

CHAPTER 281.

[H. B. 348.]

MOTOR VEHICLE TRANSPORTATION.

AN ACT relating to the transportation of persons within the state by motor vehicle; providing for supervision and regulation of motor vehicles used in transportation of workers to defense plants; providing certain powers and duties for the Director of Licenses; prescribing fees and penalties; declaring an emergency and prescribing the period of effectiveness of the act.

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

SECTION 1. By reason of the war in which the United States is engaged and the establishment and operation of many large and important plants in this state devoted to the manufacture and construction of essential war materials, and the large number of workmen employed in said plants, and by reason of the national program of conservation of motor vehicles, equipment, fuel and tires, an emergency exists in the transportation of said workmen from their homes to said plants. Established transportation agencies are carrying said workmen to the limits of their capacities and it has become necessary for said workmen to travel to and from their work in groups in private passenger cars and other motor vehicles of all types. The operation of said motor vehicles unregulated has created unsafe and hazardous conditions upon the public highways and makes it imperative that more complete regulation should be employed as to such transportation to the end that the highways may be rendered safer for the use of the general public, and that safe conditions in such transportation may be fostered in the public interest. It is hereby found and declared to be necessary in the public interest that regulation of such transportation be effected.

Regulation
of emergency
transportation.

Definitions.

SEC. 2. Where used in this act the following words and phrases shall have the meaning as in this act ascribed to them.

(a) "Director." The Director of Licenses of the State of Washington, or any duly authorized assistant.

(b) "Department of Public Service." The Department of Public Service of the State of Washington.

(c) "Person." Every natural person, firm, co-partnership, association or corporation.

(d) "State Commission on Equipment." The State Commission on Equipment consisting of Director of Licenses, Director of Highways and the Chief of the Washington State Patrol.

(e) "Vehicle." Every device capable of being moved upon a public highway and in, upon or by which any person is or may be transported or drawn upon a public highway, except devices moved by human or animal power or used exclusively upon stationary rails or tracks.

(f) "Motor Vehicle." Every vehicle which is self propelled and not operated upon rails and every combination of motor vehicle and semi-trailer or motor vehicle and trailer.

(g) "State." State of Washington.

(h) "Certificate of Inspection." The certificate required by the Director as herein provided.

(i) "Compensation." Any consideration paid by an employee of a defense plant to the owner of a victory motor vehicle for transportation or any contribution between joint owners, or any payment under an agreement to share costs of operation of a victory motor vehicle.

(j) "Victory Motor Vehicle." Any motor vehicle built for or capable of carrying seated more than six (6) passengers, exclusive of the driver, used exclusively for the purpose of carrying for compensation, employees of defense plants to and from

said defense plants. "Victory Motor Vehicle" as herein defined shall not be included within the terms "auto stage" and "for hire vehicle" as said terms are defined in section 1, chapter 188, Laws of 1937, or any amendment thereto. Definitions.

(k) "Defense Plant." Any construction project for the United States Government, or any department or agency thereof directly related to the United States war effort, and any manufacturing, shipbuilding or other plant directly engaged in producing essential war materials for the United States war effort.

SEC. 3. It shall be unlawful for any person to operate any victory motor vehicle over and along any of the public highways of this state without first having obtained and having in full force and effect a current and proper victory motor vehicle license and displaying victory motor vehicle license plates therefor as by this act provided. Victory
M. V. license.

SEC. 4. There shall be paid and collected annually for each calendar year or fractional part thereof and upon each victory motor vehicle a basic license fee in the sum of three dollars and twenty-five cents (\$3.25). Fees.

SEC. 5. In addition to other fees for the licensing of victory motor vehicles, there shall be paid and collected annually for each victory motor vehicle the sum of ten dollars (\$10).

SEC. 6. The Director shall furnish to all persons making satisfactory application for victory motor vehicle license, as provided herein, two identical victory motor vehicle license number plates, each containing the victory motor vehicle license number to be displayed on such victory motor vehicle, as by law required. The number and plate shall be of such size and color and shall contain such symbols indicative of the year for which the same was issued. Plates.

and of the State of Washington, as shall be determined and prescribed by the Director.

Application.

SEC. 7. Application for victory motor vehicle license shall be made on a form furnished for the purpose by the Director. Such application shall be made by the owner or person responsible for the operation of the victory motor vehicle whether or not such person is the actual driver of said victory motor vehicle, or his duly authorized agent, over the signature of such person or agent and such applicant shall certify that the statements therein are true to the best of his knowledge. The application shall show:

Contents.

1. Name and address of the owner of the victory motor vehicle.
2. Trade name of the vehicle, model, year, type of body and motor number.
3. Such other information as shall be required upon such applications by the Director.

Inspection.

SEC. 8. Before issuing any victory motor vehicle license, the Director shall require that the victory motor vehicle be inspected by the Washington State Patrol to ascertain whether such victory motor vehicle conforms with the standards of safety prescribed by the State Commission on Equipment. The State Commission on Equipment is authorized to prescribe such standards of safety and such rules and regulations for the operation of victory motor vehicles as it may deem necessary. If the inspection by the Washington State Patrol discloses that the victory motor vehicle conforms to such safety standards, a certificate of inspection shall be issued stating that the victory motor vehicle conforms to such safety standards and may be licensed.

Safety standards and rules.

Refunds of excess fees.

SEC. 9. The Director is authorized to refund excess fees to persons who have heretofore operated victory motor vehicles and who have paid 1943 license fees in excess of those herein provided.

SEC. 10. Every person owning a victory motor vehicle shall, upon obtaining the license hereinbefore mentioned, deposit with and thereafter keep on file with the Director a surety bond running to the State of Washington, covering each victory motor vehicle in the sum of one thousand dollars (\$1,000) for any recovery for death or personal injury by one person, and five thousand dollars (\$5,000) for all persons killed or receiving personal injury by reason of one act of negligence, and one thousand dollars (\$1,000) for damage to property of any person other than the assured, with a good and sufficient surety company licensed to do business in this state, as surety, and to be approved by the Director, conditioned for the faithful compliance by the principal of said bond with the provisions of this act and to pay all damages which may be sustained by any person injured by reason of any negligence on the part of said principal, his agents or employees, in the operation of any victory motor vehicle. Bond.

SEC. 11. In lieu of the surety bond, as above provided, there may be deposited and kept on file and in force with the Director a public liability insurance policy for each victory motor vehicle operated or intended to be operated, executed by an insurance company licensed and authorized to write such insurance policies in the State of Washington, assuring the applicant for license, herein referred to, against property damage and personal liability to the public, with the premiums paid and payment noted thereon. Said policy of insurance shall provide a minimum coverage equal and identical to the coverage required by the aforesaid surety bond. No provision of this act shall be construed to limit the right of any injured person to any private right of action against the owner of a victory motor vehicle, as herein defined: *Provided, however,* The owner of a victory motor vehicle shall be liable in the Insurance
in lieu of
bond.

operation of said victory motor vehicle to the employes of the defense plant transported in his victory motor vehicle only for death or personal injury caused by the gross negligence of said owner or his agent.

Trailers.

SEC. 12. Notwithstanding the provisions of any law prohibiting the transportation of passengers in trailers or semi-trailers, the State Commission on Equipment may authorize persons operating victory motor vehicles to transport persons in such trailers or semi-trailers.

Penalty for violation.

SEC. 13. Every person who shall violate or fail to comply with, or who procures, aids or abets any violation by any person of any provision of this act, or who shall fail to obey, observe or comply with, rules and regulations prescribed hereunder by the State Commission on Equipment, or who procures, aids or abets any person in his failure to obey, observe and comply with such rules and regulations, shall be guilty of a misdemeanor.

Private cars exempted.

SEC. 14. It is hereby declared to be the intention of the Legislature that unaltered private passenger cars and other motor vehicles of six (6) passengers or less seating capacity, exclusive of the driver, used exclusively for the purpose of carrying for compensation employees of defense plants to and from said defense plants, shall be exempted from regulation under the provisions of this act and shall not be required to comply with the regulatory provisions of any law peculiar to the licensing and operation of for-hire vehicles. Nothing herein shall be deemed to exempt the owners and/or operators of the cars or vehicles mentioned in this section from the provisions of the Uniform Motor Vehicle Safety Responsibility Act of this state.

Not subject to Ch. 111, Laws of 1921.

SEC. 15. Except when the Department of Public Service shall determine, after notice and hearing, that the operation thereof is contrary to the provi-

sions of chapter 111, Laws of 1921, as amended, the operation of a victory motor vehicle, whether by an auto transportation company or other person, shall not be subject to any of the provisions of said chapter 111, Laws of 1921, as amended, or other public service laws and regulations of the Department of Public Service.

SEC. 16. This act shall expire six months after the final armistice between the United States and its enemies, if said period of time occurs prior to April 1, 1945. But in no event shall this act be effective after April 1, 1945. Expiration.

SEC. 17. If any section, paragraph, sentence, clause or phrase of this act is held to be unconstitutional, said holding shall not affect the validity of the remaining portions of this act; it being the intention of the Legislature that the remaining portion of said act would have been passed if said section, paragraph, sentence, clause or phrase had been omitted. Saving clause.

SEC. 18. This act is necessary for the immediate preservation of the public peace, health and safety and for the support of the state government and its existing public institutions and shall take effect immediately. Effective immediately.

Passed the House March 9, 1943.

Passed the Senate March 9, 1943.

Approved by the Governor March 22, 1943.