the same shall be placed only at such points on such state road as may be approved by the state highway engineer and fixed after such approval by order of the department of public works.

Amends  
§ 5658,  
Pierce's  
Code.

Act not  
applicable  
to cities.

SEC. 3. That Section 10531 of Remington's Compiled Statutes be amended to read as follows:

Section 10531. This act shall not be operative within the limits of cities authorized to frame their own charters, and it shall not be construed to apply to street railway lines operating in, on, through, along, over, or across any street, alley or other public place within the limits of any incorporated city or town, except that no street car line outside of cities authorized to frame their own charters shall cross a railroad at grade without express authority from the department of public works: *Provided*, that the department of public works shall not have authority to change the location of a state highway without the approval of the highway committee, nor the location of any crossing thereon adopted or approved by the highway committee. The department of public works shall not grant a railroad authority to cross a state highway at grade unless the highway committee consents thereto.

State  
highway.

Approval of  
highway  
committee  
required.

Passed the Senate January 7, 1926.

Passed the House January 6, 1926.

Approved by the Governor January 18, 1926.