

## CHAPTER 12.

[ H. B. 2. ]

## MOTOR VEHICLES—TITLE 46 RCW REENACTMENT.

AN ACT Relating to vehicles; providing for the regulation and licensing thereof and of persons in relation thereto; providing for the collection and disposition of moneys; enacting a vehicle code to be known as Title 46 of the Revised Code of Washington—"Motor Vehicles"; providing penalties; repealing certain acts and parts of acts; and declaring an emergency.

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

## TITLE 46

## MOTOR VEHICLES

## Chapter 46.04

## DEFINITIONS

**46.04.010 Scope and construction of terms.** Terms used in this title shall have the meaning given to them in this chapter except where otherwise defined, and unless where used the context thereof shall clearly indicate to the contrary.

Words and phrases used herein in the past, present or future tense shall include the past, present and future tenses; words and phrases used herein in the masculine, feminine or neuter gender shall include the masculine, feminine and neuter genders; and words and phrases used herein in the singular or plural shall include the singular and plural; unless the context thereof shall indicate to the contrary.

**46.04.020 Alley.** "Alley" means a public highway not designed for general travel and used primarily as a means of access to the rear of residences and business establishments.

**46.04.030 Arterial highway.** "Arterial highway" means every public highway, or portion thereof, designed as such by proper authority.

**46.04.040 Authorized emergency vehicle.** "Authorized emergency vehicle" means any vehicle of any fire department, police department, sheriff's office, coroner, prosecuting attorney, Washington state patrol, ambulance service, public or private, which need not be classified, registered or authorized by the state commission on equipment, or any other vehicle authorized in writing by the state commission on equipment.

**46.04.050 Auto stage.** "Auto stage" means any motor vehicle used for the purpose of carrying passengers together with incidental baggage and freight or either, on a regular schedule of time and rates: *Provided*, That no motor vehicle shall be considered to be an auto stage where substantially the entire route traveled by such vehicle is within the corporate limits of any city or town or the corporate limits of any adjoining cities or towns.

**46.04.060 Axle.** "Axle" means structure or structures in the same or approximately the same transverse plane with a vehicle supported by wheels and on which or with which such wheels revolve.

**46.04.070 Bicycle.** "Bicycle" means every vehicle having a saddle for the use of the rider, operated by human power, and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor.

**46.04.080 Business district.** "Business district" means the territory contiguous to and including the public highway when fifty percent or more of the frontage thereon on either side thereof for a continuous distance of three hundred feet or more is occupied by buildings in use for business.

**46.04.090 Cancel.** "Cancel," in all its forms, means the invalidation indefinitely and until successful application, but shall be for a period of not less than one year.

**46.04.100 Center line.** "Center line" means the line, marked or unmarked, parallel to and equidistant from the sides of the roadway of a public highway.

**46.04.110 Center of intersection.** "Center of intersection" means the point of intersection of the center lines of the roadway of intersecting public highways.

**46.04.120 City street.** "City street" means every public highway, or part thereof located within the limits of cities and towns, except alleys.

**46.04.130 Combination of vehicles.** "Combination of vehicles" means every combination of motor vehicle and trailer or motor vehicle and semitrailer the principal use of which is the transportation of commodities, merchandise, produce, freight, or animals.

**46.04.140 Commercial vehicle.** "Commercial vehicle" means any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.

**46.04.150 County road.** "County road" means every public highway or part thereof, outside the limits of cities and towns and which has not been designated as a state highway.

**46.04.160 Crosswalk.** "Crosswalk" means the portion of the roadway between the intersection area and a prolongation or connection of the farthest sidewalk line or in the event there are no sidewalks then between the intersection area and a line ten feet therefrom, except as modified by a marked crosswalk.

**46.04.170 Explosives.** "Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion, and which contains any oxidizing or combustible units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonation of any part of the compound mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

**46.04.180 Farm Tractor.** "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

**46.04.190 For hire vehicle.** "For hire vehicle" means any motor vehicle other than an auto stage used for the transportation of persons for compensation.

**46.04.200 Hours of darkness.** "Hours of darkness" means the hours from one-half hour after sunset to one-half hour before sunrise, and any other time when persons or objects may not be clearly discernible at a distance of five hundred feet.

**46.04.210 Flammable liquid.** "Flammable liquid" means any liquid which has a flash point of 70° Fahrenheit, or less, as determined by a Tagliabue or equivalent closed cup test device.

**46.04.220 Intersection area.** "Intersection area" means the area embraced within the prolongation of the lateral curb lines, or, if there are no curb lines, or, if there are no curbs, then the lateral roadway boundary lines, of two or more public highways which join one another at an angle, whether or not such highways cross one another.

**46.04.230 Intersection center marker.** "Intersection center marker" means any standard, button, flag, painted or raised marker, or other device located at and intended to designate the approximate center of intersection.

**46.04.240 Intersection control area.** "Intersection control area" means intersection area, together with such modification of the adjacent roadway area as results from the arc of curb corners and together with any marked or unmarked crosswalks adjacent to the intersection.

**46.04.250 Intersection entrance marker.** "Intersection entrance marker" means any standard, button, flag, caution sign, stop sign, or other device located at approximately the point of intersection of the center line of an intersecting public highway with the nearest line of the intersection control area on the approach thereto.

**46.04.260 Laned highway.** "Laned highway" means a highway the roadway of which is divided into clearly marked lanes for vehicular traffic.

**46.04.270 Legal owner.** "Legal owner" means a mortgagee or owner of the legal title to a vehicle.

**46.04.280 Local authorities.** "Local authorities" includes every county, municipal, or other local public board or body having authority to adopt local police regulations under the Constitution and laws of this state.

**46.04.290 Marked crosswalk.** "Marked crosswalk" means any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface thereof.

**46.04.300 Metal tire.** "Metal tire" includes every tire, the bearing surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material.

**46.04.310 Motor truck.** "Motor truck" means any motor vehicle designed or used for the transportation of commodities, merchandise, produce, freight, or animals.

**46.04.320 Motor vehicle.** "Motor vehicle" shall mean every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

**46.04.330 Motorcycle.** "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a farm tractor.

**46.04.340 Muffler.** "Muffler" means a device consisting of a series of chambers, or other mechanical designs for the purpose or receiving exhaust gas from an internal combustion engine and effective in reducing noise resulting therefrom.

**46.04.350 Multiple lane highway.** "Multiple lane highway" means any public highway the roadway of which is of sufficient width to reasonably accommodate four or more separate lanes of vehicular traffic, two or more lanes in each direction, each lane of which shall be not less than eight feet in width and whether or not such lanes are marked and whether or not the lanes of opposite bound traffic are separated by a neutral zone or other center line marking.

**46.04.360 Nonresident.** "Nonresident" means any person whose residence is outside this state and who is temporarily sojourning within this state.

**46.04.370 Operator.** "Operator" means every person who is in actual physical control of a motor vehicle upon a public highway.

**46.04.380 Owner.** "Owner" means a person who holds a title of ownership of a vehicle, or in the event the vehicle is subject to an agreement for the conditional sale or lease thereof with a right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then any such conditional vendee or lessee, or mortgagor having a lawful right of possession or use and control for a period of ten or more successive days.

**46.04.390 Peace officer.** "Peace officer" includes any officer authorized by law to execute criminal process or to make arrests for the violation of the statutes generally or of any particular statute or statutes relative to the public highways of this state.

**46.04.400 Pedestrian.** "Pedestrian" means any person afoot.

**46.04.405 Person.** "Person" includes every natural person, firm, copartnership, corporation, association, or organization.

**46.04.410 Pneumatic tires.** "Pneumatic tires" includes every tire of rubber or other resilient material designed to be inflated with compressed air to support the load thereon.

**46.04.414 Pole trailer.** "Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, logs or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

**46.04.420 Private road or driveway.** "Private road or driveway" includes every way or place in private ownership and used for

travel of vehicles by the owner or those having express or implied permission from the owner, but not by other persons.

**46.04.430 Public highway.** "Public highway" includes every way, lane, road, street, boulevard, and every way or place in the state open as a matter of right to public vehicular travel both inside and outside the limits of cities and towns.

**46.04.435 Public scale.** "Public scale" means every scale under public or private ownership which is certified as to its accuracy and which is available for public weighing.

**46.04.440 Railroad.** "Railroad" means a carrier of persons or property upon vehicles, other than street cars, operated upon stationary rails, the route of which is principally outside cities and towns.

**46.04.450 Railroad sign or signal.** "Railroad sign or signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

**46.04.460 Registered owner.** "Registered owner" means a person who holds a certificate of ownership of a vehicle, or in the event the vehicle is subject to an agreement for the conditional sale or lease thereof with a right of purchase upon performance of the conditions stated in the agreement and with the immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then any such conditional vendee or lessee, or mortgagor having a lawful right of possession or use and control for a period of ten or more successive days.

**46.04.470 Residence district.** "Residence district" means the territory contiguous to and including a public highway not comprising a business district, when the property on such public highway for a continuous distance of three hundred feet or more on either side thereof is in the main improved with residences or residences and buildings in use for business.

**46.04.480 Revoke.** "Revoke," in all its forms, means the invalidation for a period of one calendar year and thereafter until reissue.

**46.04.490 Road tractor.** "Road tractor" includes every motor vehicle designed and used primarily as a road building vehicle in drawing road building machinery and devices.

**46.04.500 Roadway.** "Roadway" means the paved, improved, or proper driving portion of a public highway designed, or ordinarily used for vehicular travel.

**46.04.510 Safety zone.** "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is marked or indicated by painted marks, signs, buttons, standards, or otherwise, so as to be plainly discernible.

**46.04.520 School Bus.** "School bus" means any motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or school activities or privately owned and operated for compensation for the transportation of children to or from school or school activities.

**46.04.530 Semitrailer.** "Semitrailer" includes every vehicle without motive power designed to be drawn by a motor vehicle or truck tractor and so constructed that an appreciable part of its weight and that of its load rests upon and is carried by such motor vehicle or truck tractor.

**46.04.540 Sidewalk.** "Sidewalk" means that property between the curb lines or the lateral lines of a roadway and the adjacent property, set aside and intended for the use of pedestrians or such portion of private property parallel and in proximity to a public highway and dedicated to use by pedestrians.

**46.04.550 Solid tire.** "Solid tire" includes every tire of rubber or other resilient material which does not depend upon inflation with compressed air for the support of the load thereon.

**46.04.560 State highway.** "State highway" includes every primary and secondary state highway or part thereof.

**46.04.570 Street car.** "Street car" means a vehicle other than a train for transporting persons or property and operated upon stationary rails principally within cities and towns.

**46.04.580 Suspend.** "Suspend," in all its forms, means invalidation for any period less than one calendar year and thereafter until reinstatement.

**46.04.585 Temporarily sojourning.** "Temporarily sojourning," as the term is used in chapter 46.04, shall be construed to include any nonresident who is within this state for a period of not to exceed six months in any one year.

**46.04.590 Traffic.** "Traffic" includes pedestrians, ridden or herded animals, vehicles, street cars, and other conveyances either singly or together, while using any public highways for purposes of travel.

**46.04.600 Traffic control signal.** "Traffic control signal" means any traffic device, whether manually, electrically, or mechanically operated, by which traffic alternately is directed to stop or proceed or otherwise controlled.

**46.04.610 Traffic devices.** "Traffic devices" includes all signs, signals, markings, and devices placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

**46.04.620 Trailer.** "Trailer" means every vehicle without motive power designed for being drawn by or used in conjunction with a motor vehicle constructed so that no appreciable part of its weight rests upon or is carried by such motor vehicle.

**46.04.630 Train.** "Train" means a vehicle propelled by steam, electricity, or other motive power with or without cars coupled thereto, operated upon stationary rails, except street cars.

**46.04.640 Trolley vehicle.** "Trolley vehicle" means a vehicle the motive power for which is supplied by means of a trolley line and which may or may not be confined in its operation to a certain portion of the roadway in order to maintain trolley line contact.

**46.04.650 Truck tractor.** "Truck tractor" means any motor truck designed and used primarily for drawing a semitrailer and not constructed to carry a load thereon other than a part of the weight of such semitrailer and load so drawn.

**46.04.660 Used vehicle.** "Used vehicle" means a vehicle which has been sold, bargained, exchanged, given away, or title transferred from the person who first took title to it from the manufacturer or first importer, dealer, or agent of the manufacturer or importer, and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof.

**46.04.670 Vehicle.** "Vehicle" includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

**46.04.680 Director—Department.** "Director" means the director of licenses and "department" means the department of licenses.

## Chapter 46.08

### GENERAL PROVISIONS

**46.08.010 State preempts licensing field.** The provisions of this title relating to the certificate of ownership, certificate of license registration, vehicle license, vehicle license plates and vehicle operator's license shall be exclusive and no political subdivision of the state of Washington shall require or issue any licenses or certificates for the same or a similar purpose, nor shall any city or town in this state impose a tax, license, or other fee upon vehicles operating ex-



clusively between points outside of such city or town limits, and to points therein.

**46.08.020 Precedence over local vehicle and traffic regulations.** The provisions of this title relating to vehicles shall be applicable and uniform throughout this state and in all incorporated cities and towns and all political subdivisions therein and no local authority shall enact or enforce any law, ordinance, rule or regulation in conflict with the provisions of this title except and unless expressly authorized by law to do so and any laws, ordinances, rules or regulations in conflict with the provisions of this title are hereby declared to be invalid and of no effect. Local authorities may, however, adopt additional vehicle and traffic regulations which are not in conflict with the provisions of this title.

**46.08.030 Uniformity of application.** The provisions of this title relating to the operation of vehicles shall be applicable and uniform upon all persons operating vehicles upon the public highways of this state, except as otherwise specifically provided.

**46.08.040 Application to bicycle riding, animal drawn vehicle, etc.** Every person riding a bicycle or an animal or driving any animal or operating any nature of conveyance or drawing any vehicle upon any public highway of this state shall be subject to the provisions of this title relating to the operation of vehicles and applicable to the operator of a vehicle except those provisions of the law which, by their nature, can have no application.

**46.08.050 Exemption from vehicle operation provisions—Emergency vehicles, highway work, other.** The provisions of this title relating to the operation of vehicles upon the public highways of this state shall not apply:

(1) To any authorized emergency vehicle properly equipped as required by law and actually responding to an emergency call or in immediate pursuit of an actual or suspected violator of the law, within the purpose for which such emergency vehicle has been authorized, but this shall not relieve the operator of an authorized emergency vehicle of the duty to operate with due regard for the safety of all persons using the public highway, nor shall it protect the operator of any such emergency vehicle from the consequences of a reckless disregard for the safety of others: *Provided*, That the provisions of this section shall in no event extend any special privilege or immunity to operate an authorized emergency vehicle for any purpose other than that for which it has been authorized.

(2) To any person, teams, vehicles, or other equipment while actually engaged in authorized work upon the surface of a public highway insofar as suspension of the provisions of this title is reasonably necessary for the carrying on of such work, if reasonable

precautions are taken to apprise and protect the users of such public highway, but this exception shall not apply to such persons, teams, vehicles, and other equipment when traveling to and from such work.

(3) To any persons or vehicles, insofar as they may be specifically exempted from any provision or provisions of this title.

**46.08.060 Classification as emergency vehicles — Approval of operators.** Any person, firm, corporation or municipal corporation desiring to have a vehicle registered as an authorized emergency vehicle shall make application for such classification to the state commission on equipment. Following such inquiry as is considered necessary, the state commission on equipment may issue or refuse such authorization. The director of licenses shall further require that there be submitted information concerning any person or persons who will operate such authorized emergency vehicle and it shall be unlawful for any such person, firm, corporation or municipal corporation and the responsible officer thereof to permit the operation of such authorized emergency vehicle by any person not approved as operator thereof by the director of licenses.

**46.08.065 Publicly owned vehicles to be marked—Exceptions.** It shall be unlawful for any public officer having charge of any vehicle owned by the state of Washington or by any county, city, town or other public body in this state and used in public business to operate the same upon the public highways of this state unless and until there shall be painted upon such automobile or other motor vehicle in letters of contrasting color not less than two inches in height in a conspicuous place on the left side thereof, the words "State of Washington" or the name of such county, city, town or other public body, together with the name of the department or office upon the business of which the said vehicle is used: *Provided*, That this section shall not apply to vehicles of the Washington state patrol, sheriff's office, police department, or any vehicles used by peace officers under public authority for special or general purpose: *Provided further*, That it shall be lawful and constitute compliance with the provisions of this section for any department or office to adopt and use in lieu of the lettering required a distinctive insignia, approved by the state commission on equipment, and bearing substantially the same information as required herein.

**46.08.070 Nonresidents, application to.** Subject to a compliance with the motor vehicle laws of the state and acceptance of the provisions of this title, nonresident owners and operators of vehicles hereby are granted the privilege of using the public highways of this state, and use of such public highways shall be deemed and

construed to be an acceptance by such nonresident owners and operators of the provisions of this title.

**46.08.080 Liability of host for injury to guest in motor vehicle.** No person transported by the owner or operator of a motor vehicle as an invited guest or licensee, without payment for such transportation, shall have cause of action for damages against such owner or operator for injuries, death or loss, in case of accident, unless the accident was intentional on the part of the owner or operator, or the result of said owner's or operator's gross negligence or intoxication, and unless the proof of the cause of action is corroborated by competent evidence or testimony independent of, or in addition to, the testimony of the parties to the action: *Provided*, That this section shall not relieve any owner or operator of a motor vehicle from liability while it is being demonstrated to a prospective purchaser.

**46.08.090 Powers of director of licenses.** The director of licenses shall have the general supervision and control of the issuing of vehicle licenses and vehicle license number plates and shall have the full power to do all things necessary and proper to carry out the provisions of the law relating to the licensing of vehicles; he shall have the power to appoint and employ deputies, assistants and representatives, and such clerks as may be required from time to time, and to provide for their operation in different parts of the state, and he shall have the power to appoint the county auditors of the several counties as his agents for the licensing of vehicles.

**46.08.100 County auditors, others, as agents of director—Application fee.** The county auditor, if appointed by the director, shall carry out the provisions of this title relating to the licensing of vehicles and the issuance of vehicle license number plates under the direction and supervision of the director and may with the approval of the director appoint assistants as special deputies to accept applications and collect fees for vehicle licenses and transfers and to deliver vehicle license number plates.

At any time any application is made to the director, the county auditor or other agent pursuant to any law dealing with licenses, certificates of ownership, registration or the right to operate any vehicle upon the public highways of this state, the applicant shall pay to the director, county auditor or other agent a fee of fifty cents for each application in addition to any other fees required by law, which fee of fifty cents, if paid to the county auditor as agent of the director, or if paid to an agent of the county auditor, 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 ex-

pense fund. In the event that such fee is paid to another agent of the director, such fee shall be used by such agent to defray his expenses in handling the application. All such filing fees collected by the director or branches of his office shall be certified to the state treasurer and deposited to the credit of the motor vehicle fund.

**46.08.110 Certified copies of records—Fee.** The director of licenses shall have the power and it shall be his duty upon request and payment of the fee as provided herein to furnish under seal of the director of licenses certified copies of any records of the department of licenses, except those for confidential use only. The director of licenses shall charge and collect therefor the sum of one dollar, together with ten cents, for each separate sheet of certified copies. Any funds accruing to the director of licenses under this section shall be certified and sent to the state treasurer and by him deposited to the credit of the highway safety fund.

**46.08.120 Destruction of records by director.** The director, in his discretion, may destroy applications for vehicle licenses, copies of vehicle licenses issued, applications for vehicle operators' licenses, and copies of issued vehicle operators' licenses, after they have been on file in his office for a period of two years and certificates of title or registration or other documents, records or supporting papers, on file in his office which have been photographed or reproduced on film for a period of not less than thirty days: *Provided*, That there shall be retained and filed with the director, as a permanent record or otherwise, any records deemed necessary or convenient for use in completing the case record of any motor vehicle operator, or for any other purpose.

**46.08.130 Destruction of records by county auditor.** The county auditor may destroy applications for motor vehicle licenses, copies of motor vehicle licenses issued, applications for motor vehicle operator's licenses, and copies of issued motor vehicle operator's licenses, if any there be, after such records shall have been on file in his office for a period of three years, unless otherwise directed by the director of licenses.

**46.08.140 Rules and regulations.** The director of licenses is hereby authorized to adopt and enforce such reasonable rules and regulations as may be consistent with and necessary to carry out the provisions relating to vehicle licenses, certificates of ownership and license registration and vehicle operator's licenses not in conflict with the provisions of this title.

**46.08.150 Control of traffic on capitol grounds.** The director of general administration shall have power to devise and promulgate rules and regulations for the control of vehicular and pedestrian

traffic and the parking of motor vehicles on the state capital grounds. Such rules and regulations shall be promulgated by publication in one issue of a newspaper published at the state capital and shall be given such further publicity as the director may deem proper.

**46.08.160 ———Enforcing officer.** The chief of the Washington state patrol shall be the chief enforcing officer to assure the proper enforcement of such rules and regulations.

**46.08.170 ———Violations, misdemeanors—Jurisdiction.** Any violation of a rule or regulation prescribed under RCW 46.08.150 shall be punishable as a misdemeanor, and the courts of justices of the peace in Thurston county shall have exclusive jurisdiction over such offenses.

**46.08.180 Control of traffic on ocean beach highways.** For the protection and conservation of natural resources, the county sheriffs, the state patrol and fish and game inspectors are given authority to regulate and control traffic on and along the ocean beach highways as designed and established under RCW 79.16.130, 79.16.160, 79.16.161, 79.16.170 and 79.16.171.

**46.08.190 Jurisdiction of justice of peace, police court and superior court.** Every justice of the peace and police court judge shall have concurrent jurisdiction with superior court judges of the state for all violations of the provisions of this title and may impose any punishment provided therefor.

## Chapter 46.12

### CERTIFICATES OF OWNERSHIP AND REGISTRATION

**46.12.010 Certificates required to operate and sell vehicles.** It shall be unlawful for any person to operate any vehicle in this state under a certificate of license registration of this state without securing and having in full force and effect a certificate of ownership therefor and it shall further be unlawful for any person to sell or transfer any vehicle without complying with all the provisions of this chapter relating to certificates of ownership and license registration of vehicles: *Provided*, That the provisions of this section relative to the sale of vehicles shall not apply to the first sale of vehicles by manufacturers and dealers: *Provided Further*, That nothing in this title shall be construed to prevent any person entitled thereto from securing a certificate of ownership upon a vehicle without securing a certificate of license registration and vehicle license plates, when, in the judgment of the director of licenses, it is proper to do so.

**46.12.020 Prerequisite to issuance of vehicle license and plates.**

No vehicle license number plates or certificate of license registration, whether original issues or duplicates, shall be issued or furnished by the director of licenses unless the applicant therefor shall at the same time make satisfactory application for a certificate of ownership or shall present satisfactory evidence that such a certificate of ownership covering such vehicle has been previously issued.

**46.12.030 Certificate of ownership. Application—Contents.** The application for certificate of ownership shall be upon a blank form to be furnished by the director of licenses and shall contain:

(1) A full description of the vehicle, which said description shall contain the manufacturer's serial number if it be a trailer, the motor number or proper identification number if it be a motor vehicle, and any distinguishing marks of identification;

(2) A statement of the nature and character of the applicant's ownership, and the character of any and all encumbrances other than statutory liens upon said vehicle;

(3) Such other information as the director of licenses may require: *Provided*, That the director of licenses may in any instance, in addition to the information required on said application, require additional information and a physical examination of the vehicle or of any class of vehicles, or either.

Such application shall be subscribed by the applicant and be sworn to by him before a notary public or other officer authorized by law to take acknowledgments of deeds, or other person authorized by the director of licenses to certify to the signature of the applicant upon such application.

**46.12.040 ————Fee.** The application accompanied by a draft, money order, or certified bank check for one dollar, together with the last preceding certificates or other satisfactory evidence of ownership, shall be forwarded to the director.

The fee shall be in addition to any other fee for the license registration of the vehicle. The certificate of ownership shall not be required to be renewed annually, or at any other time, except as by law provided.

**46.12.050 Issuance of certificates—Contents.** The director, if satisfied from the statements upon the application that the applicant is the legal owner of the vehicle or otherwise entitled to have the certificate of ownership thereof in his name, shall thereupon issue an appropriate certificate of ownership, over his signature, authenticated by seal, and a new certificate of license registration if certificate of license registration is required.

Both the certificate of ownership and the certificate of license

registration shall contain upon the face thereof, the date of issue, the registration number assigned to the registered owner and to the vehicle, the name and address of the registered owner and legal owner, the motor number or proper identification number, if the certificate is for a motor vehicle, or the serial number, if the certificate is for a trailer, and such other description of the vehicle and facts as the director shall require, and in addition thereto, if the vehicle described in such certificates shall have ever been licensed and operated as an exempt vehicle or a taxicab, or if it is less than four years old and has been rebuilt after having been totaled out by an insurance carrier, such fact shall be clearly shown thereon.

The reverse side of the certificate of ownership only shall contain forms for assignment and notice to the director of a transfer of the ownership or interest of the registered owner and legal owner. A blank space shall be provided on the face of the certificate of license registration for the signature of the registered owner.

Upon issuance of the certificate of license registration and certificate of ownership and upon any reissue thereof, the director shall deliver the certificate of license registration to the registered owner and the certificate of ownership to the legal owner, or both to the person who is both the registered owner and legal owner.

**46.12.060 Procedure when motor or serial number altered or obliterated.** Before the director shall issue a certificate of ownership, or reissue such a certificate, covering any vehicle, the motor number of which, in case of a motor vehicle, or the serial number of which, in case of a trailer, has been altered, removed, obliterated, defaced, omitted, or is otherwise absent, the registered owner of the vehicle shall file an application with the director, accompanied by a fee of one dollar, upon a form provided, and containing such facts and information as shall be required by the director for the assignment of a special number for such vehicle. Upon receipt of such application, the director, if he is satisfied the applicant is entitled to the assignment of a motor number, identification number, or serial number, shall designate a special motor number, identification number, or serial number, as the case may be, together with a symbol indicative of this state, for such vehicle, which symbol followed by such number shall be noted upon the application therefor, and likewise upon a suitable record of the authorization of the use thereof, to be kept by and in the office of the director. The applicant for such assignment of number shall be, in case of a motor vehicle, promptly notified of the number assigned and the symbol to be prefixed thereto, and such applicant shall thereupon cause such symbol and motor number to be pressed or cut in a conspicuous position upon the motor, if the

assigned number is a motor number, or frame or other permanent part of the motor vehicle, if the number assigned is an identification number. The applicant for such assignment of number shall be, in case of a trailer, assigned a proper identification number which shall be placed or stamped in a conspicuous position upon the outside of the trailer in such manner and form as may be prescribed by the director. Upon receipt by the director of a certificate by an officer of the Washington state patrol, or other person authorized by the director, that he has inspected such vehicle and that the motor number, or identification number, together with the symbol so assigned, or the special serial number plate, have been legally pressed or cut in a conspicuous position upon the motor or upon the most permanent part of the motor vehicle most readily accessible for inspection, or stamped or securely attached in a conspicuous position upon the outside of the trailer, accompanied by an application for a certificate of ownership or application for reissue of such certificate and the required fee therefor, the director shall use such number and such symbol as the numerical identification marks for the vehicle in any certificate of license registration or certificate of ownership he may thereafter issue therefor.

**46.12.070 Destruction of vehicle—Surrender of certificates, penalty—Notice of settlement by insurance company.** Upon the destruction of any vehicle covered by certificates of license registration and ownership, the registered owner and the legal owner shall forthwith and within five days thereafter forward and surrender such certificate, together with the vehicle license plates therefor if available, to the director, together with a statement of the reason for such surrender and the time and place of destruction. Failure to notify the director or the possession by any person of any such certificate for a vehicle so destroyed, after five days following its destruction, shall be prima facie evidence of violation of the provisions of this chapter and shall constitute a gross misdemeanor.

Any insurance company settling any insurance claim on any such vehicle as a total loss, less salvage, shall notify the director thereof within five days after the settlement of any such claim under any policy of insurance carried by it on a vehicle covered by certificates of license registration and ownership issued by this state.

**46.12.080 Procedure on installation of different motor—Penalty.** Any person holding the certificate of license registration for a vehicle in which there has been installed a new or different motor than that with which it was issued certificates of ownership and license registration shall forthwith and within five days after such installation forward and surrender such certificates to the director, together with an application for issue of corrected cer-



tificates of ownership and license registration and a fee of one dollar, and a statement of the disposition which was made of the former motor. The possession by any person of any such certificates for a vehicle in which a new or different motor has been installed, after five days following such installation, shall be prima facie evidence of a violation of the provisions of this chapter and shall constitute a misdemeanor.

**46.12.090 Procedure when motor or motor block removed—Unlawful acts.** Whenever the motor or motor block carrying the identification number is removed from any motor vehicle and the vehicle has not been destroyed or dismantled in such a manner as to come under the provisions of RCW 46.12.070, and there has been issued and is outstanding a certificate of ownership for such vehicle, the registered owner or vehicle dealer having possession of the vehicle shall, within a period of five days after the removal thereof, notify the director in writing on forms to be prescribed by the director and furnished for that purpose, giving the description of the vehicle from which such motor or motor block has been removed, the date of the removal thereof, and the name and address of the purchaser or holder thereof, or in the event the motor or motor block is not in a condition to be used in a motor vehicle, the disposition made thereof. It shall be unlawful for any dealer or registered owner to fail, neglect, or refuse to comply with the provisions of this section.

**46.12.100 Sale or transfer of vehicle—Assignment of certificate of ownership—Penalty.** In the event of the sale or other transfer to a new registered owner of any vehicle for which a certificate of ownership and a certificate of license registration have been issued, the registered and legal owners shall endorse upon the back of the certificate of ownership an assignment thereof in form printed thereon, and shall record thereon name of purchaser and date of transaction and shall deliver the same to the purchaser or transferee at the time of the delivery to him of the vehicle. Delivery of a certificate of title to a purchaser or his agent without at the same time recording the name of the purchaser and the date of the transaction on the assignment form shall constitute a misdemeanor.

**46.12.110 Duty of purchaser or transferee other than dealer—Penalty.** The purchaser or transferee, unless such person is a dealer, shall within fifteen days thereafter apply to the director or his duly authorized agent for the reissue of such certificate of ownership and transfer of license registration. Such application shall be made on forms prescribed by the director and accompanied by a fee of one dollar. Upon receipt of such application, accompanied

by the endorsed certificate of ownership and such other documentary evidence as is deemed necessary, the director shall, if the application is in order and if all provisions relating to certificates of ownership and license registration have been complied with, issue a new certificate of ownership and new certificate of license registration as in the case of an original issue and shall transmit the fees together with an itemized detailed report to the state treasurer, to be deposited in the motor vehicle fund. If the purchaser or transferee fails or neglects to transfer such certificate of ownership and license registration within fifteen days after date of delivery of the vehicle to him he shall be guilty of a misdemeanor and in addition thereto he shall on making application for transfer be assessed a five dollar penalty on the sixteenth day and one dollar additional for each day thereafter, but not to exceed fifteen dollars: *Provided*, That the penalty shall not apply to a registered dealer who has purchased the vehicle for the purpose of resale.

**46.12.120 Duty when purchaser or transferee is a dealer.** If the purchaser or transferee is a dealer he shall, on selling or otherwise disposing of the vehicle, promptly execute the assignment and warranty of title, in such form as the director shall prescribe, and showing any lienholder holding a security interest created or reserved at the time of resale and the date of his security agreement, to which shall be attached the assigned certificates of ownership and license registration received by the dealer, and mail or deliver them to the department with the transferee's application for the issuance of new certificates of ownership and license registration.

**46.12.130 Assigned certificate of ownership to be filed by director—Transfer by operation of law.** Certificates of ownership when assigned and returned to the director, together with subsequently assigned reissues thereof, shall be retained by the director and appropriately filed and indexed so that at all times it will be possible to trace ownership to the vehicle designated therein.

When the ownership of a vehicle passes by operation of law, the person thus acquiring ownership shall upon furnishing satisfactory proof to the director of his ownership, procure the issuance of a certificate of ownership to the vehicle, regardless of whether a certificate of ownership has ever been issued: *Provided*, That in all cases of application for the reissue of certificates of ownership or certificates of license registration, or either, by reason of transfer of legal ownership or registered ownership by operation of law, the director shall give written notice thereof to both the legal owner and registered owner, by mail, postage prepaid, at his or their last given address, which notice shall require the sur-

render of certificates of ownership or license registration, or both, within ten days from the date of posting the letter. In the event that the certificates, or either of them, have not been surrendered to the director within ten days from and after the date of posting the letter, the certificates or either of them shall become void and the director shall pass upon the application without regard for the outstanding certificates or either of them, unless restrained from so doing.

**46.12.140 Certificates of ownership for dealers' or manufacturers' used vehicles.** In the case of dealers in vehicles, including manufacturers who sell to persons other than dealers, a separate certificate of ownership, either of the dealer's immediate vendor properly assigned or of the dealer himself, shall be required covering each used vehicle kept in his possession.

**46.12.150 Procedure when new owner cannot present prior certificate.** Whenever application is made to the director by a new legal or registered owner of a vehicle and the applicant is unable to present the certificate of ownership or license registration previously issued for the vehicle by reason of its being unlawfully withheld by one in possession or otherwise not available, the director may receive such application and examine into the circumstances of the case and may require the filing of affidavits or other information, and when the director is satisfied that the applicant is entitled thereto he may transfer the vehicle or reregister it and issue new certificates for the vehicle to the person found to be entitled thereto, if the required fee has been previously paid to the director.

**46.12.160 Director may refuse or cancel certificate—Penalty.** If the director determines at any time that an applicant for certificate of ownership or for a certificate of license registration for a vehicle is not entitled thereto, he may refuse to issue such certificate or to license the vehicle and he may, for like reason, after notice, and in the exercise of discretion, cancel license registration already acquired or any outstanding certificate of ownership. The notice shall be served personally or by registered mail. It shall then be unlawful for any person to remove, drive, or operate the vehicle until a proper certificate of ownership or license registration has been issued and any person removing, driving, or operating such vehicle after the refusal of the director to issue certificates or the revocation thereof shall be guilty of a gross misdemeanor.

**46.12.170 Procedure when vehicle is mortgaged.** If, after a certificate of ownership is issued, a mortgage is placed on the vehicle described therein, the registered owner shall, within ten days there-

after, present his application to the director, signed by the mortgagee, to which shall be attached the certificate of license registration and the certificate of ownership last issued covering the vehicle, which application shall be upon a form provided by the director and shall be accompanied by a money order, bank draft, or certified bank check for one dollar. The director, if he is satisfied that there should be a reissue of the certificates, shall note such change upon his records and issue to the registered owner a new certificate of license registration and to the mortgagee a new certificate of ownership.

Upon the payment in full of a contract or mortgage on a vehicle, the legal owner or mortgagee shall assign the certificate of ownership and deliver it to the registered owner, who shall within ten days thereafter present the certificate of ownership and certificate of license registration to the director accompanied by a fee of one dollar, together with an application for reissue thereof, which application shall be handled by the director as in the case of an original application for a certificate of license registration and certificate of ownership. Upon the payment in full of a contract or mortgage on a vehicle the legal owner or mortgagee shall immediately notify the director of such fact on a form to be provided by the director.

**46.12.180 Duplicate for lost or mutilated certificate.** In the event that a certificate of ownership or certificate of license registration is lost, mutilated, or has become illegible, the holder shall immediately file with the director an application for the issuance of a duplicate, the application to be on a form prescribed and furnished by the director, accompanied by a fee of one dollar. Upon receipt of such application and fee, the director shall issue a duplicate of the certificate if its loss or mutilation is established by satisfactory proof.

**46.12.190 Legal owner not liable for acts of registered owner.** The person, firm, copartnership, association or corporation to whom a certificate of ownership shall have been issued shall not thereby incur liability or be responsible for damage, or otherwise, resulting from any act or contract made by the registered owner or by any other person acting for, or by or under the authority of such registered owner.

**46.12.200 State or director not liable for acts in administering chapter.** No suit or action shall ever be commenced or prosecuted against the director of licenses or the state of Washington by reason of any act done or omitted to be done in the administration of the duties and responsibilities imposed upon the director of licenses under this chapter.

**46.12.210 Penalty for false statements or illegal transfers.** Any person who shall knowingly make any false statement of a material fact, either in his application for the certificate of ownership or in any assignment thereof, or who with intent to procure or pass ownership to a vehicle which he knows or has reason to believe has been stolen, shall receive or transfer possession of the same from or to another or who shall have in his possession any vehicle which he knows or has reason to believe has been stolen, and who is not an officer of the law engaged at the time in the performance of his duty as such officer, shall be guilty of a felony and upon conviction shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than ten years, or both such fine and imprisonment. This provision shall not exclude any other offenses or penalties prescribed by any existing or future law for the larceny or unauthorized taking of a motor vehicle.

**46.12.220 Alteration or forgery—Penalty.** Any person who shall alter or forge or cause to be altered or forged any certificate issued by the director of licenses pursuant to the provisions of this chapter, or any assignment thereof, or any release or notice of release of any encumbrance referred to therein, or who shall hold or use any such certificate or assignment, or release or notice of release, knowing the same to have been altered or forged, shall be guilty of a felony.

**46.12.230 Permit to licensed wrecker to junk vehicle—Fee.** Any licensed wrecker in possession of a motor vehicle ten years old or older, and ownership of which or whose owner's residence is unknown, may apply to the director of licenses for a permit to junk or wreck such motor vehicle, or any part thereof. Upon such application, a permit may be issued by the director, upon receipt of a fee of one dollar, in a form to be prescribed by the director to authorize such wrecker to wreck or junk such vehicle, or any part thereof.

## Chapter 46.16

### VEHICLE LICENSES

**46.16.005 Rules and regulations.** The director of licenses may make such rules and regulations as are necessary for the proper operation and enforcement of chapter 46.16.

**46.16.010 License and plates required.** It shall be unlawful for a person to operate any vehicle over and along a public highway of this state without first having obtained and having in full force and effect a current and proper vehicle license and display vehicle license number plates therefor as by this chapter provided: *Pro-*

*vided*, That these provisions shall not apply to farm tractors and farm implements temporarily operating or drawn upon the public highways, and trailers used exclusively to transport farm implements from one farm to another during the daylight hours or at night when such equipment has lights that comply with the law.

*Note:* See also section 32, chapter 21, Laws of 1961 extraordinary session.

**46.16.020 Exemption—State and publicly owned vehicles—Registration.** Any vehicle owned, rented or leased by the state of Washington, or by any county, city, town, school district or other political subdivision of the state of Washington and used exclusively by them, and all vehicles owned by the United States government or by the government of foreign countries and used exclusively in its or their service shall be exempt from the payment of license fees for the licensing thereof as in this chapter provided: *Provided, however*, That such vehicles shall be registered as prescribed for the license registration of vehicles and shall display upon the vehicles the vehicle license number plates assigned by the director of licenses and except in cases of the United States government and foreign government shall pay for such number plates a fee of one dollar: *Provided, further*, That no vehicle license or license number plates shall be issued to any such vehicle under the provisions of this section for the transportation of school children unless and until such vehicle shall have been first personally inspected by the director of licenses or his duly authorized representative.

**46.16.030 Nonresident exemption—Reciprocity.** Except as is herein provided for foreign corporations, the provisions relative to the licensing of vehicles and display of vehicle license number plates and license registration certificates shall not apply to any vehicles owned by nonresidents of this state if the owner thereof has complied with the law requiring the licensing of vehicles in the names of the owners thereof in force in the state, foreign country, territory or federal district of his residence; and the vehicle license number plate showing the initial or abbreviation of the name of such state, foreign country, territory or federal district, is displayed on such vehicle substantially as is provided therefor in this state: *Provided*, That the provisions of this section shall be operative as to a vehicle owned by a nonresident of this state only to the extent that under the laws of the state, foreign country, territory or federal district of his residence, like exemptions and privileges are granted to vehicles duly licensed under the laws of and owned by residents of this state. If under the laws of such state, foreign country, territory or federal district, vehicles owned by residents of this state, operating upon the highways of such state, foreign country, territory or federal district, are required to pay the license fee and carry the vehicle license number plates of such state, foreign country, territory or federal district, the vehicles

owned by residents of such state, foreign country, territory or federal district, and operating upon the highways of this state, shall comply with the provisions of this state relating to the licensing of vehicles. Foreign corporations owning, maintaining, or operating places of business in this state and using vehicles in connection with such places of business, shall comply with the provisions relating to the licensing of vehicles insofar as vehicles used in connection with such places of business are concerned: *Provided, further,* That the director of licenses is empowered to make and enforce rules and regulations for the licensing of nonresident vehicles upon a reciprocal basis and with respect to any character or class of operation.

**46.16.040 Form of application—Contents.** Application for original vehicle license shall be made on form furnished for the purpose by the director of licenses. Such application shall be made by the owner of the vehicle or his duly authorized agent over the signature of such owner or agent, and he shall certify that the statements therein are true to the best of his knowledge. The application must show:

- (1) Name and address of the owner of the vehicle;
- (2) Trade name of the vehicle, model, year, type of body, the motor number or identification number thereof if such vehicle be a motor vehicle, or the serial number thereof if such vehicle be a trailer;
- (3) The power to be used—whether electric, steam, gas or other power;
- (4) The purpose for which said vehicle is to be used and the nature of the license required;
- (5) The maximum gross license for such vehicle which in case of for hire vehicles and auto stages shall be the maximum adult seating capacity thereof, exclusive of the operator, and in cases of motor trucks, trailers and semitrailers shall be the unladen weight of such vehicle to which shall be added the maximum gross load to be carried thereon as set by the applicant, which maximum gross license shall in no event be less than the unladen weight thereof or more than the legal limit for such vehicle as allowed by law;
- (6) The weight of such vehicle, if it be a motor truck or trailer, which shall be the shipping weight thereof as given by the manufacturer thereof unless another weight is shown by weight slip verified by a certified weighmaster, which slip shall be attached to the original application;
- (7) Such other information as shall be required upon such application by the director of licenses.

**46.16.045 Temporary permits—Authorized.** The department in its discretion may grant a temporary permit to operate a vehicle for which application for registration has been made, where such application is accompanied by the proper fee pending action upon said application by the department.

**46.16.047 ———Form and Contents—Duration—Fees.** Forms for such temporary permits shall be prescribed and furnished by the department. Temporary permits shall bear consecutive numbers, shall show the name and address of the applicant, trade name of the vehicle, model, year, type of body, identification number and date of application, and shall be such as may be affixed to the vehicle at the time of issuance, and remain on such vehicle only during the period of such registration and until the receipt of permanent license plates. The application shall be registered in the office of the person issuing the permit and shall be forwarded by him to the department each day together with the fee accompanying it.

A fee of fifty cents shall be charged by the person authorized to issue such permit which shall be accounted for in the same manner as the other fees collected by such officers, provided that such fees collected by county auditors or their agents 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.

**46.16.060 License fee, general—House moving dollies.** Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each calendar year or fractional part thereof and upon each vehicle a license fee in the sum of six dollars and fifty cents: *Provided, however,* That the fee for licensing each house moving dolly which is used exclusively for moving buildings or homes on the highway under special permit as provided for in chapter 46.44, shall be twenty-five dollars.

*Note:* See also section 9, chapter 7, Laws of 1961 extraordinary session.

**46.16.065 Small trailer license fee—Conditions.** In lieu of the fee provided in RCW 46.16.060, private passenger car one or two-wheel trailers of two thousand pounds gross weight or less, may be licensed for the sum of three dollars, but only if such trailers are to be operated upon the public highway by the owners thereof. It is the intention of the legislature that this reduced license shall be issued only as to trailers operated for personal use of the owners and not trailers held for rental to the public.

*Note:* See also section 10, chapter 7, Laws of 1961 extraordinary session.

**46.16.067 House trailer license fee.** In lieu of the fee provided in RCW 46.16.060 house trailers shall be licensed for the sum of three dollars.

*Note:* See also section 24, chapter 7, Laws of 1961 extraordinary session.



**46.16.070 Gross weight fees on trucks.** In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44-.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

Up to 4,000 lbs.....	\$4.50
4,000 lbs. or more and less than 6,000 lbs.....	\$9.50
6,000 lbs. or more and less than 8,000 lbs.....	\$15.50
8,000 lbs. or more and less than 10,000 lbs.....	\$18.50
10,000 lbs. or more and less than 12,000 lbs.....	\$21.50
12,000 lbs. or more and less than 14,000 lbs.....	\$25.00
14,000 lbs. or more and less than 16,000 lbs.....	\$30.00
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00
20,000 lbs. or more and less than 22,000 lbs.....	\$100.00
22,000 lbs. or more and less than 24,000 lbs.....	\$125.00
24,000 lbs. or more and less than 26,000 lbs.....	\$160.00
26,000 lbs. or more and less than 28,000 lbs.....	\$190.00
28,000 lbs. or more and less than 30,000 lbs.....	\$230.00
30,000 lbs. or more and less than 32,000 lbs.....	\$285.00
32,000 lbs. or more and less than 34,000 lbs.....	\$325.00
34,000 lbs. or more and less than 36,000 lbs.....	\$370.00

Note: See also section 11, chapter 7, Laws of 1961 extraordinary session.

**46.16.072 Gross weight fees on trailers.** In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each trailer, semitrailer and pole trailer based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trailers, semitrailers and pole trailers having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

4,000 lbs. or more and less than 6,000 lbs.....	\$9.50
6,000 lbs. or more and less than 8,000 lbs.....	\$15.50
8,000 lbs. or more and less than 10,000 lbs.....	\$18.50
10,000 lbs. or more and less than 12,000 lbs.....	\$21.50
12,000 lbs. or more and less than 14,000 lbs.....	\$25.00

14,000 lbs. or more and less than 16,000 lbs.....	\$30.00
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00
20,000 lbs. or more and less than 22,000 lbs.....	\$100.00
22,000 lbs. or more and less than 24,000 lbs.....	\$125.00
24,000 lbs. or more and less than 26,000 lbs.....	\$160.00
26,000 lbs. or more and less than 28,000 lbs.....	\$190.00
28,000 lbs. or more and less than 30,000 lbs.....	\$230.00
30,000 lbs. or more and less than 32,000 lbs.....	\$285.00
32,000 lbs. or more and less than 34,000 lbs.....	\$325.00
34,000 lbs. or more and less than 36,000 lbs.....	\$370.00

Note: See also section 12, chapter 7, Laws of 1961 extraordinary session; also section 33, chapter 21, Laws of 1961 extraordinary session.

**46.16.074 Increased fees on trucks propelled other than by gasoline.** As to any such motor truck or truck tractor propelled by steam, electricity, natural gas, diesel oil, butane, or propane the schedule of fees set forth in RCW 46.16.070 shall be increased in every instance by twenty-five percent thereof and paid in addition to any excise tax upon such substance other than motor vehicle fuel.

Note: See also section 24, chapter 7, Laws of 1961 extraordinary session.

**46.16.080 Fixed load machines—Fee in lieu—Exception.** In lieu of the additional fee provided in RCW 46.16.070 or 46.16.072 there shall be collected a fee of five dollars on any motor truck, truck tractor, trailer or semitrailer used only for the purpose of transporting any well drilling machine, air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house, bunk house, or similar machine or structure attached to or made a part of such motor truck, trailer, or semitrailer: *Provided*, That no additional fee shall be collected under this section or under RCW 46.16.070 or 46.16.072 on any house trailer.

**46.16.082 Increased fees for converter gears.** In addition to fees for licensing of vehicles, provided in RCW 46.16.070 and RCW 46.16.072, there shall be paid and collected annually for each converter gear used to convert semitrailers into trailers, and two-axle tractors into three-axle tractors, when licensed separately and not in combination with a semitrailer, or tractor, as provided in RCW 46.16.083, a fee based on the maximum gross weight thereof as follows:

	Base Fee	Reserve Fee	Total Fee
10,000 pounds or more and less than 12,000 .....	\$180.00	\$20.00	\$200.00
12,000 pounds or more and less than 14,000 .....	\$235.00	\$ 5.00	\$240.00
14,000 pounds or more and less than 16,000 .....	\$275.00	\$ 5.00	\$280.00
16,000 pounds or more and less than 18,000 .....	\$320.00	\$ 5.00	\$325.00

**46.16.083 Converter gear—Optional methods of licensing.** A converter gear used to convert a semitrailer into a trailer or a two-axle tractor into a three-axle tractor may, at the option of the owner, be licensed as a separate vehicle or the converter gear and a semitrailer or two-axle tractor may be licensed as a combination, in which event the combination of the two will be considered as a single vehicle for the purposes of this chapter.

**46.16.090 Gross weight fees on farm trucks—Penalty.** Motor trucks or trailers of less than twenty-six thousand pounds may be specially licensed based on the maximum gross weight thereof for fifty percent of the various amounts set forth in the schedule provided in RCW 46.16.070, when such trucks or trailers are owned and operated by farmers, but only if the following condition or conditions exist:

(1) When such trucks or trailers are to be used for the transportation of such farmer's own farm, orchard or dairy products from point of production to market or warehouse, and of supplies to be used on his farm; and/or

(2) When such trucks or trailers are to be used for the infrequent or seasonal transportation by one such farmer for another farmer in his neighborhood of products of the farm, orchard or dairy owned by such other farmer from point of production to market or warehouse, or supplies to be used on such other farm, but only if such transportation for another farmer is for compensation other than money: *Provided, however,* That farmers shall be permitted an allowance of an additional eight thousand pounds, within the legal limits, on motor trucks or trailers, when used in the transportation of such farmer's own farm machinery between his own farm or farms and for a distance of not more than thirty-five miles from his farm or farms.

The department shall prepare a special form of application to be used by farmers applying for licenses under this section, which form shall contain a statement to be signed by the farmer to the effect that the vehicle or trailer concerned will be used subject to the limitations of this section. The department shall prepare special insignia which shall be placed upon all such vehicles or trailers to indicate that the vehicle or trailer is specially licensed, or may, in its discretion, substitute a special license plate for such vehicles or trailers for such designation.

Any person who operates such a specially licensed vehicle or trailer in transportation upon public highways in violation of the limitations of this section shall be guilty of a misdemeanor.

**46.16.100 Special permits for single movement—Fee.** When any vehicle subject to license is to be moved upon the public highways

of this state from one point to another, the director may issue a special permit therefor upon an application presented to him in such form as shall be approved by the director and upon payment therefor of a fee of five dollars. Such permit shall be for the transit of the vehicle only, and the vehicle shall not at the time of such transit be used for the transportation of any persons or property whatsoever for compensation or otherwise, and shall be for one transit only between the points of origin and destination as set forth in the application: *Provided*, That (1) when such vehicle is to be moved from one point in this state to another and when the owner of such vehicle desires to carry a load of passengers or commodities, or both, he may obtain a one-transit permit upon the payment to the director of a fee of ten dollars, and (2) for each vehicle used exclusively in the transportation of circus, carnival, and show equipment and in the transportation of supplies used in conjunction therewith, there shall be charged in addition to other fees provided for the licensing of vehicles, an annual capacity fee in the amount of ten dollars: *Provided further*, That no special permit or one-transit permit shall be issued for movement of a house trailer as defined in chapter 82.50 unless the applicant therefor has a stamp issued thereunder.

**46.16.110 Gross weight, how computed.** The maximum gross weight in case of any motor truck, truck tractor, trailer or semi-trailer shall be the scale weight of such motor truck, truck tractor, trailer or semitrailer unladen, to which shall be added the maximum load to be carried thereon, as set by the licensee in his application or otherwise.

**46.16.120 Seating capacity fees on stages, for hire vehicles.** In addition to other fees for the licensing of vehicles, there shall be paid and collected annually, for each auto stage and for hire vehicle, except taxicabs, with seating capacity of six or less the sum of fifteen dollars. For auto stages and for hire vehicles whose seating capacity is over six the following fees, in addition to any regular fees for licensing of vehicles, shall be collected upon the scale weight of each such auto stage and for hire vehicle, plus an average load factor of fifty percent of seating capacity figured at one hundred fifty pounds per seat:

Up to 6,000 lbs.....	\$9.50
6,000 lbs. or more and less than 8,000 lbs.....	\$15.50
8,000 lbs. or more and less than 10,000 lbs.....	\$18.50
10,000 lbs. or more and less than 12,000 lbs.....	\$21.50
12,000 lbs. or more and less than 14,000 lbs.....	\$25.00
14,000 lbs. or more and less than 16,000 lbs.....	\$30.00
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00

20,000 lbs. or more and less than 22,000 lbs.....	\$100.00
22,000 lbs. or more and less than 24,000 lbs.....	\$125.00
24,000 lbs. or more and less than 26,000 lbs.....	\$160.00
26,000 lbs. or more and less than 28,000 lbs.....	\$190.00
28,000 lbs. or more and less than 30,000 lbs.....	\$230.00
30,000 lbs. or more and less than 32,000 lbs.....	\$285.00
32,000 lbs. or more and less than 34,000 lbs.....	\$325.00
34,000 lbs. or more and less than 36,000 lbs.....	\$370.00

Note: See also section 14, chapter 7, Laws of 1961 extraordinary session.

**46.16.125 Mileage fees on stages—Penalty.** In addition to the fees required by RCW 46.16.120, operators of auto stages with seating capacity over six shall pay quarterly, at the time they file gross earning returns with the public service commission, the sum of fifteen cents for each one hundred vehicle miles operated by each auto stage over the public highways of this state: *Provided*, That in the case of each auto stage propelled by steam, electricity, natural gas, diesel oil, butane or propane, the payment required hereunder shall be twenty cents per one hundred miles of such operation. The commission shall transmit all such sums so collected to the state treasurer, who shall deposit the same in the motor vehicle fund. Any person failing to make any payment required by this section shall be subject to a penalty of one hundred percent of the payment due hereunder, in addition to any penalty provided for failure to submit a quarterly report. Any penalties so collected shall be credited to the public service revolving fund.

**46.16.130 Reduction of fees for fractional year.** Whenever an application is made for a license on a motor truck, trailer, tractor, semi-trailer, for hire vehicle, bus or auto stage subsequent to March thirty-first of any calendar year, the license fees based on gross weight or seating capacity of such vehicles shall be computed as follows:

Upon motor vehicles above described licensed in this state after March thirty-first of any year, but before July first, the license fees imposed by this section for such year shall be reduced by one-fourth thereof; upon vehicles licensed in this state after June thirtieth of any year, but before October first, the license fees shall be reduced by one-half thereof; and upon vehicles licensed in this state after September thirtieth of any year the license fees shall be reduced by three-fourths thereof: *Provided*, That such reductions shall not apply to special permits.

**46.16.135 Quarterly license—Penalty.** When the gross weight license fee applied for on any vehicle exceeds twenty thousand pounds, licenses for motor trucks, trailers, tractors, pole trailers, or semitrailers may be purchased for a three-months period for one-fourth the regular fee at the beginning of any calendar month. For

each fee so paid other than at the time of payment of the basic license fee, an additional fee of one dollar shall be charged by the director. The director is authorized to establish rules and regulations relative to the issuance and display of certificates or insignia, which shall state the months by name for which the vehicle is licensed.

No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner or operator thereof within ten days after the expiration of any such three-month period apply for, and pay the required fee for, a license for an additional three-month period, or for the remainder of the year. Any person who operates any such vehicle upon the public highways after the expiration of said ten days, shall be guilty of a misdemeanor, and in addition shall be required to purchase a gross weight license for the vehicle involved at the fee covering an entire year's license for operation thereof, less the fees for any period or periods of the year already paid. If, within five days thereafter, no license for a full year has been purchased as required aforesaid, the Washington state patrol, county sheriff or city police shall impound such vehicle in such manner as may be directed for such cases by the chief of the Washington state patrol, until such requirement is met.

**46.16.137 Monthly license for transportation of logs—Penalty.** During the months of October, November, December, January, February and March the gross weight license fee of a three-axle truck, a three-axle truck tractor and a two-axle pole trailer used in combination, and a three-axle truck and two-axle trailer used in combination, when such vehicles or combinations of vehicles are licensed to the maximum gross weight provided by law and are used exclusively in the transportation of logs may be purchased for a monthly period. The fee for such a monthly license shall be one-twelfth the annual maximum gross weight fee provided for in RCW 46.16.070 or 46.16.074 in the case of trucks, and one-twelfth of the annual maximum gross weight fee provided for in RCW 46.16.072 in the case of pole trailers. For each fee so paid, other than at the time of the payment of the basic license fee, an additional fee of one dollar and fifty cents shall be charged by the director. The monthly license shall be effective from the first day of the month in which it is purchased, through the last day of that calendar month. The director or his authorized agent shall issue license tabs stating the month for which the vehicle is licensed, which tabs shall be attached by the owner or operator to the license plates of the vehicle and shall be displayed thereon throughout the month for which they are issued. The director is authorized to establish rules and regulations relative to the issuance and display of such tabs. No vehicle licensed under the provisions of this section shall be op-

erated over the public highways unless the owner or operator thereof within five days after the expiration of any such monthly period applies for, and pays the required fee for, a license for an additional monthly period, a three-month period, or for the remainder of the year. Any person who operates any such vehicle upon the public highways after the expiration of said five days, shall be guilty of a misdemeanor, and in addition shall be required to purchase a gross weight license for the vehicle involved at the fee covering an entire year's license for operation thereof, less the fees for any period or periods of the year already paid. If, within five days thereafter, no license for a full year has been purchased as required aforesaid, the Washington state patrol, county sheriff, or city police shall impound such vehicle in such manner as may be directed for such cases by the chief of the Washington state patrol, until such requirement is met.

**46.16.138 ———Penalty for operating vehicle for other purpose.** Any person who operates a vehicle, licensed under the provisions of RCW 46.16.137 for the transportation of logs exclusively, for the transportation of any cargo other than logs, shall be guilty of a misdemeanor, and in addition shall be ineligible for a period of two years from date of conviction for the purchase of a license under the provisions of RCW 46.16.137.

**46.16.140 Overloading licensed capacity—Additional license—Penalties.** Any person who operates, or causes, permits, or suffers to be operated upon a public highway of this state any auto stage, motor truck, trailer, pole trailer, or semitrailer, with passengers, or with a maximum gross weight, in excess of that for which the vehicle is licensed shall be guilty of a misdemeanor.

Any person who operates or causes to be operated upon a public highway of this state any motor truck, trailer, pole trailer, or semitrailer with a maximum gross weight in excess of the maximum gross weight for which the vehicle is licensed shall be deemed to have set a new maximum gross weight and shall, in addition to any penalties otherwise provided, be required to purchase a new license covering the new maximum gross weight and any such person who fails to secure such new license shall be guilty of a misdemeanor: *Provided*, That this section shall not apply to for hire vehicles or auto stages operating principally within cities and towns: *Provided further*, That upon surrender of the license originally purchased the director shall allow proper credit for the gross weight fee originally paid: *Provided further*, That no such person may be permitted or required to purchase the new license upon a gross weight which would exceed the maximum gross weight allowed by law.

**46.16.145 ————Penalties.** Any person violating any of the provisions of RCW 46.16.140 shall, upon a first conviction, pay a fine of not less than ten dollars nor more than twenty-five dollars; upon a second conviction pay a fine of not less than twenty-five dollars nor more than fifty dollars, and in addition the court may suspend the certificate of license registration of his vehicle for not more than thirty days; upon a third and subsequent conviction pay a fine of not less than fifty dollars nor more than one hundred dollars, and in addition the court shall suspend the certificate of license registration of the vehicle for not less than thirty days nor more than ninety days.

Upon ordering the suspension of any certificate of license registration, the court or judge shall forthwith secure such certificate and mail it to the director.

**46.16.150 School buses exempt from load and seat capacity fees.** No provision of the law of this state shall be construed to require for hire vehicle license or adult seating capacity fees, either directly or indirectly for the transportation of school children or teachers, or both, to and from school and other school activities, or either, whether the same be done in motor vehicles owned, leased, rented or used by the school authority or upon contract to furnish such transportation: *Provided*, That this section shall apply to vehicles used exclusively for the purpose set forth and in the event that any vehicle so used is also used for any other purpose, such vehicle shall be appropriately licensed for such other purpose, as required by this chapter.

**46.16.160 Fees on out-of-state commercial vehicles—Reciprocity.** Any commercial vehicle bearing valid license plates and registration certificate of another state or territory and not registered in this state and which under reciprocal relations with that state would be required to obtain a motor vehicle license in this state may, in lieu of a certificate of ownership and license registration, be issued a permit. Such permit shall be issued in such form and under such conditions as the director shall prescribe. Application for the permit shall be made to the director or his designated agent on forms provided by the director. On receiving such application, together with fees as provided herein, a permit may be issued for a period of not to exceed seventy-two consecutive hours.

The permit shall be valid for the conduct of interstate operations only: *Provided, however*, That the director, or his designated agent, shall be authorized to issue a further permit on the same vehicle or combination of vehicles upon the expiration of an existing permit.

For each permit issued the director or his designated agent shall assess an administrative charge of two dollars plus the following fees:



Vehicles with gross loads of		
0 .....	9,999 lbs.....	\$2.50
10,000.....	19,999 lbs.....	\$3.75
20,000.....	29,999 lbs.....	\$5.00
30,000.....	36,000 lbs.....	\$7.50

*Provided further*, That these fees shall not be subject to quarterly reduction as provided in RCW 46.16.130. Such vehicles will be subject to all of the laws, rules and regulations affecting the operation of like motor vehicles in this state. The permit shall be displayed at all times in a prominent place on the vehicle, or if vehicle is a trailer, then the permit shall be at all times in vehicle operator's possession. All fees collected under the provisions of this chapter shall be forwarded by the director with a proper identifying detailed report to the state treasurer who shall deposit such fees to the credit of the motor vehicle fund: *Provided*, The imposition of the capacity fees set forth in this section shall be considered reciprocal and shall apply only to vehicles licensed in other states, which states charge their full fees or approximately full fees, or charge upon a basis similar to the one set up in this section, for vehicles licensed in this state and operating in such other states, and in the event reciprocity is accorded by other states, the capacity fee charged for vehicles licensed in such other state or states, shall be on the same basis as charged by such other respective state.

Note: See also section 1, chapter 306, Laws of 1961.

**46.16.170 Gross weight to be marked on vehicle.** Every motor truck, trailer and semitrailer shall have painted or stenciled upon the outside thereof, in a conspicuous place, in letters not less than two inches high, the maximum gross weight for which the same is licensed, as provided in this chapter, and it shall be unlawful for the owner and operator of any such vehicle to display a maximum gross weight for which such vehicle is licensed other than that shown on the certificate of license registration of such vehicle.

**46.16.180 Unlawful to carry passengers for hire without license.** It shall be unlawful for the owner or operator of any vehicle not licensed annually for hire or as an auto stage and for which additional seating capacity fee as required by this chapter has not been paid, to carry passengers therein for hire.

**46.16.200 Applications to agents—Transmittal to director.** Upon receipt by agents of the director, including county auditors, of original applications for vehicle license accompanied by the proper fees, such agents shall, if the applications are in proper form and accompanied by such information as may be required by the director, immediately forward them, together with the fees to the director.

**46.16.210 Original applications—Renewals—Fees.** (1) Upon receipt of the application and proper fee for original vehicle license, the director shall make a recheck of the application and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

(2) Application for the renewal of a vehicle license shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington unless the applicant submits a preprinted application mailed from Olympia, and the payment of such license fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vehicle concerned.

**46.16.220 Time of issuance of licenses—Duration.** Vehicle licenses and vehicle license number plates may be issued for the current registration licensing period on and after the first day thereof and must be used and displayed from the date of issue or from the thirtieth day after the expiration of the preceding licensing period whichever date is later.

**46.16.230 License plates to be furnished.** The director shall furnish to all persons making satisfactory application for vehicle license as provided by law, two identical vehicle license number plates each containing the vehicle license number to be displayed on such vehicle as by law required: *Provided*, That if the vehicle to be licensed is a trailer, semitrailer or motorcycle only one vehicle license number plate shall be issued for each thereof. The number and plate shall be of such size and color and shall contain such symbols indicative of the registration period for which the same is issued and of the state of Washington, as shall be determined and prescribed by the director. Any vehicle license number plate or plates issued to a dealer shall contain thereon a sufficient and satisfactory indication that such plates have been issued to a dealer in vehicles. All vehicle license number plates shall be obtained by the director from the metal working plant of the state penitentiary at Walla Walla, if available therefrom.

Notwithstanding the foregoing provisions of this section, the director may, in his discretion and under such rules and regulations as he may prescribe, adopt a type of vehicle license number plates

whereby the same shall be used as long as legible on the vehicle for which issued, with provision for tabs or emblems to be attached thereto or elsewhere on the vehicle to signify renewals, in which event the term "vehicle license number plate" as used in any enactment shall be deemed to include in addition to such plate the tab or emblem signifying renewal except when such plate contains the designation of the current year without reference to any tab or emblem. Renewals shall be effected by the issuance and display of such tab or emblem.

**46.16.240 Attachment of plates to vehicles—Violations enumerated.** The vehicle license number plates shall be attached conspicuously at the front and rear of each vehicle for which the same are issued and in such a manner that they can be plainly seen and read at all times. Each vehicle license number plate shall be placed or hung in a horizontal position at a distance of not less than one foot nor more than four feet from the ground and shall be kept clean so as to be plainly seen and read at all times: *Provided, however,* That in cases where the body construction of the vehicle is such that compliance with this section is impossible, permission to deviate therefrom may be granted by the state commission on equipment. It shall be unlawful to display upon the front or rear of any vehicle, vehicle license number plate or plates other than those furnished by the director of licenses for such vehicle or to display upon any vehicle any vehicle license number plate or plates which have been in any manner changed, altered, disfigured or have become illegible. It shall be unlawful for any person to operate any vehicle unless there shall be displayed upon such vehicle two valid vehicle license number plates attached as herein provided.

**46.16.260 License registration certificate — Endorsement — Attachment to vehicle.** A certificate of license registration to be valid must have endorsed thereon the signature of the registered owner (if a firm or corporation, the signature of one of its officers or other duly authorized agent), and must be enclosed in a suitable container and attached to the vehicle for which it is issued, at all times in the manner prescribed by the director. When the nature of the vehicle will not permit display in the place prescribed by the director, then such container with certificate therein shall be securely affixed at some conspicuous position upon the vehicle where it can be easily found, read, and inspected at all times by a person on the outside of the vehicle. The container shall have a cover of transparent material through which the certificate may be inspected as to the information shown thereon, including the signature of the registered owner, and it shall be unlawful for any person to operate or have in his possession a vehicle without carrying thereon such certificate of license registration as herein provided. Any person in

charge of such vehicle shall, upon demand of any of the local authorities or of any peace officer or of any representative of the department, permit an inspection of such certificate of license registration.

**46.16.270 Loss or defacement of plates—Duplicates.** Upon the loss, defacement, or destruction of both of the vehicle license number plates issued for any vehicle or where they have become so illegible or in such a condition as to be difficult to distinguish, the owner of the vehicle shall make application for new vehicle license number plates upon a form furnished by the director, upon which form it shall be required that the owner, in addition to other requirements, make a complete statement as to the cause of the loss, defacement, or destruction of the original plates, which statement shall be subscribed and sworn to before a notary public or other person authorized to certify to statements upon vehicle license applications. Such application shall be filed with the director or his authorized agent, accompanied by the certificate of license registration of the vehicle and a fee in the amount of four dollars, whereupon the director, or his authorized agent, shall issue new vehicle license number plates to the applicant. Upon the loss, defacement, or destruction of one of the vehicle license number plates issued for any vehicle, application shall be made on a form provided by the director and in the manner above prescribed, except that it shall be accompanied by a fee of two dollars for a vehicle plate and one dollar for a motorcycle plate. Upon the receipt of such application and fee by the director, he shall issue to the applicant a duplicate plate or plates of those lost, defaced, or destroyed. In the event the director has issued license period tabs or a windshield emblem instead of vehicle license number plates, and upon the loss, defacement or destruction of said tabs or windshield emblem, application shall be made on a form provided by the director and in the same manner as above described, and shall be accompanied by a fee of one dollar for each pair of tabs or for each windshield emblem, whereupon the director shall issue to the applicant a duplicate pair of tabs or a windshield emblem to replace those lost, defaced or destroyed.

**46.16.280 Sale, loss, or destruction of commercial vehicle—Procedure on change in license classification.** In case of loss or destruction, sale or transfer of any for hire vehicle, auto stage, motor truck, trailer, or semitrailer, the registered owner thereof may retain the right to the load license or seat license to apply in licensing such vehicle as may be procured in replacement thereof and in any case of sale or transfer where load or seat license has not been assigned on the certificate of license registration it will be presumed that the same was intended to be retained by the previous registered owner thereof. Whenever during the calendar year any vehicle has been

so altered as to change its license classification, in such a manner that the vehicle license number plates are rendered improper therefor, the current vehicle license number plates shall be surrendered to the director of licenses and new and proper vehicle license number plates issued on application therefor accompanied by a fee therefor in the amount of one dollar in addition to any other or different charge by reason of licensing under a new classification. Such application shall be on forms prescribed by the director of licenses and forwarded with proper fee to his office or the office of his duly authorized agent.

**46.16.290 License certificate and plates follow vehicle on transfer—Exception.** In any case of valid sale or transfer of the ownership of any vehicle, the right to the certificates properly transferable therewith and to the vehicle license number plates shall pass to the purchaser or transferee and it shall be unlawful for the holder of such certificates or vehicle license number plates to fail, neglect or refuse to endorse such certificates and deliver such vehicle license number plates to such purchaser or transferee: *Provided*, That if such sale or transfer be of a vehicle licensed by the state or any county, city, town, school district or other political subdivision entitled to exemption as provided by law, the vehicle license number plates therefor shall be retained and may be displayed upon such vehicle as may be procured in replacement of the vehicle so sold or transferred.

**46.16.310 Antique vehicles—"Horseless carriage" licenses.** Notwithstanding any other provisions of this chapter, any motor vehicle, more than thirty years old, and owned and operated primarily as a collector's item shall, upon application and acceptance in the manner and at the time prescribed by the department, be issued a special commemorative license plate in lieu of the regular license plates. Any vehicles to be so licensed must be in good running order. In addition to paying all other initial fees required by law, each applicant shall pay a fee of twenty-five dollars, which fee shall entitle him to one permanent license plate valid for the life of the vehicle.

The registration numbers and special license plates assigned to such motor vehicles shall run in a separate numerical series, commencing with "Horseless Carriage No. 1." The plates shall be of a distinguishing color.

In the event of defacement, loss or destruction of such special plate, the owner shall apply for a replacement plate in the same manner as prescribed by law for the replacement of regular plates.

All fees collected under this section shall be deposited in the state treasury and credited to the motor vehicle fund.

**46.16.320 License plates for amateur radio operators—Fees—Renewal.** Every person having a valid official amateur radio operator's license issued for a term of five years by the federal communications commission, is entitled to apply to the state director of licenses for, and upon satisfactory showing, to receive, in lieu of the regular motor vehicle license plates similar plates bearing the official amateur radio call letters of the applicant assigned by the federal communications commission instead of numbers. In addition to the annual license fee collected under chapter 46.16 and chapter 82.44, there shall be collected from each applicant for such special license plates an additional license fee of five dollars upon the issue of a state plate but shall not apply on those years that a yearly tab is issued. Application for renewal of the amateur radio operator's call license plate must be made by January 10th of each renewal year and all such applications shall be accompanied by a notarized statement of facts included on the amateur's valid FCC license.

**46.16.330 ———Disposition of plates upon transfer of interest in vehicle.** Whenever the owner of a registered vehicle transfers or assigns his title or interest thereto, the license plates issued under RCW 46.16.320 through 46.16.360 shall be removed from the motor vehicle and, if another vehicle is acquired, attached thereto and the director of licenses shall be immediately notified of such transfer of plates; otherwise the removed plates shall be immediately forwarded to the director of licenses to be reissued later upon payment of the regular license fee.

**46.16.340 ———Civil defense, state patrol, county sheriffs to be furnished information.** The director of licenses, from time to time, shall furnish the state department of civil defense, the Washington state patrol and all county sheriffs a list of the names, addresses and license plate or radio station call letters of each person possessing the special amateur radio station license plates so that the facilities of such radio stations may be utilized to the fullest extent in the work of these governmental agencies.

**46.16.350 ———Duties of holder when radio license expires or is revoked—Penalty.** Any radio amateur operator who holds a special call letter license plate as issued under the provisions of RCW 46.16.320 through 46.16.360, and who has allowed his federal communications commission license to expire, or has had it revoked, must notify the director of licenses in writing within thirty days and surrender his call letter license plate. Failure to do so will constitute a gross misdemeanor.

**46.16.400 Staggered registration. Vehicles subject to—Registration periods established.** On or after January 1, 1962, all vehicles as

defined in RCW 46.04.670, except motor trucks, truck tractors, trailers, semitrailers, motor buses and bus trailers, taxicabs, motor bicycles, motorcycles, electric vehicles, armored cars, wreckers, tow cars, dealer vehicles, and vehicles owned by the state or political subdivisions thereof, the United States and branches thereof, and consuls of foreign countries, shall be registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last day of the twelfth month from date of beginning. The period beginning January 1st shall be designated the first period, and the subsequent periods shall be numbered consecutively thereafter.

Note: See also section 1, chapter 163, Laws of 1961.

**46.16.410 ——— Vehicles operated for first time on and after January 1, 1962.** All motor vehicles, other than those exempted by RCW 46.16.400, which are operated for the first time on or after January 1, 1962 upon the public highways of this state, shall be subject to registration and payment of fee for the twelve-month period commencing with the first day of the month of operation.

Note: See also section 2, chapter 163, Laws of 1961.

**46.16.420 ——— Fractional Registration Periods—Fees— Rules.** In order to allow an orderly change over from the system of calendar year registration to the staggered registration system, the director of licenses may register such motor vehicles as are defined in RCW 46.16.400 for less than a twelve-month period. This may be done at any time or times during the ten-year period beginning January 1, 1962 when the director of licenses determines that such fractional registration tends to fulfill the purpose of the staggered registration system. For such fractional registration periods the registration fee shall be computed and imposed on the basis of the ratio that such fractional registration periods bear to a full twelve months registration period. The director of licenses shall prescribe reasonable rules to govern such fractional registration. The allocation of motor vehicles to said new monthly intervals by this fractional registration shall be such as will result, in the judgment of the director, in a uniform distribution of the clerical work of registration throughout the year.

Note: See also section 3, chapter 163, Laws of 1961.

**46.16.430 ——— Vehicles not previously registered and operated first after January 1, 1962.** Motor vehicles, other than those exempted by RCW 46.16.400, not previously registered in this state and operated upon the public highways of this state for the first time on or after January 1, 1962, shall be registered for a full twelve-months period commencing the first day of the month of operation.

Note: See also section 4, chapter 163, Laws of 1961.

**46.16.440 ——— Director may execute regulations.** On and after January 1, 1962 the director is empowered and authorized to make and execute all administrative regulations necessary to accomplish an enforcement of the provisions of RCW 46.16.220, 46.16.230, 46.16.400 through 46.16.440 and 82.44.020.

Note: See also section 5, chapter 163, Laws of 1961.

## Chapter 46.20

### OPERATORS' LICENSES

**46.20.010 Authority of director.** The director of licenses shall have the general supervision and control of the issuing of vehicle operators' licenses and shall have the full power to do all things necessary and proper to carry out the provisions of this chapter relating to the licensing of vehicle operators; he shall have the power to appoint and employ deputies, assistants and representatives, and such clerks as shall be required from time to time, and to provide for their operation in different parts of the state and shall have the power to appoint the county auditors or county sheriffs of the several counties or the officers of the Washington state patrol as his agents for the taking of applications for vehicle operators' licenses and to supervise, control and direct their conduct as such agents. Any county auditor or county sheriff so appointed shall act as directed by the director of licenses in the receiving of applications and fees for vehicle operators' licenses or otherwise.

**46.20.020 Operator's license required—Exceptions.** It shall be unlawful for any person to operate a motor vehicle upon any of the public highways of this state unless such person shall have in his possession a current and valid vehicle operator's license issued on his own application as provided in this chapter: *Provided*, That no person shall be required to obtain an operator's license for the purpose of driving or operating road machinery, or any farm tractor or implement of husbandry temporarily drawn, moved or propelled on a public highway: *Provided further*, That no person in the service of the army, navy, or marine corps or coast guard of the United States or in the service of the national guard of this state or any other state when furnished with their operator's permit and when operating an official motor vehicle in such service shall be required to obtain a vehicle operator's license.

Note: See also section 1, chapter 134, Laws of 1961.

**46.20.030 Persons ineligible, generally — Procedure as to disabled—Restricted licenses.** (1) The director of licenses shall not issue a vehicle operator's license to any person under the age of sixteen years: *Provided*, That any person over the age of fifteen years, who is enrolled in a course of driver's training accredited by the state department of public instruction, may drive a motor



vehicle upon the public highways of this state while accompanied by a qualified instructor of such course who occupies the seat beside the driver. Such operation of a motor vehicle as described in this subsection need not be supported by a temporary instruction permit otherwise required;

(2) The director of licenses shall not issue a vehicle operator's license to any person whose vehicle operator's license has been suspended, during the period for which such license was suspended, nor shall the director issue a vehicle operator's license to any person whose vehicle operator's license has been revoked until the expiration of one year from the revocation of such license, nor shall the director issue a vehicle operator's license to any person whose vehicle operator's license has been canceled until he shall determine that it is proper to do so and the applicant is otherwise entitled thereto;

(3) The director of licenses shall not issue a vehicle operator's license to any person whom he has determined is an habitual drunkard or is addicted to the use of narcotic drugs;

(4) The director of licenses shall not issue a vehicle operator's license to any person who has previously been adjudged insane or an idiot, epileptic, imbecile or feeble-minded, and who has not at the time of application been restored to competency by judicial decree or released from a hospital for the insane or feeble-minded upon a certificate of the superintendent that such person is competent; nor shall the director then issue a vehicle operator's license to such person unless he is satisfied that such person is competent to operate a motor vehicle with safety to persons and property;

(5) The director of licenses shall not issue a vehicle operator's license to any person when in the opinion of the director such person is afflicted with or suffering from such physical or mental disability or disease as will serve to prevent such person from exercising a reasonable and ordinary control of a motor vehicle while operating the same upon the public highways, nor shall a license be issued to any person who is unable to understand highway warning or direction signs in the English language: *Provided, however,* That the director of licenses may permit any such person to demonstrate personally that notwithstanding such disability or disease he is a proper person to operate a motor vehicle and may further require a certificate of such person's condition signed by a proper authority designated by the director and the director in his discretion may cause to be issued to such person a restricted vehicle operator's license containing such restriction as he may deem advisable under all the circumstances and such restriction shall be endorsed on such restricted vehicle operator's license. A person holding such a restricted vehicle operator's license shall not operate a motor vehicle

except as, when and where permitted under such restriction and the director of licenses may at any time with or without further cause cancel or revoke such restricted license: *Provided further*, That this subsection shall not be construed to prevent the director from refusing a vehicle operator's license, either restricted or unrestricted, to any person whom he shall determine incapable of operating a motor vehicle with safety to himself and to persons and property.

**46.20.050 Procedure as to visually defective persons.** The director of licenses shall not issue a vehicle operator's license to any person whose vision is not twenty-fifty or better, with either eye or both eyes according to test for vision as in this chapter provided: *Provided*, That any person whose naked vision is less than twenty-fifty with either or both eyes but whose vision has been corrected to twenty-fifty or better by the use of glasses may be issued a conditional vehicle operator's license, conditioned that such person may operate a motor vehicle only when wearing glasses which will correct his vision to meet the requirements of this section, which condition shall be noted on the vehicle operator's license of such person and it shall be unlawful for such person to operate a motor vehicle upon any public highway of this state unless such person is at the time complying with such condition: *Provided further*, That whenever a person whose naked vision is less than twenty-fifty is unable to accomplish the correction of this condition by artificial means and shall produce a statement from a registered oculist to that effect, the director may, in his discretion, conduct an examination to determine such person's ability to operate a motor vehicle upon the public highways of this state with safety in spite of such infirmity. If the director of licenses be satisfied that such person can operate a motor vehicle upon the public highways of this state with safety in spite of such infirmity, then the director may issue to such person a conditional vehicle operator's license permitting such person to operate a motor vehicle upon the public highways under such conditions, limitations and restrictions as to speed, points of operation, and time or times of operation, or any other conditions, limitations or restrictions as he shall deem advisable.

*Note: See also section 1, chapter 119, Laws of 1961.*

**46.20.060 Procedure as to legless or armless persons.** The director of licenses shall not issue a vehicle operator's license to any person lacking a hand, arm or leg nor to any such person using an artificial member unless such person is otherwise entitled to the issuance thereof and shall demonstrate to the satisfaction of the director that despite such infirmity he is capable of operating a motor vehicle with safety.

**46.20.070 Juvenile agricultural driving permits.** Upon receiving a written application on a form provided by the director of licenses

for permission for a person under the age of sixteen years to operate a motor vehicle under twenty thousand pounds gross weight over and upon the public highways of this state in connection with farm work, the director is hereby authorized to issue a limited driving permit to be known as a juvenile agricultural driving permit, such issuance to be governed by the following procedure:

(1) The application must be signed by the applicant and by the applicant's father, mother or legal guardian.

(2) Upon receipt of the application, the director shall cause an examination of the applicant to be made as by law provided for the issuance of a motor vehicle operator's license.

(3) The director shall cause an investigation to be made of the need for the issuance of such operation by the applicant.

Such permit shall authorize the holder to operate a motor vehicle over and upon the public highways of this state within a restricted farming locality which shall be described upon the face thereof.

A permit issued under this section shall expire one year from date of issue, except that upon reaching the age of sixteen years such person holding a juvenile agricultural driving permit shall be required to make application for a motor vehicle operator's license.

The director of licenses shall charge a fee of one dollar for each such permit and renewal thereof to be paid as by law provided for the payment of motor vehicle operator's licenses and deposited to the credit of the highway safety fund.

The director shall have authority to transfer this permit from one farming locality to another but this does not constitute a renewal of the permit.

The director shall have authority to deny the issuance of a juvenile agricultural driving permit to any person whom he shall determine incapable of operating a motor vehicle with safety to himself and to persons and property.

The director shall have authority to suspend, revoke or cancel the juvenile agricultural driving permit of any person when in his sound discretion he has cause to believe such person has committed any offense for which mandatory suspension or revocation of a motor vehicle operator's license is provided by law.

The director shall have authority to suspend, cancel or revoke a juvenile agricultural driving permit when in his sound discretion he is satisfied the restricted character of the permit has been violated.

**46.20.080 Nonresident licensing.** (1) A nonresident over the age of sixteen years who has been duly licensed as an operator under a law requiring the licensing of operators in his home state or country and who has in his immediate possession a valid vehicle operator's license issued to him in his home state or country shall be

permitted without examination or vehicle operator's license of this state to operate a motor vehicle upon the highways of this state;

(2) It shall be unlawful for any nonresident whose home state or country does not require the licensing of vehicle operators to operate any motor vehicle upon any public highway of this state without first making application for and obtaining a vehicle operator's license in this state, except that said unlicensed nonresident over the age of sixteen years and who is the registered or legal owner of a motor vehicle and has a valid vehicle license for the current calendar year in the state or country of which the owner is a resident, may operate such motor vehicle upon the public highways of this state for a period of not more than thirty days in any one calendar year without making application for or obtaining a vehicle operator's license in this state, upon the condition that the motor vehicle shall at all times display the vehicle license number plate or plates issued therefor in the home state or country of such owner and that the nonresident registered owner has in his immediate possession a license registration certificate or similar evidence showing his vehicle ownership or registration in his home state or country.

**46.20.090 Application for license—Contents—Fee.** Every application for a vehicle operator's license shall be made upon the form prescribed and furnished by the director and shall be verified by the applicant before a person authorized to administer oaths or before an officer of the Washington state patrol or other person authorized by the director to certify to the signature on such application and shall be forwarded to the director. A fee of four dollars shall be paid by each applicant. Whenever applications are received by the Washington state patrol, a county auditor or other agent of the director, the application together with the fee shall be forwarded to the director, who shall transmit the fees to the state treasurer on the day following their collection.

Every application shall state the name, date of birth, sex, and residence address of the applicant, and whether or not the applicant has heretofore been licensed as a vehicle operator and if so when and by what state, and whether or not such license has ever been suspended, revoked, canceled, or refused, and if so the date of and reason for such suspension, revocation, cancellation, or refusal.

**46.20.100 Application of minor—Cosignature required.** The director of licenses shall not consider the application of any minor under the age of twenty-one years for a vehicle operator's license unless the application is also signed by the father of the applicant, if the father is living and has custody of the applicant, otherwise by the mother or guardian having the custody of such minor, or in the event a minor under the age of twenty-one has no father, mother,

or guardian, then a vehicle operator's license shall not be issued to the minor unless his application is also signed by his employer.

**46.20.102 Minor's license to be stamped "minor."** Any motor vehicle operator's license issued to a person under the age of twenty-one years shall bear the word "minor" indelibly stamped thereon in red letters not less than one-half inch in height, such lettering to be stamped diagonally across the face of said license.

**46.20.104 ———Deletion of word "minor" when majority attained.** A minor attaining the age of twenty-one years prior to the expiration date of his motor vehicle operator's license may upon proper application to the licensing agent have issued to him without fee a substitute license from which the word "minor" shall be deleted.

**46.20.106 Evidence of applicant's age may be required.** Any officer authorized to issue motor vehicle operator's licenses in this state is empowered to require satisfactory evidence of the age of the applicant as a condition precedent to the issuance of any motor vehicle operator's license.

**46.20.110 Temporary instruction permits—Fee.** The director of licenses upon receiving from any person over the age of sixteen years an application for a temporary instruction permit may in his discretion issue such a permit entitling the applicant, while having such permit in his immediate possession, to operate a motor vehicle upon the public highways for a period of sixty days when accompanied by a licensed vehicle operator who is actually occupying a seat beside the operator and there is no other person in the vehicle. Temporary instruction permit shall be issued upon payment of a fee of fifty cents in the manner provided for the payment of fees for vehicle operator licenses.

Note: See also section 1, chapter 214, Laws of 1961.

**46.20.120 Applicants for new license or renewal to be examined—Waiver on renewal—Fee—New license defined.** No new vehicle operator's license shall be issued and no previously issued license shall be renewed until the applicant therefor has submitted to and qualified by a vehicle operator's examination: *Provided*, That the director may waive the examination of any person applying for the renewal of an operator's license issued under the laws of this state, except when the director has reason to believe that an applicant for an operator's license is not qualified to hold an operator's license under this title. For an original examination a fee of two dollars shall be paid by each applicant, in addition to the fee charged for issuance of his license. A new license shall be one issued to an operator who has not been previously licensed in this state or to an operator whose last previous Washington license expired over four years prior to date of application.

**46.20.130 Content and conduct of examinations.** The director shall prescribe the content of the vehicle operator's license examination and the manner of conducting the examination, which shall include:

(1) A test of the applicant's eyesight, his ability to understand highway signs regulating, warning, and directing traffic, and his knowledge of the traffic laws of this state;

(2) An actual demonstration of his ability to operate a motor vehicle in such a manner as not to jeopardize the safety of persons or property; and

(3) Such further examination as the director deems necessary (a) to determine whether any facts exist which would bar the issuance of a vehicle operator's license under chapters 46.20, 46.24, and 46.28, and (b) to determine the applicant's fitness to operate a motor vehicle safely on the highways.

**46.20.140 Time and place of examinations—Examination as evidence.** The vehicle operator's license examination provided in this chapter shall be conducted at places and time reasonably available to the people of this state. The results of each examination shall be forwarded with the application and shall be filed in the case record of the applicant as a permanent record in the office of the director of licenses. Such examination shall be without prejudice to the individual submitting the same and shall be for the confidential use of the director of licenses and Washington state patrol. No such examination or the result thereof shall be used as evidence in an action in any court except in an action by or against the director of licenses involving the revocation, suspension, cancellation or refusal of a vehicle operator's license and in which such examination shall be or become a material fact.

**46.20.150 Reexamination may be required in certain cases—Delegation of reexamination authority—Appeal.** Whenever the director has reasonable cause to believe, that the holder of a motor vehicle operator's license is or has become a faulty and unsafe driver of a motor vehicle or may become such because of physical, mental, or other defects, he may require the licensee to submit to a reexamination as to his qualifications to operate a motor vehicle. Reexamination authority may be delegated by the director to license examining officers at various examining stations of anyone deemed a faulty or unsafe driver as described above.

The director may require persons within certain age groups to be reexamined periodically if accident and violation reports in the department or in the state patrol indicate a disproportionate percentage of unsafe drivers in such age groups.

Subject to the provisions of RCW 46.20.120 and except as pro-

vided in this section, the holders of valid motor vehicle operators' licenses shall not be required to be reexamined.

Should any licensee be dissatisfied with any decision of the director or other officer specified in this section he shall have the right to appeal therefrom to the superior court of Thurston county, or at his option to the superior court of the county of his residence.

**46.20.160 Issuance of license.** The director upon receipt of application for a vehicle operator's license and fee in the sum of four dollars, shall issue to every person qualified to be licensed as a vehicle operator, a vehicle operator's license, which shall bear the distinguishing number assigned to the license and a brief description of the licensee for the purpose of identification, and a space for the signature of the licensee.

**46.20.170 Filing of applications.** After issuing such license the director of licenses shall file the application together with any documentary evidence required in the issuance of such license, including examination and confidential reports, in the operator's case record established for that purpose in the office of the director of licenses.

**46.20.180 Duration of license—Renewal—Fee.** (1) Every vehicle operator's license issued hereunder shall be valid until suspended, canceled or revoked, as provided by law: *Provided*, That all vehicle operator's licenses hereunder shall expire on the anniversary of the date of birth of the operator, two years or less after the date of issue.

(2) Every vehicle operator's license issued hereunder shall be valid for a term of two years, except as otherwise provided, and shall be renewed for a like period on or before the second anniversary of the licensee's date of birth next succeeding date of issue for a further period of two years from such anniversary, upon receipt of the application and fee as in the case of original application as provided herein.

(3) Every person making application for the first time in the state for a vehicle operator's license shall, upon payment of a fee of four dollars, receive an operator's license expiring on the applicant's second birthday after the date of issue.

**46.20.190 License signed by licensee—In immediate possession when operating vehicle.** (1) Every person licensed as a vehicle operator shall write his usual signature with pen and ink in the space provided for that purpose on the vehicle operator's license certificate issued to him immediately upon receipt of such certificate, and such license shall not be valid until the certificate is so signed;

(2) The licensee shall have such vehicle operator's license in

his immediate possession at all times when operating a motor vehicle and shall display the same upon demand to any peace officer or to any other person when and if required by law to do so.

**46.20.200 Lost or destroyed licenses—Duplicates—Fee.** In the event that a vehicle operator's license shall be lost or destroyed, the person to whom the same was issued may obtain a duplicate thereof upon furnishing proof of such fact satisfactory to the director of licenses and upon reapplication without reexamination and payment of a fee of fifty cents to the director of licenses.

**46.20.210 Prohibited practices.** It shall be unlawful for any person to commit any of the following acts:

(1) To display or cause to permit to be displayed or have in possession any vehicle operator's license, knowing the same to be fictitious or to have been canceled, revoked, suspended or altered;

(2) To lend to, or knowingly permit the use of by one not entitled thereto, any vehicle operator's license issued to the person so lending or permitting the use thereof;

(3) To display or to represent as one's own any vehicle operator's license not issued to the person so displaying the same;

(4) To fail or refuse to surrender to any court, peace or traffic officer, or the director of licenses upon demand, any vehicle operator's license on notice that the same has been suspended, canceled or revoked as provided by law;

(5) To use a false or fictitious name or give a false or fictitious address in any application for a vehicle operator's license, or any renewal or duplicate thereof, or knowingly to make a false statement or knowingly to conceal a material fact or otherwise commit a fraud in any such application.

**46.20.220 Unlawful renting of vehicle to unlicensed person—Rental record.** (1) It shall be unlawful for any person to rent a motor vehicle to any other person unless the latter person is then duly licensed as a vehicle operator in this state or, in case of a non-resident, then that he is duly licensed as an operator under the laws of the state or country of his residence except a nonresident whose home state or country does not require that a motor vehicle operator be licensed;

(2) It shall be unlawful for any person to rent a motor vehicle to another person until he has inspected the vehicle operator's license of such other person and compared and verified the signature thereon with the signature of such other person written in his presence;

(3) Every person renting a motor vehicle to another person shall keep a record of the vehicle license number of the motor vehicle so rented, the name and address of the person to whom the motor vehicle is rented, the number of the vehicle operator's license



of the person renting the vehicle and the date and place when and where such vehicle operator's license was issued. Such record shall be open to inspection by any peace officer or anyone acting for the director of licenses.

**46.20.230 Unlawful to allow unlicensed person to operate vehicle.** It shall be unlawful for any person to cause or knowingly permit his or her child or ward under the age of eighteen years to operate a motor vehicle upon a public highway as a vehicle operator, unless such child or ward shall have first obtained a vehicle operator's license to so operate a motor vehicle. No person shall employ any person to operate a motor vehicle who is not licensed as an operator. No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be operated by any person who is not legally licensed as an operator.

**46.20.240 Age limit for school bus drivers and drivers of for hire vehicles.** It shall be unlawful for any person, whether licensed as an operator or not, who is under the age of eighteen years to drive a motor vehicle while in use as a school bus for the transportation of pupils to or from school or for any person, whether licensed as an operator or not, who is under the age of twenty-one years to drive any for hire vehicle, auto stage or other motor vehicle while in use as a public passenger carrier for hire.

**46.20.250 Mandatory revocation of license by court.** Every court in fixing the penalty shall forthwith revoke the vehicle operator's license of a person upon his conviction of any of the following crimes, when such conviction has become final:

(1) Manslaughter or negligent homicide resulting from the operation of a motor vehicle;

(2) Perjury or the making of a false affidavit to the director under any licensing law pertaining to motor vehicles or any other law of this state requiring the registration of motor vehicles or regulating their operation on public highways;

(3) Any crime punishable as a felony under the motor vehicle laws of this state or any other felony in the commission of which a motor vehicle is used;

(4) Conviction or forfeiture of bail upon three charges of reckless driving all within the preceding two years;

(5) A conviction of an operator of a motor vehicle, involved in an accident resulting in the death or injury of another person, upon a charge of failing to stop and disclose his identity at the scene of the accident;

(6) Conviction or forfeiture of bail upon three charges of operating a vehicle while under the influence of or affected by the use

of intoxicating liquor or of any narcotic drug, all within the preceding five years;

(7) Theft of a motor vehicle by a juvenile.

The foregoing offenses shall be in addition to any other offenses for which revocation of a vehicle operator's license is by law provided.

**46.20.260 Suspension for reckless driving.** Upon the conviction of any person for reckless driving, or upon the forfeiture of bail or collateral for the appearance of any person charged with reckless driving, the court shall, in addition to any other penalty fixed, forthwith suspend the vehicle operator's license of any such person for a period of not less than thirty days.

**46.20.270 Court to take up license and forward to director, when.** Whenever the vehicle operator's license of any person is suspended, revoked or canceled for any violations, the judge passing such sentence shall forthwith secure the immediate forfeiture of the vehicle operator's license of such convicted person and immediately forward such vehicle operator's license to the director of licenses, and on failure of such convicted person to deliver up such vehicle operator's license the judge shall cause such person to be confined for the period of such suspension, revocation or cancellation or until such vehicle operator's license is delivered up to such judge: *Provided*, That in the event such convicted person shall testify that he does not and at the time of the offense did not have a current and valid vehicle operator's license, then the judge shall cause such person to be charged with the operation of a motor vehicle without a current and valid vehicle operator's license and on conviction punished as by the law provided, and the director of licenses shall not issue a vehicle operator's license to such person during the period of such suspension: *Provided, also*, That in the event that the vehicle operator's license of such convicted person has been lost or destroyed and such convicted person shall make an affidavit to that effect, sworn to before the judge, he shall not be so confined to forfeit the same, but the director of licenses shall not issue or re-issue a vehicle operator's license for such convicted person during the period of such suspension, revocation or cancellation.

**46.20.280 Courts to forward record of convictions.** Every court having jurisdiction over any of the offenses committed under this title or any other act of this state or under the ordinance of any incorporated city or town of this state regulating the operation of vehicles on any of the public highways, shall forward to the director of licenses a record of the conviction of or forfeiture of bail by any person in said court for the violation of any provisions relating to the licensing of vehicle operators or of any act of this state regulating

the operation of vehicles on any of the public highways and a record of the conviction of or forfeiture of bail by any person in said court for the violation of any municipal ordinances which violation would also be an offense under the provisions relating to the licensing of motor vehicle operators or any act of this state regulating the operation of vehicles on any of the public highways in which case such court may in its discretion revoke or suspend the vehicle operator's license of such person.

**46.20.290 Suspension of license by director—Causes.** The director may in his sound discretion immediately suspend the vehicle operator's license of any person whenever he has reason to believe:

(1) That such person has committed an offense for which mandatory suspension or revocation of licenses is provided by law;

(2) That such person has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any other person or serious property damage;

(3) That such person is incompetent to drive a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle upon the public highways; or

(4) That such person is a habitually reckless or negligent operator of a motor vehicle or has committed a serious violation of the motor vehicle laws of this state.

Whenever the director suspends the vehicle operator's license of a person for any reason, he shall immediately notify the licensee in person or by registered or certified mail, and may thereafter upon further information either rescind his temporary order of suspension, or, good cause appearing therefor, may continue in force such suspension for the full period thereof.

**46.20.300 Suspension, etc., for extraterritorial convictions.** The director of licenses may suspend, revoke, or cancel the vehicle operator's license of any resident of this state upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this state, would be ground for the suspension or revocation of the vehicle operator's license. The director may further, upon receiving a record of the conviction in this state of a nonresident operator of a motor vehicle of any offense under the motor vehicle laws of this state, forward a certified copy of such record to the motor vehicle administrator in the state of which the person so convicted is a resident; such record to consist of a copy of the judgment and sentence in the case.

**46.20.310 Limit of suspension—License to be restored.** The director shall not suspend a vehicle operator's license for a period of more than one year and upon suspending, revoking, or canceling any

license shall require that such license be surrendered to and retained by him except that at the end of a period of suspension the license so surrendered shall be returned to the licensee, upon proper application for reinstatement.

**46.20.320 Suspension, etc., effective although certificate not delivered.** Any suspension, revocation, or cancellation of a vehicle operator's license shall be in effect notwithstanding the certificate itself is not delivered over or possession thereof obtained by a court, officer, or the director.

**46.20.330 Revocation bars application for new license for one year.** Any person whose vehicle operator's license is revoked shall not be entitled to apply for or receive any new vehicle operator's license until the expiration of one year from the date of the revocation thereof.

**46.20.340 Court review of director's action.** The suspension, revocation, cancellation, or refusal by the director of any license or certificate provided for in this and chapters 46.12, 46.16 and 46.20, shall be conclusive unless the person whose license or certificate is suspended, revoked, canceled, or refused appeals to the superior court of Thurston county, or at his option to the superior court of the county of his residence, for the purpose of having the suspension, revocation, cancellation, or refusal of such license or certificate set aside. Notice of appeal must be filed within ten days after receipt of the notice of suspension, revocation, cancellation, or refusal. The appeal shall not supersede the suspension, revocation, cancellation or refusal of the license or certificate by the director. Upon the filing of the notice of appeal the court shall issue an order to the director to show cause why the license should not be granted or reinstated, which order shall be returnable not less than ten days after the date of service thereof upon the director. Service shall be in the manner prescribed for service of summons and complaint in other civil actions. Upon the hearing on the order to show cause, the court shall hear evidence concerning matters with reference to the suspension, revocation, cancellation, or refusal of the license or certificate and shall enter judgment either affirming or setting aside such suspension, revocation, cancellation, or refusal.

**46.20.350 Penalty for driving after suspension, etc.** Any person whose vehicle operator's license has been suspended, revoked or canceled, and who shall operate any motor vehicle upon the public highways of this state while such license is suspended, revoked or canceled, shall be guilty of a gross misdemeanor, and upon conviction shall be punished by imprisonment in the county jail for not less than ten days nor more than one year and by a fine of not more than one thousand dollars.

**46.20.360 Requisites for reinstatement or new license—Perjury.**

When any person, whose operator's license has been suspended, revoked or canceled, desires to have the same reinstated or new operator's license issued, he shall not be entitled to such reinstatement or new license unless and until he shall make affidavit on oath to the effect that the period of suspension, revocation or cancellation has expired and that he has not at any time during such period of suspension, revocation or cancellation operated any vehicle upon the public highways of this state.

In case any person desiring to have his operator's license reinstated or a new operator's license issued, should fail or refuse to make the affidavit required by this section, such person shall be deemed prima facie guilty of violating such suspension, revocation or cancellation and such license shall not be reinstated nor shall any new license be issued to such person and the suspension or revocation of such vehicle operator's license shall be continued for a subsequent period equal to the original period of suspension or revocation and from the date of such application for reinstatement or new vehicle operator's license.

Any person making affidavit as required in this title and who shall make a false or fraudulent statement as to any material fact shall be guilty of perjury.

**46.20.380 Occupational operator's license. Fee.** No person shall file a petition for an occupational operator's license as provided in RCW 46.20.390 unless he shall first pay to the director of licenses or other person authorized to accept applications and fees for operator's licenses a fee of ten dollars. The applicant shall receive upon payment an official receipt for the payment of such fee. All such fees shall be forwarded to the director who shall transmit such fees to the state treasurer in the same manner as other operator's license fees.

**46.20.390 ————Petition — Procedure — Issuance — Restrictions—Duration—Revocation.** Any person who has had or may have his operator's license suspended or revoked because he has been convicted of or has forfeited bail for any first offense relating to motor vehicles, other than negligent homicide or manslaughter, and, if such person is engaged in an occupation or trade making it essential that he operate a motor vehicle, such person may file with any judge of a court of record, justice court, or municipal court having criminal jurisdiction in the county of such person's residence a verified petition, together with the receipt for the fee paid, setting forth in detail his need for operating a motor vehicle. Thereupon, if the petitioner has not been convicted of or has not forfeited bail for any such offense within one year immediately preceding the present conviction or bail forfeiture, which offense in the opinion

of the judge is not of such a nature as to preclude the granting of the petition, the judge may order the director of licenses to issue an occupational operator's license to such person. A certified copy of the petition together with the order for the license shall be mailed to the director. When the order is issued by such judge, a certified copy thereof shall be given to the petitioner which copy shall serve as a temporary occupational operator's license until the petitioner receives the license issued by the director.

An occupational operator's license shall permit the operation of a motor vehicle not to exceed twelve hours per day and then only when such operation is an essential part of the licensee's occupation or trade. Such license shall be issued for a period of not more than one year.

The order for issuance of an occupational operator's license shall contain definite restrictions as to hours of the day, type of occupation, areas or routes of travel to be permitted under such license and such other conditions as the judge granting the same deems appropriate and that satisfactory proof of financial responsibility has been filed as provided in chapters 46.24 and 46.28.

If such licensee is convicted for operating a motor vehicle in violation of his restrictions, or of a traffic violation which in the opinion of the director is such as would warrant suspension or revocation of such license, or if the judge does not, upon the facts, see fit to permit such person to retain his license, the director shall, upon receipt of notice thereof, revoke such license. Such revocation shall be effective as of the date of such violation, conviction or withdrawal order, and it shall continue with the same force and effect as other revocations under this title.

**46.20.400 ———When new operator's license may be obtained—Surrender of order and occupational operator's license.** If an occupational operator's license is issued and is not revoked during the period for which issued the licensee may obtain a new operator's license at the end of such period, but no new operator's permit shall be issued to such person until he surrenders his occupational operator's license and his copy of the order and the director is satisfied that he complies with all other provisions of law relative to the issuance of an operator's license.

**46.20.410 ———Penalty.** Any person convicted for violation of any restriction of an occupational operator's license shall in addition to the immediate revocation of such license and any other penalties provided by law be fined not less than fifty nor more than two hundred dollars or imprisoned for not more than six months or both such fine and imprisonment.

**Chapter 46.24****FINANCIAL RESPONSIBILITY—PROOF AFTER CERTAIN  
CONVICTIONS AND JUDGMENTS**

**46.24.010 Definitions.** For the purposes of this chapter:

“Motor vehicle” includes every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails;

“Nonresident” means any person whose residence is outside this state and who is temporarily sojourning within this state for a period of not to exceed ninety days in any one year;

“State” includes any state of the United States, the District of Columbia, or any province of the Dominion of Canada;

“Street or highway” means the entire width between boundary lines of every way or place, publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular travel.

**46.24.020 Director to administer chapter.** The director shall administer and enforce the provisions of this chapter. He may adopt and enforce such rules and regulations as may be necessary for that purpose.

**46.24.030 Operator's license to be suspended on conviction, plea of guilty, forfeiture of bail.** The motor vehicle operator's license of a person shall be suspended forthwith without notice or hearing by the director whenever such person by final order or judgment has been convicted of, or has pleaded guilty to, or has forfeited bail or collateral deposited to secure his appearance for trial of (where such forfeiture has not been vacated), any offense committed which requires suspension or revocation of the licenses of such person in this state, or any offense in any other state which, if committed in this state, would require suspension or revocation of the licenses of such person in this state.

**46.24.040 Period of suspension—Proof of ability to respond in damages.** The operator's license shall remain suspended and shall not at any time thereafter be renewed, nor shall any such license be thereafter issued to such person, including a person not previously licensed, who by final order or judgment has been convicted of, pleaded guilty to, or forfeited bail or collateral deposited to secure his appearance for trial of (where such forfeiture has not been vacated), any such offense or for operating a motor vehicle upon the public highways without being licensed to do so, until he gives proof of his ability to respond in damages for any liability thereafter incurred, resulting from the ownership, main-

tenance, use, or operation thereafter of a motor vehicle, for personal injury to or death of any one person in the amount of at least ten thousand dollars, and, subject to the aforesaid limit for any one person injured or killed, of at least twenty thousand dollars for personal injury to or death of two or more persons in any one accident, and for damage to property in the amount of at least five thousand dollars resulting from any one accident.

**46.24.050 Proof of ability to respond may be given voluntarily before accident.** Proof of financial responsibility may be made voluntarily by or on behalf of any person. The privilege of operating a motor vehicle within this state shall not be suspended or withdrawn to such person under the provisions hereof if such proof of financial responsibility has been voluntarily filed or deposited prior to the offense or accident out of which any conviction, judgment, or order arises and if such proof, at the date of the conviction, judgment, or order is valid and sufficient for the requirements of this chapter.

If the director receives a record of any conviction, forfeiture of bail or collateral, or judgment against such person which, in the absence of proof of financial responsibility would have caused the suspension of his operator's license, the director shall forthwith notify the insurer or surety of such person thereof.

**46.24.060 Owner may give proof for chauffeur or member of family.** If it is established to the satisfaction to the director, (1) that any person, whether a resident or nonresident of this state, who has been convicted, pleaded guilty, or forfeited bail or collateral, as aforesaid, was, upon the occasion of the offense upon which such conviction, plea, or forfeiture was based, a chauffeur or motor vehicle operator, however designated, in the employ of the owner of the motor vehicle involved in such offense or a member of the immediate family or household of the owner of such motor vehicle, and (2) that there was not, at the time of the offense or subsequent thereto, up to the date of such finding, any motor vehicle registered in this state (or if a nonresident, in the state of his residence) in the name of the person who has been convicted, pleaded guilty, or forfeited bail or collateral, as aforesaid, in that event, if the person in whose name the motor vehicle is registered gives proof of ability to respond in damages according to the provisions hereof, which proof the director shall accept, such chauffeur or other person shall be relieved of the necessity of giving proof in his own behalf, so long as he is operating a motor vehicle for which the owner has given proof of his ability to respond in damages.

**46.24.070 Proof of ability to respond, how established.** Proof of ability to respond in damages, when required under this chapter, may be evidenced by any of the following:



(1) A written certificate of any insurance carrier duly authorized to do business within this state, that it has issued to or for the benefit of the person named therein a motor vehicle liability policy or policies in the form hereinafter prescribed, which, at the date of the certificate, are in full force and effect, and designating therein by explicit description or by other adequate reference, all motor vehicles to which the policy or policies apply. The director shall not accept any certificate unless it specifies the name, address, and the business, if any, of the insured, the kind of insurance afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, nor unless it covers all motor vehicles then registered in this state in the name of the person furnishing proof. The certificates shall certify that the motor vehicle liability policies therein referred to shall not be canceled or expire except as hereinafter provided, and that every such policy complies with the requirements of this chapter. The issuance of a certificate to serve as proof of ability to respond in damages shall be conclusive evidence that every motor vehicle liability policy therein referred to fully conforms to all requirements of this chapter.

If the person giving proof is a nonresident, a certificate as aforesaid, of any insurance carrier authorized to transact business in the state in which the motor vehicle described in the certificate is registered, or if none is described, then in the state in which the insured resides, shall be accepted if such carrier (a) executes a power of attorney authorizing the director to accept service of notice or process in any action arising out of a motor vehicle accident in this state, and (b) duly adopts a resolution providing that its policies shall be deemed to be varied to comply with the law of this state relating to the terms of motor vehicle liability policies issued therein, and (c) agrees to accept as final and binding any final judgment duly rendered in any action arising out of a motor vehicle accident in a court of competent jurisdiction in this state. If a foreign insurance carrier which has qualified to furnish proof of ability to respond in damages as herein required defaults in any of its undertakings or agreements, the director shall not thereafter accept any certificate of such carrier, whether theretofore filed or thereafter tendered, as proof of ability to respond in damages so long as the default continues.

When an insurance carrier has certified a motor vehicle liability policy under this chapter, it shall give ten days written notice to the director before cancellation of such policy and the policy shall continue in full force and effect until the date of cancellation specified in the notice, unless it expires before that date.

(2) A bond executed by the person giving proof and by a surety company duly authorized to do business in this state, or by the

person giving proof and by two individual sureties, each having clear title to real estate within this state in the amount of such bond, which real estate shall be scheduled therein, and the director shall not accept any such real estate bond unless it is first approved by a judge of the superior court.

The director shall not accept any such bond unless it is conditioned for payments in the same amounts and under the same circumstances as required in a motor vehicle liability policy under this chapter.

A bond may be canceled by giving ten days written notice thereof to the director but cancellation of a bond shall not prevent recovery thereon with respect to any right or cause of action arising prior to the date of cancellation.

Before a bond is accepted by the director it shall be recorded as other instruments affecting real property in the county or counties wherein any real estate described therein is located. Any liability covered by the conditions of the bond shall constitute a lien upon such real estate effective as of the date the bond is recorded.

If a judgment rendered against the principal of such a bond upon a liability covered by the conditions thereof is not satisfied within thirty days after it becomes final, the judgment creditor may, for his own use and benefit and at his expense, bring an action in the name of the state against the persons who executed the bond, including an action or proceeding to foreclose any lien that may exist upon real estate of any such person. Such action or proceeding shall be prosecuted in the same manner as, and subject to the provisions of law applicable to, an action to foreclose a mortgage upon real estate.

(3) A certificate of the state treasurer that the person therein named has deposited with him money or collateral approved by him in the amounts specified in RCW 46.24.040. The state treasurer shall accept any such deposit and issue a certificate therefor, which the director shall accept if accompanied by evidence that there are no unsatisfied judgments against the depositor registered in the office of the county clerk of the county wherein the depositor resides.

**46.24.080 Other proof if original fails.** Whenever any evidence or proof of ability to respond in damages filed under the provisions of this chapter no longer fulfills the purposes for which required, the director shall require other evidence of ability to respond in damages and shall suspend the operator's license pending such proof.

**46.24.090 Custody of bond or collateral.** A bond, money, or collateral filed or deposited by or on behalf of any person under the provisions hereof, shall be held by the director or the treasurer to satisfy, in accordance with the provisions of this chapter, any

execution issued against such person on a judgment for damages as aforesaid arising out of the ownership, maintenance, use, or operation of a motor vehicle. Money or collateral so deposited shall not be subject to attachment or execution unless such attachment or execution arises out of a suit for damages as aforesaid. Accruals of interest thereon, if any, shall be the property of the depositor and shall be paid over by the state treasurer to him, or his order as received.

**46.24.100 Motor vehicle liability or operator's policy—Requirements.** A motor vehicle liability policy as that term is used in this chapter means a policy of liability insurance issued by an insurance carrier authorized to transact business in this state to or for the benefit of the person named therein as insured which policy shall meet the following requirements:

(1) It shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby intended to be granted.

(2) It shall insure the person named therein and any other person using or responsible for the use of the motor vehicle or motor vehicles with the express or implied permission of the insured.

(3) It shall insure every such person on account of the maintenance, use, or operation of such motor vehicle or motor vehicles within the continental limits of the United States or the Dominion of Canada against loss from the liability imposed by law arising from such maintenance, use, or operation to the extent and aggregate amount, exclusive of interest and costs, with respect to each such motor vehicle, of ten thousand dollars for bodily injury to or death of one person as a result of any one accident and, subject to said limit as to one person, the amount of twenty thousand dollars for bodily injury to or death of all persons as a result of any one accident and the amount of five thousand dollars for damage to property of others as a result of any one accident.

When an operator's policy is required it shall insure the person named therein as insured against the liability imposed by law upon the insured for bodily injury to or death of any person or damage to property to the amounts and limits above set forth and growing out of the use or operation by the insured within the continental limits of the United States or the Dominion of Canada of any motor vehicle not owned by him.

Any liability policy or policies issued hereunder need not cover any liability of the insured assumed by or imposed upon him under any workmen's compensation law nor any liability for damage to property in charge of the insured or the insured's employees.

Any such policy may, however, grant any lawful coverage in excess of or in addition to the coverage herein specified or contain

any agreements, provisions, or stipulations not in conflict with the provisions of this chapter and not otherwise contrary to law.

Any motor vehicle liability policy which by endorsement contains the provisions required hereunder shall be sufficient proof of ability to respond in damages.

The director may accept several policies of one or more such carriers which together meet the requirements of this section.

Any binder pending the issuance of a policy, which binder contains or by reference includes the provisions hereof, shall be sufficient proof of ability to respond in damages.

**46.24.110 Operator's policy, what constitutes.** When a certificate is filed showing that a policy or policies have been issued covering all motor vehicles owned by the insured but not insuring such person when operating a motor vehicle not owned by him it shall be unlawful for such person to operate any motor vehicle not owned by him or not covered by such certificate. In such event the director shall designate the above restriction upon the motor vehicle operator's license of such person.

In the event the owner of a motor vehicle or motor vehicles desires to be relieved of the foregoing restriction and to be permitted to drive any other motor vehicle he may have such restriction removed upon filing a certificate showing that there has been issued to him a policy of insurance insuring him against liability imposed by law for bodily injury to or death of any person or damage to property, to the amounts and limits provided under RCW 46.24.100 with respect to any other vehicle operated by him, and which otherwise complies with the requirements of this chapter with respect to such type of policy. Such policy is herein referred to as an operator's policy.

When the person required to give proof of ability to respond in damages is not the owner of a motor vehicle then an operator's policy of the type and coverage described in the preceding paragraph shall be sufficient under this chapter.

**46.24.120 Additional requirements of insurance policies.** No motor vehicle liability policy or operator's policy shall be accepted as proof of ability to respond in damages hereunder unless all of the following requirements are complied with:

(1) Any such policy shall specify the name, address, and business, if any, of the insured, the coverage afforded by the policy, the premium charged therefor, the policy period and the limits of liability and shall contain an agreement that the insurance thereunder is provided in accordance with the coverage defined in this chapter as respects bodily injury and death or property damage or both and is subject to all the provisions hereof.

(2) Every motor vehicle liability policy and every operator's

policy accepted as proof under this chapter shall be subject to the following provisions whether or not contained therein:

(a) The liability of the insurance carrier under any such policy shall become absolute whenever loss or damage covered by the policy occurs and the satisfaction by the insured of a final judgment for such loss or damage shall not be a condition precedent to the right or obligation of the carrier to make payment on account of such loss or damage.

(b) The insurance carrier shall, however, have the right to settle any claim covered by the policy, and if such settlement is made in good faith the amount thereof shall be deductible from the limits of liability specified in the policy.

(c) No such policy shall be canceled or annulled as respects any loss or damage by any agreement between the carrier and the insured after the insured has become responsible for such loss or damage and any such cancellation or annulment shall be void.

(d) The policy may provide that the insured, or any other person covered by the policy, shall reimburse the insurance carrier for payment made on account of any loss or damage claim or suit involving a breach of the terms, provisions, or conditions of the policy; and further, if the policy provides for limits in excess of the limits specified in this chapter, the insurance carrier may plead against any plaintiff, with respect to the amount of such excess limits of liability, any defenses which it may be entitled to plead against the insured, and any such policy may further provide for the prorating of the insurance thereunder with other applicable valid and collectible insurance.

(e) The policy, the written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of this chapter shall constitute the entire contract between the parties.

**46.24.130 Certificate of insurance coverage.** An insurance carrier who has issued a motor vehicle liability policy or policies or any operator's policy meeting the requirements of this chapter shall upon request of the insured therein deliver to the insured for filing, or at the request of the insured shall file direct with the director, an appropriate certificate showing that such policy or policies have been issued, which certificate shall meet the requirements hereof.

**46.24.140 Other policies not affected.** Nothing in this chapter shall be held to apply to or affect policies of automobile insurance against liability required by any other law of this state, and such policies, if endorsed to conform to the requirements of this chapter shall be accepted as proof of ability to respond in damages when required under this chapter.

**46.24.150 Proof may be surrendered, when.** The director shall, upon request, cancel any bond or return any certificate of insurance, or the director shall direct and the state treasurer shall return to the person entitled thereto any money or collateral deposited pursuant to this chapter as proof of ability to respond in damages, or waive the requirement of filing proof of ability to respond in damages in any of the following events:

(1) At any time after three years from the date such proof was required: *Provided*, That the person on whose behalf the proof was given has not, during the three years period immediately preceding the request, been convicted of any offense referred to in RCW 46.24-.030;

(2) In the event of the death of the person on whose behalf such proof was filed, or the permanent incapacity of such person to operate a motor vehicle;

(3) Upon the filing with the director by the person on whose behalf proof of financial responsibility was furnished of an affidavit that he does not own and will not operate any motor vehicle in this state for a period of one year or longer;

(4) In the event the person who has given proof of ability to respond in damages surrenders his operator's license;

(5) Upon the bona fide removal to another state or country of the person on whose behalf such proof was filed.

No proof shall, however, be surrendered if an action for damages is pending against the person on whose behalf such proof of financial responsibility was furnished or a judgment against such person is outstanding and unsatisfied in respect to personal injury, or in respect to damage to property resulting from the ownership, maintenance, use, or operation of a motor vehicle; nor if a notice has been filed with the director of an accident involving such person occurring within the three month period immediately preceding such request resulting from the use or operation of a motor vehicle. An affidavit of the applicant under this section shall be sufficient evidence of the facts in the absence of evidence to the contrary in the records of the director.

Whenever a person to whom proof has been surrendered, applies for an operator's license within a period of three years from the date proof of financial responsibility was originally required the application shall be refused unless the applicant reestablishes proof for the remainder of such period.

**46.24.160 Substitution of proof.** The director shall cancel any bond or return any certificate of insurance, or the director shall direct and the state treasurer shall return any money or collateral to the person entitled thereto, upon the acceptance and substitution of other adequate proof of financial responsibility pursuant to this chapter.

**46.24.170 Director to furnish operating record.** The director shall upon request furnish any insurance carrier, person, or surety a certified abstract of the operating record of any person subject to the provisions of this chapter, which abstract shall fully designate the motor vehicles, if any, registered in the name of such person, and if there is no record of any conviction of such person of a violation of any provision of any statute relating to the operating of a motor vehicle or of any judgment rendered against such person as herein provided, the director shall so certify. The director shall collect for each such certificate the sum of one dollar.

Such record shall not be admissible as evidence in any action for damages or criminal proceeding arising out of a motor vehicle accident.

**46.24.180 Director to furnish information as to ability to respond in damages.** The director shall furnish any person who may have been injured in person or property by any motor vehicle, upon written request, with all information of record in his office pertaining to the evidence of the ability of any operator of any motor vehicle to respond in damages. The director shall collect for each such report the sum of one dollar.

**46.24.190 Operator's license to be suspended on failure to satisfy judgment.** A person's motor vehicle operator's license shall (except as provided in RCW 46.24.220) be forthwith suspended by the director upon receiving from the court in which rendered a certificate, in form prescribed by the director, showing that the licensee failed to satisfy within thirty days a judgment which has become final by expiration without appeal of the time in which appeal might have been perfected, or by affirmance on appeal, rendered against him by a court of competent jurisdiction in this state or in any other state, or in any district court of the United States, for damages in any amount on account of personal injury, including death, or damage to property in excess of one hundred dollars, resulting from the maintenance, use, or operation of a motor vehicle: *Provided*, That a motor vehicle operator's license shall not be suspended or withheld from any person for the reason that he has failed to satisfy in accordance with the foregoing a judgment rendered against him on account of personal injury, including death, or damage to property, where the judgment debtor was not personally operating the vehicle at the time of the injury or damage.

**46.24.200 Period of suspension — Proof of satisfaction.** Such operator's license shall remain suspended and shall not (except as provided in RCW 46.24.220) be renewed, nor shall any such license be issued to such person, including a person not previously licensed, while any such judgment remains unstayed, unsatisfied, and subsist-

ing nor until every such judgment is satisfied or discharged, except that a discharge in bankruptcy shall not be deemed a satisfaction of such judgment, and until such person gives proof of his ability to respond in damages as required in this chapter for future accidents. If, after such proof has been given any other such judgment is recovered against such person resulting from an event occurring before the proof was given, the license shall again be and remain suspended, and no other such license shall be issued to such person while any such judgment remains unsatisfied and subsisting.

**46.24.210 Judgment deemed satisfied, when.** Every judgment herein referred to shall, for the purposes of this chapter, be deemed satisfied:

(1) When ten thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount for bodily injury to or the death of one person as the result of any one accident; or

(2) When, subject to such limit of ten thousand dollars as to one person, the sum of twenty thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount for bodily injury to or the death of more than one person as a result of any one accident; or

(3) When five thousand dollars has been credited upon any judgment or judgments rendered in excess of that amount for damage to property of others in excess of one hundred dollars as a result of any one accident.

Credit for such amounts shall be deemed a satisfaction of any such judgment or judgments in excess thereof only for the purpose of this chapter.

**46.24.220 Payment of judgment installments.** A judgment debtor to whom this chapter applies, for the sole purpose of permitting the director to authorize him to operate a motor vehicle thereafter, on due notice to the judgment creditor, may apply to the court in which the judgment was obtained for the privilege of paying the judgment in installments, and the court, in its discretion and without prejudice to any other legal remedies which the judgment creditor may have, may so order, fixing the amounts and times of payment of the installments. While the judgment debtor is not in default in payments of such installments, the director, upon his giving proof of ability to respond in damages for future accidents, as herein provided, shall restore his license; but the license shall be suspended, as herein provided, if the judgment debtor fails to comply with the terms of the court order.

Nothing in this chapter shall be construed as authority for reinstatement or reissue of an operator's license by the director to an operator whose operator's license has been suspended or



revoked by order of any court as a result of the violation of any other law of this state, until the expiration of the period for which the license was suspended or revoked.

The suspension or revocation of an operator's license provided for in this chapter shall be in addition to and independent of the suspension or revocation of such operator's license by any court as a penalty for the violation of any other law of this state.

**46.24.230 Courts to report convictions and damage judgments.**

The clerk of a court or the judge of a court which has no clerk in which any person is convicted of an offense under the laws of this state which requires the director to suspend or revoke the operator's license of such person shall, when the conviction has become final, or in such other event as stated in RCW 46.24.030, forthwith forward to the director a certified record of the proceedings. The clerk or judge shall also forward a certified record of any judgment for damages, the rendering and nonpayment of which requires the director to suspend the operator's license of the judgment debtor. Such a record shall be forwarded to the director immediately upon the expiration of thirty days after such judgment has become final when the judgment has not been stayed or satisfied within the amounts specified in this chapter as shown by the records of the court.

**46.24.240 Suspension on second judgment.** Whenever, after one judgment is satisfied and proof of ability to respond in damages is given as herein required, another such judgment is rendered against the judgment debtor for an accident occurring prior to the date of giving of such proof and such person fails to satisfy the latter judgment within the amounts specified herein within thirty days after it becomes final, the director shall again suspend the operator's license of such judgment debtor and shall not renew it or issue him an operator's license while the latter judgment remains in effect and unsatisfied within the amounts specified herein.

**46.24.250 Licensee must surrender license—Penalty.** Any operator whose operator's license has been suspended as herein provided, or whose policy of insurance, or bond, when required under this chapter, has been canceled or terminated, or who neglects to furnish other evidence of ability to respond in damages upon request of the director shall immediately return to the director his operator's license. If any person wilfully fails to return to the director the operator's license the director shall forthwith direct any peace officer to secure possession thereof and to return it to the office of the director. Any person wilfully failing to return such operator's license shall upon conviction be fined not less than one hundred dollars, nor more than one thousand dollars, or be imprisoned in

the county jail for not to exceed ninety days, and such penalty shall be in addition to any penalty imposed for any violation of the motor vehicle laws of this state.

**46.24.260 Chapter applies to nonresident.** All of the provisions of this chapter shall apply to a person who is not a resident of this state, and if such nonresident is convicted of any offense which would require the suspension or revocation of the license of a resident, or if such nonresident has failed to satisfy a judgment within thirty days after it became final, which would require suspension or revocation hereunder in respect to a resident, then in either such event such nonresident shall not operate a motor vehicle in this state nor shall a motor vehicle owned by him be operated within this state by any person, and the director shall not issue to such nonresident any operator's license until he gives proof of his ability to respond in damages for future accidents and satisfies any such judgment, all as required with respect to a resident of this state.

The director shall transmit a certified copy of the record of any such conviction of a nonresident to the motor vehicle director or state officer performing the functions of director in the state in which the nonresident resides and shall likewise forward to such officer a certified record of any unsatisfied judgment rendered against the nonresident which requires suspension or revocation of his driving privileges in this state.

**46.24.270 Penalty for operating without giving proof.** Any person whose operator's license or other privilege to operate a motor vehicle has been suspended or revoked and restoration thereof or issuance of new license is contingent upon the furnishing of proof of ability to respond in damages and who during such suspension or revocation or, in the absence of full authorization from the director, drives a motor vehicle upon any highway shall be punished by imprisonment for not less than ten days nor more than six months and there may be imposed in addition thereto a fine of not more than five hundred dollars.

**46.24.280 Penalty for forgery or alteration of proof or affidavit.** Any person who forges, or materially alters, or without authority signs or alters, any proof or evidence of ability to respond in damages, or any affidavit required or referred to in this chapter, shall upon conviction thereof be guilty of perjury.

**46.24.290 General penalty for violations.** Any violation of this chapter for which no specific penalty is imposed shall be a misdemeanor, but this shall not bar a prosecution under any other statute penalizing the same act or omission.

**46.24.300 Disposition of fines and forfeitures.** All fines and forfeitures collected for violation of this chapter shall be paid into the highway safety fund.

**46.24.310 Other remedial processes preserved.** Nothing in this chapter shall be construed as preventing the plaintiff in any action at law from relying for security upon any other processes provided by law.

**46.24.320 Interpretation.** This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**46.24.900 Savings—Chapter supplemental.** This chapter shall in no respect be considered as a repeal of the provisions of the state motor vehicle laws but shall be construed as supplemental thereto.

**46.24.910 Short title.** This chapter may be cited as the uniform motor vehicle safety responsibility act.

## Chapter 46.28

### FINANCIAL RESPONSIBILITY—PROOF AFTER ACCIDENT

**46.28.010 Report of accident required—Suspension of license.**

(1) The operator of any motor vehicle involved in an accident within this state, in which any person is injured seriously enough to require medical attention by a doctor or in which any one person's property, including himself, sustains damage in excess of two hundred dollars, shall within ten days after such accident report the matter in writing to the director. The form of such report shall be prescribed by the director, shall require facts to enable the director to determine whether the requirements for deposit of security under RCW 46.28.020 are inapplicable by reason of the existence of insurance or other exceptions specified in this chapter, and shall call for such additional information as may reasonably be required by the director for the administration of this chapter. If the operator is physically incapable of making the report, then the report shall be made by the owner of the motor vehicle, if other than the operator, within ten days after such owner learns of such accident; or, if the operator is also the owner of such motor vehicle, the report shall be made by the operator within ten days after the operator becomes physically capable of making the report or of directing others to make the report on his behalf. The operator and the owner shall each furnish such additional relevant information as the director may require.

(2) In addition to any other penalty provided by this chapter, the director shall suspend the operator's license or any nonresident's operating privilege of any person who fails to make the report of accident as herein required, such suspension to continue until the report has been made and all other provisions of this chapter and of chapter 46.24 have been fully complied with.

**46.28.020 Security required following accident—Suspension for failure to deposit security.** Within thirty days after receipt of a report of such an accident the director shall determine, with respect to both the operator and the owner of each motor vehicle involved in the accident and reported upon, except as to persons exempt from the requirement of security under this chapter, the amount of security sufficient, in his judgment, but within the limits prescribed in this chapter, to satisfy all judgments for damages resulting from such accident as may be recovered against such operator or owner or both. Upon making such determination the director shall in writing forthwith notify each such operator and owner of the security so required. If within thirty days after the date of mailing of notice by the director of the requirement of security such operator or owner has not deposited with the director the kind and amount of security so required, and except as provided in RCW 46.28.030 and 46.28.040, the director shall forthwith suspend the operator's license or nonresident's operating permit of such operator or owner. Not less than ten days prior to the effective date thereof the director shall mail notice of such suspension to such operator or owner at his last address of record with the director.

**46.28.030 Exceptions as to requirement of security and suspension—Circumstances of accident.** The requirements as to security and suspension in RCW 46.28.020 shall not apply:

(1) To the operator or owner of a motor vehicle involved in such an accident wherein no injury or damage was caused to the person or property of any one other than such operator or owner.

(2) To the operator or owner of a motor vehicle if at the time of the accident the vehicle was parked, unless the director determines that any such parking was illegal or that the vehicle was not equipped with lighted lamps or illuminating devices when and as required by law and that such violation contributed to the accident.

(3) To the owner of a motor vehicle if at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such vehicle without such permission.

**46.28.040 ———Existing security or settlement.** (1) The requirements as to security and suspension in RCW 46.28.020 shall further not apply to:

(a) Any operator or owner if such owner had in effect at the time of the accident an automobile liability policy with respect to the motor vehicle involved in such accident.

(b) Any operator, if not the owner of the motor vehicle, if there was in effect at the time of the accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him.

(c) Any operator or owner if the liability of such operator or owner for damages resulting from the accident is, in the judgment of the director, covered by any other form of liability insurance policy or bond.

(d) Any person qualifying as a self-insurer under this chapter, nor to any person operating a motor vehicle for such self-insurer.

(e) Any operator or owner if such operator or owner was at the time of the accident in good faith entitled to but unable, solely because of his race or color, to procure an automobile liability policy through ordinary methods without rate modification.

(2) The requirements as to security and suspension in RCW 46-28.020 shall further not apply if, prior to the date that the director would otherwise suspend such license or operating privilege under this chapter, there is filed with the director evidence satisfactory to him that the person who otherwise would have to file security has been released from liability or been adjudicated not to be liable or has executed a confession of judgment payable when and in such installments as the parties have agreed to, or has executed and acknowledged a written agreement providing for the payment of an agreed amount in installments, all with respect to all claims for injuries or damages resulting from the accident.

**46.28.050 Qualifications of insurance policy or bond.** No insurance policy or bond shall be deemed effective under RCW 46.28.040 unless such policy or bond:

(1) Is subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and cost, of not less than ten thousand dollars because of bodily injury to or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than twenty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in damage to or destruction of property, to a limit of not less than five thousand dollars because of damage to or destruction of property of others in any one accident.

(2) Is issued by an insurer authorized to transact such insurance in this state; or

(3) If such motor vehicle was not registered in this state, or was registered elsewhere than in this state at the effective date of the policy or bond, or the most recent renewal thereof, was issued by an insurer which, if not authorized to transact insurance in this state, has executed and filed with the director its power of attorney authorizing the director to accept service on its behalf of notice of process in any action upon such policy or bond arising out of such accident.

**46.28.060 Duration of suspension.** The operator's license or non-resident's operating privilege suspended as provided in RCW 46.28-

.020 shall remain suspended and shall not be renewed nor shall any such license or privilege be issued to such person until:

(1) The security required has been deposited by or on behalf of such person; or

(2) One year has elapsed following the date of such accident and evidence satisfactory to the director has been filed with him that during such period no action for damages arising out of such accident has been instituted against such person; or

(3) Evidence satisfactory to the director has been filed with him of a release from liability, or a final adjudication of nonliability, or a confession of judgment, or a duly acknowledged written agreement, in accordance with RCW 46.28.040.

**46.28.070 Suspension upon default.** If there is any default in the payment of any installment under any such confessed judgment or under any such acknowledged written agreement, then upon notice of such default the director shall forthwith suspend the operator's license or nonresident's operating privilege of such person defaulting, and shall not restore such license or privilege until such person deposits and thereafter maintains security as required under RCW 46.28.020 in such amount as the director may then determine or, in the case of such acknowledged agreement, until one year has elapsed following the date when such security was required and during such period no action upon such agreement has been instituted against such person in a court in this state.

**46.28.075 Occupational operator's license—Fee.** Any person who has had or may have his operator's license suspended or revoked as herein provided and if such person is engaged in an occupation or trade making it essential that he operate a motor vehicle, such person may file with the director a verified petition together with a fee for ten dollars setting forth in detail his need for operating a motor vehicle. Thereupon if petitioner gives proof of his ability to respond in damages for any liability thereafter incurred as provided for in RCW 46.24.040 the director may issue an occupational operator's license to such person. Such occupational operator's license shall be subject to the same restrictions and conditions as those set forth under the provisions of RCW 46.20.390.

**46.28.080 Application to nonresidents and unlicensed operators and to resident operators out-of-state.** If the operator of a motor vehicle involved in an accident within this state had no operator's license or nonresident's operating privilege, the director shall not allow him such a license or privilege until the operator has complied with the requirements of this chapter in the same manner as would be necessary if, at the time of the accident, he had held such a license or privilege.

Any accident or offense committed in another state by a resident of this state which, if committed in this state, would subject the person to the provisions of this chapter, shall subject such person to the provisions of this chapter in all respects as if such accident or offense had been committed in this state.

**46.28.090 Form and amount of security.** (1) The security required under RCW 46.28.020 shall be in such form and in such amount as the director may require, but in no case shall such security exceed ten thousand dollars for injury or death of any one person, nor, subject to such limit as to any one person, be in excess of twenty thousand dollars for injury or death of all persons caused by any one accident, nor be in excess of five thousand dollars for all damages to property caused by one accident.

(2) The person depositing security shall specify in writing the person or persons on whose behalf the deposit is made. At any time while such deposit is in the custody of the director the person so depositing may, in writing, amend such specification to include an additional person or persons.

(3) A single deposit of security shall relate only to one accident and may be on behalf only of a person or persons who may be liable by reason of the acts or negligence of the operator and owner of any motor vehicle involved in such accident.

**46.28.100 Reduction of security.** The director may reduce the amount of security ordered in any case within six months after the date of the accident if, in his judgment, the amount ordered is excessive. The director shall forthwith return to the depositor or his personal representative the excess amount as so determined, of any deposit of security then held by him.

**46.28.110 Custody, and applicability of security.** (1) Security deposited in compliance with this chapter shall be in the custody of the director.

(2) Such security shall be applicable only to the payment of a judgment or judgments rendered against the person or persons on whose behalf the deposit of security was made, in an action at law arising out of the accident with relation to which the security was deposited, or toward payment of such confessed judgment or acknowledged settlement agreement. In the case of security deposited pursuant to RCW 46.28.020 such action must have been for damages arising out of the accident and instituted within one year after the date of the accident. In the case of security deposited pursuant to RCW 46.28.070 such action must have been for damages arising out of the accident or an action upon such acknowledged agreement or in the alternative, and must have been instituted not later than one year after that default in the agreement pursuant to which the action was instituted.

**46.28.120 Return of security.** The director shall return the security, or any portion thereof remaining after application to any such judgment or judgments or agreement, to the depositor or his personal representative upon evidence, filed with and satisfactory to the director, of the happening of any of the following as regards such accident and the person or persons on whose behalf the security was deposited:

- (1) Final adjudication of nonliability.
- (2) Release from liability.
- (3) Judgment or judgments have been paid.
- (4) If the security was deposited pursuant to RCW 46.28.020, lapse of one year from the date of the accident without an action being instituted in a court in this state against such person or persons.

**46.28.130 Self-insurers.** (1) Any person in whose name twenty-five or more motor vehicles are registered in this state may apply to the director for a certificate of self-insurance.

(2) The director may, upon such application, issue a certificate of self-insurance if he is reasonably satisfied that such person is able and will continue to be able to pay judgments rendered against him for damages arising out of motor vehicle accidents within this state.

(3) Upon not less than five days' written notice mailed to such person at his address last of record with the director, and a hearing pursuant to such notice, the director may, upon reasonable grounds, cancel a certificate of self-insurance. Failure to pay any such judgment within thirty days after it has become final shall be deemed to constitute one of such grounds for cancellation.

**46.28.140 Misrepresentations.** If any person to whom this chapter is applicable, misrepresents to the director in writing any fact or circumstance material to any determination by or action of the director hereunder, or material to exemption from the requirement of a deposit of security, the director shall upon discovery suspend or cancel the operator's license, or nonresident operating privilege, or certificate of self-insurance of such person, and shall not restore any such license, privilege or certificate except upon conditions deemed by the director adequate to remedy the effect of such misrepresentation.

**46.28.150 Matters not to be evidence.** No report, statement, action or determination made to or taken by the director, or any thing done by any person pursuant to this chapter shall be referred to in any way or be admissible as evidence for any purpose in any action to recover damages on account of any motor vehicle accident.



**46.28.160 Files not public.** Information in the files of the director pursuant to this chapter, pertaining to any motor vehicle accident or action taken or security required or insurance policy or bond involved therewith shall not be open to public inspection nor shall the director or any other person furnish information therefrom, or access thereto to any person other than to public officials or employees acting in the course and for the purposes of their official duties.

**46.28.170 Director shall administer — Rules and regulations.**

(1) The director shall administer and enforce the provisions of this chapter.

(2) The director is authorized to promulgate and enforce such rules and regulations as may be necessary for the administration of this chapter.

(3) Any person aggrieved by an action, determination, or requirement of or by the director under this chapter shall have the right to appeal therefrom to the superior court of the county in which the appealing party resides. Such an appeal shall be filed within the same time and shall follow the same procedures and have like effect as is provided in the case of appeals relative to the suspension, revocation, cancellation or refusal of licenses or certificates by RCW 46.20.340.

**46.28.180 Violations and penalties.** It shall be a misdemeanor for any person wilfully and in writing to misrepresent to the director any fact or circumstance material to any determination or action of the director pursuant to this chapter or to violate any of the provisions of this chapter, unless violation is by this chapter or other law of this state declared to be a felony or a gross misdemeanor, and every person convicted thereof shall be punished accordingly.

**46.28.190 Supplements other laws.** This chapter shall in no respect be deemed or held to be a repeal of any other provisions of the state motor vehicle laws but shall be construed as supplemental thereto.

**46.28.200 Other sections applicable.** RCW 46.24.010, and 46.24-270 to 46.24.320, inclusive, shall likewise apply as to this chapter.

## **Chapter 46.32**

### **VEHICLE INSPECTION**

**46.32.010 Inspection authorized—Stations—Duties of state patrol—Penalties.** The chief of the Washington state patrol is hereby empowered to constitute, erect, operate and maintain, throughout the state of Washington, stations for the inspection of vehicle

equipment, and to set a date, at a reasonable time subsequent to the installation of such stations, when inspection of vehicles shall commence, and it shall be unlawful for any vehicle to be operated over the public highways of this state unless and until it has been approved periodically as to equipment. The chief of the Washington state patrol shall establish periods of vehicle equipment inspection. In the event of any such inspection, the same shall be in charge of a responsible employee of the chief of the Washington state patrol, who shall be duly authorized as a peace officer and who shall have authority to secure and withhold, with written notice to the director of licenses, the certificate of license registration and license plates of any vehicle found to be defective in equipment so as to be unsafe or unfit to be operated upon the highways of this state, and it shall be unlawful for any person to operate such vehicle unless and until the same has been placed in a condition satisfactory to subsequent equipment inspection; the peace officer in charge of such vehicle equipment inspection station shall grant to the operator of such defective vehicle the privilege to move such vehicle to a place for repair under such restrictions as may be reasonably necessary.

In the event any insignia, sticker or other marker should be adopted to be displayed upon vehicles in connection with the inspection of vehicle equipment, the same shall be displayed as required by the rules and regulations of the chief of the Washington state patrol and it shall be a gross misdemeanor for any person to mutilate, destroy, remove or otherwise interfere with the display thereof.

Any person who refuses to have his motor vehicle examined, or, after having had it examined, refuses to place a certificate of approval, or a certificate of condemnation, if issued, upon his windshield, or who fraudulently obtains a certificate of approval, or who refuses to place his motor vehicle in proper condition after having had the same examined, or who, in any manner, fails to conform to the provisions of this chapter, shall be guilty of a gross misdemeanor.

Any person who performs false or improvised repairs, or repairs in any manner not in accordance with acceptable and customary repair practices, upon a motor vehicle, shall be guilty of a gross misdemeanor.

**46.32.020 Rules and Regulations—Local stations to conform—Supplies—Assistants.** The chief of the Washington state patrol is empowered to provide reasonable rules and regulations regarding times for the inspection of vehicle equipment, and all other matters with respect to the conduct of vehicle equipment inspection stations.

In the event that any municipality or other political subdivision of this state has installed and placed in operation any station for

the inspection of vehicle equipment, the operation of such inspection station shall be in strict conformity with rules, regulations, procedure and standards of inspection prescribed by the chief of the Washington state patrol. The operation of such municipally owned vehicle inspection station shall be under the direction and supervision of the chief of the Washington state patrol and there shall be maintained and submitted as and when prescribed such records and reports as shall be required by the chief of the Washington state patrol.

The chief of the Washington state patrol shall prepare and furnish such stickers, tags, record and report forms, stationery and other supplies as shall be deemed necessary. The chief of the Washington state patrol is empowered to appoint and employ such assistants as he may consider necessary and to fix hours of employment and compensation.

**46.32.030 Acquisition of property.** The chief of the Washington state patrol is empowered to acquire land for such vehicle equipment inspection stations by purchase, gift, or condemnation, with or without structures thereon. In the event land is acquired by condemnation the same shall be acquired in the manner provided by law for the acquisition of private property for public use. The chief of the Washington state patrol is empowered to erect structures and to acquire and install such equipment and mechanical devices as shall from time to time be necessary or convenient for the inspection of vehicle equipment.

In the event that the chief of the Washington state patrol should deem it advisable to acquire any vehicle equipment inspection station which is owned and operated by any municipality or other political subdivision of this state, and funds being available therefor, the chief of the Washington state patrol is empowered to acquire such vehicle equipment inspection station in the name of the state of Washington upon an agreed cost with such municipality or other political subdivision not in excess of the reasonable value thereof.

**46.32.040 Frequency of inspection—Inspection free.** Vehicle equipment inspection shall be at such periodic intervals as shall be required by the chief of the Washington state patrol and shall be without charge for such periodic inspection.

**46.32.050 Prohibited practices—Penalty.** It shall be unlawful for any person employed by the chief of the Washington state patrol or by any municipality or other political subdivision, in any vehicle equipment inspection station, to directly or indirectly, or in any manner whatsoever, order, direct, recommend or influence the correction of vehicle equipment defects by any person or persons whomsoever.

It shall be unlawful for any person employed by the chief of the Washington state patrol or by any municipality or other political subdivision, while in or about any vehicle equipment inspection station, to perform any repair or adjustment upon any vehicle or any equipment or appliance of any vehicle whatsoever.

It shall be unlawful for any person to solicit in any manner the repair to any vehicle or the adjustment of any equipment or appliance of any vehicle, upon the property of any vehicle equipment inspection station or upon any public highway adjacent thereto.

Any person violating any of the provisions of this section shall be guilty of a gross misdemeanor.

**46.32.060 Moving defective vehicle unlawful—Impounding authorized.** It shall be unlawful for any person to operate or move, or for any owner to cause or permit to be operated or moved upon any public highway, any vehicle or combination of vehicles, which is not at all times equipped in the manner required by this title, or the equipment of which is not in a proper condition and adjustment as required by this title.

Any vehicle operating upon the public highways of this state and at any time found to be defective in equipment in such a manner that it may be considered unsafe shall be an unlawful vehicle and may be prevented from further operation until such equipment defect is corrected and any peace officer is empowered to impound such vehicle until the same has been placed in a condition satisfactory to vehicle inspection. The necessary cost of impounding any such unlawful vehicle and any cost for the storage and keeping thereof shall be paid by the owner thereof. The impounding of any such vehicle shall be in addition to any penalties for such unlawful operation.

The provisions of this section shall not be construed to prevent the operation of any such defective vehicle to a place for correction of equipment defect in the manner directed by any peace officer or representative of the state commission on equipment.

**46.32.070 Inspection of damaged vehicle.** In the event that any vehicle shall become damaged in such a manner that such vehicle shall have become unsafe for operation upon the public highways of this state, it shall be unlawful for the owner or operator thereof to cause such vehicle to be operated upon a public highway upon its return to service unless such owner or operator shall have presented such vehicle for inspection of equipment within twenty-four hours after its return to service.

**Chapter 46.37****VEHICLE LIGHTING AND OTHER EQUIPMENT**

**46.37.005 Commission on equipment—Powers and duties.** There is hereby constituted a state commission on equipment which shall consist of the director of licenses, the chief of the Washington state patrol, and such person as may be designated by the state highway commission.

In addition to those powers and duties elsewhere granted by the provisions of this title the state commission on equipment shall have the power and the duty to adopt, apply and enforce such reasonable rules and regulations (1) relating to proper types of vehicles or combinations thereof for hauling passengers, commodities, freight and supplies, (2) relating to vehicle equipment, and (3) relating to the enforcement of the provisions of this title with regard to vehicle equipment, as may be deemed necessary for the public welfare and safety in addition to but not inconsistent with the provisions of this title.

**46.37.010 Scope and effect of regulations.** (1) It is a misdemeanor for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this chapter, or which is equipped in any manner in violation of this chapter, or for any person to do any act forbidden or fail to perform any act required under this chapter.

(2) Nothing contained in this chapter shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this chapter.

(3) The provisions of this section with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers or farm tractors except as herein made applicable.

**46.37.020 When lighted lamps are required.** Every vehicle upon a highway within this state at any time from a half hour after sunset to a half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles.

**46.37.030 Visibility distance and mounted height of lamps.** (1) Whenever requirement is hereinafter declared as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in RCW 46.37.020 in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(2) Whenever requirement is hereinafter declared as to the mounted height of lamps or devices it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when such vehicle is without a load.

**46.37.040 Head lamps on motor vehicles.** (1) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which headlamps shall comply with the requirements and limitations set forth in this chapter.

(2) Every motorcycle and every motor-driven cycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this chapter.

(3) Every head lamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height measured from the center of the head lamp of not more than fifty-four inches nor less than twenty-four inches to be measured as set forth in RCW 46.37.030(2).

**46.37.050 Tail lamps.** (1) Every motor vehicle, trailer, semi-trailer and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one tail lamp mounted on the rear, which, when lighted as hereinbefore required, shall emit a red light plainly visible from a distance of five hundred feet to the rear, provided that in the case of a train of vehicles only the tail lamp on the rearmost vehicle need actually be seen from the distance specified. And further, every such above-mentioned vehicle, other than a truck tractor, registered in this state and manufactured or assembled after January 1, 1939, shall be equipped with at least two tail lamps mounted on the rear, which when lighted as herein required, shall comply with the provisions of this section.

(2) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two inches nor less than twenty inches.

(3) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of fifty feet to

the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

**46.37.060 New motor vehicles to be equipped with reflectors.**

(1) Every new motor vehicle hereafter sold and operated upon a highway other than a truck tractor shall carry on the rear, either as a part of the tail lamps or separately, two red reflectors, except that every motorcycle and every motor-driven cycle shall carry at least one reflector, meeting the requirements of this section, and except that vehicles of the type mentioned in RCW 46.37.090 shall be equipped with reflectors as required in those sections applicable thereto.

(2) Every such reflector shall be mounted on the vehicle at a height not less than twenty inches nor more than sixty inches measured as set forth in RCW 46.37.030(2), and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty feet to one hundred feet from such vehicle when directly in front of lawful upper beams of head lamps, except that visibility from a greater distance is hereinafter required of reflectors on certain types of vehicles.

**46.37.070 Stop lamps and turn signals required on new motor vehicles.** (1) From and after June 30, 1947, it shall be unlawful for any person to sell any new motor vehicle, including any motorcycle or motor-driven cycle, in this state or for any person to drive such vehicle on the highways unless it is equipped with at least one stop lamp meeting the requirements of RCW 46.37.200.

(2) No person shall sell or offer for sale or operate on the highways any motor vehicle, trailer or semitrailer registered in this state and manufactured or assembled after January 1, 1954, unless it is equipped with mechanical or electrical turn signals meeting the requirements of RCW 46.37.200. No person shall sell or offer for sale or operate on the highways any motor vehicle, trailer or semitrailer registered in this state and manufactured or assembled after January 1, 1960, unless it is equipped with electrical turn signals meeting the requirements of RCW 46.37.200. This paragraph shall not apply to any motorcycle or motor-driven cycle.

**46.37.080 Application of succeeding sections.** Those sections of this chapter which follow immediately, including RCW 46.37.090, 46.37.100, 46.37.110, 46.37.120 and 46.37.130, relating to clearance and marker lamps, reflectors and stop lamps, shall apply as stated in said sections to vehicles of the type therein enumerated, namely passenger buses, trucks, truck tractors, and certain trailers, semitrailers and pole trailers, respectively, when operated upon any

highway, and said vehicles shall be equipped as required and all lamp equipment required shall be lighted at the times mentioned in RCW 46.37.020, except that clearance and side marker lamps need not be lighted on any said vehicle when operated within any municipality where there is sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred feet.

**46.37.090 Additional equipment required on certain vehicles.**  
In addition to other equipment required in this chapter, the following vehicles shall be equipped as herein stated under the conditions stated in RCW 46.37.080.

(1) On every bus or truck, whatever its size, there shall be the following:

On the rear, two reflectors, one at each side, and one stop lamp.

(2) On every bus or truck eighty inches or more in over-all width, in addition to the requirements in paragraph (1):

On the front, two clearance lamps, one at each side.

On the rear, two clearance lamps, one at each side.

On each side, two side marker lamps, one at or near the front and one at or near the rear.

On each side, two reflectors, one at or near the front and one at or near the rear.

(3) On every truck tractor:

On the front, two clearance lamps, one at each side.

On the rear, one stop lamp.

(4) On every trailer or semitrailer having a gross weight in excess of three thousand pounds:

On the front, two clearance lamps, one at each side.

On each side, two side marker lamps, one at or near the front and one at or near the rear.

On each side, two reflectors, one at or near the front and one at or near the rear.

On the rear, two clearance lamps, one at each side, also two reflectors, one at each side, and one stop lamp.

(5) On every pole trailer in excess of three thousand pounds gross weight:

On each side, one side marker lamp and one clearance lamp which may be in combination, to show to the front, side and rear.

On the rear of the pole trailer or load, two reflectors, one at each side.

(6) On every trailer, semitrailer or pole trailer weighing three thousand pounds gross or less:

On the rear, two reflectors, one on each side. If any trailer or semitrailer is so loaded or is of such dimensions as to obscure



the stop lamp on the towing vehicle, then such vehicle shall also be equipped with one stop lamp.

**46.37.100 Color of clearance lamps, side marker lamps, back-up lamps and reflectors.** (1) Front clearance lamps and those marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

(2) Rear clearance lamps and those marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

(3) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop lamp or other signal device, which may be red, amber or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp shall be white or amber.

**46.37.110 Mounting of reflectors, clearance lamps and side marker lamps.** (1) Reflectors when required by RCW 46.37.090 shall be mounted at a height not less than twenty-four inches and not higher than sixty inches above the ground on which the vehicle stands, except that if the highest part of the permanent structure of the vehicle is less than twenty-four inches the reflector at such point shall be mounted as high as that part of the permanent structure will permit.

The rear reflectors on a pole trailer may be mounted on each side of the bolster or load.

Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but such reflector shall meet all the other reflector requirements of this chapter.

(2) Clearance lamps shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme width and as near the top thereof as practicable. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as required herein with reference to both.

**46.37.120 Visibility of reflectors, clearance lamps and side marker lamps.** (1) Every reflector upon any vehicle referred to in RCW 46.37.090 shall be of such size and characteristics and so maintained as to be readily visible at nighttime from all distances within six hundred feet to one hundred feet from the vehicle when directly in front of lawful upper beams of head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides, and those mounted on the rear shall reflect a red color to the rear.

(2) Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the

times lights are required at a distance of five hundred feet from the front and rear, respectively, of the vehicle.

(3) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred feet from the side of the vehicle on which mounted.

**46.37.130 Obstructed lights not required.** Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp (except tail lamps) need not be lighted which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination, but this shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicle required to have clearance lamps, nor that all lights required on the rear of the rearmost vehicle of any combination shall be lighted.

**46.37.140 Lamp or flag on projecting load.** Whenever the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the time specified in RCW 46.37.020, a red light or lantern plainly visible from a distance of at least five hundred feet to the sides and rear. The red light or lantern required under this section shall be in addition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of such load a red flag or cloth not less than twelve inches square and so hung that the entire area is visible to the driver of a vehicle approaching from the rear.

**46.37.150 Lamps on parked vehicle.** (1) Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of five hundred feet upon such street or highway no lights need be displayed upon such parked vehicle.

(2) Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred feet upon such highway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of five hundred feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of five hundred feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of

lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor-driven cycle.

(3) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

**46.37.160 Lamps on farm tractors, farm equipment and implements of husbandry.** (1) Every farm tractor and every self-propelled farm equipment unit or implement of husbandry not equipped with an electric lighting system shall at all times mentioned in RCW 46.37.020 be equipped with at least one lamp displaying a white light visible from a distance of not less than five hundred feet to the front of such vehicle and shall also be equipped with at least one lamp displaying a red light visible from a distance of not less than five hundred feet to the rear of such vehicle and two red reflectors visible from a distance of one hundred to six hundred feet to the rear when illuminated by the upper beams of head lamps. The lights required herein shall be positioned so that one lamp showing to the front and one lamp or reflector showing to the rear will indicate the furthest projection of said tractor, unit or implement on the side of the road used in passing such vehicle.

(2) Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system shall at all times mentioned in RCW 46.37.020 be equipped with the following lamps:

(a) At least one lamp mounted to indicate as nearly as practicable the extreme left projection of said combination and displaying a white light visible from a distance of five hundred feet to the front of said combination, and

(b) Two lamps each displaying a red light visible from a distance of five hundred feet to the rear of said combination, or one lamp displaying a red light visible from a distance of five hundred feet to the rear and two red reflectors visible from a distance of one hundred to six hundred feet to the rear when illuminated by the upper beams of head lamps, which said lamps or reflectors shall be so mounted as to indicate as nearly as practicable the extreme left and right rear projections of said towed unit or implement on the highway.

(3) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall at all times mentioned in RCW 46.37.020 be equipped with two single-beam or multiple-beam head lamps meeting the requirements of RCW 46.37.220 or 46.37.250, and two red lamps visible from a distance of five hundred feet to the rear, or one red lamp visible from a distance of five hundred feet to the rear and

two red reflectors visible from a distance of one hundred to six hundred feet to the rear when illuminated by the upper beams of head lamps; and such red lamps or reflectors shall be mounted in the rear of said farm tractor or self-propelled implement of husbandry so as to indicate as nearly as practicable the extreme left and right projections of said vehicle on the highway.

(4) Every combination of farm tractor and towed farm equipment or implement of husbandry equipped with an electric lighting system shall at all times mentioned in RCW 46.37.020 be equipped with the following lamps:

(a) The farm tractor element of every such combination shall be equipped with two single-beam or multiple-beam head lamps meeting the requirements of RCW 46.37.220, 46.37.240, or 46.37.260, and

(b) The towed unit of farm equipment or implement of husbandry element of such combination shall be equipped with two red lamps visible from a distance of not less than five hundred feet to the rear, or as an alternative, one red lamp visible from a distance of not less than five hundred feet to the rear and two red reflectors visible from a distance of one hundred to six hundred feet to the rear when illuminated by the upper beams of head lamps; and such red lamps or reflectors shall be located so as to indicate as nearly as practicable the extreme left and right rear projections of said towed unit or implement on the highway, and

(c) Said combinations shall also be equipped with a lamp displaying a white or amber light, or any shade of color between white and amber, visible from a distance of not less than five hundred feet to the front and a lamp displaying a red light visible from a distance of not less than five hundred feet to the rear, which said lamp or lamps shall be installed or capable of being positioned so as to indicate to the front and rear the furthest projection of said combination on the side of the road used by other vehicles in passing such combination.

**46.37.170 Lamps on other vehicles and equipment.** Every vehicle, including animal-drawn vehicles and vehicles referred to in RCW 46.37.010(3), not specifically required by the provisions of RCW 46.37.020 through 46.37.330 to be equipped with lamps, or other lighting devices, shall at all times specified in RCW 46.37.020 be equipped with at least one lamp displaying a white light visible from a distance of not less than five hundred feet to the front of said vehicle, and shall also be equipped with two lamps displaying red light visible from a distance of not less than five hundred feet to the rear of said vehicle, or as an alternative, one lamp displaying a red light visible from a distance of not less than five hundred feet to the rear and two red reflectors visible for distances of one hundred to

six hundred feet to the rear when illuminated by the upper beams of head lamps.

**46.37.180 Spot lamps and auxiliary lamps.** (1) Any motor vehicle may be equipped with not to exceed two spot lamps and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred feet ahead of the vehicle.

(2) Any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height of not less than twelve inches nor more than thirty inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of twenty-five feet ahead project higher than a level of four inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the above requirements may be used with lower head lamp beams as specified in RCW 46.37.220.

(3) Any motor vehicle may be equipped with not to exceed one auxiliary passing lamp mounted on the front at a height not less than twenty-four inches nor more than forty-two inches above the level surface upon which the vehicle stands. The provisions of RCW 46.37.220 shall apply to any combination of head lamps and auxiliary passing lamp.

(4) Any motor vehicle may be equipped with not to exceed one auxiliary driving lamp mounted on the front at a height not less than sixteen inches nor more than forty-two inches above the level surface upon which the vehicle stands. The provisions of RCW 46.37.220 shall apply to any combination of head lamps and auxiliary driving lamp.

**46.37.184 Red flashing lights on fire department vehicles.** All fire department vehicles in service shall be identified by red lights of an intermittent flashing type, visible from both front and rear for a distance of five hundred feet under normal atmospheric conditions. Such red flashing lights shall be well separated from the headlights so that they will not black out when headlights are on. Such red flashing lights shall be in operation at all times when such vehicle is on emergency status.

**46.37.185 Blue light on firemen's private cars.** Firemen, when approved by the chief of their respective service, shall be authorized to use a blue light on the front of their private cars when on emergency duty only. Such blue light shall be visible for a distance of two hundred feet under normal atmospheric conditions and shall

be of a type and mounting approved by the commission on equipment.

**46.37.186 Fire department sign or plate on private car.** (1) No private vehicle, bearing a sign or plate indicating a fire department connection, shall be driven or operated on any public highway, except when the owner thereof is a bona fide member of a fire department.

(2) Any sign or plate indicating fire department connection on a private car of any member of a fire department shall include the name of the municipality or fire department organization to which the owner belongs.

**46.37.187 Blue light, sign or plate—Identification card required—Funeral coach may display blue light.** (1) Any individual displaying a blue light as authorized in RCW 46.37.185, or a sign or plate as authorized in RCW 46.37.186, shall also carry attached to a convenient location on the private vehicle to which the blue light or sign or plate is attached, an identification card showing the name of the owner of said vehicle, the organization to which he or she belongs and bearing the signature of the chief of the service involved.

(2) The operator of any funeral coach shall be authorized to display a blue light of the type specified in RCW 46.37.185 on the front of such coach when engaged in answering a call of an accidental or emergency nature.

**46.37.188 Penalty for violation of RCW 46.37.184 through 46.37.188.** Every violation of RCW 46.37.184, 46.37.185, 46.37.186 or 46.37.187 is a misdemeanor.

**46.37.190 Red lights — School buses — Police vehicles.** (1) Every bus used for transportation of school children shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level and these lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight.

(2) A police vehicle when used as an authorized emergency vehicle may but need not be equipped with red lights specified herein.

(3) The use of the signal equipment described herein shall impose upon drivers of other vehicles the obligation to yield right of way and stop as provided in RCW 46.60.210.

**46.37.192 —————Sirens—Authorized emergency vehicles.** Every authorized emergency vehicle shall be equipped with at least one lamp capable of displaying a red light visible from at least five

hundred feet in normal sunlight and a siren capable of giving an audible signal.

**46.37.194 —Authorized emergency vehicles—Rules, tests, approval by commission on equipment.** The state commission on equipment may make rules and regulations relating to authorized emergency vehicles and shall test and approve sirens and emergency vehicle lamps to be used on such vehicles.

**46.37.200 Signal lamps and signal devices—Stop lamps.** (1) Any motor vehicle may be equipped and when required under this chapter shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred feet to the rear in normal sunlight, and which shall be actuated upon application of a service or foot brake, and which may but need not be incorporated with one or more other rear lamps.

(2) Any motor vehicle may be equipped and when required under this chapter shall be equipped with lamps or mechanical signal devices showing to the front and rear for the purpose of indicating an intention to turn either to the right or left. When lamps are used for such purpose, the lamps showing to the front shall be located on the same level and as widely spaced laterally as practicable and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable and when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred feet to the rear in normal sunlight. When actuated such lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. Where mechanical signal devices are used for such purpose, said devices shall be self-illuminated when in use at the times mentioned in RCW 46.37.020.

(3) No stop lamp or signal lamp or device shall project a glaring light.

**46.37.210 Additional lighting equipment.** (1) Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit an amber or white light without glare.

(2) Any motor vehicle may be equipped with not more than one running-board courtesy lamp on each side thereof which shall emit a white or amber light without glare.

(3) Any motor vehicle may be equipped with not more than two back-up lamps either separately or in combination with other

lamps, but any such back-up lamp shall not be lighted when the motor vehicle is in forward motion.

(4) Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing, and when so equipped may display such warning in addition to any other warning signals required by this chapter. The lamps used to display such warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than five hundred feet under normal atmospheric conditions at night.

**46.37.220 Multiple - beam road - lighting equipment.** Except as hereinafter provided, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or motor-driven cycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and such lamps may be so arranged that such selection can be made automatically subject to the following limitations:

(1) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of three hundred fifty feet ahead for all conditions of loading.

(2) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of one hundred feet ahead; and on a straight level road under any conditions of loading none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

(3) Every new motor vehicle, other than a motorcycle or motor-driven cycle, registered in this state after January 1, 1948, which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

**46.37.230 Use of multiple-beam road-lighting equipment.** (1) Whenever a motor vehicle is being operated on a roadway or adja-



cent thereto during the times specified in RCW 46.37.020, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

(2) Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in RCW 46.37.220(2) shall be deemed to avoid glare at all times, regardless of road contour and loading.

(3) Whenever the driver of a vehicle follows another vehicle within three hundred feet to the rear, such driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in RCW 46.37.220(1).

**46.37.240 Single-beam road-lighting equipment.** Head lamps arranged to provide a single distribution of light shall be permitted on motor vehicles manufactured and sold prior to one year after March 18, 1955 in lieu of multiple-beam road-lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

(1) The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of twenty-five feet ahead project higher than a level of five inches below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches above the level on which the vehicle stands at a distance of seventy-five feet ahead.

(2) The intensity shall be sufficient to reveal persons and vehicles at a distance of two hundred feet.

**46.37.250 Lighting equipment on motor-driven cycles.** The head lamp or head lamps upon every motor-driven cycle may be of the single-beam or multiple-beam type but in either event shall comply with the requirements and limitations as follows:

(1) Every said head lamp or head lamps on a motor-driven cycle shall be of a sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred feet when the motor-driven cycle is operated at any speed less than twenty-five miles per hour and at a distance of not less than two hundred feet when the motor-driven cycle is operated at a speed of twenty-five or more miles per hour, and at a distance of not less than three hundred feet when the motor-driven cycle is operated at a speed of thirty-five or more miles per hour.

(2) In the event the motor-driven cycle is equipped with a multiple-beam head lamp or head lamps the upper beam shall meet

the minimum requirements set forth above and shall not exceed the limitations set forth in RCW 46.37.220(1) and the lowermost beam shall meet the requirements applicable to a lowermost distribution of light as set forth in RCW 46.37.220(2).

(3) In the event the motor-driven cycle is equipped with a single-beam lamp or lamps, said lamp or lamps shall be so aimed that when the vehicle is loaded none of the high-intensity portion of light, at a distance of twenty-five feet ahead, shall project higher than the level of the center of the lamp from which it comes.

**46.37.260 Alternate road lighting equipment.** Any motor vehicle may be operated under the conditions specified in RCW 46.37.020 when equipped with two lighted lamps upon the front thereof capable of revealing persons and objects seventy-five feet ahead in lieu of lamps required in RCW 46.37.220 or 46.37.240: *Provided, however,* That at no time shall it be operated at a speed in excess of twenty miles per hour.

**46.37.270 Number of driving lamps required or permitted.** (1) At all times specified in RCW 46.37.020, at least two lighted lamps shall be displayed, one on each side at the front of every motor vehicle other than a motorcycle or motor-driven cycle, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

(2) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

**46.37.280 Special restrictions on lamps.** (1) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred candlepower shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle.

(2) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying a red light visible from directly in front of the center thereof. This section shall not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by this chapter.

(3) Flashing lights are prohibited except on an authorized emergency vehicle, school bus, snow-removal and highway maintenance

nance equipment or on any vehicle as a means of indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing.

**46.37.290 Special lighting equipment on school buses.** (1) The state commission on equipment is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried by school buses consistent with the provisions of this chapter, but supplemental thereto. Such standards and specifications shall correlate with and, so far as possible, conform to the specifications then current as approved by the society of automotive engineers.

(2) It shall be unlawful to operate any flashing warning signal light on any school bus except when any said school bus is stopped on a highway for the purpose of permitting school children to board or alight from said school bus. The term flashing signal as used herein shall not include an electric turn signal.

**46.37.300 Standards for lights on snow-removal or highway maintenance equipment.** (1) The state commission on equipment shall adopt standards and specifications applicable to head lamps, clearance lamps, identification and other lamps on snow-removal and highway maintenance equipment when operated on the highways of this state in lieu of the lamps otherwise required on motor vehicles by this chapter. Such standards and specifications may permit the use of flashing lights for purposes of identification on snow-removal or highway maintenance equipment when in service upon the highways. The standards and specifications for lamps referred to in this section shall correlate with and, so far as possible, conform with those approved by the American association of state highway officials.

(2) It shall be unlawful to operate any snow-removal or highway maintenance equipment on any highway unless the lamps thereon comply with and are lighted when and as required by the standards and specifications adopted as provided in this section.

**46.37.310 Selling or using lamps or equipment.** (1) On and after January 1, 1938, no person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or semitrailer, or use upon any such vehicle any head lamp, auxiliary, or fog lamp, rear lamp, signal lamp or reflector, which reflector is required hereunder, or parts of any of the foregoing which tend to change the original design or performance, unless of a type which has been submitted to the state commission on equipment and approved by it.

(2) No person shall have for sale, sell or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer or

semitrailer any lamp or device mentioned in this section which has been approved by the state commission on equipment unless such lamp or device bears thereon the trademark or name under which it is approved so as to be legible when installed.

(3) No person shall use upon any motor vehicle, trailer or semitrailer any lamps mentioned in this section unless said lamps are mounted, adjusted and aimed in accordance with instructions of the state commission on equipment.

**46.37.320 Authority of state commission on equipment with reference to lighting devices.** (1) The state commission on equipment is hereby authorized to approve or disapprove lighting devices and to issue and enforce regulations establishing standards and specifications for the approval of such lighting devices, their installation, adjustment and aiming, and adjustment when in use on motor vehicles. Such regulations shall correlate with and, so far as practicable, conform to the then current standards and specifications of the society of automotive engineers applicable to such equipment.

(2) The state commission on equipment is hereby required to approve or disapprove any lighting device, of a type on which approval is specifically required in this chapter, within a reasonable time after such device has been submitted.

(3) The state commission on equipment is further authorized to set up the procedure which shall be followed when any device is submitted for approval.

(4) The state commission on equipment upon approving any such lamp or device shall issue to the applicant a certificate of approval together with any instructions determined by it.

(5) The state commission on equipment shall publish lists of all lamps and devices by name and type which have been approved by it.

**46.37.330 Revocation of certificate of approval on lighting devices.** When the state commission on equipment has reason to believe that an approved device as being sold commercially does not comply with the requirements of this chapter, it may, after giving thirty days' previous notice to the person holding the certificate of approval for such device in this state, conduct a hearing upon the question of compliance of said approved device. After said hearing the state commission on equipment shall determine whether said approved device meets the requirements of this chapter. If said device does not meet the requirements of this chapter it shall give notice to the person holding the certificate of approval for such device in this state.

If at the expiration of ninety days after such notice the person holding the certificate of approval for such device has failed to

satisfy the state commission on equipment that said approved device as thereafter to be sold meets the requirements of this chapter, the state commission on equipment shall suspend or revoke the approval issued therefor until or unless such device is resubmitted to and retested by an authorized testing agency and is found to meet the requirements of this chapter, and may require that all said devices sold since the notification following the hearing be replaced with devices that do comply with the requirements of this chapter. The state commission on equipment may at the time of the retest purchase in the open market and submit to the testing agency one or more sets of such approved devices, and if such device upon such retest fails to meet the requirements of this chapter, the state commission on equipment may refuse to renew the certificate of approval of such device.

**46.37.340 Brake equipment required.** (1) Every motor vehicle, other than a motorcycle or motor-driven cycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

(2) Every motorcycle and every motor-driven cycle, when operated upon a highway, shall be equipped with at least one brake, which may be operated by hand or foot.

(3) Every trailer or semitrailer registered in this state and manufactured or assembled after January 1, 1956, of a gross weight of four thousand pounds or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes shall be so designed and connected that in case of an accidental break-away of the towed vehicle the brakes shall be automatically applied.

(4) Every new motor vehicle, trailer or semitrailer sold in this state after January 1, 1938, and operated upon the highways shall be equipped with service brakes upon all wheels of every such vehicle, except that any vehicle having three or more axles shall have brakes on the wheels of at least two axles, and except any motorcycle or motor-driven cycle, and except that any semitrailer of less than two thousand pounds gross weight, need not be equipped with brakes.

(5) One of the means of brake operation shall consist of a

mechanical connection from the operating lever to the brake shoes or bands and this brake shall be capable of holding the vehicle, or combination of vehicles, stationary under any condition of loading on any up grade or down grade upon which it is operated.

(6) The brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation.

**46.37.350 Performance ability of brakes.** Every motor vehicle or combination of vehicles, at all times and under all conditions of loading, shall, upon application of the service or foot brake, be capable of decelerating and developing a breaking force equivalent to such deceleration according to the minimum requirements set forth herein, and also of stopping within the distances set forth herein.

	Stopping distance in feet	Deceleration in feet per second per second	Equivalent breaking force in percentage of vehicle or combina- tion weight
Passenger vehicles, not including buses .....	25	17	53.0%
Single-unit vehicles with a man- ufacturer's gross vehicle weight rating of less than 10,000 pounds .....	30	14	43.5%
Single-unit, 2-axle vehicles with a manufacturer's gross vehicle weight rating of 10,000 or more pounds .....	40	14	43.5%
All other vehicles and combina- tions with a manufacturer's gross vehicle weight rating of 10,000 or more pounds .....	50	14	43.5%

Compliance with standards set forth herein shall be determined either (1) by actual road tests conducted on a substantially level (not to exceed a plus or minus one percent grade), dry, smooth, hard-surfaced road that is free from loose material, and with stopping distance measured from the actual instant breaking controls are moved and from an initial speed of twenty miles per hour, or else (2) by suitable mechanical tests in a testing lane which recreates such same conditions, or (3) a combination of both methods.

**46.37.360 Maintenance of brakes.** All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

**46.37.370 Brakes on motor-driven cycles.** (1) The state commission on equipment is authorized to require an inspection of the brake on any motor-driven cycle having a motor not in excess of five horsepower and to disapprove any such brake which it finds will not comply with the performance ability standard set forth in RCW 46.37.350, or which in its opinion is not so designed or constructed as to insure reasonable and reliable performance in actual use.

(2) The director of licenses may refuse to register or may suspend or revoke the registration of any vehicle referred to in this section when he determines that the brake thereon does not comply with the provisions of this section.

(3) No person shall operate on any highway any vehicle referred to in this section in the event the state commission on equipment has disapproved the brake equipment upon such vehicle or type of vehicle.

**46.37.380 Horns and warning devices.** (1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use such horn when upon a highway.

(2) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle or bell, except as otherwise permitted in this section.

(3) It is permissible but not required that any commercial vehicle be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

(4) Any authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet and of a type approved by the state commission on equipment, but such siren shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound said siren when reasonably necessary to warn pedestrians and other drivers of the approach thereof.

**46.37.390 Mufflers, prevention of noise and smoke.** (1) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a

muffler cut-out, bypass or similar device upon a motor vehicle on a highway.

(2) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

**46.37.400 Mirrors.** Every motor vehicle which is so constructed or loaded as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet to the rear of such vehicle.

**46.37.410 Windshields must be unobstructed and equipped with wipers.** (1) No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, side wings or side or rear windows of such vehicle which obstructs the driver's clear view of the highway or any intersecting highway.

(2) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. After January 1, 1938, it shall be unlawful for any person to operate a new motor vehicle first sold or delivered after that date which is not equipped with such device or devices in good working order capable of cleaning the windshield thereof over two separate arcs, one each on the left and right side of the windshield, each capable of cleaning a surface of not less than one hundred twenty square inches, or other device or devices capable of accomplishing substantially the same result.

(3) Every windshield wiper upon a motor vehicle shall be maintained in good working order.

**46.37.420 Restrictions as to tire equipment.** (1) After January 1, 1938, it shall be unlawful to operate a vehicle upon the public highways of this state unless it is completely equipped with pneumatic rubber tires.

(2) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat or spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires having protuberances which will not injure the highway, and except also that it shall be permissible to use tire chains of reasonable proportions and of a type approved by the state commission on equipment, upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid.

(3) The state highway commission and local authorities in their respective jurisdictions may in their discretion issue special per-



mits authorizing the operation upon a highway of traction engines or tractors having movable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under this section.

**46.37.430 Safety glazing materials in motor vehicles.** (1) On and after January 1, 1938, no person shall sell any new motor vehicle as specified herein, nor shall any new motor vehicle as specified herein be registered thereafter unless such vehicle is equipped with safety glazing material of a type approved by the state commission on equipment wherever glazing material is used in doors, windows and windshields. The foregoing provisions shall apply to all passenger-type motor vehicles, including passenger buses and school buses, but in respect to trucks, including truck tractors, the requirements as to safety glazing material shall apply to all glazing material used in doors, windows and windshields in the drivers' compartments of such vehicles.

(2) The term "safety glazing materials" means glazing materials so constructed, treated or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

(3) The state commission on equipment shall compile and publish a list of types of glazing material by name approved by it as meeting the requirements of this section and the director of licenses shall not register after January 1, 1938, any motor vehicle which is subject to the provisions of this section unless it is equipped with an approved type of safety glazing material, and he shall thereafter suspend the registration of any motor vehicle so subject to this section which he finds is not so equipped until it is made to conform to the requirements of this section.

**46.37.440 Certain vehicles to carry flares or other warning devices.** (1) No person shall operate any motor truck, passenger bus or truck tractor over eighty inches in overall width upon any highway outside the corporate limits of municipalities at any time unless there shall be carried in such vehicle the following equipment except as provided in subsection (2):

(a) At least three flares or three red electric lanterns or three portable red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of not less than six hundred feet under normal atmospheric conditions at nighttime.

No flare, fusee, electric lantern or cloth warning flag shall be used for the purpose of compliance with the requirements of this section unless such equipment is of a type which has been submitted

to the state commission on equipment and approved by it. No portable reflector unit shall be used for the purpose of compliance with the requirements of this section unless it is so designed and constructed as to include two reflecting elements one above the other, each of which shall be capable of reflecting red light clearly visible from all distances within six hundred feet to one hundred feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps, and unless it is of a type which has been submitted to the state commission on equipment and approved by it.

(b) At least three red-burning fusees unless red electric lanterns or red portable emergency reflectors are carried.

(c) At least two red-cloth flags, not less than twelve inches square, with standards to support such flags.

(2) No person shall operate at the time and under conditions stated in subsection (1) any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases, or any motor vehicle using compressed gas as a fuel unless there shall be carried in such vehicle three red electric lanterns or three portable red emergency reflectors meeting the requirements of subsection (1) of this section, and there shall not be carried in any said vehicle any flares, fusees or signal produced by flame.

**46.37.450 Display of warning devices when vehicle disabled.** (1) Whenever any motor truck, passenger bus, truck tractor over eighty inches in overall width, trailer, semitrailer or pole trailer is disabled upon the traveled portion of any highway or the shoulder thereof outside of any municipality at any time when lighted lamps are required on vehicles the driver of such vehicle shall display the following warning devices upon the highway during the time the vehicle is so disabled on the highway except as provided in subsection (2):

(a) A lighted fusee, a lighted red electric lantern or a portable red emergency reflector shall be immediately placed at the traffic side of the vehicle in the direction of the nearest approaching traffic.

(b) As soon thereafter as possible but in any event within the burning period of the fusee (fifteen minutes), the driver shall place three liquid-burning flares (pot torches), or three lighted red electric lanterns or three portable red emergency reflectors on the traveled portion of the highway in the following order:

(i) One, approximately one hundred feet from the disabled vehicle in the center of the lane occupied by such vehicle and toward traffic approaching in that lane.

(ii) One, approximately one hundred feet in the opposite di-

rection from the disabled vehicle and in the center of the traffic lane occupied by such vehicle.

(iii) One at the traffic side of the disabled vehicle not less than ten feet rearward or forward thereof in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle in accordance with subdivision (a) of this subsection, it may be used for this purpose.

(2) Whenever any vehicle referred to in this section is disabled within five hundred feet of a curve, hillcrest or other obstruction to view, the warning signal in that direction shall be so placed as to afford ample warning to other users of the highway, but in no case less than five hundred feet from the disabled vehicle.

(3) Whenever any vehicle of a type referred to in this section is disabled upon any roadway of a divided highway during the time that lights are required, the appropriate warning devices prescribed in subsections (1) and (5) of this section shall be placed as follows:

One at a distance of approximately two hundred feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane; one at a distance of approximately one hundred feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane; one at the traffic side of the vehicle and approximately ten feet from the vehicle in the direction of the nearest approaching traffic.

(4) Whenever any vehicle of a type referred to in this section is disabled upon the traveled portion of a highway or the shoulder thereof outside of any municipality at any time when the display of fusees, flares, red electric lanterns or portable red emergency reflectors is not required, the driver of the vehicle shall display two red flags upon the roadway in the lane of traffic occupied by the disabled vehicle, one at a distance of approximately one hundred feet in advance of the vehicle, and one at a distance of approximately one hundred feet to the rear of the vehicle.

(5) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed flammable gas, or any motor vehicle using compressed gas as a fuel, is disabled upon a highway of this state at any time or place mentioned in subsection (1) of this section, the driver of such vehicle shall immediately display the following warning devices: One red electric lantern or portable red emergency reflector placed on the roadway at the traffic side of the vehicle, and two red electric lanterns or portable red reflectors, one placed approximately one hundred feet to the front and one placed approximately one hundred feet to the rear of this disabled vehicle in the center of the traffic lane occupied by such vehicle. Flares,

fusees or signals produced by flame shall not be used as warning devices for disabled vehicles of the type mentioned in this paragraph.

(6) The flares, fusees, red electric lanterns, portable red emergency reflectors and flags to be displayed as required in this section shall conform with the requirements of RCW 46.37.440 applicable thereto.

**46.37.460 Vehicles transporting explosives.** Any person operating any vehicle transporting any explosive as a cargo or part of a cargo upon a highway shall at all times comply with the provisions of this section.

(1) Said vehicle shall be marked or placarded on each side and the rear with the word "Explosives" in letters not less than eight inches high, or there shall be displayed on the rear of such vehicle a red flag not less than twenty-four inches square marked with the word "danger" in white letters six inches high.

(2) Every said vehicle shall be equipped with not less than two fire extinguishers, filled and ready for immediate use, and placed at a convenient point on the vehicle so used.

**46.37.470 Air-conditioning equipment.** (1) The term "air-conditioning equipment" as used or referred to in this section shall mean mechanical vapor compression refrigeration equipment which is used to cool the driver's or passenger compartment of any motor vehicle.

(2) Such equipment shall be manufactured, installed and maintained with due regard for the safety of the occupants of the vehicle and the public and shall not contain any refrigerant which is toxic to persons or which is flammable.

(3) The state commission on equipment may adopt and enforce safety requirements, regulations and specifications consistent with the requirements of this section applicable to such equipment which shall correlate with and, so far as possible, conform to the current recommended practice or standard applicable to such equipment approved by the society of automotive engineers.

(4) No person shall have for sale, offer for sale, sell or equip any motor vehicle with any such equipment unless it complies with the requirements of this section.

(5) No person shall operate on any highway any motor vehicle equipped with any air-conditioning equipment unless said equipment complies with the requirements of this section.

**46.37.480 Television viewers.** No person shall drive any motor vehicle equipped with any television viewer, screen or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's

seat, or which is visible to the driver while operating the motor vehicle.

**46.37.490 Safety load chains and devices required.** It shall be unlawful to operate any vehicle upon the public highways of this state without having the load thereon securely fastened and protected by safety chains or other device. The state commission on equipment is hereby authorized to adopt and enforce reasonable rules and regulations as to what shall constitute adequate and safe chains or other devices for the fastening and protection of loads upon vehicles.

**46.37.500 Splash guards.** Every vehicle shall be equipped with a device adequate to effectively reduce the wheel spray or splash of water from the roadway to the rear thereof.

## Chapter 46.44

### SIZE, WEIGHT, LOAD

**46.44.010 Outside width limit.** The total outside width of any vehicle or load thereon shall not exceed eight feet: *Provided*, That in any instance where it is necessary to extend a rear vision mirror beyond the extreme left or right of the body the same may be done despite the fact that this results in a width in excess of eight feet, but no rear vision mirror shall extend more than five inches beyond the extreme limits of the body: *Provided further*, That in those instances where it is necessary to install fenders on the rear wheels of vehicles to reduce wheel spray the same may be done despite the fact that this results in a width in excess of eight feet providing such fenders are made of rubber and do not extend more than two inches beyond either side of the body: *And provided further*, That a tolerance of two inches in width will be allowed on the tires of all vehicles where such overwidth is due entirely to the expansion of the tires: *Provided further, however*, That safety appliances such as clearance lights, rub rails, binder chains and appurtenances such as door handles, door hinges and turning signal brackets, may extend beyond the extreme left or right of the body despite the fact that this results in a width in excess of eight feet but no appliances or appurtenances can extend more than two inches beyond the extreme limits of the body.

**46.44.020 Maximum height—Impaired clearance signs.** It shall be unlawful for any vehicle unladen or with load to exceed a height of thirteen feet and six inches above the level surface upon which the vehicle stands. This section shall not apply to authorized emergency vehicles or repair equipment of a public utility engaged in reasonably necessary operation. The provisions of this section shall

not relieve the owner or operator of a vehicle or combination of vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the public highways where such vehicle or combination of vehicles is being operated; and no liability shall attach to the state or to any county, city, town or other political subdivision by reason of any damage or injury to persons or property by reason of the existence of any structure over or across any public highway where the vertical clearance above the roadway is thirteen feet six inches or more; or, where such vertical clearance is less than thirteen feet six inches, if impaired clearance signs of a design approved by the Washington state highway commission are erected and maintained on the right side of any such public highway: In cities and towns at a distance of not less than two hundred feet and not more than three hundred feet; and in rural areas at a distance of not less than three hundred fifty feet and not more than five hundred feet, from each side of such structure. If any structure over or across any public highway is not owned by the state or by a county, city, town or other political subdivision, it shall be the duty of the owner thereof when billed therefor to reimburse the Washington state highway commission or the county, city, town or other political subdivision having jurisdiction over such highway for the actual cost of erecting and maintaining such impaired clearance signs, but no liability shall attach to such owner by reason of any damage or injury to persons or property caused by impaired vertical clearance above the roadway.

**46.44.030 Maximum lengths.** It is unlawful for any person to operate upon the public highways of this state any vehicle having an overall length, with or without load, in excess of thirty-five feet, except that an auto stage shall not exceed an overall length, inclusive of front and rear bumpers, of forty feet, but the operation of any such auto stage upon the public highways shall be limited as determined by the state highway commission. It is unlawful for any person to operate upon the public highways any combination of vehicles which, with or without load, has an overall length in excess of sixty feet, or any combination of vehicles containing any vehicle of which the permanent structure has an overall length in excess of forty feet. Said length limitations shall not apply to vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties but in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load: *Provided*, That when it is desirable to facilitate the movement

of combination of vehicles between this state and other states, the state highway commission may authorize combinations consisting of a tractor, a semitrailer, and a trailer to operate at a total overall length, with or without load, not to exceed sixty-five feet on such highway and subject to such terms and conditions as the state highway commission may direct: *Provided, however,* That until such time as six of the eleven western states shall have made provision to authorize this combination length, this section shall not apply.

Note: See also section 36, chapter 21, Laws of 1961 extraordinary session.

**46.44.034 ———Front and rear protrusions.** The load, or any portion of any vehicle, operated alone upon the public highway of this state, or the load, or any portion of the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle, or the front bumper, if equipped with front bumper.

No vehicle shall be operated upon the public highways with any part of the permanent structure or load extending in excess of fifteen feet beyond the center of the last axle of such vehicle.

**46.44.036 Combination of units. Limitation.** Except as provided in RCW 46.44.037, it is unlawful for any person to operate upon the public highways of this state any combination of vehicles consisting of more than two vehicles. For the purposes of this section a truck tractor-semitrailer and/or pole trailer combination will be considered as two vehicles but the addition of another axle to the tractor of a truck tractor-semitrailer and/or pole trailer combination in such a way that it supports a proportional share of the load of the semitrailer and/or pole trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the truck tractor. For the purposes of this section a converter gear used in converting a semitrailer to a full trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the trailer.

**46.44.037 ———Lawful operations—Special permits.** It shall be lawful to operate a truck tractor, semitrailer and a trailer in combination subject to such rules and regulations as the state highway commission may adopt governing the operation of such a combination, and for the purpose of this section a converter gear used to convert a semitrailer into a trailer shall not be deemed a separate vehicle but shall be considered to be a part of the trailer.

Such a combination when licensed for a total gross weight of seventy-two thousand pounds may be entitled to a special permit authorizing the combination to carry not more than four thousand pounds of gross weight in excess of the maximum allowed in RCW 46.44.044 upon the payment of the fees set forth in RCW 46.44.095 and on such highways and subject to such terms and conditions as

the state highway commission shall prescribe pursuant to the provisions of RCW 46.44.095: *Provided*, That any state highway patrol officer who shall find any person operating a vehicle in violation of the conditions of a special permit issued under this section may confiscate such permit and forward it to the state highway commission which may return it to the permittee or revoke, cancel, or suspend it.

**46.44.040 Maximum gross weights. Axle factor.** (1) It is unlawful to operate any vehicle upon the public highways with a gross weight including load upon any one axle thereof in excess of eighteen thousand pounds.

It is unlawful to operate any one axle semitrailer upon the public highways with a gross weight including load upon such one axle in excess of eighteen thousand pounds.

It is unlawful to operate any truck or truck tractor upon the public highways of this state supported upon two axles with a gross weight including load in excess of twenty-eight thousand pounds.

It is unlawful to operate any semitrailer or pole trailer upon the public highway supported upon two axles with a gross weight including load in excess of thirty-two thousand pounds. It is unlawful to operate any two axle trailer upon the public highways with a gross weight, including load, in excess of thirty-six thousand pounds.

Except as provided in RCW 46.44.095 it is unlawful to operate any vehicle upon the public highways supported upon three axles or more with a gross weight including load in excess of thirty-six thousand pounds.

(2) The maximum axle and gross weight specified in subsection (1) above are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law.

(3) It is unlawful to operate any vehicle upon the public highways equipped with two axles spaced less than seven feet apart, unless the two axles are so constructed and mounted in such a manner to provide oscillation between the two axles and that either one of the two axles will not at any one time carry more than the maximum gross weight allowed for one axle or two axles specified in subsection (1) above.

**46.44.042 ————Tire factor.** Subject to the maximum gross weights specified in subsection (1) of RCW 46.44.040, it is unlawful to operate any vehicle upon the public highways with a gross weight, including load, upon any tire concentrated upon the surface of the highway in excess of five hundred fifty pounds per inch width of such tire, up to a maximum width of twelve inches, and for a tire having a width of twelve inches or more there shall be allowed a twenty percent tolerance above five hundred fifty pounds per inch



width of such tire. For the purpose of this section, the width of tire in case of solid rubber or hollow center cushion tires, so long as the use thereof may be permitted by the law, shall be measured between the flanges of the rim. For the purpose of this section, the width of tires in case of pneumatic tires shall be the maximum overall normal inflated width as stipulated by the manufacturer when inflated to the pressure specified and without load thereon.

**46.44.044 ———Wheelbase factor.** Subject to the maximum axle and gross weights specified in subsection (1) of RCW 46.44.040, it is unlawful to operate any motor vehicle or combination of vehicles unless the same comply with both subdivisions (1) and (2) of this section.

(1) The total gross weight, including load, on any group of axles of a vehicle or combination of vehicles, where the distance between the first and last axles of any group of axles is eighteen feet or under, shall not exceed that set forth in the following table:

Wheelbase of any group of axles of a vehicle or combination of vehicles (feet)	Allowed load in pounds on group of axles
3 feet 6 inches .....	32,000
4 .....	32,000
5 .....	32,000
6 .....	32,000
7 .....	32,000
8 .....	32,610
9 .....	33,580
10 .....	34,550
11 .....	35,550
12 .....	36,830
13 .....	38,350
14 .....	39,870
15 .....	41,400
16 .....	42,930
17 .....	44,459
18 .....	46,000

(2) Where the wheelbase of any vehicle or combination of vehicles is eighteen feet or more, the gross weight including load of the vehicle or combination of vehicles must not exceed that given for the respective distances in the following table:

Wheelbase of vehicle or combination of vehicles in feet	Allowed load in pounds
18 .....	46,000
19 .....	47,000
20 .....	48,000

## Wheelbase of vehicle or

combination of  
vehicles in feetAllowed load  
in pounds

21 .....	49,000
22 .....	50,000
23 .....	51,340
24 .....	52,670
25 .....	54,000
26 .....	55,100
27 .....	56,200
28 .....	57,400
29 .....	58,500
30 .....	59,500
31 .....	60,300
32 .....	61,140
33 .....	61,710
34 .....	62,280
35 .....	62,860
36 .....	63,430
37 .....	64,000
38 .....	64,500
39 .....	65,000
40 .....	65,500
41 .....	66,000
42 .....	66,500
43 .....	67,000
44 .....	67,500
45 .....	68,000
46 .....	68,500
47 .....	69,000
48 .....	69,500
49 .....	70,000
50 .....	70,500
51 .....	71,000
52 .....	71,500
53 or over .....	72,000

When inches are involved: Under six inches take lower; six inches or over take higher.

**46.44.045 ———Penalties for violations.** (1) Any person violating any of the provisions of RCW 46.44.040 through 46.44.044 shall be guilty of a misdemeanor and upon first conviction thereof shall be fined a basic fine of not less than twenty-five dollars nor more than fifty dollars; upon second conviction thereof shall be fined a basic fine of not less than fifty dollars nor more than one hundred dollars; and upon a third or subsequent conviction shall be fined a basic fine of not less than one hundred dollars.

(2) In addition to, but not in lieu of, the above basic fines, such person shall be fined two cents per pound for each pound of excess weight up to five thousand pounds; if such excess weight is five thousand pounds and not in excess of ten thousand pounds, the additional fine shall be three cents per pound for each pound of excess weight; and if the excess weight is ten thousand pounds or over, the additional fine shall be four cents per pound for each pound of excess weight: *Provided*, That where the excess weight is less than five thousand pounds, the court, in its discretion, may suspend the additional fine for excess poundage upon first conviction but in no case shall the basic fine be suspended.

(3) The court may suspend the certificate of license registration of the vehicle or combination of vehicles upon the second conviction for a period of not to exceed thirty days and the court shall suspend the certificate of license registration of the vehicle or combination of vehicles upon a third or subsequent conviction for a period of not less than thirty days. For the purpose of this section bail forfeiture shall be given the same effect as a conviction. For the purpose of suspension of license registration conviction or bail forfeiture shall be on the same vehicle or combination of vehicles during any twelve month period regardless of ownership.

(4) Any person convicted of violating any posted limitations of a highway or section of highway shall be fined not less than one hundred dollars and the court shall in addition thereto suspend the operator's driver's license for not less than thirty days. Whenever the operator's driver's license and/or the certificate of license registration are suspended under the provisions of this section the judge shall secure such certificates and immediately forward the same to the director of licenses with information concerning the suspension thereof.

(5) Any other provision of law to the contrary notwithstanding, justice courts having venue shall have concurrent jurisdiction with the superior courts for the imposition of any penalties authorized under this section.

(6) For the purpose of determining additional fines as provided by subsection (2), "excess weight" shall mean the poundage in excess of the maximum gross weight prescribed by RCW 46.44.040 through 46.44.044 plus the weights allowed by RCW 46.44.046, 46.44.047, and 46.44.095.

(7) The basic fine provided in subsection (1) shall be distributed as prescribed in RCW 46.68.050.

(8) The additional fine for excess poundage provided in subsection (2) shall be transmitted by the court to the county treasurer and by him transmitted to the state treasurer for deposit in the motor vehicle fund. It shall then be allocated as provided in RCW 46.68.100.

Note: See also section 34, chapter 21, Laws of 1961 extraordinary session.

**46.44.046 Excess Weight. Discretion of arresting officer.** In addition to the limitations of RCW 46.44.040 through 46.44.044, if the gross axle weight is not more than five hundred pounds in excess of the maximum gross axle weight for one axle, and if the gross weight of two axles spaced less than seven feet apart is not more than one thousand pounds in excess of the maximum gross weight for two axles spaced less than seven feet apart, and if the gross weight of any group of axles is not more than fifteen hundred pounds in excess of the maximum gross weight for any group of axles according to the wheelbase spacing of the group of axles as shown in the maximum gross load table of RCW 46.44.044 and if the gross weight of a two-axle vehicle is not more than one thousand pounds in excess of the legal gross weight for such two-axle vehicle, and if the gross weight of a three-axle vehicle is not more than fifteen hundred pounds in excess of the maximum legal gross weight for such three-axle vehicle, and if the maximum gross weight of the combination of vehicles is not more than two thousand pounds in excess of the maximum legal gross weight of the combination of vehicles, the arresting officer may, within his discretion, permit the operator to proceed with his vehicle or vehicles in combination without penalty. For the purposes of determining gross weights the actual scale weight taken by the arresting officer shall be prima facie evidence of such total gross weight.

It being the intention of the legislature to recognize that occasional weight discrepancies in cargo will occur, and to provide the arresting officer with authority and discretion to determine the same; but to prevent the habitual and consistent loading of vehicles above the maximum legal gross weight provided for in RCW 46.44.040 through 46.44.044.

The chief of the state patrol, with the advice of the state highway commission, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section.

**46.44.047 ————Logging trucks—Special permits—Discretion of arresting officer.** In addition to the limitations of RCW 46.44.040, 46.44.042 and 46.44.044, a three-axle truck tractor and a two-axle pole trailer combination engaged in the operation of hauling logs, shall have an allowable variation in wheelbase length of six feet for the distance between the first and last axle of the vehicle in combination which has a wheelbase overall length of thirty-seven feet or more and upon special permit the gross weight of two axles spaced less than seven feet apart may exceed by not more than sixteen hundred pounds the maximum gross axle weight specified for two axles spaced less than seven feet apart, being thirty-two thousand pounds as provided in RCW 46.44.040, and the maximum gross weight of the combination of vehicles may exceed by not more than

six thousand eight hundred pounds the maximum legal gross weight of the combination of vehicles, when fully licensed as permitted by law, being sixty-eight thousand pounds.

Such additional allowances shall be permitted by a special permit to be issued by the state highway commission under such rules, regulations, terms and conditions prescribed by the state highway commission. The fee for such special permit shall be fifty dollars for a twelve-month period beginning and ending on April 1st of each calendar year. Permits may be issued at any time but if issued after July 1st of any year the fee shall be thirty-seven dollars and fifty cents. If issued on or after September 1st the fee shall be twenty-five dollars and if issued on or after December 1st the fee shall be twelve dollars and fifty cents. A copy of such special permit covering the vehicle involved shall be carried in the cab of the vehicle at all times. Upon the third conviction for violation of the terms and conditions of the special permit, the special permit shall be canceled. The vehicle covered by such canceled special permit shall not be eligible for a new special permit until thirty days after the cancellation of the special permit issued to said vehicle. The fee for such renewal shall be at the same rate as set forth in this section which covers the original issuance of such special permit. Each special permit shall be assigned to a specific vehicle and shall not be transferable. For the purpose of determining gross weight the actual scale weight taken by the officer shall be prima facie evidence of such total gross weight. In the event the gross weight is in excess of the weight permitted by law the officer may, within his discretion, permit the operator to proceed with his vehicles in combination.

The chief of the state patrol, with the advice of the state highway commission, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section.

All fees collected under this section shall be deposited with the state treasurer and credited to the motor vehicle fund.

*Note: See also section 35, chapter 21, Laws of 1961 extraordinary session.*

**46.44.049 Effect of weight on highways—Study authorized.** The highway commission is authorized to make and enter into agreements with the federal government or any state or group of states or agencies thereof, or any nonprofit association, on a joint or co-operative basis, to study, analyze or test the effects of weight on highway construction. Such studies or tests may be made either by designating existing highways or the construction of test strips including natural resource roads to the end that a proper solution of the many problems connected with the imposition on highways of motor vehicle weights may be determined.

Such studies may include the determination of values to be as-

signed various highway-user groups according to their gross weight or use.

**46.44.050 Minimum length of wheelbase.** It shall be unlawful to operate any vehicle with a wheelbase between any two axles thereof of less than three feet, six inches.

For the purposes of this section, wheelbase shall be measured upon a straight line from center to center of the vehicle axles designated.

**46.44.060 Outside load limits for passenger vehicles.** No passenger type vehicle shall be operated on any public highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof.

**46.44.070 Drawbar requirements—Trailer whipping or weaving—Towing flag.** The drawbar or other connection between vehicles in combination shall be of sufficient strength to hold the weight of the towed vehicle on any grade where operated. No trailer shall whip, weave or oscillate or fail to follow substantially in the course of the towing vehicle. When a disabled vehicle is being towed by means of bar, chain, rope, cable or similar means and the distance between the towed vehicle and the towing vehicle exceeds fifteen feet there shall be fastened on such connection in approximately the center thereof a white flag or cloth not less than twelve inches square.

**46.44.080 Local regulations—State highway regulations.** Local authorities with respect to public highways under their jurisdiction may prohibit the operation thereon of motor trucks or other vehicles or may impose limits as to the weight thereof, or any other restrictions as may be deemed necessary, whenever any such public highway by reason of rain, snow, climatic or other conditions, will be seriously damaged or destroyed unless the operation of vehicles thereon be prohibited or restricted or the permissible weights thereof reduced: *Provided*, That the governing authorities of incorporated cities and towns shall not prohibit the use of any city street designated by the state highway commission as forming a part of the route of any primary state highway through any such incorporated city or town by vehicles or any class of vehicles or impose any restrictions or reductions in permissible weights unless such restriction, limitation, or prohibition, or reduction in permissible weights be first approved in writing by the highway commission.

The local authorities imposing any such restrictions or limitations, or prohibiting any use or reducing the permissible weights shall do so by proper ordinance or resolution and shall erect or cause to be erected and maintained signs designating the provisions of the

ordinance or resolution in each end of the portion of any public highway affected thereby, and no such ordinance or resolution shall be effective unless and until such signs are erected and maintained.

The highway commission shall likewise have authority as hereinabove granted to local authorities to determine by resolution and to impose restrictions upon any basis as to the weight of vehicles or class of vehicles operated upon any primary state highway and such restrictions and limitations shall be effective when signs giving notice thereof are erected upon the primary state highway or at the limits of the portion thereof affected by such resolution.

**46.44.090 Special permits for oversize or overweight movements.** The state highway commission with respect to primary and secondary state highways and local authorities with respect to public highways under their jurisdiction may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight of vehicle or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter upon any public highway under the jurisdiction of the authority granting such permit and for the maintenance of which such authority is responsible.

No overweight permit shall be issued to any vehicle or combination of vehicles unless such vehicle or combination of vehicles is licensed for the maximum gross weight allowed by law.

**46.44.091 ———Gross weight limit.** No special permit shall be issued for movement on any primary or secondary state highway or route of state primary or secondary highway within the limits of any city or town where the gross weight, including load, exceeds twenty-two thousand pounds on a single axle or forty-three thousand pounds on any group of axles having a wheelbase between the first and last axle thereof less than ten feet: *Provided*, That a special permit shall not be issued to any vehicle or a combination of vehicles having more than six axles: *Provided further*, That any vehicle or combination of vehicles having more than six axles shall not be issued an overweight permit in excess of the maximum allowed for a vehicle or combination of vehicles having six axles: *Provided further*, That the weight limitations pertaining to single axles may be exceeded to permit the movement of equipment operating upon single pneumatic tires having a rim width of twenty inches or more and a rim diameter of twenty-four inches or more or dual pneumatic tires having a rim width of sixteen inches or more and a rim diameter of twenty-four inches or more: *Provided further*, That permits may be issued for weights in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for weights in excess

of such limitations; or these limitations may be rescinded when certification is made by military officials or by officials of public or private power facilities, when in the opinion of the highway commission such movement or action is a necessary movement or action: *Provided further*, That the structures and highway surfaces on the routes involved are determined to be capable of sustaining weights in excess of such limitations. Application shall be made in writing on special forms provided by the highway commission and shall be submitted at least thirty-six hours in advance of the proposed movement.

**46.44.092 ———Overall width limit—Exceptions to limits—Application for permit.** No special permit shall be issued for movement on any two lane state highway outside the limits of any city or town where the overall width of load exceeds fourteen feet, or on any multiple lane state highway where the overall width of load exceeds thirty-two feet; except that on multiple lane state highways where a physical barrier serving as a median divider separates the oncoming and opposing traffic lanes, no special permit shall be issued for widths in excess of twenty feet: *Provided*, That (1) these width limitations may be exceeded on state highways where the latest available traffic figures show that the highway or section of highway carries less than one hundred vehicles per day; (2) permits may be issued for widths of vehicles in excess of the preceding limitations on highways or sections of highways which have been designed and constructed for widths in excess of such limitations; (3) these limitations may be rescinded when certification is made by military officials or by officials of public or private power facilities, when in the opinion of the highway commission, the movement or action is a necessary emergency movement or action: *Provided further*, That the structures and highway surfaces on the routes involved are determined to be capable of sustaining widths in excess of such limitations; (4) these limitations shall not apply to farmers moving farm machinery between farms during daylight hours if the movement does not pass along and upon any primary or secondary state highway for a distance greater than thirty-five miles, if properly patrolled and flagged.

The applicant for any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular state highways for which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.

**46.44.093 ———Discretion of issuer—Conditions.** The highway commission or local authority is authorized to issue or withhold such special permit at his or its discretion; or, if such permit



is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicle described may be operated on the public highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against undue damage to the road foundation, surfaces or structures or safety of traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any roadway or road structure.

**46.44.094 ———Fees.** The following fees, in addition to the regular license and tonnage fees, shall be paid for all movements under special permit made upon state primary or secondary highways. All funds collected shall be forwarded to the state treasury and shall be deposited in the motor vehicle fund:

All overlegal loads, except overweight, single trip.....	\$3.00
Continuous operation of overlegal loads having either over-width or over-height features only for a period not to exceed thirty days .....	\$20.00
Continuous operation of overlegal loads having over-length only for a period not to exceed thirty days.....	\$10.00
Operation of combination of vehicles composed of more than two vehicles single trip.....	\$3.00

#### Overweight Fee Schedule

Weight over that allowed by statute	Fee per mile on state highways
1- 5,999 pounds .....	\$0.10
6,000-11,999 pounds .....	\$0.20
12,000-17,999 pounds .....	\$0.30
18,000-23,999 pounds .....	\$0.50
24,000-29,999 pounds .....	\$0.70
30,000-35,999 pounds .....	\$0.90
36,000 pounds or more .....	\$1.10

*Provided:* (1) the minimum fee for any overweight permit shall be \$5.00, (2) when computing overweight fees which result in an amount less than even dollars the fee shall be carried to the next full dollar if fifty cents or over and shall be reduced to the next full dollar if forty-nine cents or under.

This section shall become effective July 1, 1959.

**46.44.095 ———Additional gross load — Fee.** When fully licensed to the maximum gross weight permitted under RCW 46.44-.040, a three-axle truck operated as a solo unit and not in combination shall be eligible to carry gross weight in excess of that permitted for such a vehicle in RCW 46.44.040 upon the payment to the state highway commission of a fee of fifty dollars for each two thousand pounds of excess weight: *Provided,* That the axle

loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042 or the wheelbase requirements specified in RCW 46.44.044.

When fully licensed to the maximum gross weight permitted under RCW 46.44.040 and when operated in combination with another vehicle, a three or more axle truck-tractor, a three or more axle truck and a three or more axle dromedary truck-tractor may be eligible under a special permit to be issued by the highway commission to carry additional gross loads beyond the limit specified for such vehicles in RCW 46.44.040 upon the payment of a fee of fifty dollars per two thousand pounds in excess weight but not to exceed one hundred dollars for the total excess weight: *Provided*, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042: *And provided further*, That the gross weight of a three or more axle truck operated in combination with a two or three-axle trailer shall not exceed seventy-six thousand pounds, and the gross weight for a three or more axle truck-tractor operated in combination with a semitrailer shall not exceed seventy-three thousand two hundred eighty pounds.

The special permits provided for in this section shall be issued under such rules and regulations and upon such terms and conditions as may be prescribed by the state highway commission. Such special permits shall entitle the permittee to carry such additional load in such an amount and upon such highways or sections of highways as may be determined by the state highway commission to be capable of withstanding such increased gross load without undue injury to the highway.

The fee for such additional gross weight shall be payable for a twelve month period beginning and ending on April 1st of each calendar year. The additional gross weight provided for herein can be purchased at any time and if purchased on or after July 1st of any year, the fee shall be seventy-five percent of the full annual fee and if purchased on or after October 1st the fee shall be fifty percent of the full annual fee and if purchased on or after December 1st the fee shall be twenty-five percent of the full annual fee.

The fees levied in RCW 46.44.094 and this section shall not apply to any vehicles owned and operated by the state of Washington any county within the state or any city or town within the state, or by the federal government.

In the case of fleets prorating license fees under the provisions of chapter 46.84 the fees provided for in RCW 46.44.037 and 46.44.095 shall be computed by the state highway commission by applying the proportion of the Washington mileage of the fleet in question to the total mileage of the fleet as reported pursuant to chapter

46.48 to the fees that would be required to purchase the additional weight allowance for all eligible vehicles or combinations of vehicles for which the extra weight allowance is requested.

The state highway commission shall prorate the fees provided in RCW 46.44.037 and 46.44.095 only if the name of the operator or owner is submitted on official listings of authorized fleet operators furnished by the department of licenses. Listings furnished shall also include the percentage of mileage operated in Washington, which shall be the same percentage as determined by the department of licenses for purposes of prorating license fees.

Note: See also section 15, chapter 7, Laws of 1961 extraordinary session.

**46.44.096 ————Determining fee—To whom paid.** In determining fees according to RCW 46.44.094, mileage on state primary and secondary highways shall be determined from the planning survey records of the department of highways and the gross weight of the vehicle or vehicles, including load, shall be declared by the applicant. Overweight on which fees shall be paid will be gross loadings in excess of loadings authorized by law or axle loadings in excess of loadings authorized by law, whichever is the greater. Loads which are overweight and oversize shall be charged the fee for the overweight permit without additional fees being assessed for the oversize features.

Fees established in RCW 46.44.094 and 46.44.095 shall be paid to the political body issuing the permit if the entire movement is to be confined to roads, streets or highways for which that political body is responsible; when a movement involves a combination of state highways, county roads and/or city streets the fee shall be paid to the state highway commission. When a movement is confined within the city limits of a city or town upon city streets, including routes of state highways on city streets, all fees shall be paid to the city or town involved. A permit will not be required from city or town authorities for a move involving a combination of city or town streets and state highways when the move through a city or town is being confined to the route of the state highway. When a move involves a combination of county roads and city streets the fee shall be paid to the county authorities, but the fee shall not be collected nor the county permit issued until valid permits are presented showing the city or town authorities approve of the move in question. When the movement involves only county roads the fees collected shall be paid to the county involved.

**46.44.097 ————Misrepresentations and violations—Penalty—Display of permit—Hearing.** Any person who misrepresents the size or weight of any load in obtaining a special permit or does not follow the requirements and conditions of the special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars or more than one hundred dollars.

Any person who operates any vehicle, the gross weight of which is in excess of the maximum for which such vehicle may be eligible for license, or in excess of legal size limitations, without first obtaining a special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars.

Every special permit issued hereunder shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any peace officer or authorized agent of any authority granting such permit.

Any state highway patrol officer who shall find any person operating a vehicle in violation of the conditions of a special permit issued under RCW 46.44.095 may confiscate such permit and forward the same to the state highway commission which may return it to the permittee or revoke, cancel or suspend it without refund. The state highway commission shall keep a record of all action taken upon permits so confiscated and if a permit shall be returned to the permittee the action taken by the commission shall be endorsed thereon. Any permittee whose permit is suspended or revoked may upon request receive a hearing before the commission or person designated by the commission. The commission after such hearing may reinstate any permit or revise its previous action.

**46.44.100 Enforcement—Weighing and lightening.** Any peace officer is authorized to require the operator of any vehicle or combination of vehicles to stop and submit to a weighing of the same either by means of a portable or stationary scale and may require that such vehicle be driven to the nearest public scale.

Whenever a peace officer, upon weighing a vehicle and load, as above provided, determines that the weight is unlawful, such officer may, in addition to any other penalty provided, require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this chapter. All materials unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

It shall be unlawful for any operator of a vehicle to fail or refuse to stop and submit the vehicle and load to a weighing, or to fail or refuse, when directed by an officer upon a weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section.

**46.44.110 Liability for damage to highways, bridges, etc.** Any person operating any vehicle or moving any object or conveyance upon any public highway in this state or upon any bridge or elevated structure which is a part of any such public highway shall be liable for all damages which said public highway, bridge or elevated structure may sustain as a result of any illegal operation of such vehicle

or the moving of any such object or conveyance or as a result of the operation or moving of any vehicle, object or conveyance weighing in excess of the legal weight limits allowed by law. This section shall apply to any person operating any vehicle or moving any object or contrivance in any illegal or negligent manner or without a special permit as by law provided for vehicles, objects or contrivances of overweight, overwidth, overheight or overlength. Any person operating any vehicle shall be liable for any damage to any public highway, bridge or elevated structure sustained as the result of any negligent operation thereof. When such operator is not the owner of such vehicle, object or contrivance but is so operating or moving the same with the express or implied permission of the owner thereof, then said owner and the operator shall be jointly and severally liable for any such damage. Such damage to any state highway or structure may be recovered in a civil action instituted in the name of the state of Washington by the state highway commission. Any measure of damage to any public highway determined by the state highway commission by reason of this section shall be prima facie the amount of damage caused thereby and shall be presumed to be the amount recoverable in any civil action therefor.

### Chapter 46.47

#### BICYCLES—OPERATION AND EQUIPMENT

**46.47.010 Scope of chapter — "Bicycle" defined.** Wherever used in this chapter, the term "bicycle" shall mean every device propelled by human power, upon which any person may ride, having two tandem wheels either of which is over twenty inches in diameter. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

**46.47.020 Road rights and duties—In General.** Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to a driver of a motor vehicle, except as to the special regulations of this chapter.

**46.47.030 Must ride on seat.** A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

**46.47.040 Number of passengers.** No bicycle shall be used to carry more persons at any one time than the number for which it is designed and equipped.

**46.47.050 "Hitching on" prohibited—Bikes and other recreational equipment.** No person riding upon any bicycle, coaster,

roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon the public highways of this state.

**46.47.060 Bicycle rules of the road.** Every person operating a bicycle upon a public highway of this state shall ride as near to the right side of the roadway as practicable, exercise due care when passing standing vehicles or one proceeding in the same direction. Persons riding bicycles upon a public highway in this state shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Whenever a usable path for bicycles has been provided adjacent to a public highway, bicycle riders shall use such path and shall not use the roadway.

**46.47.070 Keep one hand on handle bars.** No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars.

**46.47.080 Lights, reflector, bells, brakes.** Every bicycle when used during the hours of darkness shall be equipped with one lamp on the front exhibiting a white light visible from a distance of at least five hundred feet to the front, and with a lamp on the rear exhibiting a red light visible from a distance of five hundred feet to the rear, excepting that a red reflector meeting the requirements of chapter 46.37 may be used in lieu of a rear light. No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of one hundred feet, except that a bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren or whistle. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

**46.47.090 Violations—Penalties—Duties, liabilities of parents, guardians—Negligence.** It shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter: *Provided*, That no violation of this chapter by any child under the age of sixteen years, or by a parent or guardian of such child shall constitute negligence per se in any civil action brought or defended by or in behalf of such child.

**Chapter 46.48****SAFETY****SPEED**

**46.48.010 General criterion stated.** Every person operating or driving a vehicle of any character upon the public highways of this state shall operate the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of the traffic, weight of vehicle, grade and width of highway, condition of surface and freedom of obstruction to view ahead and consistent with any and all conditions existing at the point of operation so as not to unduly or unreasonably endanger the life, limb, property or other rights of any person entitled to the use of such public highways.

**46.48.020 Speed limits. In cities and towns.** Subject to RCW 46.48.010, and except in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

(1) Twenty-five miles per hour within the limits of incorporated cities and towns;

(2) Twenty-five miles per hour in traversing any intersection of public highways within incorporated cities and towns except whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that such speed as permitted under this chapter at any intersection is greater than is reasonable or safe under the conditions found to exist at such intersection, such local authority subject to the approval of the state highway commission in cases where the alteration of speed limits on state highways or extensions thereof in a municipality are involved, shall determine and declare a reasonable and safe speed limit thereat, which shall be effective at all times or during hours of daylight or darkness or at such other times as may be determined: *Provided*, That appropriate signs giving notice thereof are erected at such intersection or upon the approaches thereto; and

(3) Twenty-five miles per hour in traveling upon an arterial highway in any incorporated city or town and traversing an intersection with another public highway not an arterial highway, and the operator of another vehicle about to enter the intersection of such arterial highway thereat, shall have brought his vehicle to a complete stop as required by law before entering such arterial highway.

**46.48.021 ————Outside cities and towns—Intersections.** Subject to RCW 46.48.010, and except in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

(1) Thirty-five miles per hour in traversing any intersection of public highways outside of incorporated cities and towns where the operator's view is obstructed to the extent that at any time during the last one hundred feet of his approach to an intersection he does not have a clear and uninterrupted view of such intersection, and of all public highways entering such intersection for a distance of one hundred feet along the center line of each thereof: *Provided*, That it shall be the duty of local authorities to sign post such intersections: *Provided further*, That this provision shall not apply to operators upon arterial highways outside of incorporated cities and towns;

(2) Thirty-five miles per hour in traveling upon an arterial highway outside of incorporated cities and towns and traversing an intersection with another public highway not an arterial highway and the operator of another vehicle about to enter such arterial highway thereat shall have brought his vehicle to a complete stop, as required by law, before entering such arterial highway.

*Note:* See also section 1, chapter 120, Laws of 1961.

**46.48.022 ————Outside cities and towns.** 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*, That no maximum speed established shall be less than twenty-five miles per hour: *Provided further*, That all such speed zones shall be properly sign posted at the extremities thereof.

**46.48.023 ————School or playground crosswalks.** Subject to RCW 46.48.010, and except in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

(1) Twenty miles per hour when operating any vehicle upon a public highway inside incorporated cities and towns when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard portable school or speed control signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk;

(2) Twenty miles per hour when operating any vehicle upon a public highway outside incorporated cities and towns when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard portable school or



speed control signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk.

**46.48.024 ———Sixty miles per hour—Heavy trucks and combinations excepted.** 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 thousand 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 Washington state patrol. The zones of such speeds shall be indicated by standard speed control signs.

**46.48.025 ———Due care required.** Compliance with speed requirements of this chapter under the circumstances hereinabove set forth shall not relieve the operator of any vehicle from the further exercise of due care and caution as further circumstances shall require.

**46.48.026 ———Exceeding speed limit evidence of reckless driving.** The unlawful operation of a vehicle in excess of the maximum lawful speeds provided in this chapter at the point of operation and under the circumstances described shall be prima facie evidence of the operation of a motor vehicle in a reckless manner by the operator thereof.

**46.48.027 ———Violation charges—Speed to be specified.** All charges for the violation of any of the provisions of this chapter, every notice to appear, and every complaint charging the violation of this chapter shall specify approximately the speed at which the defendant is alleged to have operated such vehicle, the maximum lawful speed at the point of operation, and the reasonable and proper rate of speed applicable under the conditions existing at the point of operation.

**46.48.030 Maximum speed on state highways may be lowered by highway commission—Posting speed limit.** The state highway commission may regulate the speed of vehicles on any part of any state highway where the imposing of a lower maximum speed to be allowed is determined advisable on account of sharp curvature, excessive traffic, or other permanent cause. The commission may regulate the speed of vehicles on any part of any state highway where the imposing of a lower maximum speed to be allowed is determined advisable on account of highway or road construction or repairs, condition of said highway or road, excessive traffic or other

temporary cause. The commission shall cause to be posted at either end of any portion of any state highway where the speed is regulated, signs of sufficient size to be easily read, setting forth the maximum speed allowed and stating by whose order said regulation is made and thereafter it shall be unlawful for any person to violate any such order, rule or regulation.

**46.48.040 Local speed regulations.** No governing body or authority of any city or town or other political subdivision shall have the power to pass or enforce any ordinance, rule, or regulation requiring a different rate of speed than that specified under the provisions of the law of this state at which vehicles may be operated along or over the public highways of such city or town or political subdivision or otherwise to regulate the use of public highways thereof contrary to or inconsistent with the laws of this state; and all such ordinances, rules, and regulations now in force are void and of no effect: *Provided*, That on any portion of a city or town street where, on account of sharp curvature, highway construction or repairs, excessive traffic, any dangerous condition, or other temporary or permanent cause, it is deemed inadvisable for vehicles to operate at the maximum speed allowed by the law of this state the governing body or authority of the city or town or other political subdivision may fix a lower maximum speed or otherwise regulate speed by order, rule, or regulation properly adopted: *Provided further*, That the governing body or authority of a city or town or other political subdivision may increase the maximum speed allowed upon its streets.

In no case where the maximum speed is reduced below that permitted by the laws of this state shall it be reduced to less than ten miles per hour, and in no case where the speed is increased above the maximum speed allowed by the laws of this state shall it be increased above thirty-five miles per hour: *Provided*, That a maximum speed above thirty-five miles per hour may be established when the findings of a traffic engineering investigation warrant such increase in speed, but such increase shall never exceed sixty miles per hour.

**46.48.041 Speed limits—Limited access facilities—Local regulation.** 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.

**46.48.044 Local speed regulations—Posting speed limit.** At the time of providing for any such decreased or increased maximum speed, the governing body or authority of any such city or town or political subdivision shall cause to be posted at either end of such portion of the public highway and at such other points as is deemed advisable, signs of such size as to be easily read, setting forth the maximum speed allowed upon the highway and thereafter it shall be unlawful for any person to violate any such order, rule, or regulation.

**46.48.046 Local speed regulations—"Stop" signs for arterial highways.** The governing body or authority of any such city or town or political subdivision shall place and maintain upon each and every public highway intersecting a public highway where an increased speed is permitted, as provided in this chapter, appropriate stop signs, sufficient to be read at any time by any person upon approaching and entering the highway upon which such increased speed is permitted and such city street or such portion thereof as is subject to the increased speed shall be an arterial highway.

**46.48.050 Racing of vehicles on highways, reckless driving.** No person or persons shall race any motor vehicle or motor vehicles upon any public highway of this state. Any person or persons guilty of comparing or contesting relative speeds by simultaneous operations shall be guilty of reckless driving whether or not such speed is in excess of the maximum speed prescribed by law.

**46.48.060 Advertising of unlawful speed attained, reckless driving.** It shall be unlawful for any manufacturer, dealer, distributor or any person, firm or corporation to publish or advertise or offer for publication or advertisement, or to consent or cause to be published or advertised, the time consumed or speed attained by a vehicle between given points or over given or designated distances upon any public highways of this state when such published or advertised time consumed or speed attained shall indicate an average rate of speed between given points or over a given or designated distance in excess of the maximum rate of speed allowed between such points or at a rate of speed which would constitute reckless driving between such points. Conviction for a violation of any of the provisions of this section shall be prima facie evidence of reck-

less driving and shall subject such person, firm, or corporation to the penalties in such cases provided.

**46.48.070 Impeding traffic by slow speed prohibited.** It shall be unlawful for any person to operate a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic at the point of operation thereof, except when a reduced speed is necessary for safe operation or in compliance with any law, rule or regulation. Peace officers are hereby authorized to enforce this section by directions to vehicle operators, and it shall be unlawful for any person to operate in wilful disobedience to the provisions of this section or refuse to comply with the directions of any peace officer relating thereto. Where any slow moving vehicle tends to congest traffic any peace officer may cause such vehicle to be removed from roadway and permit the congested traffic to be relieved.

**46.48.080 Maximum weight, size or speed in traversing bridges, elevated structures, tunnels, underpasses—Posting limits.** It shall be unlawful for any person to operate a vehicle or any combination of vehicles over any bridge or other elevated structure or through any tunnel or underpass constituting a part of any public highway at a rate of speed or with a gross weight or of a size which is greater at any time than the maximum speed or maximum weight or size which can be maintained or carried with safety over any such bridge or structure or through any such tunnel or underpass when such bridge, structure, tunnel or underpass is sign posted as herein-after provided. The state highway commission, if it be a bridge, structure, tunnel or underpass upon a state highway, or the governing body or authorities of any county, city or town, if it be upon roads or streets under their jurisdiction, may restrict the speed which may be maintained or the gross weight or size which may be operated upon or over any such bridge or elevated structure or through any such tunnel or underpass with safety thereto. The state highway commission or the governing body or authorities of any county, city or town having jurisdiction shall determine and declare the maximum speed or maximum gross weight or size which such bridge, elevated structure, tunnel or underpass can withstand or accommodate and shall cause suitable signs stating such maximum speed or maximum gross weight, or size, or either, to be erected and maintained on the right hand side of such highway, road or street and at a distance of not less than one hundred feet from each end of such bridge, structure, tunnel or underpass and on the approach thereto: *Provided*, That in the event that any such bridge, elevated structure, tunnel or underpass is upon a city street designated by the state highway commission as forming a part of the route of any state highway through any such incorporated city or town the determination of any maximum speed or maximum gross

weight or size which such bridge, elevated structure, tunnel or underpass can withstand or accommodate shall not be enforceable at any speed, weight or size less than the maximum allowed by law, unless with the approval in writing of the state highway commission. Upon the trial of any person charged with a violation of this section, proof of either violation of maximum speed or maximum weight, or size, or either, and the distance and location of such signs as are required, shall constitute conclusive evidence of the maximum speed or maximum weight, or size, or either, which can be maintained or carried with safety over such bridge or elevated structure or through such tunnel or underpass.

**46.48.090 Maximum speed. Heavy trucks.** 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.

**46.48.100 ———Combination of vehicles.** 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.

**46.48.110 ———Vehicles with solid or hollow cushion tires.** It shall be unlawful to operate any vehicle equipped or partly equipped with solid rubber tires or hollow center cushion tires, or to operate any combination of vehicles any part of which is equipped or partly equipped with solid rubber tires or hollow center cushion tires, so long as solid rubber tires or hollow center cushion tires may be used under the provisions of this title, upon any public highway of this state at a greater rate of speed than ten miles per hour.

**46.48.120 Speed traps outlawed—Measured courses.** No evidence as to the speed of any vehicle operated upon a public highway by any person arrested for violation of any of the laws of this state regarding speed or of any orders, rules or regulations of any city or town or other political subdivision relating thereto shall be admitted in evidence in any court at a subsequent trial of such person in case such evidence relates to or is based upon the maintenance or use of a speed trap. A "speed trap," within the meaning of this section, is a particular section of or distance on any public highway, the length of which has been or is measured off or otherwise designated or determined, and the limits of which are within the vision of any officer or officers who calculate the speed of a vehicle passing

through such speed trap by using the lapsed time during which such vehicle travels between the entrance and exit of such speed trap: *Provided*, That evidence shall be admissible against any person arrested for violation of any of the laws of this state or of any orders, rules or regulations of any city or town or other political subdivision regarding speed if the same is determined by a particular section of or distance on a public highway, the length of which has been accurately measured off or otherwise designated or determined and the limits of which are controlled by a mechanical, electrical or other device capable of measuring or recording the speed of a vehicle passing within such limits within an error of not to exceed five percent using the lapsed time during which such vehicle travels between such limits: *Provided further*, That such limits shall not be closer than one-fourth mile.

#### SCHOOL BUSES AND SCHOOL PATROLS

**46.48.130 Stop signals and flasher signal lamps required.** All school buses shall be equipped with a "stop" signal upon a background not less than fourteen by eighteen inches displaying the word "stop" in letters of distinctly contrasting colors not less than eight inches high. All school buses which are put into service after June 6, 1945 shall also be equipped with red lamps of a type approved by the state commission on equipment, which shall display a flashing signal. Such sign and lamps shall be displayed as directed by the chief of the Washington state patrol and shall display both to the front and rear of such school bus, manually controlled by the operator of the school bus, and shall be displayed only when such school bus is receiving or discharging school passengers and shall be released only when such school passengers are received or discharged and have not further need of protection in crossing the public highway or otherwise.

*Note:* See also section 1, chapter 203, Laws of 1961.

**46.48.140 Vehicles must stop on approaching stopped school bus.** It shall be unlawful for any person operating a motor vehicle in either direction upon a two lane public highway to fail to bring such vehicle to a complete stop at least twenty feet away and on the approach to any school bus on the roadway or off the roadway displaying such stop signal and remain standing until the same is released.

It shall be unlawful for any person operating a motor vehicle in the same direction as a school bus upon a multiple lane public highway to fail to bring such vehicle to a complete stop at least twenty feet away and on the approach to any school bus on the roadway or off the roadway displaying such stop signal and remain standing until the same is released: *Provided*, That compliance with the above stopping provisions of this section shall not relieve any

motor vehicle operator of the further duty to exercise reasonable care in approaching or passing any such school bus.

**46.48.150 Regulations as to design, marking and mode of operating school buses.** The state superintendent of public instruction, by and with the advice of the state highway commission and the chief of the Washington state patrol, shall adopt and enforce regulations not inconsistent with the law of this state to govern the design, marking and mode of operation of all school buses owned and operated by any school district or privately owned and operated under contract or otherwise with any school district in this state for the transportation of school children and such regulation shall by reference be made a part of any such contract or other agreement with the school district. Every school district, its officers and employees, and every person employed under contract or otherwise by a school district shall be subject to such regulations. It shall be unlawful for any officer or employee of any school district or for any person operating any school bus under contract with any school district to violate any of the provisions of such regulations.

**46.48.160 School patrol—Appointment—Authority—Finance—Insurance.** The superintendent of public instruction, through the superintendent of schools of any city or town or school district, or other officer or board performing like functions with respect to the schools of any other educational administrative district, may cause to be appointed from the student body of any public or private school or institution of learning students who shall be known as members of the "school patrol" and who shall serve without compensation and at the pleasure of the authority making the appointment.

The members of such school patrol shall wear a badge or other appropriate insignia marked "school patrol" when in performance of their duties, and they may display "stop" or other proper traffic directional signs or signals at school crossings or other points where school children are crossing or about to cross a public highway, but members of the school patrol shall be subordinate to and obey the orders of any peace officer present and having jurisdiction.

Any school district having a school patrol may purchase uniforms and other appropriate insignia, traffic signs and other appropriate materials, all to be used by members of such school patrol while in performance of their duties, and may pay for the same out of the general fund of the district.

It shall be unlawful for the operator of any vehicle to fail to stop his vehicle when directed to do so by a school patrol sign or signal displayed by a member of the school patrol engaged in the performance of his duty and wearing or displaying appropriate insignia, and it shall further be unlawful for the operator of a vehicle to

disregard any other reasonable directions of a member of the school patrol when acting in performance of his duties as such.

School districts may expend funds from the general fund of the district to pay premiums for life and accident policies covering the members of the school patrol in their district while engaged in the performance of their school patrol duties.

#### EXPLOSIVES AND FLAMMABLES

**46.48.170 State patrol jurisdiction over safety in transport of dangerous articles—Rules and regulations.** The Washington state patrol acting by and through the chief of the Washington state patrol, together with the committee created by RCW 46.48.190 shall have jurisdiction over the safety in the transportation of explosives, flammable materials, corrosives, compressed gases, poisons, oxidizing materials and other dangerous articles upon the public highways of this state and shall have power to make rules and regulations pertaining thereto, sufficient to protect persons and property from unreasonable risk of harm or damage. No such rules or regulations shall be inconsistent with the rules and regulations of the interstate commerce commission issued under authority of the "Transportation of Explosives act" (62 Stat. 738, 18 U.S.C.A., pp. 831-835). The chief of the Washington state patrol shall appoint the necessary qualified personnel to carry out the provisions of RCW 46.48.170 through 46.48.190.

**46.48.175 ————Violation of rules, misdemeanor.** Each violation of any rules and/or regulations made pursuant to RCW 46.48.170 shall be a misdemeanor.

**46.48.180 ————Study directed to insure uniformity of regulations.** It shall be the duty of the Washington state patrol to make a study of the interstate commerce commission regulations pertaining to the transportation of the materials described in RCW 46.48.170, and the laws of this state pertaining to the same subject in order that the chief of the Washington state patrol may make necessary and proper recommendations to the legislature and state departments from time to time to bring about uniformity between the laws and regulations of the federal government and this state in regard to the transportation of such materials.

**46.48.190 Advisory committee to be created.** The chief of the Washington state patrol shall appoint a committee to serve in a purely technical advisory capacity to aid in the study and evaluation of proposed regulations concerning safety in the transportation of materials described in RCW 46.48.170. The technical advisory committee shall consist of five citizens of the state employed in the following designated enterprises: One appointed each from the



explosive industry, the petroleum industry, the chemical industry, the trucking industry and a representative appointed by the Washington state association of fire chiefs.

### PARKING

**46.48.260 Parallel and angle parking—**Standing or parking may be prohibited or restricted. Except where angle parking is permitted by local ordinance every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within twelve inches of the right hand curb. Angle parking shall not be permitted upon the city or town streets designated as forming a part of the route of a primary state highway through any city or town: *Provided*, That angle parking shall be permitted in cities of the third and fourth class where solely provided by local ordinance upon any city street designated as forming a part of the route of a primary state highway through such city or town where such street does not connect at either end with any four lane primary highway and where such street has a minimum width between curbs of seventy feet and there shall be provided between the main traveled and hard-surfaced portion of such city or town street and the curb, an angle parking area designated as such having a width of not less than twenty feet.

The state highway commission with respect to all public highways under its jurisdiction and any city or town streets designated as forming a part of the route of a state highway through any city or town may by order place signs prohibiting or restricting the stopping, standing, or parking of vehicles on any such highway or street where in its opinion the findings of a traffic engineering investigation indicate such stopping, standing or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the safe and free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand, or park any vehicle in violation of the restrictions stated on such signs.

No person shall be granted the right, use or franchise for vehicle parking of any portion of the surface area of any public highway to the exclusion of any other like person.

**46.48.270 Prohibited parking places.** (1) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device, in any of the following places:

- (a) On a sidewalk or parking strip;
- (b) In front of a public or private driveway or within five feet of the end of the curb radius leading thereto;

- (c) Within an intersection;
- (d) Within fifteen feet of a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty feet of a crosswalk at an intersection;
- (g) Within thirty feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
- (h) Between a safety zone and the adjacent curb or within twenty-five feet of points on the curb immediately opposite the ends of a safety zone, unless a different distance is indicated by signs or markings;
- (i) Within thirty feet of the nearest rail of a railroad crossing;
- (j) Within fifty feet of the driveway entrance to any fire or police station or on the side of a street opposite the entrance to any fire station within seventy-five feet of said entrance when properly sign posted;
- (k) Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
- (l) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (m) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (n) At any place where official signs prohibit stopping;
- (2) No person shall move a vehicle not owned by such person into any such prohibited area or away from a curb such distance as is unlawful. Parking or standing shall be permitted in the manner provided by law at all other places except a time limit may be imposed or parking restricted at other places, but such limitations and restrictions shall be by city or town ordinance only or resolution of the county commissioners or of the state highway commission upon public highways under their respective jurisdictions.

**46.48.280 Stopping and securing car when standing.** No person operating or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, and when standing upon a perceptible grade without effectively setting the brake thereon and turning the front wheels to the curb or side of the roadway.

**46.48.290 Leaving vehicle on main traveled part of highway.** It shall be unlawful for any person to stop, park or leave standing any vehicle, whether attended or unattended, upon the paved, improved or main traveled portion of any public highway outside incorporated cities and towns when it is possible to stop, park, or so leave such vehicle off such paved, improved or main traveled portion of such public highway. In the event that it is not possible to leave such vehicle standing off the paved, improved or main traveled portion of such public highway at least one half of the width of such road-

way shall be left clear and unobstructed for the free passage of other vehicles and a clear view of such stopped vehicle shall be available for a distance of three hundred feet in each direction upon such public highway: *Provided*, That this section shall not apply to the operator of any vehicle which is disabled upon the paved or improved or main traveled portion of any public highway in such a manner and to such an extent that it is impossible to avoid stopping and temporarily leaving such vehicle in such position.

**46.48.300 Removal of vehicles left on main traveled way.** Whenever any peace officer finds a vehicle standing upon the paved, improved or main traveled portion of any public highway outside incorporated cities and towns, such officer is hereby authorized to remove such vehicle or to require the operator or other person in charge of such vehicle to remove the same off the paved, improved or main traveled portion of such public highway. Whenever any peace officer finds any vehicle unattended in such a position that it constitutes an obstruction to traffic or provides a danger to travel upon any public highway, such officer is hereby authorized to provide for the removal of such vehicle to the nearest place of safety. Any cost incurred in the removal thereof shall be paid by the owner of the vehicle so removed and the same shall be a lien upon such vehicle.

**46.48.310 Removal of disabled vehicles—Impounding.** Whenever any vehicle shall become stalled, disabled or unable to move under its own power on or in any public facility, such as streets, roads or highways in the state, including tunnels, bridges or approaches thereto or sections thereof and such an occurrence has been deemed by the authority having jurisdiction as being a menace or obstruction to the safety of the general public, such authority shall have the power and is hereby authorized to remove said disabled vehicle forthwith by either private or governmental equipment and such vehicle removed shall be impounded and held until towing charges have been paid by the owner thereof.

**46.48.320 ———Charges—Service contracts.** The charge for towing said vehicles shall be fixed by the governmental agency having jurisdiction thereof and said agency may award said towing service to any private person, firm, or corporation in close proximity to the facility to be serviced or may maintain such service for such facilities as may be indicated. The governmental agency acting alone or in cooperation with any other governmental agency concerned may contract with each other for the maintenance of such service and payment of costs thereof.

**46.48.330 ———Towing service—Posting.** Whenever towing service for any facility is maintained, the governmental agency hav-

ing jurisdiction thereof shall cause said highway, road or street, or tunnel, bridge or approaches thereto or sections thereof, to be posted or designated by appropriate signs including charges fixed for such towing service.

## **Chapter 46.52**

### **ACCIDENTS AND REPORTS**

**46.52.010 Duty on striking unattended car or other property.** The operator of any vehicle which collided with any other vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the operator and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place in the vehicle struck a written notice, giving the name and address of the operator and of the owner of the vehicle striking such other vehicle.

The driver of any vehicle involved in an accident resulting only in damage to property fixed or placed upon or adjacent to any public highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of the name and address of the operator and owner of the vehicle striking such property, or shall leave in a conspicuous place upon the property struck a written notice, giving the name and address of the operator and of the owner of the vehicle so striking the property, and such person shall further make report of such accident as in the case of other accidents upon the public highways of this state.

**46.52.020 Duty in case of injury to or death of person or damage to attended vehicle.** (1) An operator of any vehicle involved in an accident resulting in the injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to, and in every event remain at, the scene of such accident until he has fulfilled the requirements of subdivision (3) of this section;

(2) The operator of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible and shall forthwith return to, and in any event shall remain at, the scene of such accident until he has fulfilled the requirements of subdivision (3) of this section;

(3) The operator of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and vehicle license number and shall exhibit his vehicle operator's license to any person struck or injured or the operator or any occu-

part of, or any person attending, any such vehicle collided with and shall render to any person injured in such accident reasonable assistance, including the carrying or the making of arrangements for the carrying of such person to a physician or hospital for medical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person or on his behalf. Under no circumstances shall the rendering of assistance or other compliance with the provisions of this subsection be evidence of the liability of any operator for such accident;

(4) Any person failing to stop or to comply with any of the requirements of subdivision (3) of this section under said circumstances shall, upon conviction, be punished by imprisonment for not less than thirty days nor more than one year or by a fine of not less than one hundred dollars nor more than five hundred dollars, or by both such fine and imprisonment: *Provided*, That this provision shall not apply to any person injured or incapacitated by such accident to the extent of being physically incapable of complying herewith;

(5) Upon notice of conviction of any person under the provisions of this section, the vehicle operator's license of the person so convicted shall be revoked by the director of licenses.

**46.52.030 Accident reports.** The operator of any vehicle involved in an accident resulting in injury to or death of any person or total or claimed damage to either or both vehicles or property to an apparent extent of twenty-five dollars or more, shall, within twenty-four hours after such accident, make a written report of such accident to the chief of police of the city or town if such accident occurred within an incorporated city or town or the county sheriff or state patrol if such accident occurred outside incorporated cities and towns, such report to be in duplicate and the original immediately forwarded by the authority receiving such report to the chief of the Washington state patrol at Olympia, Washington. The chief of the Washington state patrol may require any operator of any vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report is insufficient in his opinion and may likewise require witnesses of any such accident to render reports. For this purpose, the chief of the Washington state patrol shall prepare and, upon request, supply to any police department, coroner, sheriff and any other suitable agency or individual, sample forms of accident reports required hereunder, which reports shall be upon a form devised by the chief of the Washington state patrol and shall call for sufficiently detailed information to disclose all material facts with reference to the accident to be reported thereon, including the location, the cause, the conditions then existing, and the persons and vehicles involved, personal injury or death, if any, and the amounts

of property damage claimed. Every required accident report shall be made on a form prescribed by the chief of the Washington state patrol and each authority charged with the duty of receiving such reports shall provide sufficient report forms in compliance with the form devised.

**46.52.040 ————Report when operator disabled.** Whenever the operator of the vehicle involved in any accident, concerning which accident report is required, is physically incapable of making the required accident report and there is another occupant other than a passenger for hire therein, in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made such report. Upon recovery such operator shall make such report in the manner required by law.

**46.52.050 Coroner's reports to sheriff and state patrol.** Every coroner or other official performing like functions shall on or before the tenth day of each month, report in writing to the sheriff of the county in which he holds office and to the chief of the Washington state patrol the death of any person within his jurisdiction during the preceding calendar month as a result of an accident involving any vehicle, together with the circumstances of such accident.

**46.52.060 Tabulation and analysis of reports—Availability for use.** It shall be the duty of the chief of the Washington state patrol to file, tabulate and analyze all accident reports and to publish annually, immediately following the close of each calendar year, and monthly during the course of the calendar year, statistical information based thereon showing the number of accidents, the location, the frequency and circumstances thereof and other statistical information which may prove of assistance in determining the cause of vehicular accidents.

Such accident reports and analysis or reports thereof shall be available to the director of licenses, the highway commission, the public service commission, or their duly authorized representatives, for further tabulation and analysis for pertinent data relating to the regulation of highway traffic, highway construction, vehicle operators and all other purposes, and to publish information so derived as may be deemed of publication value.

**46.52.070 Peace officer's report.** Any peace officer of the state of Washington or of any county, city, town or other political subdivision, present at the scene of any accident or in possession of any facts concerning any accident whether by way of official investigation or otherwise shall make report thereof in the same manner as required of the parties to such accident and as fully as the facts in his possession concerning such accident will permit.

**46.52.080 Reports confidential.** All required accident reports and supplemental reports and copies thereof shall be without prejudice to the individual so reporting and shall be for the confidential use of the county prosecuting attorney and chief of police or county sheriff, as the case may be, and the director of licenses and the chief of the Washington state patrol, and other officer or commission as authorized by law, except that any such officer may disclose the identity of a person reported as involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident. No such accident report or copy thereof shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that any officer above named for receiving accident reports shall furnish, upon demand of any person who has, or who claims to have, made such a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the chief of the Washington state patrol solely to prove a compliance or a failure to comply with the requirement that such a report be made in the manner required by law.

**46.52.090 Reports by repairmen, storage men and appraisers—Violations, penalties.** Any person, firm, corporation or association engaged in the business of repair to motor vehicles or any person, firm, corporation or association which may at any time engage in the repair of any motor vehicle or other vehicle owned by any other person, firm, corporation, or association, shall be and is hereby required to maintain a complete record of any and all vehicles repaired, the nature of the repair to which indicates the damage or injury could have been caused by collision with any person or property. Such report shall be made out and kept posted currently in duplicate, showing the name of the person for whom such repair is done, the date of such repair, the motor number of the vehicle if it be a motor vehicle, or the serial number of the vehicle if it be a trailer or semitrailer, the license number of the vehicle, a brief statement of the nature of such repair and the cost thereof. Such report should be certified by the person or a duly authorized representative of the firm, corporation or association performing such repairs, such certification stating that the foregoing report is a true and accurate report of all such repairs, performed during the period covered by said report and in any wise indicating that the injury or damage to such vehicle could have been caused by collision with any person or property. Any person, firm, corporation or association failing to submit such report shall be guilty of a gross misdemeanor and any person certifying to any such report containing fraudulent or untrue information or omitting any required information in any material respect shall be guilty of forgery. Such report shall be submitted on Monday of each week for the preceding calendar week,

to the local authority to whom accident reports are required to be made. When such local authority shall have checked such reports for their own informational purposes, such reports shall be forwarded to the chief of the Washington state patrol, and such reports shall be forwarded within a period of ten days from the date of submission to such local authority. The person, firm, corporation or association performing such repairs shall retain the duplicate copy of such report in their permanent files and the same shall be open to inspection during business hours by any peace officer or any person authorized by the chief of the Washington state patrol. Such report shall also be made by persons, firms or corporations providing storage or furnishing appraisals and shall contain the same record as required above of any such vehicles brought in for appraisal or storage. Forms for such records shall be prescribed by the chief of the Washington state patrol and may be obtained from the local authority to whom accident reports are made.

It shall be unlawful for any person to destroy or conceal any evidence of damage to a vehicle indicating that such damage could be the result of collision with any person or property without adequate record thereof and any person so doing shall be guilty of a gross misdemeanor.

**46.52.100 Record of traffic charges—Reports of convictions by courts—Venue in justice courts—Driving under influence of liquor or drugs, penalty.** Every justice of the peace, police judge and clerk of superior court shall keep or cause to be kept a record of every traffic complaint, traffic citation or other legal form of traffic charge deposited with or presented to said justice of the peace, police judge, superior court or a traffic violations bureau, and shall keep a record of every official action by said court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal and the amount of fine or forfeiture resulting from every said traffic complaint or citation deposited with or presented to the justice of the peace, police judge, superior court or traffic violations bureau.

The Monday following the conviction or forfeiture of bail of a person upon a charge of violating any provisions of this chapter or other law regulating the operating of vehicles on highways, every said magistrate of the court or clerk of the court of record in which such conviction was had or bail was forfeited shall prepare and immediately forward to the director of licenses at Olympia an abstract of the record of said court covering the case in which said person was so convicted or forfeited bail, which abstract must be certified by the person so required to prepare the same to be true and correct. Report need not be made of any conviction involving the illegal parking or standing of a vehicle.



Said abstract must be made upon a form furnished by the director of licenses and shall include the name and address of the party charged, the number, if any, of his operator's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, or whether bail forfeited and the amount of the fine or forfeiture as the case may be.

Every court of record shall also forward a like report to the director upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The failure of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be grounds for removal therefrom.

The director shall keep all abstracts received hereunder at his office in Olympia and the same shall be open to public inspection during reasonable business hours.

Venue in all justice courts shall be before one of the two nearest justices of the peace in incorporated cities and towns nearest to the point the violation allegedly occurred: *Provided*, That in counties of class A and of the first class such cases may be tried in the county seat at the request of the defendant.

It shall be the duty of the officer, prosecuting attorney or city attorney signing the charge or information in any case involving a charge of driving under the influence of intoxicating liquor or any narcotic drug immediately to make request to the director of licenses for an abstract of convictions and forfeitures which the director shall furnish.

If an operator has a record of two or more convictions or forfeitures of the offense of operating a vehicle under the influence of or affected by the use of intoxicating liquor or any narcotic drug within a five year period, he shall, upon conviction, be fined not less than one hundred dollars and not more than one thousand dollars, and shall be sentenced to not less than thirty days and not more than one year in the county jail and neither fine nor sentence shall be suspended; and the court shall revoke the operator's license.

If the operator at the time of the offense charged was without an operator's license because of a previous suspension or revocation, the minimum mandatory jail sentence and fine shall be ninety days in the county jail and a two hundred dollar fine. The penalty so imposed shall not be suspended.

**46.52.110 Stolen and abandoned vehicles—Reports of—Notice—Sale—Violations, penalties.** It shall be the duty of the sheriff of every county, the chief of police or chief police officer of every incorporated city and town of this state, constables and members of the Washington state patrol to report immediately to the chief of the Washington state patrol all motor vehicles reported to them

as stolen or recovered, upon forms to be provided by the chief of the Washington state patrol.

In the event that any motor vehicle reported as stolen has been recovered, the person so reporting the same as stolen shall be guilty of a misdemeanor unless he shall report the recovery thereof to the sheriff, chief of police, or other chief police officer to whom such motor vehicle was reported as stolen.

Upon receipt of such information the chief of the Washington state patrol shall file the same in a "stolen vehicle index." He shall also file any reports of vehicles stolen in other states and reported to him as such. It shall be the duty of the chief of the Washington state patrol to keep a file record of all vehicles reported to him as recovered.

The chief of the Washington state patrol shall publish at least once a month a list of all vehicles reported as stolen and not reported as having been recovered and all abandoned vehicles and forward a copy of such list to every sheriff in this state, the chief of police or chief police officer of every incorporated city and town with a population in excess of three thousand inhabitants, each member of the Washington state patrol and the cognizant state officer of each state in the United States.

Such information shall be provided by the chief of the Washington state patrol for the use of the director of licenses as will permit the director of licenses to check the motor or serial number set forth in any application for certificate of ownership or certificate of license registration against such "stolen vehicle index" and no such certificates shall be issued upon any vehicle recorded as stolen and the director of licenses shall immediately inform the chief of the Washington state patrol of any application upon any such vehicle.

It shall be the duty of the sheriff of every county, the chief of police or chief police officer of each incorporated city and town, members of the Washington state patrol and constables to report to the chief of the Washington state patrol all vehicles found abandoned on a public highway or at any other place and the same shall be taken into the custody of the sheriff of the county wherein found abandoned and stored and the same shall, for the purposes of listing the same, be considered as a recovered vehicle. Personal notice that such vehicle has been found abandoned shall be forwarded to the registered and legal owners of such vehicle if any record of registered or legal owner thereof exists in this state. In the event there appears to be a registered or legal ownership thereof in another state the sheriff shall send notice thereof to the official having cognizance of issuing legal or registered ownerships in such other state. If, at the expiration of forty-five days from the date of mailing such notices, the vehicle remains unclaimed and has not been reported as a stolen

vehicle, then the same may be sold at public auction upon notice published in one issue of a paper of general circulation in the county in which such vehicle has been found abandoned, such publication to describe the vehicle and set forth the place, date and time at which such vehicle shall be put up for public auction, which date shall be not sooner than three days following the date of such publication. Any surplus accruing at said sale after deducting the cost of placing the vehicle in custody, advertising and selling the same, shall be held for the owner a period of ten days and if not claimed by the expiration thereof shall be certified one-half to the county treasurer of such county to be placed in the county current expense fund and one-half to the state treasurer to be credited to the highway safety fund.

Any vehicle left in a garage for storage more than fifteen days where the same has not been left by the registered owner under a contract of storage and has not during such period been removed by the person leaving the same shall be an abandoned vehicle and shall be delivered to the sheriff of the county with notice of such fact. Any garage keeper failing to report such fact to the sheriff and tender delivery to him of such vehicle at the end of fifteen days shall thereby forfeit any claims for the storage of such vehicle. All such vehicles considered abandoned by being left in a garage shall be disposed of in accordance with the procedure prescribed above for abandoned vehicles.

Except for the forfeiture of claim for storage as set forth herein for failure to report vehicle left in excess of fifteen days, nothing in this section shall be construed to impair any lien for storage accruing to a garage keeper under other law of this state.

**46.52.120 Case record of convictions—Cross reference to accident reports.** It shall be the duty of the director of licenses to keep a case record on every motor vehicle operator licensed under the laws of this state, together with information on each, showing all the convictions certified by the courts and an index cross reference record of each accident reported relating to such individuals with a brief statement of the cause of such accident, which index cross reference record shall be furnished to the director of licenses, by the chief of the Washington state patrol, with reference to each operator involved in the reported accidents. Such records shall be for the confidential use of the director of licenses and the chief of the Washington state patrol and for such peace officers or other cognizant public officials as may be designated by law. Such case records shall not be offered as evidence in any court except in case appeal is taken from the order of director of licenses, suspending, revoking, canceling, or refusing vehicle operator's license. It shall be the duty of the director of licenses to tabulate and analyze vehi-

cle operators' case records and to suspend, revoke, cancel, or refuse any vehicle operator's license to any person when it is deemed from facts contained in the case record of such person that it is for the best interest of public safety that such person be denied the privilege of operating a motor vehicle. Whenever the director of licenses may order the vehicle operator's license of any such person suspended, revoked, or canceled, or shall refuse the issuance of vehicle operator's license, such suspension, revocation, cancellation, or refusal shall be final and effective unless appeal from the decision of the director of licenses shall be taken as provided by law.

### Chapter 46.56

### DRIVING DELINQUENCIES

**46.56.010 Operating under influence of intoxicants or drugs—Chemical analysis, tests, presumptions—Penalties.** It is unlawful for any person who is under the influence of or affected by the use of intoxicating liquor or of any narcotic drug to drive or be in actual physical control of any vehicle upon the public highways.

In any criminal prosecution for a violation of the provisions of this section relating to driving a vehicle while under the influence of intoxicating liquor, the amount of alcohol in the defendant's blood at the time alleged as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance shall give rise to the following presumptions:

If there was at that time 0.05 percent or less by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was not under the influence of intoxicating liquor;

If there was at that time in excess of 0.05 percent but less than 0.15 percent by weight of alcohol in the defendant's blood, such fact shall not give rise to any presumption that the defendant was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;

If there was at that time 0.15 percent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor.

The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not the defendant was under the influence of intoxicating liquor. Nothing herein contained shall be construed as requiring any person to submit to a chemical analysis of his blood, and the refusal to submit to such an analysis shall not be admissible in evidence in any criminal prosecution for a violation of the provisions of this section or in any civil action.

It is unlawful for any person who is an habitual user of or under

the influence of any narcotic drug or who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle to drive a vehicle upon the public highways. The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section.

Upon the first conviction for the violation of the provisions of this section the court shall impose a fine of not less than fifty dollars or more than five hundred dollars and not less than five days or more than one year in jail, and shall, in addition thereto, suspend the operator's license of such person for not less than thirty days. Upon second conviction for a violation of the provisions of this section within a period of five years, the court shall impose a fine of not less than one hundred dollars or more than one thousand dollars and not less than thirty days or more than one year in the county jail, and neither the fine nor the jail sentence so imposed shall be suspended, and shall, in addition thereto, suspend the operator's license of such person for not less than sixty days after the termination of such jail sentence. Upon any subsequent conviction for a violation of the provisions of this section within a period of five years, the court shall impose a fine of not less than one hundred dollars or more than one thousand dollars and not less than thirty days or more than one year in the county jail, and neither the fine nor the jail sentence so imposed shall be suspended, and shall, in addition thereto, revoke the operator's license. In any case provided for in this section, RCW 46.20.250 and 46.52.100 where a driver's license is to be revoked or suspended, such revocation or suspension shall be stayed and shall not take effect until after the determination of any appeal from the conviction which may lawfully be taken, but in case such conviction is sustained on appeal such revocation or suspension shall take effect as of the date that the conviction becomes effective for other purposes; it being the intent and purpose of this section that licenses shall remain in full force and effect during the period that any appeal is pending.

**46.56.020 Operating motor vehicle in reckless manner.** It shall be unlawful for any person to operate a motor vehicle in a reckless manner over and along the public highways of this state. For the purpose of this section to "operate in a reckless manner" shall be construed to mean the operation of a vehicle upon the public highways of this state in such a manner as to indicate either a wilful or wanton disregard for the safety of persons or property.

**46.56.030 Operating motor vehicle in a negligent manner.** It shall be unlawful for any person to operate a motor vehicle in a negligent manner over and along the public highways of this state. For the purpose of this section to "operate in a negligent manner"

shall be construed to mean the operation of a vehicle upon the public highways of this state in such a manner as to endanger or be likely to endanger any persons or property.

The offense of operating a vehicle in a negligent manner shall be considered to be a lesser offense than, but included in, the offense of operating a vehicle in a reckless manner, and any person charged with operating a vehicle in a reckless manner may be convicted of the lesser offense of operating a vehicle in a negligent manner. Any person violating the provisions of this section will be guilty of a misdemeanor: *Provided*, That the director of licenses shall not revoke any license under this section.

**46.56.040 Negligent homicide by means of a motor vehicle.** When the death of any person shall ensue within one year as a proximate result of injury received by the operation of any vehicle by any person while under the influence of or affected by intoxicating liquor or narcotic drugs or by the operation of any vehicle in a reckless manner or with disregard for the safety of others, the person so operating such vehicle shall be guilty of negligent homicide by means of a motor vehicle.

Any person convicted of negligent homicide by means of a motor vehicle shall be punished by imprisonment in the state penitentiary for not more than twenty years, or by imprisonment in the county jail for not more than one year, or by fine of not more than one thousand dollars, or by both fine and imprisonment.

**46.56.050 Transporting passengers for hire with trailers.** It shall be unlawful to engage in transportation of passengers for hire upon any combination of vehicles consisting of a motor vehicle in combination with a trailer or semitrailer.

**46.56.060 Operating with gears in neutral or clutch disengaged.** It shall be unlawful for any person to operate a motor vehicle with the gears of such vehicle in neutral. It shall be unlawful for any person to operate any motor vehicle when traveling upon a down grade with the clutch disengaged. This section shall not prevent the proper shifting of gears or the towing of a disabled vehicle.

**46.56.070 Carrying persons or animals on outside part of vehicle.** It shall be unlawful for any person to transport any living animal on the running board, fenders, hood, or other outside part of any vehicle unless suitable harness, cage or enclosure be provided and so attached as to protect such animal from falling or being thrown therefrom. It shall be unlawful for any person to transport any persons upon the running board, fenders, hood, or other outside part of any vehicle, except that this provision shall not apply to authorized emergency vehicles.

**46.56.080 Riding other than on seat of motorcycle.** A person operating a motorcycle shall not ride other than upon the permanent and regular seat attached thereto, or carry any other person, nor shall any other person ride upon such motorcycle, other than upon such permanent and regular seat if designed for two persons or upon another seat firmly attached to the rear or side of the operator.

**46.56.090 Interference with operator's view or control—Operating when.** No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the operator to the front or sides of the vehicle or as to interfere with the operator's control over the driving mechanism of the vehicle. No passenger in a vehicle shall ride in such position as to interfere with the operator's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle.

**46.56.100 Embracing another while driving.** It shall be unlawful for any person to operate a motor vehicle upon the highways of this state when such person has in his or her embrace another person which prevents the free and unhampered operation of such vehicle. Any person so doing shall be deemed guilty of reckless driving.

**46.56.110 Driving over fire hose.** It shall be unlawful for the operator of any vehicle or street car to operate over any unprotected hose of a fire department when laid down on any public highway or any private road, street, way or alley.

**46.56.120 Driving or parking in proximity to fire apparatus.** It shall be unlawful for the operator of any vehicle, other than an authorized emergency vehicle on official business, to follow any fire apparatus proceeding in response to a fire alarm at a distance of less than five hundred feet or drive or park such vehicle within two hundred feet of fire apparatus stopped in answer to fire alarm.

**46.56.130 Driving with wheels off roadway.** It shall be unlawful to operate or drive any vehicle or combination of vehicles over or along any pavement or gravel or crushed rock surface on a public highway with one wheel or all of the wheels off the roadway thereof, except for the purpose of stopping off such roadway, or having stopped thereat, for proceeding back onto the pavement, gravel or crushed rock surface thereof.

**46.56.135 Permitting escape of load materials—Throwing debris on right of way.** No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substance may be

sprinkled on a roadway in the cleaning or maintaining of such roadway by public authority having jurisdiction. Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects. It shall be unlawful for any person to throw or drop any glass object, debris or any waste from any moving vehicle or upon the right of way of any public highway.

**46.56.140 Leaving debris on roadway.** When there has been any accident or any wrecked or damaged vehicle is removed from the roadway of a public highway, any glass, debris or other injurious substance dropped from such vehicle shall be removed from the roadway by the operators involved unless they be incapacitated.

**46.56.150 Failure to stop at stop sign.** It shall be unlawful for any person operating a vehicle, street car or interurban upon any public highway of this state to fail to bring such vehicle to a complete stop at any point at which there is located a stop sign, except when directed to proceed by a peace officer or traffic control signal.

**46.56.160 Failure to comply with restrictive signs—Penalty.** Any person failing to observe and comply with the restrictions of any restrictive signs erected or maintained by competent authority upon any public highway of this state shall be guilty of a misdemeanor.

**46.56.170 Disobedience of traffic control devices.** No operator of a vehicle or motorman of a street car shall disobey the instructions of any official traffic control device placed in accordance with the the provisions of this title, unless at the time otherwise directed by a peace officer.

**46.56.180 Disobedience of signals of officer or flagman.** It shall be unlawful for any person operating any vehicle upon any public highway to fail, refuse or neglect to obey all signals of any peace officer or duly authorized flagman who is at the time discharging the duty of regulating and directing traffic.

**46.56.190 Refusal to give information to or cooperate with officer.** It shall be unlawful for any person while operating or in charge of any vehicle to refuse when requested by a peace officer to give his name and address and the name and address of the owner of such vehicle, or for such person to give a false name and address, and it shall likewise be unlawful for any such person to refuse or neglect to stop when signaled to stop by any peace officer or to refuse upon demand of such peace officer to produce his certificate of license registration of such vehicle or his vehicle operator's license or to refuse to permit such officer to take any such license or



certificate for the purpose of examination thereof or to refuse to permit the examination of any equipment of such vehicle or the weighing of such vehicle or to refuse or neglect to produce the certificate of license registration of such vehicle or his vehicle operator's license when requested by any court. Any peace officer shall on request produce evidence of his authorization as such.

**46.56.200 Causing or permitting vehicle to be unlawfully operated.** It shall be unlawful for the owner, or any other person, in employing or otherwise directing the operator of any vehicle to require or knowingly to permit the operation of such vehicle upon any public highway in any manner contrary to the law.

**46.56.210 Attempting, aiding, abetting, coercing, committing violations, punishable.** Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of any act declared by this title to be a crime, whether individually or or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcefully, or wilfully induces, causes, coerces, requires, permits or directs others to violate any provisions of this title is likewise guilty of such offense.

## **Chapter 46.60**

### **RULES OF THE ROAD**

**46.60.010 Operator must drive to the right of center line—Excepted instances.** Whenever any person is operating any vehicle upon any public highway of this state he shall at all times drive the same to the right of the center of such highway except when in the exercise of care in the overtaking and passing of another vehicle traveling in the same direction, or where an obstruction exists it is necessary to drive to the left of the center of such highway, providing the same is done with due care and right of way is extended to vehicles traveling in the proper direction upon the unobstructed portion of the public highway.

**46.60.020 Divided highways.** Whenever any highway has been divided into two roadways for travel in opposite directions by leaving an intervening space or by a physical barrier or clearly indicated dividing section or by two parallel barrier stripes four inches or more apart so installed as to control vehicular traffic, every vehicle shall be driven only upon the right hand roadway and no vehicle shall be driven over, across or within any such dividing space, barrier or section, or barrier stripes, except through an opening in such physical barrier or dividing section or space, or barrier stripes, or at a crossover or intersection established by public authority.

**46.60.040 Overtaking and passing another vehicle—Requirements—Sounding horn.** Any person driving a vehicle upon any public highway of this state and overtaking another vehicle proceeding in the same direction shall pass to the left of such overtaken vehicle: *Provided*, That it shall be unlawful for any person to pass any vehicle overtaken unless he shall have a clear and unobstructed view ahead for a distance sufficient for safe passing, all factors considered. Any person driving a vehicle upon any public highway and being overtaken by any vehicle proceeding in the same direction shall keep to the extreme right hand side of such public highway and shall not accelerate his speed until the overtaking vehicle shall have resumed a driving position and speed ahead of him. The overtaking vehicle shall drive clear of the overtaken vehicle and shall continue its overtaking speed until it has passed the overtaken vehicle and shall have resumed its driving position to the right of such public highway. No person driving any vehicle upon any public highway outside incorporated cities and towns and overtaking another vehicle proceeding in the same direction shall overtake such vehicle or drive within a distance of less than fifty feet of such overtaken vehicle for such purpose without first signaling his intention to pass by use of horn or other sounding device.

**46.60.050 When overtaking vehicle may pass to the right.** (1) The operator of a vehicle may overtake and pass upon the right of another vehicle only under the following conditions:

(a) When the vehicle overtaken is making or about to make a left turn;

(b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lanes of moving vehicles in each direction;

(c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lanes of moving vehicles.

(2) The operator of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main traveled portion of the roadway.

**46.60.060 Overtaking and passing on curves, grades, tunnels, and grade crossings—Exceptions—Marking danger spots.** It shall be unlawful for any person operating a vehicle upon a public highway outside of cities and towns to overtake and pass another vehicle proceeding in the same direction upon a curve when the view of the operator of the overtaking vehicle is obstructed or obscured within a distance of eight hundred feet along the highway in the direction in which he is proceeding.

It shall be unlawful for any person operating a vehicle upon a public highway outside of cities and towns to overtake and pass another vehicle proceeding in the same direction while approaching the crest of any grade where there is not a clear view of the highway ahead within a distance of eight hundred feet along the highway.

It shall be unlawful for any person operating a vehicle upon a public highway outside of cities and towns to overtake and pass another vehicle upon any highway structure, tunnel, or underpass or within five hundred feet of the approach thereto.

It shall be unlawful for any person operating a vehicle upon a public highway outside of cities and towns to overtake and pass another vehicle upon a highway railroad grade crossing or within two hundred feet of the approach thereto.

Between the points herein designated, vehicles shall remain to the extreme right hand side of the driving portion of the roadway of the highway.

The provisions of this section shall not apply to the overtaking and passing of vehicles upon the proper driving portions of any multiple-lane highway.

The state highway commission may, when it deems it necessary for safe vehicle operation or for the enforcement of this section, install no-passing zones by means of a solid barrier paint line of contrasting color parallel, adjacent, and to the right of the painted barrier line of the traffic lane in which the vehicle is operating and which shall be visible to the vehicle operator to designate points between which vehicles may not lawfully overtake and pass as above provided.

**46.60.070 Additional rules for multiple-laned highways.** Whenever a roadway has been divided into three or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

(1) Every vehicle shall be operated as nearly as practical entirely within a single lane and shall not be moved from such lane until the operator thereof has first ascertained that such movement can be made with safety;

(2) Upon a roadway which is divided into three lanes, a vehicle shall not be operated in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a distance as by law provided, or in preparation of a left turn or when such center lane is at the time allocated exclusively to traffic moving in the direction in which such vehicle is proceeding and is sign posted to give notice of such allocation;

(3) Official signs may be erected directing slow moving or any particular class of traffic to be operated in a designated lane or

allocating specific lanes to traffic moving in the same direction, and it shall be unlawful for any person operating a vehicle upon the public highways of this state to disobey the directions of any such sign or signs.

**46.60.080 Interval between vehicles.** It shall be unlawful for the operator of any motor vehicle to follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of any such public highway. It shall be unlawful for the operator of any motor truck or any combination of vehicles operating upon any state highway to follow within two hundred feet of another motor truck or combination of vehicles: *Provided*, That this provision shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for the use of motor trucks or combination of vehicles. This section shall not apply to any convoy of vehicles in the military service of the United States or of this state.

**46.60.090 Overtaking and passing street cars on left.** The operator of a vehicle shall not overtake and pass upon the left or operate upon the left side of any street car proceeding in the same direction whether such street car is actually in motion or temporarily at rest, except:

- (1) When so directed by a peace officer;
- (2) When upon a one-way street; or
- (3) When upon a street where the tracks are so located as to prevent compliance with this section.

The operator of any vehicle, when permitted to overtake and pass upon the left of a street car which has stopped for the purpose of receiving or discharging any passenger or passengers, shall reduce speed and may proceed only upon exercising due caution for pedestrians and shall accord pedestrians the right of way as required by other law of this state.

**46.60.100 Passing stopped street car or bus on right.** No person operating a vehicle when overtaking any street car, interurban, bus or other passenger carrier that has stopped at any point for the receiving or discharging of passengers shall pass or proceed to the right of such street car, interurban, bus or other passenger carrier unless and until all awaiting passengers have been received or all alighting passengers have been discharged and have had an opportunity to proceed beyond the limits of the roadway or are within the limits of any pedestrian safety zone and not attempting to proceed therefrom.

**46.60.110 Positions to be assumed for right and left hand turns.** Any person driving any motor vehicle upon any public highway

in this state and desiring to make a turn to the right shall seasonably and prudently drive such vehicle as close as is practicable to the extreme right hand edge of said roadway a reasonable distance before the point of making such turn. Any person driving any vehicle upon any public highway of this state and desiring to make a left hand turn at any intersection shall seasonably and prudently drive such vehicle to the extreme left hand side of that portion of the roadway lying to the right of the center of such public highway a reasonable distance before making such left hand turn. It shall be unlawful for any person to make or attempt to make any right hand or left hand turn until he shall have attained the proper relative driving position as aforesaid.

**46.60.120 Turning and stopping signals—Mechanical signals.**

(1) Any stop or turn signal when herein required shall be given either by means of the hand and arm or by a signal lamp or lamps or mechanical signal device except as otherwise provided in subsection (2);

(2) Any motor vehicle in use on a highway shall be equipped with, and required signal shall be given by, a signal lamp or lamps or mechanical signal device when the distance from the center of the top of the steering post to the left outside limit of the body, cab, or load of such motor vehicle exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet. The latter measurement shall apply to any single vehicle, and also to any combination of vehicles;

(3) All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

(a) Left turn—hand and arm extended horizontally beyond the side of the vehicle;

(b) Right turn—hand and arm extended upward beyond the side of the vehicle;

(c) Stop or sudden decrease of speed signal—hand and arm extended downward beyond the side of the vehicle.

(4) (a) No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in RCW 46.60.110, or turn a vehicle to enter a private road or driveway, or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person shall so turn any vehicle without giving an appropriate signal in the manner hereinbefore provided in the event any other traffic may be affected by such movement.

(b) A signal of intention to turn right or left when required shall be given continuously during not less than the last one

hundred feet traveled by the vehicle before turning or during a period of time not less than that time required to traverse a distance in feet equal to five times the maximum speed in miles per hour allowed by law during the approach to the point of turning or stopping.

(c) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear when there is opportunity to give such signal.

**46.60.130 Turning left at intersection—Requirements.** Upon turning to the left at any intersection an operator shall be permitted to make a turn to the left without regard to the center of such intersection: *Provided*, That all wheels of the vehicle shall pass to the right of the intersection entrance markers located on the public highways from or to which such vehicle is entering or leaving such intersection and both such intersection entrance markers are within the arc circumscribed by such left turn. In the event no intersection center marker or intersection entrance markers are installed at an intersection, left turn may be made as though intersection entrance markers are installed, as above set forth, and such turn made with reference to the points at such intersection where such intersection entrance markers would properly be located.

**46.60.140 Making "U" turns, restrictions on.** It shall be unlawful for any person operating any vehicle upon the public highways of this state outside of incorporated cities and towns to turn so as to proceed in an opposite direction upon any curve or upon the approach to, or near the crest of, any grade where such vehicle cannot be seen by the operator of any other vehicle approaching the point of turning from either direction for distance of one thousand feet. It shall be unlawful for any person operating any vehicle upon any public highways of this state within incorporated cities and towns to turn the same so as to proceed in an opposite direction at any other point than street intersection or street end.

**46.60.150 Right of way on approaching intersections.** Every operator of a vehicle on approaching public highway intersections shall look out for and give right of way to vehicles on his right, simultaneously approaching a given point within the intersection, and whether his vehicle first reaches and enters the intersection or not: *Provided*, That this section shall not apply to operators on arterial highways or to vehicles entering an intersection which is posted with the "Yield Right of Way" sign.

**46.60.160 Right of way on making left turn in intersection.** It shall be the duty of any operator of any vehicle upon entering an intersection and having signaled his intention as required by law

to turn such vehicle to the left to look out for and give right of way to vehicles approaching in the opposite direction and thereby placed on his right, simultaneously approaching the given point within the intersection, whether such vehicle first enter and reach the intersection or not: *Provided*, That this section shall not apply to a vehicle making such a left turn when having entered and turning to proceed upon an arterial highway.

*Note: See also section 1, chapter 118, Laws of 1961.*

**46.60.170 Right of way at arterial intersection.** The operator of a vehicle shall stop as required by law at the entrance to any intersection with an arterial public highway, and having stopped shall look out for and give right of way to any vehicles upon the arterial highway simultaneously approaching a given point within the intersection, whether or not his vehicle first reaches and enters the intersection: *Provided*, That this section shall not apply to vehicles entering an intersection which is posted with the "Yield Right of Way" sign.

**46.60.180 Duty in backing vehicle.** It shall be the duty of every operator of a vehicle while backing such vehicle to look out for and yield the right of way to all other vehicles upon the public highway.

**46.60.190 Emerging from alleys or private property or across sidewalk area.** It shall be unlawful for the operator of a vehicle to emerge from any alley, driveway, building exit, private way or private property or from off the roadway of any public highway, onto the roadway of any public highway or across a sidewalk or into the sidewalk area extending across any such alley, driveway, building exit, private way or private property without bringing such vehicle to a full stop and yielding the right of way to all pedestrians upon such sidewalk and all vehicles upon such public highway.

**46.60.200 Starting parked vehicle.** No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety: *Provided*, That no person shall start a vehicle, which is stopped, standing or parked at the curb or on the shoulder of a public highway without first giving an appropriate signal showing his intention to drive the vehicle onto the traveled portion of the public highway.

**46.60.210 Duty on approach of emergency vehicles.** Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right hand edge or curb of the public highway clear

of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a peace officer. Upon the immediate approach of an authorized emergency vehicle, street cars shall be stopped unless otherwise directed by a peace officer. When the operator of any vehicle is complying with the provisions of this section, he shall give proper hand signal indicating his intended movement.

**46.60.220 Observance of pedestrian safety zones.** No vehicle shall at any time be driven through or within any pedestrian safety zone which has been distinctly marked by signs, buttons, lines, standards or in any other manner.

**46.60.230 Traffic control signals—Colors—Indications.** Whenever, at any point, traffic is controlled by traffic control signals or signs exhibiting the words “Go,” “Caution,” or “Stop” or exhibiting different colored lights successively, one at a time, or with arrows, said lights, arrows and terms shall indicate and apply to drivers of vehicles and pedestrians as follows:

Green or the word “Go”: Vehicular traffic facing the signal except when prohibited by a superior regulation, may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk unless directed otherwise by a pedestrian signal or signs.

Yellow alone or the word “Caution” when shown following the Green or “Go” signal: Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection or at such other point as may be designated by the proper traffic authority. However, if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection. No pedestrian facing such a signal shall enter the roadway.

Red alone or the word “Stop”: Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be designated by the proper traffic authority. Vehicular traffic facing such a signal shall remain standing until Green or “Go” is shown alone: *Provided*, That such traffic may, after stopping, cautiously proceed to make a right turn from a one-way or two-way street into a street carrying two-way traffic or into a one-way street carrying traffic in the direction of the right turn; or a left turn from a one-way or two-way street into a one-way street carrying traffic in the direction of the left turn; unless a sign posted by competent authority prohibits such movement; but ve-



hicular traffic making such turns shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited. Pedestrians facing such a signal shall not enter the roadway.

Red or the word "Stop" with green arrow: Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right of way to pedestrians lawfully within a crosswalk and to the other traffic lawfully using the intersection. No pedestrian facing such a signal shall enter the roadway.

Green arrow alone: Vehicular traffic facing such a signal may cautiously enter the intersection only to make the movement indicated by such arrow but shall yield right of way to other traffic or pedestrians lawfully within a crosswalk. Pedestrians facing such a signal may proceed across the roadway controlled by such signal unless prohibited by other signs or signals.

Flashing red: When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a stop line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

Flashing yellow: When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

No traffic control signal or device shall be erected or maintained upon any city street designated as forming a part of the route of a primary state highway or secondary state highway unless first approved by the state highway commission.

All new traffic control signals and all replacements of existing traffic control signals directing traffic to alternately stop and go shall have three signal faces facing each street, road, or highway leading into the intersection with the red "Stop" signal located at the top of such signal, the amber "Caution" signal located at the center of such signal and the green "Go" signal located at the bottom of such signal.

**46.60.240 Pedestrian control signals.** Whenever special pedestrian control signals exhibiting the words "Walk" or "Wait" are in place, such signals shall indicate as follows:

(1) Walk—Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.

(2) Wait—No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety island while the wait signal is showing.

**46.60.250 Pedestrian traffic regulations.** Pedestrians shall be subject to traffic control signals at intersections and the directions of officers discharging the duty of directing traffic at intersections. Where traffic control signals are not in place or not in operation, the operator of a vehicle shall yield the right of way, slowing down or stopping, if need be, to so yield, to any pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. This provision shall not apply under the conditions stated hereinafter.

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.

Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right of way to all vehicles upon the roadway.

Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

**46.60.260 Blind pedestrians.** It shall be unlawful for the operator of any vehicle to drive into or upon any crosswalk while there is on such crosswalk, any pedestrian wholly or partially blind, crossing or attempting to cross the roadway, if such pedestrian indicates his intention to cross or of continuing on, with a timely warning by holding up or waving a white cane or walking stick. The failure of any such pedestrian so to signal shall not deprive him of the right of way accorded him by other laws.

**46.60.270 ————Use of device for blind by others, prohibited.** It shall be unlawful for any person who is not wholly or partially blind to use a white cane or walking stick for the purpose of securing the right of way accorded by RCW 46.60.260 to wholly or partially blind people.

**46.60.280 Hitchhiking prohibited.** It shall be unlawful for any person upon any public highway of this state to solicit by word or sign or by any other means for himself or for another or for his baggage or for the baggage of another any transportation on vehicles

being operated upon such public highways. It shall be unlawful for any person operating any vehicle upon any public highway of this state to offer or give to any such person or other person aforesaid transportation upon any such solicitation. The provisions of this section shall not be construed to prevent any person upon any public highway from soliciting, or any person operating a vehicle upon such public highway from granting or giving transportation where an emergency actually exists, nor shall this section be construed to prevent any person from signaling or requesting transportation from a passenger carrier for the purpose of becoming a passenger thereon for hire.

**46.60.290 Pedestrians walking along highway.** Pedestrians on any public highway where a sidewalk is provided shall proceed upon such sidewalk. Pedestrians on any public highway where no sidewalk is provided shall proceed on the extreme left hand side of the roadway and upon meeting an oncoming vehicle shall step to their left and clear of the roadway.

**46.60.300 Stopping at railroad crossing or movable span at signal.** Whenever any person operating a vehicle approaching any railroad grade crossing or structure with a movable span and a clearly visible electrical, mechanical or manual signal device is in operation and gives warning of the immediate approach of any train or operation of movable span, the operator of such vehicle shall stop within fifty feet, unless vehicles ahead require a greater distance, but not less than twenty feet, from such railroad or span and shall not proceed until he can do so safely. The operator of any vehicle shall stop his vehicle and remain standing and not traverse any railroad grade crossing or structure when crossing gate is lowered or when a human flagman or mechanical or electrical signal gives or continues to give a signal of the approach or passage of any train or movement of the span.

**46.60.310 Stop signs at dangerous grade crossings—Stopping distance.** The state highway commission is authorized to designate any particularly dangerous highway-railroad grade crossing and to erect stop signs. It shall be unlawful for the operator of any vehicle to fail to stop before traversing any such highway-railroad grade crossing where such sign is erected. When such stop signs are erected, the operator of any vehicle shall stop within fifty feet, but not less than twenty feet, unless traffic requires a greater distance, from the nearest track of such grade crossing and shall proceed only with the exercise of due care.

**46.60.320 Stopping or reducing speed at other grade crossings.** Any person operating a vehicle carrying passengers for hire or a school bus or a vehicle in which are being transported explosive

substances or flammable liquids or any other substance listed as a dangerous article under the regulations of the Interstate Commerce Commission shall bring such vehicle to a full stop within fifty feet, but not less than twenty feet, of any railroad or interurban grade crossing before proceeding across it. Any person operating a vehicle, other than those specifically mentioned above, shall, upon approaching the intersection of any public highway with a railroad or interurban grade crossing, reduce the speed of his vehicle to a rate of speed not to exceed that at which, considering the view along the track in both directions, the vehicle can be brought to a complete stop not less than ten feet from the nearest track in the event of an approaching train. The actual maximum speed permitted on the approach to any highway-railroad grade crossing on a public highway may be controlled by signs posted on the approach thereto, and the state highway commission shall place, as soon as is practicable, approach signs upon state highways, setting the maximum speed allowed at crossings and within one hundred feet on the approach thereto. No stop need be made at any such highway-railroad grade crossing where a peace officer directs traffic to proceed.

**46.60.330 Arterial highways designated—Stopping on entering.** All state highways are hereby declared to be arterial highways as respects all other public highways or private ways except that the Washington state highway commission shall have the authority to designate any county road or city street as an arterial having preference over the traffic on the state highway if traffic conditions will be improved by such action.

Those city streets designated by the Washington state highway commission as forming a part of the routes of state highways through incorporated cities and towns are hereby declared to be arterial highways as respects all other city streets or private ways.

The governing authorities of incorporated cities and towns may designate any street as an arterial having preference over the traffic on a state highway if such change is first approved in writing by the Washington state highway commission. The local authorities making such a change in arterial designation shall do so by proper ordinance or resolution and shall erect or cause to be erected and maintained standard stop signs, or "Yield Right of Way" signs, to accomplish this change in arterial designation.

The operator of any vehicle entering upon any arterial highway from any other public highway or private way shall come to a complete stop before entering such arterial highway when stop signs are erected as provided by law.

**46.60.340 Stop intersections other than arterial may be designated.** In addition to the points of intersection of any public highway with any arterial public highway which is constituted by law

or by any proper authorities of this state or any city or town of this state, the state highway commission with respect to state highways, and the proper authorities with respect to any other public highways, shall have the power to determine and designate any particular intersection, or any particular highways, roads or streets or portions thereof, at any intersection with which vehicles shall be required to stop before entering such intersection; and upon the determination and designation of such points at which vehicles will be required to come to a stop before entering such intersection, the proper authorities so determining and designating shall cause to be posted and maintained proper signs of the standard design adopted by the state highway commission indicating that such intersection has been so determined and designated and that vehicles entering the same are required to stop. It shall be unlawful for any person operating any vehicle when entering any intersection determined, designated and bearing the sign aforesaid, to fail and neglect to bring such vehicle to a complete stop before entering such intersection.

**46.60.350 One-way streets and highways—Designation—Traffic rules.** The state highway commission is authorized to designate any public highway or portion thereof or any separate roadway under his jurisdiction and local authority may designate any city or town streets for one-way traffic and shall erect appropriate signs giving notice thereof: *Provided*, That upon a roadway designated and sign-posted for one-way traffic a vehicle shall be driven only in the direction designated and a vehicle passing around a rotary traffic island shall be driven only to the right of such island.

## Chapter 46.64

### ENFORCEMENT

**46.64.010 Traffic citations—Record of—Cancellation prohibited—Penalty—Citation audit.** Every traffic enforcement agency in this state shall provide in appropriate form traffic citations containing notices to appear which shall be issued in books with citations in quadruplicate and meeting the requirements of this section.

The chief administrative officer of every such traffic enforcement agency shall be responsible for the issuance of such books and shall maintain a record of every such book and each citation contained therein issued to individual members of the traffic enforcement agency and shall require and retain a receipt for every book so issued.

Every traffic enforcement officer upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of any city or town shall deposit the original or a copy of such traffic citation with a court having

competent jurisdiction over the alleged offense or with its traffic violations bureau.

Upon the deposit of the original or a copy of such traffic citation with a court having competent jurisdiction over the alleged offense or with its traffic violations bureau as aforesaid, said original or copy of such traffic citation may be disposed of only by trial in said court or other official action by a judge of said court, including forfeiture of the bail or by the deposit of sufficient bail with or payment of a fine to said traffic violations bureau by the person to whom such traffic citation has been issued by the traffic enforcement officer.

It shall be unlawful and official misconduct for any traffic enforcement officer or other officer or public employee to dispose of a traffic citation or copies thereof or of the record of the issuance of the same in a manner other than as required herein.

The chief administrative officer of every traffic enforcement agency shall require the return to him of a copy of every traffic citation issued by an officer under his supervision to an alleged violator of any traffic law or ordinance and of all copies of every traffic citation which has been spoiled or upon which any entry has been made and not issued to an alleged violator.

Such chief administrative officer shall also maintain or cause to be maintained in connection with every traffic citation issued by an officer under his supervision a record of the disposition of the charge by the court or its traffic violations bureau in which the original or copy of the traffic citation was deposited.

Any person who cancels or solicits the cancellation of any traffic citation, in any manner other than as provided in this section, shall be guilty of a misdemeanor.

Every record of traffic citations required in this section shall be audited monthly by the appropriate fiscal officer of the government agency to which the traffic enforcement agency is responsible.

**46.64.015 Citation and notice to appear in court—Issuance—Contents—Written promise—Arrest.** Whenever any person is arrested for any violation of the traffic laws or regulations which is punishable as a misdemeanor, the arresting officer may serve upon him a traffic citation and notice to appear in court. Such citation and notice shall conform to the requirements of RCW 46.64.010, and in addition, shall include spaces for the name and address of the person arrested, the license number of the vehicle involved, the operator's license number of such person, if any, the offense charged, the time and place where such person shall appear in court, and a place where the person arrested may sign. Such spaces shall be filled with the appropriate information by the arresting officer. The arrested person, in order to secure release, and when permitted by the arresting officer, must give his written promise to appear in court as

required by the citation and notice by signing in the appropriate place the written citation and notice served by the arresting officer. Upon the arrested person's failing or refusing to sign such written promise, he may be taken into custody of such arresting officer and so remain or be placed in confinement: *Provided*, That an officer shall not serve or issue any traffic citation or notice for any offense or violation except when said offense or violation is committed in his presence.

**46.64.020 Nonappearance after written promise, misdemeanor.** Any person wilfully violating his written and signed promise to appear in court, as provided in this title, shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested: *Provided*, That a written promise to appear in court may be complied with by an appearance by counsel.

**46.64.030 Procedure governing arrest and prosecution.** The provisions of this title with regard to the apprehension and arrest of persons violating this title shall govern all peace officers in making arrests without a warrant for violations of this title for offenses committed in their presence, but the procedure prescribed herein shall not otherwise be exclusive of any other method prescribed by law for the arrest and prosecution of a person for other like offenses.

**46.64.040 Nonresident's use of highways as assent to being sued and served in state—Resident leaving state—Secretary of state as attorney in fact.** The acceptance by a nonresident of the rights and privileges conferred by law in the use of the public highways of this state, as evidenced by his operation of a vehicle thereon, or the operation thereon of his vehicle with his consent, express or implied, shall be deemed equivalent to and construed to be an appointment by such nonresident of the secretary of state of the state of Washington to be his true and lawful attorney upon whom may be served all lawful summons and processes against him growing out of any accident, collision, or liability in which such nonresident may be involved while operating a vehicle upon the public highways, or while his vehicle is being operated thereon with his consent, express or implied, and such operation and acceptance shall be a signification of his agreement that any summons or process against him which is so served shall be of the same legal force and validity as if served on him personally within the state of Washington. Likewise each resident of this state who, while operating a motor vehicle on the public highways of this state, is involved in any accident, collision or liability and thereafter within three years departs from this state appoints the secretary of state of the state of Washington as his lawful attorney for service of summons as provided in this section for nonresidents. Service of such summons or process shall be made

by leaving two copies thereof with a fee of two dollars with the secretary of state of the state of Washington, or at his office, and such service shall be sufficient and valid personal service upon said resident or nonresident: *Provided*, That notice of such service and a copy of the summons or process is forthwith sent by registered mail, requiring personal delivery, by plaintiff to the defendant and the defendant's return receipt, or an endorsement by the proper postal authority showing that delivery of said letter was refused, and the plaintiff's affidavit of compliance herewith are appended to the process and entered as a part of the return thereof: *Provided further*, That personal service outside of this state in accordance with the provisions of law relating to personal service of summons outside of this state shall relieve the plaintiff from mailing a copy of the summons or process by registered mail as hereinbefore provided. The secretary of state shall forthwith send one of such copies by mail, postage prepaid, addressed to the defendant at his address, if known to the secretary of state. The court in which the action is brought may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. The fee of two dollars paid by the plaintiff to the secretary of state shall be taxed as part of his costs if he prevails in the action. The secretary of state shall keep a record of all such summons and processes, which shall show the day of service.

**46.64.050 General penalty.** It shall be a misdemeanor for any person to violate any of the provisions of this title unless violation is by this title or other law of this state declared to be a felony or a gross misdemeanor.

Unless another penalty is in this title provided, every person convicted of a misdemeanor for violation of any provisions of this title shall be punished accordingly.

## Chapter 46.68

### DISPOSITION OF REVENUE

**46.68.010 Refunds of erroneous license fees—Proof—Time limitation on filing claims.** Whenever any license fee, paid under the provisions of this title, shall have been erroneously paid, wholly or in part, the person paying the same, upon satisfactory proof to the director of licenses, shall be entitled to have refunded the amount so erroneously paid. Upon such refund being certified to the state treasurer by the director of licenses as correct and being claimed in the time required by law the state treasurer shall mail or deliver the amount of each refund to the person entitled thereto: *Provided*, That no claim for refund shall be allowed for such erroneous pay-



ments unless filed with the director of licenses within ninety days after such claimed erroneous payment was made.

**46.68.020 Disposition of fees for certificates of ownership.** The director shall forward all fees for certificates of ownership or other moneys accruing under the provisions of chapter 46.12 to the state treasurer, together with a proper identifying detailed report. The state treasurer shall credit such moneys to the motor vehicle fund and all expenses incurred in carrying out the provisions of that chapter shall be paid from such fund as authorized by legislative appropriation.

**46.68.030 Disposition of vehicle license fees—State patrol highway account—Weight control.** All fees received by the director for vehicle licenses under the provisions of chapter 46.16 shall be forwarded to the state treasurer, accompanied by a proper identifying detailed report, and be by him deposited to the credit of the motor vehicle fund, and out of each vehicle license fee of six dollars and fifty cents as provided for in RCW 46.16.060, the state treasurer shall deposit three dollars and fifty cents to the credit of the state patrol highway account of the motor vehicle fund. A minimum of ten percent of the funds deposited in such account shall be appropriated and expended for the enforcement of RCW 46.44.100 relating to weight control.

Note: See also section 17, chapter 7, Laws of 1961 extraordinary session.

**46.68.040 Disposition of operators' license fees—Support of state parks.** The director shall forward all funds accruing under the provisions of chapter 46.20 to the state treasurer, together with a proper identifying, detailed report. The state treasurer shall deposit such moneys to the credit of the highway safety fund, except that out of each fee of four dollars collected for a vehicle operator's license the sum of two dollars and twenty cents shall be paid into the state parks and parkways account to be used for carrying out the provisions of chapter 43.51 and for no other purpose except as hereinafter provided. All expenses incurred in carrying out the provisions of chapter 46.20 relating to vehicle operators' licenses shall be paid from the highway safety fund and not to exceed fifty thousand dollars in a biennium from the state parks and parkways account of the general fund as by appropriation provided.

**46.68.050 Disposition of fines and forfeitures for violations.** All fines and forfeitures collected for violation of any of the provisions of this title when the violation occurred outside of any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the county road fund of the county in which the violation occurred; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund.

All fines and forfeitures collected for the violation of any of the provisions of this title when the violation occurred inside any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the city street fund for the construction and maintenance of city streets; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund.

**46.68.060 Highway safety fund created—Use.** There is hereby created in the state treasury a fund to be known as the highway safety fund, which fund shall be for the use of the Washington state patrol in the performance of any duties imposed upon it by law. All funds coming into the hands of the state treasurer under the provisions of this title or other law of this state and directed to be deposited therein shall be by the state treasurer deposited to the credit of the highway safety fund and expended therefrom as by appropriation provided.

**46.68.070 Motor vehicle fund created—Use limited.** There is created in the state treasury a permanent fund to be known as the motor vehicle fund to the credit of which shall be deposited all moneys directed by law to be deposited therein. This fund shall be for the use of the state, and through state agencies, for the use of counties, cities, and towns for proper road, street, and highway purposes.

**46.68.080 Refund of vehicle license fees and fuel tax to island counties.** All motor vehicle license fees and all motor vehicle fuel tax directly or indirectly paid by the residents of those counties composed entirely of islands and which have neither a fixed physical connection with the mainland nor any state highways on any of the islands of which they are composed, shall be paid into the motor vehicle fund of the state of Washington and shall monthly, as they accrue, and after deducting therefrom the expenses of issuing such licenses and the cost of collecting such motor vehicle fuel tax, be paid to the county treasurer of each such county to be by him disbursed as hereinafter provided.

One-half of all motor vehicle license fees and motor vehicle fuel tax directly or indirectly paid by the residents of those counties composed entirely of islands and which have either a fixed physical connection with the mainland or state highways on any of the islands of which they are composed, shall be paid into the motor vehicle fund of the state of Washington and shall monthly, as they accrue, and after deducting therefrom the expenses of issuing such licenses and the cost of collecting such motor vehicle fuel tax, be paid to the county treasurer of each such county to be by him disbursed as hereinafter provided.

All funds paid to the county treasurer of the counties of either class above referred to as in this section provided, shall be by such county treasurer distributed and credited to the several road districts of each such county and paid to the city treasurer of each incorporated city and town within each such county, in the direct proportion that the assessed valuation of each such road district and incorporated city and town shall bear to the total assessed valuation of each such county.

The amount of motor vehicle fuel tax paid by the residents of those counties composed entirely of islands shall, for the purposes of this section, be that percentage of the total amount of motor vehicle fuel tax collected in the state that the motor vehicle license fees paid by the residents of counties composed entirely of islands bears to the total motor vehicle license fees paid by the residents of the state.

**46.68.090 Motor vehicle fund "net tax amount," how arrived at.** All moneys which have accrued or may accrue to the motor vehicle fund from the motor vehicle fuel tax shall be first expended for the following purposes:

(1) For payment of refunds of motor vehicle fuel tax which has been paid and is refundable as provided by law;

(2) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor and the department of licenses of the state of Washington in the administration of the motor vehicle fuel tax, said sums to be distributed monthly.

The amount accruing to the motor vehicle fund by virtue of the motor vehicle fuel tax and remaining after payments as provided in subsections (1) and (2) above shall, for the purposes of this chapter, be referred to as the "net tax amount."

*Note: See also section 5, chapter 7, Laws of 1961 extraordinary session.*

**46.68.100 Allocation of net tax amount in motor vehicle fund.** From the net tax amount in the motor vehicle fund there shall be paid sums as follows:

(1) To the Puget Sound transportation stabilization fund sums equal to one-half of one percent of the net tax amount to be paid monthly as the same accrues: *Provided*, That the total amount shall not exceed five hundred thousand dollars;

(2) To the cities and towns of the state sums equal to fifteen percent of the remainder of the net tax amount to be paid monthly as the same accrues;

(3) To the counties of the state sums equal to forty-one and one-half percent of the remainder of the net tax amount to be paid monthly as the same accrues.

Nothing in this section or in RCW 46.68.090 or 46.68.130 shall be construed so as to violate any terms or conditions contained in

any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle funds.

Note: See also section 6, chapter 7, Laws of 1961 extraordinary session.

**46.68.110 Distribution of amount allocated to cities and towns.**

Funds credited to the incorporated cities and towns of the state as set forth in subdivision (2) of RCW 46.68.100 shall be subject to deduction and distribution as follows:

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums are credited and set aside for the use of the state highway commission for the supervision of work and expenditures of such incorporated cities and towns on the city and town streets thereof: *Provided*, That any moneys so retained and not expended shall be credited in the succeeding biennium to the incorporated cities and towns in proportion to deductions herein made;

(2) The balance remaining to the credit of incorporated cities and towns after such deduction shall be apportioned monthly as such funds accrue among the several cities and towns within the state ratably on the basis of the population last determined by the state census board.

Note: See also section 7, chapter 7, Laws of 1961 extraordinary session.

**46.68.120 Distribution of amount allocated to counties.** Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the state highway commission for the supervision of work and expenditures of such counties on the county roads thereof: *Provided*, That any moneys so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

(a) Ten percent of such sum shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the director of the department of licenses for the year next

preceding the date of calculation of the allocation amounts. The director of the department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth day of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per trunk mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955 and on October 1st of each odd-numbered year thereafter furnish the state highway commission with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement showing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of miles of county roads used in each county by rural mail carriers on routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its "money need factor" as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the highway commission and the joint fact-finding committee on highways, streets and bridges shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be defined as one established as such by resolution or order of establishment of the board of county commissioners. The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams .....	\$1,227.00
Asotin .....	1,629.00
Benton .....	1,644.00
Chelan .....	2,224.00
Clallam .....	2,059.00
Clark .....	1,710.00
Columbia .....	1,391.00
Cowlitz .....	1,696.00
Douglas .....	1,603.00
Ferry .....	1,333.00
Franklin .....	1,612.00
Garfield .....	1,223.00
Grant .....	1,714.00
Grays Harbor .....	2,430.00
Island .....	1,153.00
Jefferson .....	2,453.00
King .....	2,843.00
Kitsap .....	1,938.00
Kittitas .....	1,565.00
Klickitat .....	1,376.00
Lewis .....	1,758.00
Lincoln .....	1,038.00
Mason .....	1,748.00
Okanogan .....	1,260.00
Pacific .....	2,607.00
Pend Oreille .....	1,753.00
Pierce .....	2,276.00
San Juan .....	1,295.00
Skagit .....	1,966.00
Skamania .....	2,023.00
Snohomish .....	2,269.00
Spokane .....	1,482.00
Stevens .....	1,068.00
Thurston .....	1,870.00
Wahkiakum .....	2,123.00
Walla Walla .....	1,729.00
Whatcom .....	1,738.00
Whitman .....	1,454.00
Yakima .....	1,584.00

*Provided, however,* That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 allocation by the highway commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public

instruction, the United States postal department and the annual reports of the county road departments.

(f) The "money need factor" for each of the several counties shall be the difference between the prorated estimated annual costs as listed above and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a ten mill tax levy on the valuation, as equalized by the state tax commission for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in RCW 46.68.080. These shall be as supplied to the highway commission by the state treasurer for that purpose. The tax commission and the state treasurer shall supply the information herein requested on or before January 1, 1956 and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the "money need factor" of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The net need of the individual county divided by the total net needs for all counties shall equal the "money need factor" for that county.

(g) The state highway commission shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required.

(h) The highway commission and the joint fact-finding committee on highways, streets and bridges shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The highway commission and the joint fact-finding committee on highways, streets and bridges shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of "motor vehicle fund" funds to counties:

(1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated.

(2) Average costs per trunk mile.

(3) The advisability of using either "trunk mileage" or "county road" mileage exclusively as the criterion instead of both as in this plan adopted.

(4) Reassessment of bridge costs based on current information and relogging of bridges.

(5) The items in the list of resources used in determining the "need factor."

(6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs.

(7) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads.

**46.68.130 Expenditure of balance of motor vehicle fund.** The net tax amount not deducted or distributed in the manner provided by RCW 46.68.090, 46.68.100, 46.68.110 and 46.68.120, and all moneys accruing to the motor vehicle fund from any other source, less such sums as are credited to the state patrol highway account and such sums expended pursuant to proper appropriation for costs of collection and administration thereof, shall be expended by the department of highways, subject to proper appropriation and re-appropriation, for state highways and other proper department of highways purposes. Any moneys which shall be deposited in the state patrol highway account which are not appropriated for use by the Washington state patrol or if appropriated shall remain unexpended after the end of the ensuing fiscal biennium shall accrue to the motor vehicle fund for expenditure by the department of highways for highway purposes.

Note: See also section 8, chapter 7, Laws of 1961 extraordinary session.

**46.68.140 State patrol highway account created.** There is hereby created in the motor vehicle fund a permanent account to be known as the "state patrol highway account" to the credit of which shall be deposited all moneys directed by law to be deposited therein. This account shall be for the use of the Washington state patrol for the policing of public highways.

## Chapter 46.70

### DEALER'S LICENSES

**46.70.010 "Dealer" defined—Place of business.** "Dealer" as defined in this title shall mean any person in the business of buying, selling, exchanging or acting as a broker of new or used motor vehicles, trailers, or motorcycles, with an established place of business actually occupied for the purpose of conducting business,



at which is kept and maintained the books, records and files of the business.

The place of business shall have an office and display area and shall be identified by a sign. The place of business shall be open to inspection of pertinent records and vehicles by any representative of the department during business hours by consent of dealer.

*Note: See also section 1, chapter 48, Laws of 1961.*

**46.70.020 License required.** It shall be unlawful for any person to carry on or conduct business as a dealer unless he shall have applied for and received from the director a license to do so.

**46.70.030 Application for license.** Application for a dealer's license shall be made on a form provided for the purpose by the director and shall be forwarded with the required fee to the director. Such application shall be made by the dealer or his authorized representative who shall certify that the facts contained therein are true.

**46.70.040 Application—Contents.** Applications for a dealer's license shall be made upon the form prescribed by the department and shall contain:

(1) The name under which the business is to be conducted and the address of its established place of business;

(2) The name and address of owner, or if partnership, name and address of each partner. If owner is a corporation, the names of principal officers and their addresses, and if the corporation is not incorporated under the laws of this state, the name of the state in which it is incorporated, and the name of its resident officers;

(3) The make of vehicles for which enfranchised, if any;

(4) Whether or not used vehicles will be sold;

(5) A certificate to the effect that the applicant is a bona fide dealer as defined in this chapter having an established place of business at the address shown on the application and that the books, records, and files of the business are kept thereat, which certificate shall be signed by the chief of police or his deputy in cities having a population of five thousand persons or more, otherwise by a member of the Washington state patrol;

(6) A recommendation endorsed on the application by two freeholders of the county in which the applicant desires to carry on his principal place of business, certifying that they are acquainted with the applicant, and that they believe the applicant to be honest, truthful, and of good moral character;

(7) Whether or not a previous dealer's license has been denied, suspended, or revoked; and

(8) Such other information as may be required by the department.

Every such application shall be accompanied by the fee required by law.

**46.70.050 License — Issuance, expiration, renewal.** Upon receiving an application for dealer's license, the director may make an independent investigation relative to the statements contained in the application and shall, if such application is in proper form and accompanied by a proper fee, retain the application and transmit the fee to the state treasurer with a proper identifying report, such fee to be deposited in the motor vehicle fund. If the director is satisfied that the applicant has complied with the provisions of this chapter and is entitled to a dealer's license, he shall issue an official certificate authorizing the dealer named thereon to carry on and conduct the business of an automobile dealer in motor vehicles, or a miscellaneous dealer in trailers and motorcycles. Every license so issued shall expire on December 31st, and may be renewed by filing a proper application and paying the fees therefor.

**46.70.060 License fee—Dealer's plates.** The fee for original dealer license for each calendar year or fraction thereof shall be as follows: Automobile dealers, fifty dollars; miscellaneous dealers, twenty-five dollars, which shall include one set of dealer license plates, and which may be renewed annually for a fee of twenty dollars for automobile dealers and for a fee of ten dollars for miscellaneous dealers: *Provided*, That any dealer who is otherwise eligible and during the year 1958 has obtained a dealer's license shall be permitted to obtain a renewal of license and pay therefor the renewal fee as herein provided. Additional sets of the dealer license plates, bearing the same license number, may be obtained for three dollars per set. If any dealer shall fail or neglect to apply for such renewal prior to February 1st in each year, his license shall be declared canceled by the director of licenses, in which case the dealer will be required to apply for an original license and pay the fee required for such original license. The fees prescribed herein shall be in addition to any excise taxes imposed by chapter 82.44.

**46.70.070 Bond required—Actions—Revocation of license.** Before issuing a dealer license, the director shall require the applicant to file with said director a surety bond in the amount of ten thousand dollars for automobile dealers and two thousand dollars for miscellaneous dealers running to the state, and executed by a surety company authorized to do business in the state. Such bond shall be approved by the attorney general as to form and conditioned that the dealer shall conduct his business in conformity with the provisions of this chapter. Any person who shall have

suffered any loss or damage by reason of breach of warranty or by any act by a dealer which constitutes a violation of this chapter shall have the right to institute an action for recovery against such dealer and the surety upon such bond. Successive recoveries against said bond shall be permitted but the aggregate liability of the surety to all persons shall in no event exceed the amount of the bond. Upon exhaustion of the penalty of said bond or cancellation of the bond by the surety the director shall revoke the license of the dealer.

Note: See also section 1, chapter 239, Laws of 1961.

**46.70.080 Additional license required for branch or subagency.**

Every dealer maintaining a branch or subagency in another city or town in this state, shall be required to have separate dealer license plates for such branch or subagency, in the same manner as though each constituted a separate and distinct dealer.

**46.70.090 Dealer license plates—Use.** The dealer license plate shall be displayed upon every vehicle demonstrated by such dealer whenever the same is operated upon any public highway in this state, and on such vehicles as may be actually owned by the dealer and used by members or employees of his firm for the purposes for which said dealer license was actually issued. Dealer license plates shall not be used upon any vehicle for the transportation of any person, produce, freight or commodities, except there shall be permitted the use of such dealer license plates on a vehicle transporting commodities in course of demonstration over a period not to exceed seventy-two consecutive hours from the commencement of such demonstration, if a representative of the dealer is present and accompanies such vehicle during the course of the demonstration: *Provided*, That nothing herein shall be interpreted in such manner as to prevent a dealer from moving, by vehicle bearing a dealer license plate, another vehicle or vehicles upon which the said dealer might have used his dealer license plate: *Provided further*, That transportation of dealers' own tools and equipment, in a vehicle bearing a dealer license plate, to a total net weight not to exceed five hundred pounds shall not be considered a violation of the use of said dealer license.

**46.70.100 Refusal, suspension, revocation of license—Grounds.**

The director may refuse to issue a dealer license, or may suspend or revoke a dealer license whenever he has reason to believe that such dealer has:

- (1) Forged the signature of the registered or legal owner on a certificate of title;
- (2) Sold or disposed of a vehicle which he knows or has reason to know has been stolen or appropriated without the consent of the owner;

(3) Wilfully misrepresented any material facts in the applications for a vehicle dealer's license, certificate of registration or certificate of title;

(4) Wilfully failed to deliver to a purchaser a certificate of title to the car sold; and/or

(5) Suffered or permitted the cancellation of the bond or the exhaustion of the penalty thereof;

(6) Been convicted of, or has suffered a judgment to be taken against him, in any action in which fraud or misrepresentation is an element;

(7) Failed to comply with the requirements of chapter 46.70 with reference to notices, or reports of transfers of vehicles, or the maintenance of records, or has caused or suffered or is permitting the unlawful use of the certificate or registration plates.

**46.70.110 ———Hearing—Appeal.** Upon receipt of complaint or other information by the director that an applicant should not be licensed or that a dealer has violated any of the provisions of this chapter he may call a hearing to give the person affected an opportunity to show cause why his application for license should not be refused or why his license should not be revoked or suspended. Notice of the hearing shall be given in writing by registered mail to the holder or applicant for such license and shall designate a time and place for the hearing before the director of licenses which shall not be less than ten days from the date of said notice. The director may require the attendance of any witnesses or documents by issue of subpoenas upon motion either of the department of licenses or the person affected, and shall make a record of the proceedings and of the testimony. Should the director decide that any person is not entitled to a dealer's license or that an existing license should be suspended or revoked, the applicant or holder may within thirty days from the date of the decision of the director, appeal to the superior court of the county of the dealer's residence for a review on the record of such decision, filing a notice of such appeal with the clerk of such superior court and at the same time filing a copy of such notice with the director. On receipt of such notice, the director shall prepare, certify and forward to the court the record of the proceedings.

**46.70.120 Record of transactions.** A dealer shall complete and maintain a record of the purchase and sale of all motor vehicles, motorcycles or trailers, purchased or sold by him and which have been previously licensed in this or another state, which record shall consist of:

(1) The license and title numbers of state in which last license was issued;

(2) A description of vehicle;

- (3) The name of person from whom purchased;
- (4) The name of legal owner, if any; and
- (5) The name of purchaser.

Such record shall at all times be available for inspection by the director or duly authorized member of the state patrol.

**46.70.130 Details of charges must be furnished buyer or mortgagor.** Before the execution of a contract or chattel mortgage or the consummation of the sale of any motor vehicle, the seller must furnish the buyer an itemization in writing signed by the seller separately disclosing to the buyer the finance charge, insurance costs, taxes, and other charges which are paid or to be paid by the buyer.

**46.70.140 Handling "hot" vehicles — Unreported motor "switches"—Unauthorized use of dealer plates—Penalty.** Any dealer who shall knowingly buy or receive, sell or dispose of, conceal or have in his possession, any motor vehicle, trailer, or motorcycle from which the motor or serial number has been removed, defaced, covered, altered or destroyed, or any dealer, who shall remove from or install in any motor vehicle a new or used motor block without immediately notifying the director of licenses of such fact upon a form provided by him, or any motor vehicle dealer who shall loan or permit the use of dealer plates by any person not entitled to the use thereof, shall be guilty of a gross misdemeanor.

**46.70.150 Violations—Additional penalties as to license and plates.** The director may, when informed of the conviction of any dealer of the violation of any of the provisions of this chapter, in addition to penalties imposed by the court, require the surrender of the dealer license and dealer license plates, and may thereupon suspend such license for a period of not less than thirty days or not more than one year, or he may confiscate the dealer license plates that have been issued to such dealer for the current license year.

**46.70.160 Rules and regulations.** The director may make any reasonable rules and regulations not inconsistent with the provisions of chapter 46.70 relating to the enforcement and proper operation thereof.

**Chapter 46.72****TRANSPORTATION OF PASSENGERS IN  
FOR HIRE VEHICLES**

**46.72.010 Definitions.** When used in this chapter:

(1) The term "for hire vehicle" includes all vehicles used for the transportation of passengers for compensation, except auto stages or school buses operating exclusively under a contract to a school district;

(2) The term "for hire operator" means and includes any person, concern or entity engaged in the transportation of passengers for compensation in for hire vehicles.

**46.72.020 Permit required—Form of application.** No for hire operator shall cause operation of a for hire vehicle upon any highway of this state without first obtaining a permit from the director of licenses. Application for a permit shall be made on forms provided by the director of licenses and shall include (1) the name and address of the owner or owners, and if a corporation, the names and addresses of the principal officers thereof; (2) city, town or locality in which any vehicle will be operated; (3) name and motor number of any vehicle to be operated; (4) the endorsement of a city official authorizing an operator under a law or ordinance requiring a license; and (5) such other information as the director of licenses may require.

**46.72.030 Permit fee—Issuance—Display.** Application for a permit shall be forwarded to the director of licenses with a fee of five dollars. Upon receipt of such application and fee, the director shall, if such application be in proper form, issue a permit authorizing the applicant to operate for hire vehicles upon the highways of this state until such owner ceases to do business as such, or until the permit is suspended or revoked. Such permit shall be displayed in a conspicuous place in the principal place of business of the owner: *Provided*, That all for hire operators who have qualified as such under the provisions of chapter 57, Laws of 1915, shall be issued a permit without the payment of the permit fee, but will be required to pay the certificate fee as herein provided.

**46.72.040 Surety bond.** Before a permit is issued every for hire operator shall be required to deposit and thereafter keep on file with the director of licenses of the state of Washington a surety bond running to the state of Washington covering each and every for hire vehicle as may be owned or leased by him and used in the conduct of his business as a for hire operator. Such bond shall be in the sum of one thousand dollars for any recovery for

death or personal injury by one person, and ten thousand dollars for all persons killed or receiving personal injury by reason of one act of negligence, and one thousand dollars 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 of licenses of the state of Washington, conditioned for the faithful compliance by the principal of said bond with the provisions of this chapter, and to pay all damages which may be sustained by any person injured by reason of any careless negligence or unlawful act on the part of said principal, his agents or employees in the conduct of said business or in the operation of any motor propelled vehicle used in transporting passengers for compensation on any public highway of this state.

**46.72.050 Liability coverage—Right of action saved.** In lieu of the surety bond as provided in this chapter, there may be deposited and kept on file and in force with the director of licenses a public liability insurance policy covering each and every motor vehicle operated or intended to be so operated, executed by an insurance company licensed and authorized to write such insurance policies in the state of Washington, assuring the applicant for a permit 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 provisions of this chapter shall be construed to limit the right of any injured person to any private right of action against a for hire operator as herein defined.

**46.72.060 Right of action—Limitation of recovery.** Every person having a cause of action for damages against any person, firm, or corporation receiving a permit under the provisions of this chapter, for injury, damages or wrongful death caused by any careless, negligent or unlawful act of any such person, firm, or corporation or his, their, or its agents or employees in conducting or carrying on said business or in operating any motor propelled vehicle for the carrying and transporting of passengers over and along any public street, road or highway shall have a cause of action against the principal and surety upon the bond or the insurance company and the insured for all damages sustained, and in any such action the full amount of damages sustained may be recovered against the principal, but the recovery against the surety shall be limited to the amount of the bond.

**46.72.070 Certificate—Fee.** The director of licenses shall approve and file all bonds and policies of insurance. The director of licenses

shall, upon receipt of fees and after approving the bond or policy, furnish the owner with an appropriate certificate which must be carried in a conspicuous place in the vehicle at all times during for hire operation. A for hire operator shall secure a certificate for each for hire vehicle operated and pay therefor a fee of one dollar for each vehicle so registered. Such permit or certificate shall expire on June 30th of each year, and may be annually renewed upon payment of a fee of one dollar.

**46.72.080 Substitution of security—New certificate.** In the event the owner substitutes a policy or bond after a for hire certificate has been issued, a new certificate shall be issued to the owner. The owner shall submit the substituted bond or policy to the director of licenses for approval, together with a fee of one dollar. If the director approves the substituted policy or bond, a new certificate shall be issued. In the event any certificate has been lost, destroyed or stolen, a duplicate thereof may be obtained by filing an affidavit of loss and paying a fee of fifty cents.

**46.72.100 Refusal, suspension or revocation of permit or certificate—Penalty for unlawful operation.** The director of licenses may refuse to issue a permit or certificate, or he may suspend or revoke a permit or certificate if he has good reason to believe that one of the following is true of the operator or the applicant for a permit or certificate: (1) He has been convicted of an offense of such a nature as to indicate that he is unfit to hold a certificate or permit; (2) he is guilty of committing two or more offenses for which mandatory revocation of driver's license is provided by law; (3) he has been convicted of manslaughter resulting from the operation of a motor vehicle or convicted of negligent homicide; (4) intemperate or addicted to the use of narcotics.

Notice of the director to refuse, suspend or revoke such permit or certificate shall be given by registered mail to the holder or applicant for such permit or certificate and shall designate a time and place for hearing before the director of licenses, which shall not be less than ten days from the date of such notice. Should the director, after such hearing, decide that a permit shall be canceled or revoked, he shall notify said holder or applicant to that effect by registered mail. The applicant or permit holder may within thirty days from the date of the decision appeal to the superior court of Thurston county for a review of such decision by filing a copy of said notice with the clerk of said superior court and a copy of such notice in the office of the director of licenses. The court shall set the matter down for hearing with the least possible delay.

Any for hire operator as herein defined who shall operate a for hire vehicle as herein defined without first having filed a bond or



insurance policy and having received a for hire permit and a for hire certificate as required by this chapter shall be guilty of a gross misdemeanor and upon conviction therefor shall be punished by imprisonment in jail for a period not exceeding ninety days or a fine of not exceeding five hundred dollars, or both fine and imprisonment.

**46.72.110 Fees to highway safety fund.** All fees received by the director of licenses under the provisions of this chapter shall be transmitted by him, together with a proper identifying report, to the state treasurer to be deposited by the state treasurer in the highway safety fund.

**46.72.120 Rules and regulations.** The director of licenses is empowered to make and enforce such rules and regulations as may be consistent with and necessary to carry out the provisions of this chapter.

**46.72.130 Nonresident taxicabs. Permit—Fee—Compliance.** No operator of a taxicab licensed or possessing a permit in another state to transport passengers for hire, and principally engaged as a for hire operator in another state, shall cause the operation of a taxicab upon any highway of this state without first obtaining an annual permit from the director of licenses upon an application accompanied with an annual fee of twenty dollars for each taxicab. The issuance of a permit shall be further conditioned upon compliance with this chapter.

**46.72.140 ———Permit required for entry.** All law enforcement officers shall refuse every taxicab entry into this state which does not have a certificate from the director of licenses on the vehicle.

**46.72.150 ———Reciprocity.** RCW 46.72.130 and 46.72.140 shall be inoperative to operators of taxicabs residing and licensed in any state which allows Washington operators of taxicabs to use such state's highways free from such regulations.

## Chapter 46.76

### MOTOR VEHICLE TRANSPORTERS

**46.76.010 License required—Exceptions—"Driveaway," "towaway," method defined.** It shall be unlawful for any person, firm, partnership, association, or corporation to engage in the business of delivering by the driveaway or towaway methods vehicles not his own and of a type required to be registered under the laws of this state, without procuring a transporter's license in accordance with the provisions of this chapter.

This shall not apply to motor freight carriers or operations regu-

larly licensed under the provisions of chapter 81.80 to haul such vehicles on trailers or semitrailers.

Driveaway or towaway methods means the delivery service rendered by a motor vehicle transporter wherein motor vehicles are driven singly or in combinations by the towbar, saddlemount or full-mount methods or any lawful combinations thereof, or where a truck or truck-tractor draws or tows a semitrailer or trailer.

**46.76.020 Application for license.** Application for a transporter's license shall be made on a form provided for that purpose by the director of licenses and when executed shall be forwarded to the director of licenses together with the proper fee. The application shall contain the name and address of the applicant and such other information as the director of licenses may require.

**46.76.030 Issuance of license—Plates.** Upon receiving an application for transporter's license the director of licenses, if satisfied that the applicant is entitled thereto, shall issue a proper certificate of license registration and a distinctive set of license plates and shall transmit the fees obtained therefor with a proper identifying report to the state treasurer, who shall deposit such fees in the motor vehicle fund. The certificate of license registration and license plates issued by the director of licenses shall authorize the holder of the license to drive or tow any motor vehicle or trailers upon the public highways.

**46.76.040 License and plate fees—New plates.** The fee for an original transporter's license shall be twenty-five dollars. Transporter license number plates bearing an appropriate symbol and serial number shall be attached to all vehicles being delivered in the conduct of the business licensed under the provisions hereof. Such plates may be obtained for a fee of two dollars for each set. New plates must be procured with each annual renewal.

**46.76.050 Renewal—Fee.** A transporter's license shall expire on December 31st of each year and may be renewed by filing a proper application and paying an annual fee of fifteen dollars.

**46.76.060 Display of plates—Nontransferability.** Transporter's license plates shall be conspicuously displayed on all vehicles being delivered by the driveaway or towaway methods. These plates shall not be loaned to or used by any person other than the holder of the license or his employees.

**46.76.070 Rules and regulations.** The director of licenses may make any reasonable rules or regulations not inconsistent with the provisions of this chapter relating to the enforcement and proper operation of this chapter.

**46.76.080 Penalty.** The violation of any provision of this chapter shall be a misdemeanor. In addition to any other penalty imposed upon a violator of the provisions of this chapter, the director may confiscate any transporter license plates used in connection with such violation.

## **Chapter 46.80**

### **MOTOR VEHICLE WRECKERS**

**46.80.010 Definitions.** The words "motor vehicle wrecker," whenever used in this chapter, shall mean every person, firm, partnership, association or corporation engaged in the business of buying, selling or dealing in vehicles of a type required to be licensed under the laws of this state, for the purpose of wrecking, dismantling, disassembling or substantially changing the form of any motor vehicle, or who buys or sells integral secondhand parts of component material thereof, in whole or in part, and deals in secondhand motor vehicle parts. The words "established place of business," whenever used in this chapter, shall mean a building or enclosure which the owner occupies either continuously or at regular periods and where his books and records are kept and business is transacted and which must conform with the zoning regulation of municipalities.

**46.80.020 License required—Penalty.** On and after July 1, 1947, any motor vehicle wrecker, as defined herein, who shall engage in the business of wrecking motor vehicles or trailers without having first applied for and received a license from the director of licenses authorizing him so to do shall be guilty of a gross misdemeanor, and upon conviction shall be punished by imprisonment for not less than thirty days or more than one year in jail or by a fine of one thousand dollars.

**46.80.030 Application for license—Contents.** Application for a motor vehicle wrecker's license shall be made on a form for this purpose, furnished by the director of licenses, and shall be signed by the motor vehicle wrecker or his authorized agent and shall include the following information:

(1) Name and address of the person, firm, partnership, association or corporation under which name the business is to be conducted;

(2) Names and residence address of all persons having an interest in the business or, if the owner is a corporation, the names and addresses of the officers thereof;

(3) Certificate of approval of the chief of police of any city or town having a population of over five thousand persons or a member of the Washington state patrol certifying that the applicant has an

established place of business at the address shown on the application;

(4) Any other information that the director of licenses may require.

**46.80.040 Issuance of license—Fee.** Such application, together with a fee of twenty-five dollars, and a surety bond as hereinafter provided, shall be forwarded to the director of licenses. Upon receipt of the application the director shall, if the application be in order, issue a motor vehicle wrecker's license authorizing him to do business as such and forward the fee, together with an itemized and detailed report, to the state treasurer, to be deposited in the motor vehicle fund. Upon receiving the certificate the owner shall cause it to be prominently displayed in his place of business, where it may be inspected by an investigating officer at any time.

**46.80.050 Renewal—Fee.** A license issued on this application shall remain in force until June 30, 1948, or until suspended or revoked and may be renewed annually upon payment of a renewal fee of ten dollars. Any motor vehicle wrecker who fails or neglects to renew his license prior to July 1, shall be required to pay the fee for an original motor vehicle wrecker license as provided in this chapter.

Whenever a motor vehicle wrecker shall cease to do business as such or his license has been suspended or revoked, he shall immediately surrender such license to the director of licenses.

**46.80.060 License plates—Fee—Display.** The motor vehicle wrecker shall obtain a special set of license plates in addition to the regular licenses and plates required for the operation of such vehicles which shall be displayed on vehicles owned and/or operated by him and used in the conduct of his business. The fee for these plates shall be five dollars for the original plates and two dollars for each additional set of plates bearing the same license number.

**46.80.070 Bond.** Before issuing a motor vehicle wrecker's license, the director of licenses shall require the applicant to file with said director a surety bond in the amount of one thousand dollars, running to the state of Washington and executed by a surety company authorized to do business in the state of Washington. Such bond shall be approved as to form by the attorney general and conditioned that such wrecker shall conduct his business in conformity with the provisions of this chapter. Any person who shall have suffered any loss or damage by reason of fraud, carelessness, neglect or misrepresentation on the part of the wrecking company, shall have the right to institute an action for recovery against such motor vehicle wrecker and surety upon such bond: *Provided*, That the

aggregate liability of the surety to all persons shall in no event exceed the amount of the bond.

**46.80.080 Records to be kept.** Every motor vehicle wrecker shall maintain books or files in which he shall keep a record and a description of every vehicle wrecked, dismantled, disassembled or substantially altered by him, together with the name of the person, firm or corporation from whom he purchased the vehicle. Such record shall also contain:

- (1) The certificate of title number (if previously titled in this or any other state);
- (2) Name of state where last registered;
- (3) Number of last license number plate issued;
- (4) Name of vehicle;
- (5) Motor or identification number and serial number of the vehicle;
- (6) Date purchased;
- (7) Disposition of the motor and chassis, and such other information as the director of licenses may require. Such record shall be subject to inspection at all times by members of the police department, sheriff's office and members of the Washington state patrol. A motor vehicle wrecker shall also maintain a similar record of all disabled vehicles that have been towed or transported to the motor vehicle wrecker's place of business or to other places designated by the owner of the vehicle or his representative. This record shall specify the name and description of the vehicle, name of owner, number of license plate, condition of the vehicle and place to which it was towed or transported.

**46.80.090 Reports to director of licenses—Record of title to accompany—Penalty.** Within thirty days after a vehicle has been acquired by the motor vehicle wrecker it shall be the duty of such motor vehicle wrecker to furnish a written report to the director of licenses on forms furnished by him. This report shall be in such form as the director of licenses shall prescribe and shall be accompanied by the certificate of title, if the vehicle has been last registered in a state which issues a certificate, or a record of registration if registered in a state which does not issue a certificate of title. No motor vehicle wrecker shall acquire a vehicle without first obtaining such record or title. It shall be the duty of the motor vehicle wrecker to furnish a monthly report of all vehicles wrecked, dismantled, disassembled, or substantially changed in form by him. This report shall be made on forms prescribed by the director of licenses and contain such information as the director of licenses may require. This statement shall be signed by the motor vehicle wrecker or his authorized representative and the facts therein sworn to before a notary public. Any motor vehicle wrecker who fails,

neglects or refuses to furnish these monthly reports shall be guilty of a gross misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment of not more than six months or by both fine and imprisonment.

**46.80.100 Cancellation of bond, effect of.** If, after issuing a motor vehicle wrecker's license, the bond is canceled by the surety in a method provided by law, the director of licenses shall immediately notify the principal covered by such bond by registered mail and afford him the opportunity of obtaining another bond before the termination of the original and should such principal fail, neglect or refuse to obtain such replacement, the director may cancel or suspend the motor vehicle wrecker's license which has been issued to him under the provisions of this chapter.

**46.80.110 Refusal, suspension, revocation of license—Review.** If for a good and sufficient cause the director has reason to believe that the application for motor vehicle wrecker's license should be denied, he may refuse to issue such license and shall notify the applicant to that effect. The director may suspend or revoke a motor vehicle wrecker's license whenever he shall have reason to believe that such motor vehicle wrecker has:

(1) Wilfully misrepresented the physical condition of any motor or integral part of a motor vehicle;

(2) Sold or disposed of a motor vehicle or trailer or any part thereof when he knows that such vehicle or part has been stolen, or appropriated without the consent of the owner;

(3) Committed forgery on a certificate of title covering a vehicle that has been reassembled from parts obtained from the disassembling of other vehicles;

(4) Committed any dishonest act or omission which the director of licenses has reason to believe has caused loss or serious inconvenience as a result of a sale of a motor vehicle, trailer or part thereof.

Notice of the intent of the director to refuse, suspend or cancel a license shall be given in writing, by registered mail, to the holder of or applicant for such license, and shall designate a time and place for the hearing before the director of licenses, which shall be not less than ten days from the date of said notice. Should the director decide that the applicant is not entitled to a license or that an existing license should be revoked, the applicant or holder may, within thirty days from the date of the decision of the director, appeal to the superior court of Thurston county for a review of such decision, filing a notice of such appeal with the clerk of said superior court and a copy of said notice in the office of the director of licenses. Said court shall set the matter down for hearing with the least possible delay.

**46.80.120 Improper practices—Penalty.** Any motor vehicle wrecker who shall knowingly buy, sell, receive, dispose of, conceal or have in his possession any motor vehicle or integral part thereof whose manufacturer's serial number, motor number or other identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealing or misrepresenting the identity of such motor vehicle or trailer, shall be deemed guilty of a gross misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or by both. Any motor vehicle wrecker who shall fail, neglect or refuse to comply with all of the provisions of this chapter before offering for sale and selling used parts, shall be guilty of a gross misdemeanor and shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or by both.

**46.80.130 Place of business must be exclusively used.** It shall be unlawful for any motor vehicle wrecker to keep any motor vehicle or any integral part thereof in any place other than the established place of business, designated in the certificate issued by the director of licenses, without permission of the director, and all premises containing such motor vehicles or parts thereof shall be enclosed by a wall, fence or wire enclosure.

**46.80.140 Rules and regulations.** The director of licenses is hereby authorized to promulgate and adopt reasonable rules and regulations not in conflict with provisions hereof for the proper operation and enforcement of this chapter.

**46.80.150 Inspection of records.** It shall be the duty of the chiefs of police in cities having a population of over five thousand persons, and members of the Washington state patrol, to make periodic inspection of the motor vehicle wrecker's records provided for in this chapter, and furnish a certificate of inspection to the director of licenses in such manner as may be determined by the director of licenses.

**46.80.160 Duty of municipalities to conform.** Any municipality or political subdivision of this state which now has or subsequently makes provision for the regulation of automobile wreckers shall comply strictly with the provisions of this chapter.

## Chapter 46.82

### DRIVERS' TRAINING SCHOOLS

**46.82.010 Definitions.** For the purpose of this chapter:

"Drivers' school" means a commercial automobile training school engaged in the business of giving instruction for hire in the operation of automobiles.

"Director" means the director of licenses of the state of Washington.

"Instructor" means any natural person employed by a drivers' school to instruct persons in the operation of automobiles.

"Place of business" means a designated location at which the business of a drivers' school is transacted and its records are kept.

"Person" includes an individual, firm, corporation, partnership or association.

**46.82.020 School license required—Fees—Renewal—Duplicates.**

No person shall engage in the business of conducting a drivers' school without being the holder of a license for such purpose issued by the director. An application for license under this section shall be filed with the director and shall contain such information as he shall prescribe. Every such application shall be accompanied by an application fee of one hundred dollars, which shall in no event be refunded. If an application is approved by the director, the applicant upon the payment of an additional fee of twenty-five dollars shall be granted a license which shall be valid for a period of one year from the date of its issuance.

The annual fee for renewal thereof shall be twenty-five dollars. The director shall issue a license certificate to each licensee, which certificate shall be conspicuously displayed in the place of business of the licensee. In case of the loss, mutilation or destruction of a license certificate, the director shall issue a duplicate thereof upon proof of the facts and payment of a fee of one dollar.

**46.82.030 School licenses nontransferable—New license when business ownership transferred.** Drivers' school licenses shall not be transferable. In the event of any transfer of ownership in the business, an application for a new license must be obtained by compliance with the terms and conditions and the payment of the fees as set forth in RCW 46.82.020: *Provided*, That the director shall permit continuance of the business by the person to whom the business was transferred pending approval of the new application for a drivers' school license.

**46.82.040 When school license shall not be issued—Proximity to place where operator's license examination held.** No license shall be issued nor shall any renewal of a license be made for conducting a drivers' school in a city having a population of fifteen thousand or more according to the latest federal census, if the place of business of such school or branch thereof, is located within one thousand feet of a state patrol office or of a building owned or leased by the state, the county, or a city, in which examinations for drivers' licenses are conducted. The said distance of one thousand feet shall be measured along the public streets by the



nearest route from such place of business, or branch thereof, to such building.

**46.82.050 Denial of Application for school license.** The director may deny the application of any person for a license if, in his discretion, he determines that:

(1) Such applicant has made a material false statement or concealed a material fact in connection with his application;

(2) Such applicant, or any officer, director, stockholder, or partner, or any other person directly or indirectly interested in the business was the former holder, or was an officer, director, stockholder, or partner, in a corporation or partnership which was the former holder of a driver's school license which was revoked or suspended by the director;

(3) Such applicant or any officer, director, stockholder, or partner, in a corporation or partnership or any employee, or any person directly or indirectly interested in the business has been convicted of a felony, or of any crime involving violence, dishonesty, deceit, indecency, degeneracy or moral turpitude;

(4) Such applicant does not have a place of business as required by this section;

(5) Such applicant has failed to require any and all persons with financial interest in such drivers' school to be signatories to the application;

(6) Such applicant fails to qualify under all of the other conditions stated in this chapter.

**46.82.060 Suspension, revocation of school license—"Fraudulent practices" defined.** The director, or any employee of the department of licenses deputized by him for such purposes, may suspend or revoke a drivers' school license or refuse to issue a renewal thereof for any of the following causes:

(1) The conviction of the licensee or any partner, officer, agent, or employee of such licensee, of a felony, or of any crime involving violence, dishonesty, deceit, indecency, degeneracy, or moral turpitude;

(2) Where the licensee has made a material false statement or concealed a material fact in connection with his application for the license or a renewal thereof;

(3) Where the licensee has failed to comply with any of the provisions of this chapter or any of the rules and regulations of the director made pursuant thereto;

(4) Where the licensee or any partner, officer, agent, or employee of such licensee has been guilty of fraud or fraudulent practices in relation to the business conducted under the license, or guilty of inducing another to resort to fraud or fraudulent practices in relation to securing for himself or another a license to

drive an automobile. The term "fraudulent practices" as used in this section shall include, but not be limited to, any conduct or representation on the part of the licensee, or any partner, officer, agent, or employee of a licensee, tending to induce anyone to believe, or to give the impression that a license to operate an automobile, or any other license, registration or service granted by the director, may be obtained by any means other than the ones prescribed by law, or furnishing or obtaining the same by illegal or improper means, or requesting, accepting, exacting, or collecting money for such purpose.

Notwithstanding the renewal of a license, the director may revoke or suspend such license for causes and violations, as prescribed by this section, occurring during the two license periods immediately preceding the renewal of such license.

Note: See also section 4, chapter 214, Laws of 1961.

**46.82.070 —Hearing — Procedure — Exception.** Except where a refusal to issue a license or renewal, or revocation or suspension, is based solely on a court conviction or convictions, a licensee or applicant shall have an opportunity to be heard, such hearing to be held at such time and place as the director shall prescribe. A license may, however, be temporarily suspended without notice, pending any prosecution, investigation or hearing. A licensee or applicant entitled to a hearing shall be given due notice thereof. The sending of a notice of a hearing by registered mail to the last known address of a licensee or applicant ten days prior to the date of the hearing shall be deemed due notice. The director, or the person deputized by him to conduct a hearing, shall have power to subpoena witnesses, administer oaths to witnesses and take testimony of any person or cause depositions to be taken. A subpoena issued under the authority of this section shall be served in the same manner as a subpoena issued out of a court of record. Witnesses subpoenaed hereunder and persons, other than officers or employees in the department of licenses, making service of such subpoenas shall be entitled to the same fees and mileage as are allowed in civil actions in courts of law.

Note: See also section 2, chapter 214, Laws of 1961.

**46.82.080 Procedure on change of officers or location of school.** The owner of any drivers' school licensed under the provisions of this chapter must notify the director in writing within thirty days after any change is made in the officers or directors of such school. No owner of such school shall change the location of its place of business without notifying the director of such change prior thereto.

**46.82.090 Certain prerequisites to be met before instruction may be given student.** Instruction in the operation of an automo-

bile shall not be given to a student in any drivers' school licensed under the provisions of this chapter unless:

(1) The automobiles used for instruction purposes are equipped with dual controls for foot brake and clutch, or foot brake only in automatic cars.

(2) The licensee has filed with the director evidence of liability insurance coverage with an insurance company authorized to do business in this state in an amount of not less than twenty thousand dollars because of bodily injury or death to two or more persons in any one accident, and not less than ten thousand dollars because of bodily injury or death to one person in one accident and not less than five thousand dollars because of property damage to others in one accident. Such insurance coverage shall be maintained in full force and effect and the director shall be notified at least ten days prior to cancellation or expiration of any such policy of insurance;

(3) The student to be instructed possesses a current and valid temporary instruction permit issued pursuant to RCW 46.20.110 or a motor vehicle operator's license.

**46.82.100 Advertising and solicitation of business.** Advertising and solicitation of business by a drivers' school must conform to the following:

(1) No drivers' school shall advertise or otherwise indicate that the issuance of a motor vehicle operator's license is guaranteed or assured as a result of the course of instruction offered;

(2) No drivers' school shall solicit business or cause business to be solicited within one thousand feet of any building owned or leased by the state, county, or city in which licenses to operate motor vehicles are issued to the public: *Provided*, That the identification lettering or other normal identification on an instruction vehicle shall not be deemed in violation of this section.

**46.82.110 Lettering on instruction car required.** Every motor vehicle used by a licensed drivers' school for instruction purposes must have displayed on the back of the vehicle a sign not less than twenty inches in horizontal width or less than ten inches in vertical height mounted above the upper extremities of the rear bumper in a vertical position and having the words "*Student Driver*" and /or "*Instruction Car*", in legible printed English letters of at least two and one-half inches in height near the top and the name of the school in similarly legible characters not less than one inch in height placed somewhere below the aforementioned words, and the street number and name and telephone number, in similarly legible characters at least one inch in height, placed next below such name of school. Such lettering and background

colors shall be of such contrasting shades as to be clearly readable at one hundred feet in clear daylight.

**46.82.120 Instructor's certificate—Qualifications for issuance.** No person, including the owner, operator, partner, officer, or stockholder of a drivers' school shall give instruction for hire in the operation of a motor vehicle unless such person is the holder of an instructor's certificate issued by the director. No instructor's certificates shall be issued to any person unless such person:

- (1) Is the possessor of a valid motor vehicle operator's license;
- (2) Has had at least five years' licensed driving experience;
- (3) Has completed an acceptable application and has taken the examination for an instructor's certificate as prescribed in RCW 46.82.140, and passed such examination with a qualifying grade.

**46.82.130 ————Application — Contents — Proof of study—Temporary employment.** No person shall be granted an instructor's certificate unless they have made application to the director at least ten days prior to the examination date set by the examining committee. To qualify for an instructor's certificate applicant must also show proof of at least forty hours of study in the field of driving instruction, and including at least twenty hours of personal, individual, oral instruction; have taken such other training course offered to the public for instructing driver's instructors as may be acceptable to the director. Upon completion of such application and the presentation of such satisfactory proofs, the director may, if requested, allow employment of applicant not to exceed thirty days prior to examination date, and may so notify such applicant making such a request: *Provided*, That such person's teaching activity shall be under the control and supervision of a holder of an instructor's certificate.

**46.82.140 ————Examining committee—Director to arrange examination.** Examinations for a driving instructor's certificate shall be prepared and conducted by a driving instructor's examination committee to be composed of a representative from the Washington state department of education, a representative of the Washington state patrol and a representative of the commercial driving schools. Members shall be appointed by the governor for a one year term and shall receive compensation not to exceed twenty-five dollars for each day spent on official business and necessary expenses: *Provided*, That any member who is receiving a salary from the state of Washington shall not receive compensation for such services but shall receive any travel and other expenses incurred in such service. The director shall arrange for the examination of each applicant for an instructor's certificate

and furnish the necessary clerical help to the examining committee.

**46.82.150 Disposition of moneys collected—Commercial automobile driver training school account established.** All moneys collected from drivers' school licenses and instructors' certificates is to be paid to the state treasurer who shall deposit it in an account which is established hereby and which shall be known as the commercial automobile driver training school account of the general fund. It is further provided that moneys deposited in the said account shall in no event revert to the general fund, but that they shall be retained therein until expended in accord with proper appropriation therefrom or expenses incurred in the administration of this chapter.

**46.82.160 First examinations after effective date of chapter.** The committee shall prepare and hold the first written and driving examinations within thirty days after June 13, 1957.

**46.82.170 Instructor's certificate—Fees—Duration.** Every original application for a driving instructor's certificate must be accompanied by a fee of twenty-five dollars which shall not be refunded. Such certificate is valid for a period of one year from date of issuance except as herein elsewhere specified, and the annual fee for renewal shall be five dollars.

No fee shall be required for an additional certificate or certificates if an instructor possessing a current certificate desires to be employed by an additional school or schools.

**46.82.180 ———Time and place of examinations—Notice.** Examinations for an instructor's certificate shall be given by the committee semiannually in the spring between the dates of March 1st and April 30th, and in the fall between the dates of September 1st and October 31st, at such place as the director may direct. Applications for instructor's certificates shall be receivable by the director at any time and all persons applying shall be notified of the time and place of the next examining session.

*Note:* See also section 3, chapter 214, Laws of 1961.

**46.82.190 ———Qualifications to take examination.** To be qualified to take the examination for an instructor's certificate, the applicant must:

(1) Be a licensed motor vehicle operator for five years prior to the date of application. The examining committee shall have the right to examine the driving records of the applicant and from these records shall determine if the applicant is properly qualified, not having had any convictions involving drunkenness, recklessness, or negligence, or have been convicted of any crime involving moral turpitude;

(2) Be a high school graduate or the equivalent, and over twenty-five years of age.

**46.82.200 Renewal of instructor's license—Conditions—Refusal.** A licensed instructor may be granted a renewal of license after one year's time from date of issue of the original license, providing proof is presented to the director showing the satisfactory completion of an approved course in driving training instruction of at least forty hours of instruction including five hours instruction in a training vehicle. In lieu of such proof, applicant must present sworn documented evidence, acceptable to the director, showing reasonable diligence by the applicant in applying for and arranging to attend such a course, together with similarly documented proofs showing why such a course was not started or completed. Upon receipt of such evidence, the license may be renewed for an additional year. Any further renewal beyond a second year may be refused by the director at his discretion.

**46.82.210 When school must terminate instructor's services.** A drivers' school must terminate the services of any instructor upon:

(1) Suspension or revocation of the motor vehicle operator's license of such instructor for any reason; or

(2) Conviction of such instructor of a crime involving moral turpitude, violence, dishonesty, deceit, indecency, or degeneracy.

**46.82.220 Instruction on state patrol testing course prohibited—Suspension of licenses.** The director shall suspend the license of any drivers' school or the certificate of any instructor upon notice and proof that the school or instructor are conducting the course of instruction for students primarily to handle an automobile on the course that any state patrol office uses for testing applicants for motor vehicle licenses.

**46.82.230 Revocation, suspension of instructor's certificate—Hearing.** A holder of or applicant for an instructor's license shall be entitled to a hearing upon any decision of the director or the committee in refusing to issue or renew, or in revoking or suspending a certificate, in the manner as provided for in RCW 46.82-.070.

**46.82.240 Appeal from action or decision of examining committee or director.** Any action or decision of the examining committee or the director may, after a hearing is held as provided for by this chapter, be appealed by the party aggrieved to the superior court of the county in which the place of business is located or where the person aggrieved lives.

**46.82.250 Penalty.** A violation of any of the provisions of this chapter shall be a misdemeanor.

**46.82.260 Chapter not to apply to educational institutions.** This chapter shall not apply to or affect in any manner courses of instruction offered in any high schools, colleges or universities which are now or hereafter established, nor shall it be applicable to instructors in any such schools, colleges or universities: *Provided*, That such course or courses are conducted by such school in a like manner to their other regular courses. If such course is conducted by any commercial school as hereinafter identified on a contractual basis, such school and instructors must qualify under this chapter.

**46.82.270 Basic minimum curricula required—Effect of failure to teach such curricula.** The committee shall compile and furnish to each qualifying applicant for an instructor's license, a curriculum consisting of a list of items of knowledge and processes of manual handling of a motor vehicle in such sufficient detail as to leave no doubt as to the minimum requirements adjudged necessary in teaching a proper and adequate course of driver education. Should the director be presented with acceptable proofs that any licensed instructor or school is not showing proper diligence in teaching such basic minimum curricula, he shall require the instructor or school to appear before the examining committee and show cause for such negligence. If the committee does not accept such reasons as may be offered, the director shall revoke the license of the instructor or school.

## Chapter 46.83

### TRAFFIC SCHOOLS

**46.83.010 City or town and county traffic schools authorized—Procedure to establish.** Any city or town and the county in which it is located are authorized, as may be agreed between the respective governing bodies of the city or town and county, to establish a traffic school for the purposes and under the conditions set forth in this chapter. Such city or town and county traffic school may be effected whenever the governing body of the city or town shall pass an ordinance and the board of commissioners of the county shall pass a resolution declaring intention to organize and operate a traffic school in accordance with agreements had between them as to the financing, organization, and operation thereof.

**46.83.020 County commissioners to control and supervise—Assistance of sheriff and police department.** A traffic school established under this chapter shall be under the control and supervision of the board of county commissioners, through such agents, assistants, or instructors as the board may designate, and shall be conducted with the assistance of the county sheriff and the police department of the city or town.

**46.83.030 Deposit, control of funds—Support.** All funds appropriated by the city or town and county to the operation of the traffic school shall be deposited with the county treasurer and shall be administered by the board of county commissioners. The governing bodies of every city or town and county participating in the operation of traffic schools are authorized to make such appropriations by ordinance or resolution, as the case may be, as they shall determine for the establishment and operation of traffic schools, and they are further authorized to accept and expend gifts, donations, and any other money from any source, private or public, given for the purpose of said schools.

**46.83.040 Purpose of school.** It shall be the purpose of every traffic school which may be established hereunder to instruct, educate, and inform all persons appearing for training in the proper, lawful, and safe operation of motor vehicles, including but not limited to rules of the road and the limitations of persons, vehicles, and roads, streets and highways under varying conditions and circumstances.

**46.83.050 Court may order attendance.** Every police court, justice court, juvenile court, superior court, and every other court handling traffic cases within the limits of a county wherein a traffic school has been established may, as a part of any sentence imposed following a conviction for any traffic law violation, or as a condition on the suspension of sentence or deferral of any imposition of sentence, order any person so convicted, whether that person be a juvenile, a minor, or an adult, to attend the traffic school for a number of days to be determined by the court, but not to exceed the maximum number of days which the violator could be required to serve in the city or county jail as a result of his or her conviction.

**46.83.060 Duty of person required to attend—Penalty.** Every person required to attend a traffic school as established under the provisions of this chapter shall maintain attendance in accordance with the sentence or order. Failure so to do, unless for good cause shown by clear and convincing evidence, shall be a misdemeanor and punishable as by law provided in addition to the imposition of any punishment suspended or deferred upon the original conviction.

## Chapter 46.84

### HIGHWAY USER TAX STRUCTURE

**46.84.010 Declaration of policy.** The legislature adopts the principle that each state or jurisdiction should have the freedom to develop the kind of highway user tax structure that it determines



to be most appropriate, but the method of taxation of interstate vehicles should not be a determining factor in developing a user tax structure. In order to encourage the free flow of commerce, and for the purpose of developing equitable methods for the taxation of motor vehicles which travel extensively in more than one state or jurisdiction, taxes, or other charges of the fixed fee type, should be apportioned among the states or jurisdictions within the limits of practicality on the basis of vehicle miles traveled within each of the states.

**46.84.020 Proportional registration and licensing—"Instate fleet miles," "total fleet miles" defined.** Any owner or person entitled to the possession or right to operate vehicles, engaging in operating fleets of four or more vehicles in this state may, in lieu of registration of such vehicles under the provisions of chapter 46.16, and payment of excise taxes or fees imposed by chapter 82.44 and RCW 81.80.320, register and license each such fleet for operation in this state by filing a sworn statement with the department of licenses declaring the total mileage operated with each such fleet of vehicles in all jurisdictions and the total mileage operated in this state during the preceding calendar year or a twelve month period designated by the department with each such fleet and describing and identifying each vehicle in each fleet to be operated in this state during the ensuing license year. Such statements shall also be accompanied by a total fee payment not less than an amount obtained by applying the proportion of instate fleet miles to total fleet miles, as reported in said statement to the amounts respectively which would otherwise be required under said chapter 46.16, chapter 82.44, and RCW 81.80.320, for complete licensing and registration of such fleet in this state. The following definitions of fleet mileage shall be applied: "Instate fleet miles" shall be the total number of miles operated with a fleet, as herein defined, during the calendar period prescribed for an application, and shall not include miles traveled by any vehicle which did not, during such calendar period, actually travel in some other state. "Total fleet miles" shall be the total number of miles operated with a fleet, as defined herein, in all jurisdictions, including states, districts, possessions, territories of the United States and states and provinces of other countries, and shall not include miles traveled by any vehicle which did not, during such period actually travel a portion of those miles in this state. The department shall transmit the amounts of fees and taxes collected under the provisions of this chapter pursuant to the provisions of chapter 46.16, chapter 82.44 and RCW 81.80.320 to the state treasurer, who shall deposit the same in the funds designated by the provisions of said acts. The department shall thereupon register and issue a license plate,

plates or other distinctive sticker or suitable device for each vehicle named in said statement identifying it as an interstate fleet vehicle, which shall be exempt from all further license, weight fee, motor freight carrier gross weight fee and motor vehicle excise requirements of this state for any type of movement or operation. A fee of two dollars shall be paid for each such sticker or device issued. The proportional registration and licensing provisions of this section shall apply to vehicles added to said fleet and operated in this state during the license year. Nonresidents shall be entitled to proportional registration hereunder unless the terms and conditions of any reciprocity agreement, arrangement, or declaration filed in the office of the director of licenses under the provisions of this chapter require otherwise.

Note: See also section 37, chapter 21, Laws of 1961 extraordinary session.

**46.84.030 Mileage proportions for fleets not formerly operated in state.** Mileage proportions for such interstate fleets not operated in this state during the preceding year shall be determined by the department upon sworn application on forms to be supplied by the department, upon request, which will show the operations of the preceding year in other states and the estimated operation in this state. If no operations were conducted the previous year, a full statement of the proposed method of operation shall accompany said application.

**46.84.040 Records preserved—Lien for fees.** Any owner or person complying with the provisions of this section shall preserve the records on which the application is based for a period of four full years following the year upon which said application is based, and such applicant shall agree to make such records available to the department at its request and at its designated office for audit as to accuracy of computation and payments, or to pay the costs of an audit by the department or its duly appointed representative at the applicant's home office. If the department determines that the applicant should have registered more vehicles in this state under the provisions of this chapter, the department may deny him the right of any further benefits by reason of any reciprocal agreement or declaration until the fees for such additional vehicle or vehicles, which should have been registered, have been paid. The fees determined to be due and owing under the provisions of this paragraph shall be a lien upon all the property of the applicant, and such lien shall attach at the time the audit report has been mailed to such applicant by the department, and shall have the effect of an execution duly levied on such property and shall so remain until said additional fees, so determined, are paid, or a sufficient amount of such property sold for the payment thereof.

**46.84.050 Reciprocity commission created—Duty of director of licenses.** The reciprocity commission, hereby created, shall consist

of the director of licenses, the chief of the Washington state patrol, a designee of the state highway commission and, ex officio, the chairman and vice chairman of the joint fact-finding committee on highways, streets and bridges, or their duly designated representatives. Members of the western interstate highway policy committee from the state of Washington shall be advisory members of the reciprocity commission, and may attend meetings and conferences of the commission in such capacity, but shall not vote as members thereof.

The director of licenses, herein called the department, shall be charged with the administration of the commission's agreements, arrangements, declarations, rules and regulations.

**46.84.060 Agreements with other states, provinces, etc.—Contents.** The reciprocity commission shall have the power to enter into agreements or arrangements with duly authorized representatives of other states, the District of Columbia, territories or possessions of the United States and foreign states, provinces or countries granting exemption to owners or persons entitled to the possession of or right to operate vehicles of any type required to be registered in this state which are properly registered or licensed in such jurisdictions, and upon which evidence of registration is conspicuously displayed, from the payment wholly or partially, of any taxes, fees or other charges imposed under the laws of this state, except gallonage taxes on motor fuels. Such agreements or arrangements shall contain provisions by which owners or persons entitled to the possession of or right to operate any such vehicles registered or licensed in this state who operate vehicles of the same type upon the highways of such other states, the District of Columbia, territories or possessions of the United States and foreign states, provinces or countries, may receive substantially equivalent exemptions, benefits and privileges, under terms and conditions which, in the commission's judgment, are best calculated to promote the interests of this state, as are extended to such persons or owners of vehicles of the same type from such jurisdictions in this state.

**46.84.070 ———Registration in other jurisdictions, effect.** Agreements or arrangements entered into by the commission herein created may contain provisions authorizing an owner or owners or persons entitled to the possession of or right to operate such vehicles who are residents of one of the states, or the district, or territories or possessions of the United States or foreign states, provinces or countries which is a party thereto to register or license such vehicles in another jurisdiction which is a party thereto. Vehicles validly registered or licensed in one of such jurisdictions under such provision shall be exempt from registration or licensing requirements in the other jurisdiction or jurisdictions which are parties thereto and shall be entitled to all exemptions, benefits and

privileges granted with respect to other vehicles validly registered or licensed in such jurisdiction.

**46.84.080 ———Denial of benefits to violators.** Agreements or arrangements entered into by the commission herein created may contain provisions denying the exemptions, benefits and privileges granted thereunder to any person who violates conditions stated therein or who violates rules and regulations for the administration of reciprocal exemptions, benefits and privileges issued by the reciprocity commission.

**46.84.090 ———Reciprocal benefits when no agreement.** The reciprocity commission is authorized to examine the legal requirements of motor vehicle registration, license and weight fee statutes of jurisdictions which grant reciprocal privileges to out of state owners or persons but which do not authorize negotiation or execution of agreements by administrative officials, and it is authorized to determine, by such examination, and to declare the extent and nature of the reciprocal exemptions, benefits and privileges to which owners of such vehicles or other persons from such jurisdictions shall be entitled under the laws of this state.

**46.84.100 ———Formal requirements—Effect on other law.** All agreements, arrangements, declarations and rules and regulations authorized by this chapter shall be in writing and shall be approved as to legality only, by endorsement by the attorney general, at which time they will become effective. Original copies of such agreements, arrangements, declarations and rules and regulations shall be filed in the office of the director of licenses, who shall make copies available to the public upon request. Upon becoming effective, they shall supersede the provisions of RCW 46.16.030 to the extent that they are inconsistent therewith.

## Chapter 46.98

### CONSTRUCTION

**46.98.010 Continuation of existing law.** The provisions of this title insofar as they are substantially the same as statutory provisions repealed by this chapter, and relating to the same subject matter, shall be construed as restatements and continuations, and not as new enactments.

**46.98.020 Provisions to be construed in pari materia.** The provisions of this title shall be construed in pari materia even though as a matter of prior legislative history they were not originally enacted in the same statute. The provisions of this title shall also be construed in pari materia with the provisions of Title 47 RCW,

and with other laws relating to highways, roads, streets, bridges, ferries and vehicles. This section shall not operate retroactively.

**46.98.030 Title, chapter, section headings not part of law.** Title headings, chapter headings, and section or subsection headings, as used in this title do not constitute any part of the law.

**46.98.040 Invalidity of part of title not to affect remainder.** If any provision of this title or its application to any person or circumstance is held invalid, the remainder of the title, or the application of the provision to other persons or circumstances is not affected.

**46.98.050 Repeals and saving.** The following acts or parts of acts are repealed:

- (1) Section 279, page 976, chapter 249, Laws of 1909;
- (2) Chapter 57, Laws of 1915;
- (3) Chapter 142, Laws of 1915;
- (4) Chapter 40, Laws of 1917;
- (5) Chapter 155, Laws of 1917;
- (6) Chapter 46, Laws of 1919;
- (7) Chapter 59, Laws of 1919;
- (8) Chapter 178, Laws of 1919;
- (9) Chapter 6, Laws of 1921;
- (10) Chapter 96, Laws of 1921;
- (11) Chapter 108, Laws of 1921;
- (12) Chapter 122, Laws of 1923;
- (13) Chapter 181, Laws of 1923;
- (14) Chapter 47, Laws of 1925 extraordinary session;
- (15) Chapter 185, Laws of 1925 extraordinary session;
- (16) Chapter 105, Laws of 1927;
- (17) Chapter 284, Laws of 1927;
- (18) Chapter 309, Laws of 1927;
- (19) Chapter 99, Laws of 1929;
- (20) Chapter 163, Laws of 1929;
- (21) Chapter 178, Laws of 1929;
- (22) Chapter 180, Laws of 1929;
- (23) Chapter 120, Laws of 1931;
- (24) Chapter 138, Laws of 1931;
- (25) Chapter 140, Laws of 1931;
- (26) Chapter 41, Laws of 1933;
- (27) Chapter 73, Laws of 1933;
- (28) Chapter 156, Laws of 1933;
- (29) Chapter 111, Laws of 1935;
- (30) Chapter 188, Laws of 1937;
- (31) Sections 1 through 126 and 128 through 159, chapter 189, Laws of 1937;
- (32) Chapter 208, Laws of 1937;

- (33) Chapter 35, Laws of 1939;
- (34) Chapter 154, Laws of 1939;
- (35) Sections 1 through 39 and 41, chapter 158, Laws of 1939;
- (36) Sections 1 through 6, and 9 through 30, chapter 181, Laws  
of 1939;
- (37) Chapter 182, Laws of 1939;
- (38) Chapter 213, Laws of 1939;
- (39) Chapter 116, Laws of 1941;
- (40) Chapter 122, Laws of 1941;
- (41) Chapter 224, Laws of 1941;
- (42) Chapter 232, Laws of 1941;
- (43) Chapter 246, Laws of 1941;
- (44) Chapter 26, Laws of 1943;
- (45) Chapter 83, Laws of 1943;
- (46) Chapter 115, Laws of 1943;
- (47) Chapter 133, Laws of 1943;
- (48) Chapter 140, Laws of 1943;
- (49) Chapter 151, Laws of 1943;
- (50) Chapter 153, Laws of 1943;
- (51) Chapter 154, Laws of 1943;
- (52) Chapter 184, Laws of 1943;
- (53) Chapter 194, Laws of 1943;
- (54) Chapter 25, Laws of 1945;
- (55) Chapter 44, Laws of 1945;
- (56) Chapter 105, Laws of 1945;
- (57) Chapter 151, Laws of 1945;
- (58) Chapter 171, Laws of 1945;
- (59) Chapter 177, Laws of 1945;
- (60) Chapter 260, Laws of 1945;
- (61) Chapter 11, Laws of 1947;
- (62) Chapter 33, Laws of 1947;
- (63) Chapter 89, Laws of 1947;
- (64) Chapter 97, Laws of 1947;
- (65) Chapter 158, Laws of 1947;
- (66) Chapter 164, Laws of 1947;
- (67) Chapter 176, Laws of 1947;
- (68) Chapter 200, Laws of 1947;
- (69) Chapter 220, Laws of 1947;
- (70) Chapter 253, Laws of 1947;
- (71) Chapter 262, Laws of 1947;
- (72) Chapter 267, Laws of 1947;
- (73) Chapter 52, Laws of 1949;
- (74) Sections 3 and 4, chapter 75, Laws of 1949;
- (75) Chapter 90, Laws of 1949;
- (76) Chapter 101, Laws of 1949;

- (77) Chapter 130, Laws of 1949;
- (78) Chapter 143, Laws of 1949;
- (79) Chapter 157, Laws of 1949;
- (80) Chapter 174, Laws of 1949;
- (81) Sections 1 through 12, 14 through 16 and 19, chapter 196, Laws of 1949;
- (82) Chapter 208, Laws of 1949;
- (83) Chapter 211, Laws of 1949 (except section 31-u);
- (84) Sections 8 through 11, chapter 220, Laws of 1949;
- (85) Chapter 221, Laws of 1949;
- (86) Section 3, chapter 234, Laws of 1949;
- (87) Chapter 15, Laws of 1950 extraordinary session;
- (88) Chapter 28, Laws of 1951;
- (89) Chapter 56, Laws of 1951;
- (90) Chapter 76, Laws of 1951;
- (91) Chapter 102, Laws of 1951;
- (92) Chapter 150, Laws of 1951;
- (93) Chapter 175, Laws of 1951;
- (94) Chapter 219, Laws of 1951;
- (95) Chapter 241, Laws of 1951;
- (96) Sections 1 through 41, 44 through 47 and 49, chapter 269, Laws of 1951;
- (97) Section 46, chapter 271, Laws of 1951;
- (98) Chapter 12, Laws of 1953;
- (99) Chapter 23, Laws of 1953;
- (100) Chapter 31, Laws of 1953;
- (101) Chapter 40, Laws of 1953;
- (102) Chapter 72, Laws of 1953;
- (103) Chapter 125, Laws of 1953;
- (104) Chapter 155, Laws of 1953;
- (105) Chapter 161, Laws of 1953;
- (106) Chapter 221, Laws of 1953;
- (107) Chapter 227, Laws of 1953;
- (108) Chapter 248, Laws of 1953;
- (109) Chapter 252, Laws of 1953;
- (110) Sections 2 through 8 and 10 through 16, chapter 254, Laws of 1953;
- (111) Chapter 278, Laws of 1953;
- (112) Chapter 76, Laws of 1955;
- (113) Chapter 89, Laws of 1955;
- (114) Chapter 100, Laws of 1955;
- (115) Sections 21 through 24, chapter 139, Laws of 1955;
- (116) Sections 1 through 5 and 7, chapter 146, Laws of 1955;
- (117) Chapter 172, Laws of 1955;
- (118) Chapter 177, Laws of 1955;

- (119) Chapter 185, Laws of 1955;
- (120) Chapter 243, Laws of 1955;
- (121) Sections 1 through 5, chapter 259, Laws of 1955;
- (122) Chapter 265, Laws of 1955;
- (123) Chapter 269, Laws of 1955;
- (124) Chapter 283, Laws of 1955;
- (125) Section 21, chapter 285, Laws of 1955;
- (126) Chapter 363, Laws of 1955;
- (127) Chapter 381, Laws of 1955;
- (128) Sections 1 through 7, 9 through 11, 15 through 19, 21 through 25, 27 and 28, chapter 384, Laws of 1955;
- (129) Chapter 393, Laws of 1955;
- (130) Chapter 66, Laws of 1957;
- (131) Chapter 75, Laws of 1957;
- (132) Chapter 87, Laws of 1957;
- (133) Chapter 96, Laws of 1957;
- (134) Chapter 104, Laws of 1957;
- (135) Chapter 105, Laws of 1957;
- (136) Chapter 107, Laws of 1957;
- (137) Chapter 109, Laws of 1957;
- (138) Chapter 132, Laws of 1957;
- (139) Chapter 145, Laws of 1957;
- (140) Sections 10 and 11, chapter 175, Laws of 1957;
- (141) Chapter 242, Laws of 1957;
- (142) Sections 1 through 9 and 11, chapter 261, Laws of 1957;
- (143) Chapter 268, Laws of 1957;
- (144) Sections 16 and 17, chapter 269, Laws of 1957;
- (145) Sections 3 and 4, chapter 271, Laws of 1957;
- (146) Chapter 273, Laws of 1957;
- (147) Chapter 294, Laws of 1957;
- (148) Chapter 38, Laws of 1959;
- (149) Chapter 42, Laws of 1959;
- (150) Chapter 44, Laws of 1959;
- (151) Chapter 49, Laws of 1959;
- (152) Chapter 66, Laws of 1959;
- (153) Chapter 81, Laws of 1959;
- (154) Chapter 121, Laws of 1959;
- (155) Chapter 135, Laws of 1959;
- (156) Chapter 136, Laws of 1959;
- (157) Chapter 166, Laws of 1959;
- (158) Chapter 182, Laws of 1959;
- (159) Chapter 239, Laws of 1959;
- (160) Chapter 241, Laws of 1959;
- (161) Chapter 284, Laws of 1959;
- (162) Sections 21 through 32, chapter 319, Laws of 1959; and



(163) Section 1, chapter 4, Laws of 1959 first extraordinary session.

Such repeals shall not be construed as affecting any existing right acquired under the statutes repealed, nor as affecting any proceeding instituted thereunder, nor any rule, regulation or order promulgated thereunder, nor any administrative action taken thereunder, nor the term of office or appointment or employment of any person appointed or employed thereunder.

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

Explanatory  
note.

## TITLE 46

### MOTOR VEHICLES

#### EXPLANATORY NOTE

##### I. Introductory

In the course of its current program to restore session law language to the Revised Code of Washington, the reviser's office and the codifications subcommittee of the Statute Law Committee have carefully examined the provisions of Title 46 RCW relating to motor vehicles, and of Title 47 relating to state highways and toll bridges. Pursuant to such study, and after thorough discussion between the reviser and the codifications subcommittee, the committee determined that because of the complicated statutory problems relating to these subjects the titles in question are nonrestorable and that the public interest could best be served by the preparation and submission to the legislature of companion bills to reenact these titles as primary law and which in the reenactment process would correct such statutory problems as might be corrected without altering the substance of the law.

In preparing these bills, the provisions of the Revised Code of Washington were carefully compared with their session law sources by the reviser's office, significant language and organizational variances were documented, and preliminary drafts were prepared. Such drafts and the comprehensive study materials which accompanied them were minutely considered by the codifications subcommittee of the Statute Law Committee in concert with representatives of the department of licenses, the state highway commission and the Washington state patrol and pursuant to hearings held by the subcommittee on October 21 and 22, 1960, the instant drafts were evolved. They were approved by the Statute Law Committee at its next regular meeting thereafter.

It should be noted that the appearance of the phrase "this Act" and similar phrases, as they appear in the session laws codified herein, have caused considerable difficulty due to the complex statutory background of these titles. Herein, such phrases have been translated to "this title", "this chapter", "this section", or to specific code section numbers, in accordance with what most nearly corresponds to their original application, but at the same time taking into consideration the doctrine of statutes in pari materia, and the necessity for harmonizing the provisions of this reenactment. Each such instance was carefully considered and discussed at the series of meetings mentioned above.

While many other statutes are herein contained, the basic acts comprising this title are 1937 c 188 relating to the registration and licensing of vehicles and 1937 c 189 relating to the operation of vehicles upon the public highways. In view of the above stated purposes, the

broad translation of the phrase "this act" and other similar phrases appear to be justified by the fact that the numerous highway and vehicle acts enacted by the 1937 legislative session were prepared and submitted to the 1937 legislature pursuant to the mandate of 1935 c 111 § 10 which provided:

Explanatory  
note.

"That for the purpose of securing a complete codification of the laws of this state with reference to highways and the licensing and regulation of vehicles thereon, the director of highways is hereby directed to submit to the legislature at its regular session of 1937 a complete code of highway law. Advance copies of such code of highway law shall be submitted to every elected member of the Senate and House of Representatives by November 15, 1936."

In addition, the *pari materia* nature of the 1937 highway and vehicles acts was recognized by our court in *Great Northern Railroad Co. v. Glover*, 194 Wash. 146, wherein the court observed that:

"Chapters 53, 187 and 207, Laws of 1937 are in *pari materia*, announce the same classification, reflect a legislative intent to integrate our entire highway system throughout the state, and to legislate completely with respect to all roads and highways located within the state. . . ."

In a footnote appended to the recent decision of *City of Bellingham v. Shampera*, 157 Wash. Dec. 1, our court has pointed out that in the present state of Title 46 of the Revised Code of Washington, being a mere compilation of the various statutes relating to motor vehicles, the translations of the 1941 Code Committee of the phrase "this act" should be viewed with caution.

In order to clarify the matter of *pari materia* construction to be accorded to this reenactment, a provision has been inserted in chapter 46.98 hereof declaring that the provisions of this title shall be construed in *pari materia*.

Throughout this title, "primary state highway" has been changed to "state highway" and "director of highways" has been changed to "state highway commission." This is consistent with the treatment of these terms in the companion bill for the reenactment of Title 47 RCW and the reasons therefor are documented in the notes accompanying that bill.

The remainder of these notes consist of source notes and a section by section comment regarding this reenactment. The complete study materials relating to these titles are on permanent file in the office of the code reviser, at Olympia.

## II. Section comment

### Chapter 46.04 Definitions

- 46.04.010 Source—[1959 c 49 § 2. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.020 Source—[1959 c 49 § 3. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.030 Source—[1959 c 49 § 4. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.040 Source—[1959 c 49 § 5; 1953 c 40 § 1. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.050 Source—[1959 c 49 § 6. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 1, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]

Explanatory  
note.

- 46.04.060 Source—[1959 c 49 § 7. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.070 Source—[1959 c 49 § 8. Prior: (1) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.080 Source—[1959 c 49 § 9. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.090 Source—[1959 c 49 § 10. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.100 Source—[1959 c 49 § 11. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.110 Source—[1959 c 49 § 12. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.120 Source—[1959 c 49 § 13. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.130 Source—[1959 c 49 § 14. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.140 Source—[1959 c 49 § 15. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.150 Source—[1959 c 49 § 16. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.160 Source—[1959 c 49 § 17. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.170 Source—[1959 c 49 § 18. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part. Cf. 1951 c 102 § 3.]
- 46.04.180 Source—[1959 c 49 § 19. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.190 Source—[1959 c 49 § 20. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.200 Source—[1959 c 49 § 21. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.210 Source—[1959 c 49 § 22. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part. Cf. 1951 c 102 § 3.]
- 46.04.220 Source—[1959 c 49 § 23. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.230 Source—[1959 c 49 § 24. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.240 Source—[1959 c 49 § 25. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.250 Source—[1959 c 49 § 26. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.260 Source—[1959 c 49 § 27. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.270 Source—[1959 c 49 § 28. Prior: 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part.]
- 46.04.280 Source—[1959 c 49 § 29. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155

- § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.] Explanatory note.
- 46.04.290 Source—[1959 c 49 § 30. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.300 Source—[1959 c 49 § 31. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.310 Source—[1959 c 49 § 32. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.320 Source—[1959 c 49 § 33; 1955 c 384 § 10. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.330 Source—[1959 c 49 § 34. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.340 Source—[1959 c 49 § 35. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.350 Source—[1959 c 49 § 36. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.360 Source—[1959 c 49 § 37. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.370 Source—[1959 c 49 § 38. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.380 Source—[1959 c 49 § 39. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.390 Source—[1959 c 49 § 40. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.400 Source—[1959 c 49 § 41. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.405 Source—[1959 c 49 § 42. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.410 Source—[1959 c 49 § 43. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.414 Source—[1959 c 49 § 44. Prior: 1951 c 56 § 1.]
- 46.04.420 Source—[1959 c 49 § 45. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]

Explanatory  
note.

- 46.04.430 Source—[1959 c 49 § 46. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part; 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; 1915 c 142 § 2, part; RRS § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]  
“land” changed to “lane”. This section derived from 1937 c 188 § 1(x) and 1937 c 189 § 1(qq), said subsections identically worded, reads in session law (1937) form in part as follows: “Every way, lane, road, street, boulevard, and every way or place in the state . . . open . . . to . . . travel . . . .”  
The 1941 Code Committee erroneously published the section reading in part as follows: “‘Public highway’ includes every way, land, road, street, boulevard, and every way or place in the state open . . . to . . . travel . . . .” Subsequent amendments have continued what appears to have been a clerical error, changing “lane” to “land”. It is here restored to “lane”.
- 46.04.435 Source—[1959 c 49 § 47.]
- 46.04.440 Source—[1959 c 49 § 48. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.450 Source—[1959 c 49 § 49. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.460 Source—[1959 c 49 § 50. Prior: 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part.]
- 46.04.470 Source—[1959 c 49 § 51. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.480 Source—[1959 c 49 § 52. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.490 Source—[1959 c 49 § 53. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.500 Source—[1959 c 49 § 54. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.510 Source—[1959 c 49 § 55. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.520 Source—[1959 c 49 § 56. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.530 Source—[1959 c 49 § 57. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.540 Source—[1959 c 49 § 58. Prior: 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.550 Source—[1959 c 49 § 59. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.560 Source—[1959 c 49 § 60. Prior: 1929 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]
- 46.04.570 Source—[1959 c 49 § 61. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]
- 46.04.580 Source—[1959 c 49 § 62. Prior: (i) 1943 c 153 § 1, part; 1937 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part.]

- 46.04.585 Source—[1959 c 49 § 63. Prior: 1955 c 89 § 6.] Explanatory  
 46.04.590 Source—[1959 c 49 § 64. Prior: (i) 1943 c 153 § 1, part; 1937 note.  
 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189  
 § 1, part; RRS § 6360-1, part.]  
 46.04.600 Source—[1959 c 49 § 65. Prior: 1937 c 189 § 1, part; RRS  
 § 6360-1, part.]  
 46.04.610 Source—[1959 c 49 § 66. Prior: 1937 c 189 § 1, part; RRS  
 § 6360-1, part.]  
 46.04.620 Source—[1959 c 49 § 67. Prior: (i) 1943 c 153 § 1, part; 1937  
 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part; 1923 c 181 § 1, part;  
 1921 c 96 § 2, part; 1919 c 59 § 1, part; 1917 c 155 § 1, part; RRS  
 § 6313, part. (ii) 1937 c 189 § 1, part; RRS § 6360-1, part; 1929  
 c 180 § 1, part; 1927 c 309 § 2, part; RRS § 6362-2, part.]  
 46.04.630 Source—[1959 c 49 § 68. Prior: (i) 1943 c 153 § 1, part; 1937  
 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189  
 § 1, part; RRS § 6360-1, part.]  
 46.04.640 Source—[1959 c 49 § 69. Prior: (i) 1943 c 153 § 1, part; 1937  
 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189  
 § 1, part; RRS § 6360-1, part.]  
 46.04.650 Source—[1959 c 49 § 70. Prior: (i) 1943 c 153 § 1, part; 1937 c  
 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189  
 § 1, part; RRS § 6360-1, part.]  
 46.04.660 Source—[1959 c 49 § 71. Prior: (i) 1943 c 153 § 1, part; 1937  
 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189  
 § 1, part; RRS § 6360-1, part.]  
 46.04.670 Source—[1959 c 49 § 72. Prior: (i) 1943 c 153 § 1, part; 1937  
 c 188 § 1, part; Rem. Supp. 1943 § 6312-1, part. (ii) 1937 c 189  
 § 1, part; RRS § 6360-1, part; 1929 c 180 § 1, part; 1927 c 309 § 2,  
 part; RRS § 6362-2, part.]  
 46.04.680 Source—[1959 c 49 § 73.]

## Chapter 46.08 General Provisions

- 46.08.010 Source—[1937 c 188 § 75; RRS § 6312-75.]  
 "this act" to "this title".  
 46.08.020 Source—[1937 c 189 § 2; RRS § 6360-2.]  
 "this act" to "this title" throughout.  
 46.08.030 Source—[1937 c 189 § 3; RRS § 6360-3.]  
 "this act" to "this title".  
 46.08.040 Source—[1937 c 189 § 4; RRS § 6360-4.]  
 "this act" to "this title".  
 46.08.050 Source—[1955 c 384 § 5; 1947 c 200 § 1; 1937 c 189 § 5; Rem.  
 Supp. 1947 § 6360-5.]  
 46.08.060 Source—[1937 c 189 § 132; RRS § 6360-132.]  
 46.08.065 Source—[1937 c 189 § 46; RRS 6360-46.]  
 Presently codified as RCW 46.36.140.  
 46.08.070 Source—[1937 c 189 § 128; RRS § 6360-128.]  
 "this act" to "this title".  
 46.08.080 Source—[1957 c 132 § 1; 1937 c 189 § 121; RRS § 6360-121.]  
 46.08.090 Source—[1937 c 188 § 26; RRS § 6312-26. Prior: 1921 c 96 § 3,  
 part; 1917 c 155 § 2, part; 1915 c 142 § 3, part.]  
 46.08.100 Source—[1955 c 89 § 3; 1937 c 188 § 27; RRS § 6312-27.]  
 46.08.110 Source—[1937 c 188 § 80; RRS 6312-80.]  
 46.08.120 Source—[1955 c 76 § 1; 1951 c 241 § 1; 1937 c 188 § 77;  
 RRS § 6312-77.]  
 46.08.130 Source—[1937 c 188 § 78; RRS § 6312-78.]  
 46.08.140 Source—[1937 c 188 § 79; RRS § 6312-79.]  
 "this act" to "this title".  
 46.08.150 Source—[1955 c 285 § 21; 1947 c 11 § 1; Rem. Supp. 1947 § 7921-20.]  
 46.08.160 Source—[1947 c 11 § 2; Rem. Supp. 1947 § 7921-21.]  
 46.08.170 Source—[1947 c 11 § 3; Rem. Supp. 1947 § 7921-22.]  
 "this act" to "RCW 46.08.150".  
 46.08.180 Source—[1951 c 271 § 46.]

Explanatory  
note.

"Sections 79.16.130, 79.16.160 and 79.16.170 R.C.W." changed to "RCW 79.16.130, 79.16.160, 79.16.161, 79.16.170 and 79.16.171" to coincide with recodification of said sections in chapter 79.16.  
Source—[1955 c 393 § 4.]

#### Chapter 46.12 Certificates of Ownership

- 46.12.010 Source—[1937 c 188 § 2; RRS § 6312-2.]  
"this act" to "this title".
- 46.12.020 Source—[1947 c 164 § 1, part; 1937 c 188 § 3, part; Rem. Supp. 1947 § 6312-2, part.]  
1947 c 164 was divided and codified by the 1941 Code Committee into 46.12.020, 46.12.030 and 46.12.040, the last named section having been amended by 1951 c 269 § 1. The division is herein retained.
- 46.12.030 Source—[1947 c 164 § 1, part; 1937 c 188 § 3, part; Rem. Supp. 1947 § 6312-2, part.]
- 46.12.040 Source—[1951 c 269 § 1; 1947 c 164 § 1, part; 1937 c 188 § 3, part; Rem. Supp. 1947 § 6312-3, part.]
- 46.12.050 Source—[1959 c 166 § 1; 1947 c 164 § 2; 1937 c 188 § 4; Rem. Supp. 1947 § 6312-4.]
- 46.12.060 Source—[1959 c 166 § 3. Prior: 1951 c 269 § 2; 1947 c 164 § 3(a); 1939 c 182 § 1(a); 1937 c 188 § 5(a); Rem. Supp. 1947 § 6312-5(a).]
- 46.12.070 Source—[1959 c 166 § 4. Prior: 1947 c 164 § 3(b); 1939 c 182 § 1(b); 1937 c 188 § 5(b); Rem. Supp. 1947 § 6312-5(b).]
- 46.12.080 Source—[1959 c 166 § 5. Prior: 1951 c 269 § 3; 1947 c 164 § 3(c); 1939 c 182 § 1(c); 1937 c 188 § 5(c); Rem. Supp. 1947 § 6312-5(c).]
- 46.12.090 Source—[1959 c 166 § 6. Prior: 1947 c 164 § 3(d); 1939 c 182 § 1(d); 1937 c 188 § 5(d); Rem. Supp. 1947 § 6312-5(d).]
- 46.12.100 Source—[1959 c 166 § 8. Prior: 1953 c 252 § 1; 1947 c 164 § 4(a); 1937 c 188 § 6(a); Rem. Supp. 1947 § 6312-6(a).]
- 46.12.110 Source—[1959 c 166 § 9. Prior: 1953 c 252 § 2; 1947 c 164 § 4(b); 1937 c 188 § 6(b); Rem. Supp. 1947 § 6312-6(b).]
- 46.12.120 Source—[1959 c 166 § 10. Prior: 1947 c 164 § 4(c); 1937 c 188 § 6(c); Rem. Supp. 1947 § 6312-6(c).]
- 46.12.130 Source—[1959 c 166 § 11. Prior: 1947 c 164 § 4(d); 1937 c 188 § 6(d); Rem. Supp. 1947 § 6312-6(d).]
- 46.12.140 Source—[1959 c 166 § 12. Prior: 1947 c 164 § 4(e); 1937 c 188 § 6(e); Rem. Supp. 1947 § 6312-6(e).]
- 46.12.150 Source—[1959 c 166 § 13. Prior: 1947 c 164 § 4(f); 1937 c 188 § 6(f); Rem. Supp. 1947 § 6312-6(f).]
- 46.12.160 Source—[1959 c 166 § 14. Prior: 1947 c 164 § 4(g); 1937 c 188 § 6(g); Rem. Supp. 1947 § 6312-6(g).]
- 46.12.170 Source—[1951 c 269 § 4; 1947 c 164 § 5; 1939 c 182 § 2; 1937 c 188 § 7; Rem. Supp. 1947 § 6312-7.]
- 46.12.180 Source—[1851 c 269 § 5; 1947 c 164 § 6; 1937 c 188 § 9; Rem. Supp. 1947 § 6312-9.]
- 46.12.190 Source—[1937 c 188 § 10, part; RRS § 6312-10, part.]  
1937 c 188 § 10 was divided and codified by the 1941 Code Committee into 46.12.190 and 46.12.200. The division is herein retained.
- 46.12.200 Source—[1937 c 188 § 10, part; RRS § 6312-10, part.]
- 46.12.210 Source—[1937 c 188 § 12; RRS § 6312-12.]
- 46.12.220 Source—[1937 c 188 § 13; RRS § 6312-13.]
- 46.12.230 Source—[1957 c 273 § 12.]

#### Chapter 46.16 Vehicle Licenses

- 46.16.005 Source—[1959 c 66 § 3; 1957 c 145 § 6.]  
Presently codified as RCW 46.16.360.
- 46.16.010 Source—1955 c 265 § 1; 1947 c 33 § 1; 1937 c 188 § 15; Rem. Supp. 1947 § 6312-15; 1929 c 99 § 5; RRS § 6324.]

- 46.16.020 Source—[1939 c 182 § 4; 1937 c 188 § 21; RRS § 6312-21; 1925 ex.s. c 47 § 1; 1921 c 96 § 17; 1919 c 46 § 2; 1917 c 155 § 12; 1915 c 142 § 17; RRS § 6329.] Explanatory note.
- 46.16.030 Source—1937 c 188 § 23; RRS § 6312-23; 1931 c 120 § 1; 1929 c 99 § 4; 1921 c 96 § 11; 1919 c 59 § 6; 1917 c 155 § 7; 1915 c 142 § 11; RRS § 6322.]
- 46.16.040 Source—[1947 c 164 § 8; 1937 c 188 § 29; Rem. Supp. 1947 § 6312-29; 1921 c 96 § 5; 1919 c 178 § 1; 1919 c 59 § 4; 1915 c 142 § 5; RRS 6316.]
- 46.16.045 Source—[1959 c 66 § 1.]
- 46.16.047 Source—[1959 c 66 § 2.]
- 46.16.060 Source—[1957 c 105 § 1; 1955 c 384 § 11; 1951 c 150 § 17; 1949 c 220 § 8; 1937 c 188 § 16; Rem. Supp. 1949 § 6312-16; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15; RRS § 6326, part.]
- 46.16.065 Source—[1951 c 269 § 7.]
- 46.16.067 Source—[1957 c 269 § 16.]
- 46.16.070 Source—[1957 c 273 § 1; 1955 c 363 § 2. Prior: 1951 c 269 § 9; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.]
- 46.16.072 Source—[1957 c 273 § 2; 1955 c 363 § 3. Prior: 1951 c 269 § 10; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.]
- 46.16.074 Source—[1955 c 363 § 4. Prior: 1951 c 269 § 11; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.]
- 46.16.080 Source—[1957 c 269 § 17; 1955 c 363 § 5. Prior: 1955 c 139 § 22; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.]
- 46.16.082 Source—[1959 c 319 § 21; 1955 c 384 § 7.]
- 46.16.083 Source—[1959 c 319 § 22; 1955 c 384 § 9.]
- 46.16.090 Source—[1957 c 273 § 13; 1955 c 363 § 6. Prior: 1953 c 227 § 1; 1951 c 269 § 12; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.]
- 46.16.100 Source—[1955 c 363 § 7. Prior: 1955 c 139 § 23; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1947 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.]

(1) Second proviso; dual amendment of section by 1955 legislature: RCW 46.16.100 was amended by 1955 c 139 § 23 (second proviso added) and also appears as 1955 c 363 § 7, but without amendment.

1955 c 139 (SB 425) passed senate March 5, passed house March 8, approved by governor March 14. No emergency clause.

1955 c 363 (HB 382) passed house February 27, passed senate



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March 8, approved by governor March 21. No emergency clause.

By applying the rule of construction as found in RCW 1.12.025, it appears that the second proviso of the instant section is entitled to be given effect.

(2) Second proviso; subsequent amendment to chapter 82.50 referred to therein: under chapter 82.50 as amended by 1957 c 269, stamps are no longer issued as evidence of payment of the house trailer excise tax. The 1957 amendment changed the 1955 house trailer act in several important particulars. However, any attempt to herein revise the language of 46.16-.100 would at least border upon substantive change and has herein been avoided. Such correction as may be required should be presented to the legislature in a separate bill.

- 46.16.110 Source—[1955 c 363 § 8. Prior: 1955 c 139 § 24; 1950 ex.s. c 15 § 1, part; 1949 c 220 § 10, part; 1947 c 200 § 15, part; 1941 c 224 § 1, part; 1939 c 182 § 3, part; 1937 c 188 § 17, part; Rem. Supp. 1949 § 6312-17, part; 1931 c 140 § 1, part; 1921 c 96 § 15, part; 1919 c 46 § 1, part; 1917 c 155 § 10, part; 1915 c 142 § 15, part; RRS § 6326, part.]
- 46.16.120 Source—[1951 c 269 § 13; 1949 c 200 § 9; 1937 c 188 § 18; Rem. Supp. 1949 § 6312-18.]
- 46.16.125 Source—[1951 c 269 § 14.]  
"section 13" to "RCW 46.16.120."
- 46.16.130 Source—[1951 c 269 § 15; 1949 c 220 § 11; 1945 c 171 § 1; 1943 c 194 § 1; Rem. Supp. 1949 § 6312-18a.]
- 46.16.135 Source—[1951 c 269 § 16.]
- 46.16.137 Source—[1959 c 319 § 23; 1957 c 273 § 4.]
- 46.16.138 Source—[1959 c 319 § 24.]
- 46.16.140 Source—[1955 c 384 § 16; 1951 c 269 § 18; 1937 c 188 § 25, part; RRS § 6312-25, part.]
- 46.16.145 Source—[1951 c 269 § 19; 1937 c 188 § 25, part; RRS § 6312-25, part.]  
"section 18" to "RCW 46.16.140".
- 46.16.150 Source—[1937 c 188 § 22; RRS § 6312-22.]
- 46.16.160 Source—[1957 c 273 § 3; 1955 c 384 § 17; 1949 c 174 § 1; 1947 c 176 § 1; 1937 c 188 § 24; Rem. Supp. 1949 § 6312-24.]
- 46.16.170 Source—[1937 c 188 § 19; RRS § 6312-19.]
- 46.16.180 Source—[1937 c 188 § 20; RRS § 6312-20.]
- 46.16.200 Source—[1955 c 259 § 1; 1955 c 89 § 4; 1947 c 164 § 10; 1937 c 188 § 33; Rem. Supp. 1947 § 6312-33; 1921 c 96 § 6, part; 1917 c 155 § 4, part; 1915 c 142 § 6, part; RRS § 6317, part.]
- 46.16.210 Source—[1957 c 273 § 5; 1955 c 89 § 2; 1953 c 252 § 3; 1947 c 164 § 11; 1937 c 188 § 34; Rem. Supp. 1947 § 6312-34.]
- 46.16.220 Source—[1957 c 261 § 8; 1955 c 89 § 1; 1953 c 252 § 4; 1947 c 164 § 12; 1937 c 188 § 35; Rem. Supp. 1947 § 6312-35; 1921 c 96 § 7, part; RRS § 6318, part; 1921 c 6 § 1, part; 1915 c 142 § 7, part.]
- 46.16.230 Source—[1957 c 261 § 9; 1949 c 90 § 1; 1939 c 182 § 5; 1937 c 188 § 28; Rem. Supp. 1949 § 6312-28; 1921 c 96 § 12; 1921 c 6 § 2; 1919 c 59 § 7; 1917 c 155 § 8; 1915 c 142 § 12; RRS § 6323.]
- 46.16.240 Source—[1947 c 89 § 1; 1937 c 188 § 35; Rem. Supp. 1947 § 6312-36.]  
"this act" to "this section". The proviso was added by the 1947 amendment, a one section act.
- 46.16.260 Source—[1955 c 384 § 18; 1937 c 188 § 8; RRS § 6312-8.]
- 46.16.270 Source—[1951 c 269 § 6; 1947 c 164 § 13; 1937 c 188 § 37; Rem. Supp. 1947 § 6312-37; 1929 c 99 § 6; 1921 c 96 § 14; 1919 c 59 § 8; 1915 c 142 § 14; RRS § 6325.]
- 46.16.280 Source—[1947 c 164 § 14; 1937 c 188 § 38; Rem. Supp. 1947 § 6312-38.]

- 46.16.290 Source—[1937 c 188 § 39; RRS § 6312-39; 1931 c 138 § 2; 1929 c 99 § 3; 1921 c 96 § 8; 1919 c 59 § 5; 1917 c 155 § 5; 1915 c 142 § 8; RRS § 6319.] Explanatory note.
- 46.16.310 Source—[1955 c 100 § 1.]  
Obsolete appropriation omitted.
- 46.16.320 Source—[1957 c 145 § 1.]
- 46.16.330 Source—[1957 c 145 § 2.]  
"this act" to "RCW 46.16.320 through 46.16.360".
- 46.16.340 Source—[1957 c 145 § 3.]
- 46.16.350 Source—[1957 c 145 § 4.]  
"this act" to "RCW 46.16.320 through 46.16.360".
- 46.16.360 Source—[1959 c 66 § 3; 1957 c 145 § 6.]  
Presently codified as RCW 46.16.005.
- 46.16.400 Source—[1957 c 261 § 1.]  
1957 c 261 §§ 1-5 (RCW 46.16.400-46.16.440) provided for the staggering of vehicle registration on or after January 1, 1959. By the terms of 1959 c 11 § 1, "Sections 1, 2, 3, 4 and 5, chapter 261, Laws of 1957, and RCW 46.16.400, 46.16.410, 46.16.420, 46.16.430, and 46.16.440 shall not take effect until January 1, 1962 unless previously amended or repealed."  
To give effect to the 1959 act; in 46.16.400-46.16.430 the dates have been changed accordingly and in 46.16.440, the words "on and after January 1, 1962" have been added.
- 46.16.410 Source—[1957 c 261 § 2.]  
"section 1 of this amendatory act" to "RCW 46.16.400". "January 1, 1959" to "January 1, 1962"; see 46.16.400 above.
- 46.16.420 Source—[1957 c 261 § 3.]  
"January 1, 1959" to "January 1, 1962"; see 46.16.400 above.  
"section 1 of this amendatory act" to "RCW 46.16.400".
- 46.16.430 Source—[1957 c 261 § 4.]  
"section 1 of this amendatory act" to "RCW 46.16.400".  
"January 1, 1959" to "January 1, 1962"; see 46.16.400 above.
- 46.16.440 Source—[1957 c 261 § 5.]  
"The director is" to "On and after January 1, 1962, the director is"; see 46.16.400 above.  
"this amendatory act" to "RCW 46.16.220, 46.16.230, 46.16.400 through 46.16.440 and 82.44.020".

## Chapter 46.20 Operators' Licenses

- 46.20.010 Source—[1937 c 188 § 49; RRS § 6312-49.]
- 46.20.020 Source—[1937 c 188 § 43; RRS § 6312-43; 1921 c 108 § 5, part; RRS § 6367, part.]
- 46.20.030 Source—[1947 c 158 § 1, part; 1937 c 188 § 45, part; Rem. Supp. 1947 § 6312-45, part.]  
1947 c 158 § 1 was divided into 46.20.030, 46.20.040 and 46.20.070; 46.20.030 and 46.20.040 are herein rejoined.  
"director of licenses" to "director" in certain instances.  
In the last sentence of subsection (1) "section" changed to "subsection".
- 46.20.040 Source—[1947 c 158 § 1, part; 1937 c 188 § 45, part; Rem. Supp. 1947 § 6312-45, part.]  
Herein rejoined with 46.20.030 above.
- 46.20.050 Source—[1939 c 182 § 6, part; 1937 c 188 § 46, part; RRS § 6312-46, part.]  
1939 c 182 § 6 was divided into 46.20.050 and 46.20.060; the division is herein retained.  
"director of licenses" to "director" in certain instances.
- 46.20.060 Source—[1939 c 182 § 6, part; 1937 c 188 § 46, part; RRS § 6312-46, part.]  
See 46.20.050 above.

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note.

- 46.20.070 Source—[1947 c 158 § 1, part; 1937 c 188 § 45, part; Rem. Supp. 1947 § 6312-45, part.]  
See 46.20.030 above.  
“director of licenses” to “director” in certain instances.  
“this act” to “this section”. 1947 c 158 § 1 was a one section act; while codified in this RCW section and 46.20.030, “the permit issued under this act” is confined to this part of the session law section.
- 46.20.080 Source—[1937 c 188 § 44; RRS § 6312-44; 1921 c 108 § 5, part; RRS § 6367, part.]
- 46.20.090 Source—[1957 c 294 § 1; 1953 c 221 § 1; 1947 c 164 § 16; 1937 c 188 § 50; Rem. Supp. 1947 § 6312-50; 1921 c 108 §§ 6, part, 7, part; RRS §§ 6368, part, 6369, part.]
- 46.20.100 Source—[1937 c 188 § 51; RRS § 6312-51; 1921 c 108 § 6, part; RRS § 6368, part.]
- 46.20.102 Source—[1957 c 242 § 2.]
- 46.20.104 Source—[1957 c 242 § 3.]
- 46.20.106 Source—[1957 c 242 § 4.]
- 46.20.110 Source—[1939 c 182 § 7; 1937 c 188 § 47; RRS § 6312-47.]
- 46.20.120 Source—[1959 c 284 § 1; 1953 c 221 § 2; 1937 c 188 § 55, part; RRS § 6312-55, part.]
- 46.20.130 Source—[1959 c 284 § 2; 1943 c 151 § 1; 1937 c 188 § 57; Rem. Supp. 1943 § 6312-57.]
- 46.20.140 Source—[1937 c 188 § 58; RRS § 6312-58.]
- 46.20.150 Source—[1959 c 284 § 3; 1953 c 23 § 1; 1943 c 26 § 1; Rem. Supp. 1943 § 6312-56a.]  
“section 1 of this act” to “RCW 46.20.120”.  
Section 1 of 1959 c 284 is amendatory of 46.20.120 [1953 c 221 § 2.]
- 46.20.160 Source—[1955 c 259 § 2; 1949 c 52 § 1; 1937 c 188 § 53; Rem. Supp. 1949 § 6312-53; 1921 c 108 § 7, part; RRS § 6369, part.]  
“three dollars” changed to “four dollars” to conform this section with RCW 46.20.090 [1957 c 294 § 1] and 46.68.040 [1959 c 81 § 1.]
- 46.20.170 Source—[1947 c 164 § 17; 1939 c 182 § 8; 1937 c 188 § 52; Rem. Supp. 1947 § 6312-52.]
- 46.20.180 Source—[1953 c 211 § 3; 1949 c 208 § 1; 1937 c 188 § 54; Rem. Supp. 1949 § 6312-54; 1921 c 108 § 7, part; RRS, § 6369, part.]  
“three dollars” changed to “four dollars” to conform this section with RCW 46.20.090 [1957 c 294 § 1] and 46.68.040 [1959 c 81 § 1.]  
In subsection (2) transitional material relating to change over to staggered system of licensing deleted as obsolete.
- 46.20.190 Source—[1937 c 188 § 59; RRS § 6312-59; 1921 c 108 § 7, part; RRS § 6369, part.]
- 46.20.200 Source—[1947 c 164 § 18; 1937 c 188 § 60; Rem. Supp. 1947 § 6312-60; 1921 c 108 § 11; RRS § 6373.]
- 46.20.210 Source—[1937 c 188 § 61; RRS § 6312-61; 1921 c 108 § 15, part; RRS § 6377, part.]
- 46.20.220 Source—[1937 c 188 § 63; RRS § 6312-63.]
- 46.20.230 Source—[1937 c 188 § 62; RRS § 6312-62.]
- 46.20.240 Source—[1937 c 188 § 48; RRS § 6312-48; 1921 c 108 §§ 3, 4; RRS §§ 6365, 6366.]
- 46.20.250 Source—[1959 c 239 § 1; 1955 c 393 § 1; 1937 c 188 § 65; RRS § 6312-65; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371, part.]
- 46.20.260 Source—[1937 c 188 § 64; RRS § 6312-64. Prior: 1923 c 122 § 2, part; RRS § 6371-1, part.]
- 46.20.270 Source—[1937 c 188 § 68; RRS § 6312-68. Prior: 1923 c 122 § 2, part; 1921 c 108 § 9, part; RRS § 6371, part.]
- 46.20.280 Source—[1939 c 182 § 10; 1937 c 188 § 67; RRS § 6312-67.]  
“act” to “title”.
- 46.20.290 Source—[1957 c 273 § 7. Prior: 1937 c 188 § 66, part; RRS

	§ 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371, part.]	Explanatory note.
46.20.300	Source—[1957 c 273 § 8. Prior: 1937 c 188 § 66, part; RRS § 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371, part.]	
46.20.310	Source—[1957 c 273 § 9. Prior: 1937 c 188 § 66, part; RRS § 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371, part.]	
46.20.320	Source—[1957 c 273 § 10. Prior: 1937 c 188 § 66, part; RRS § 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371, part.]	
46.20.330	Source—[1957 c 273 § 11. Prior: 1937 c 188 § 66, part; RRS § 6312-66, part; 1923 c 122 § 1, part; 1921 c 108 § 9, part; RRS § 6371, part.]	
46.20.340	Source—[1953 c 23 § 2; 1937 c 188 § 74; RRS § 6312-74.]	
46.20.350	Source—[1937 c 188 § 69; RRS § 6312-69.]	
46.20.360	Source—[1937 c 188 § 70; RRS § 6312-70.]	
	"this act" to "this title".	
46.20.380	Source—[1957 c 268 § 1.]	
	"section 2 of this act" to "RCW 46.20.390".	
46.20.390	Source—[1959 c 241 § 1; 1957 c 268 § 2.]	
46.20.400	Source—[1957 c 268 § 3.]	
46.20.410	Source—[1957 c 268 § 4.]	

#### Chapter 46.24 Financial Responsibility—Proof After Certain Convictions and Judgments

Chapter 46.24, Financial responsibility—Proof after certain convictions and judgments, and Chapter 46.28, Financial responsibility—Proof after accident, were enacted by the legislature and codified by the 1941 Code Committee as summarized below:

Chapter 46.24 is the codification of 1939 c 158, entitled "An Act relating to the giving of proof of financial responsibility by owners and operators of motor vehicles, providing penalties for certain offenses." This is a comprehensive forty-one section act requiring the filing with the director of licenses of "proof of security by persons whose operator's license has been suspended or against whom a damage judgment resulting from the operation of a motor vehicle has been entered."

Chapter 46.28 is the codification of 1949 c 211, entitled "An Act relating to the giving of proof of financial responsibility and security by owners and operators of motor vehicles; providing penalties for violations thereof; amending section 31, chapter 158, Laws of 1939 . . . , by adding thereto twenty-one new sections to be known as sections 31a through 31u; providing for an appeal; making an appropriation; and declaring this act shall take effect February 1, 1950."

Section 1 of the 1949 act declares: "Section 31, chapter 158, Laws of 1939 . . . , is amended by adding thereto twenty-one new sections to be known as sections 31-a through 31-u to read as follows:"

The remainder of the 1949 act sets out in sections 31-a through 31-u a complete act for the "Deposit of security" following a motor vehicle accident.

Although section 1 of the 1949 act expressly added the provisions of the 1949 act to the 1939 act, the 1941 Code Committee codified it as a separate chapter (chapter 46.28) and added a Reviser's section, RCW 46.28.200, which purported to adopt by reference and to apply to the 1949 act certain sections of the 1939 act, namely RCW 46.24.010, the definitions section, and RCW 46.24.270 through 46.24.320 which are the penalty sections.

Whether or not the 1941 Code Committee's codification was in all respects technically correct, we are confronted, in presenting this title for reenactment, with the fact that this codification has in part been expressly ratified by the legislature in subsequent sessions (see for

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example 1959 c 38 in which act translations such as "this chapter" and "this chapter and chapter 46.24" have been ratified). In view of these ratifications, and in view of ten years of administrative practice under the present code organization and language, the recombining of the two acts into a single chapter would appear to be awkward if not impossible. We have therefor included these chapters herein as they currently appear in RCW.

- 46.24.010 Source—[(i) 1939 c 158 § 1; RRS § 6600-101. (ii) 1939 c 158 § 2; RRS § 6600-102. (iii) 1941 c 122 § 1; 1939 c 158 § 3; Rem. Supp. 1941 § 6600-103. (iv) 1939 c 158 § 4; RRS § 6600-104. (v) 1939 c 158 § 5; RRS § 6600-105. (vi) 1939 c 158 § 6; RRS § 6600-106.]  
In keeping with the 1941 Code Committee's disposition of this section, such definitions as are included in chapter 46.04 are omitted herefrom. An exception is the definition of "nonresident" which is defined by the 1939 act in different terms than the definition thereof in chapter 46.04, and is herein included as enacted in 1939 c 158 § 1.
- 46.24.020 Source—[1939 c 158 § 7; RRS § 6600-107.]
- 46.24.030 Source—[1959 c 38 § 2. Prior: 1941 c 122 § 2, part; 1939 c 158 § 8, part; Rem. Supp. 1941 § 6600-108, part.]
- 46.24.040 Source—[1959 c 38 § 3. Prior: 1941 c 122 § 2, part; 1939 c 158 § 8, part; Rem. Supp. 1941 § 6600-108, part.]
- 46.24.050 Source—[1939 c 158 § 31; RRS § 6600-131.]
- 46.24.060 Source—[1939 c 158 § 16; RRS § 6600-116.]
- 46.24.070 Source—[1941 c 122 § 10; 1939 c 158 § 18; Rem. Supp. 1941 § 6600-118.]
- 46.24.080 Source—[1941 c 122 § 11; 1939 c 158 § 19; Rem. Supp. 1941 § 6600-119.]
- 46.24.090 Source—[1939 c 158 § 20; RRS § 6600-120.]
- 46.24.100 Source—[1959 c 38 § 4; 1939 c 158 § 23; RRS § 6600-123.]
- 46.24.110 Source—[1939 c 158 § 26; RRS § 6600-126.]
- 46.24.120 Source—[1939 c 158 § 24; RRS § 6600-124.]
- 46.24.130 Source—[1939 c 158 § 25; RRS § 6600-125.]
- 46.24.140 Source—[1939 c 158 § 27; RRS § 6600-127.]
- 46.24.150 Source—[1941 c 122 § 13; 1939 c 158 § 30; Rem. Supp. 1941 § 6600-130.]
- 46.24.160 Source—[1939 c 158 § 29; RRS § 6600-129.]
- 46.24.170 Source—[1939 c 158 § 21; RRS § 6600-121.]
- 46.24.180 Source—[1941 c 122 § 12; 1939 c 158 § 22; Rem. Supp. 1941 § 6600-122.]
- 46.24.190 Source—[1943 c 140 § 1; 1941 c 122 § 3; 1939 c 158 § 9; Rem. Supp. 1943 § 6600-109.]
- 46.24.200 Source—[1941 c 122 § 4; 1939 c 158 § 10; Rem. Supp. 1941 § 6600-110.]
- 46.24.210 Source—[1959 c 38 § 5; 1939 c 158 § 11; RRS § 6600-111.]
- 46.24.220 Source—[1941 c 122 § 5; 1939 c 158 § 12; Rem. Supp. 1941 § 6600-112.]
- 46.24.230 Source—[1941 c 122 § 6; 1939 c 158 § 13; Rem. Supp. 1941 § 6600-113.]
- 46.24.240 Source—[1941 c 122 § 7; 1939 c 158 § 14; Rem. Supp. 1941 § 6600-114.]
- 46.24.250 Source—[1941 c 122 § 9; 1939 c 158 § 17; Rem. Supp. 1941 § 6600-117.]
- 46.24.260 Source—[1941 c 122 § 8; 1939 c 158 § 15; Rem. Supp. 1941 § 6600-115.]
- 46.24.270 Source—[1959 c 38 § 14; 1941 c 122 § 14; 1939 c 158 § 32; Rem. Supp. 1941 § 6600-132.]
- 46.24.280 Source—[1939 c 158 § 33; RRS § 6600-133.]
- 46.24.290 Source—[1939 c 158 § 34; RRS § 6600-134.]
- 46.24.300 Source—[1939 c 158 § 35; RRS § 6600-135.]
- 46.24.310 Source—[1939 c 158 § 36; RRS § 6600-136.]
- 46.24.320 Source—[1939 c 158 § 38; RRS § 6600-138.]

- 46.24.900 Source—[1939 c 158 § 37; RRS § 6600-137.]  
 46.24.910 Source—[1939 c 158 § 39; RRS § 6600-139.]

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**Chapter 46.28 Financial Responsibility—Proof After Accident**  
 See also the notes for chapter 46.24

- 46.28.010 Source—[1959 c 38 § 6; 1949 c 211 § 1-31a; Rem. Supp. 1949 § 6600-131a.]  
 46.28.020 Source—[1959 c 38 § 7; 1949 c 211 § 1-31b; Rem. Supp. 1949 § 6600-131b.]  
 46.28.030 Source—[1959 c 38 § 8; 1949 c 211 § 1-31c; Rem. Supp. 1949 § 6600-131c.]  
 46.28.040 Source—[1959 c 38 § 9; 1949 c 211 § 1-31d; Rem. Supp. 1949 § 6600-131d.]  
 46.28.050 Source—[1959 c 38 § 10; 1949 c 211 § 1-31e; Rem. Supp. 1949 § 6600-131e.]  
 46.28.060 Source—[1949 c 211 § 1-31f; Rem. Supp. 1949 § 6600-131f.]  
 46.28.070 Source—[1949 c 211 § 1-31g; Rem. Supp. 1949 § 6600-131g.]  
 46.28.075 Source—[1959 c 38 § 13.]  
 46.28.080 Source—[1959 c 38 § 11; 1949 c 211 § 1-31h; Rem. Supp. 1949 § 6600-131h.]  
 46.28.090 Source—[1959 c 38 § 12; 1949 c 211 § 1-31i; Rem. Supp. 1949 § 6600-131i.]  
 46.28.100 Source—[1949 c 211 § 1-31j; Rem. Supp. 1949 § 6600-131j.]  
 46.28.110 Source—[1949 c 211 § 1-31k; Rem. Supp. 1949 § 6600-131k.]  
 46.28.120 Source—[1949 c 211 § 1-31 l; Rem. Supp. 1949 § 6600-131 l.]  
 46.28.130 Source—[1949 c 211 § 1-31m; Rem. Supp. 1949 § 6600-131m.]  
 46.28.140 Source—[1949 c 211 § 1-31n; Rem. Supp. 1949 § 6600-131n.]  
 46.28.150 Source—[1949 c 211 § 1-31o; Rem. Supp. 1949 § 6600-131o.]  
 46.28.160 Source—[1949 c 211 § 1-31p; Rem. Supp. 1949 § 6600-131p.]  
 46.28.170 Source—[1949 c 211 § 1-31q; Rem. Supp. 1949 § 6600-131q.]  
 46.28.180 Source—[1949 c 211 § 1-31r; Rem. Supp. 1949 § 6600-131r.]  
 46.28.190 Source—[1949 c 211 § 1-31s; Rem. Supp. 1949 § 6600-131s.]  
 46.28.200 Source—This section was added by the 1941 Code Committee, see first note under chapter 46.24.

**Chapter 46.32 Vehicle Inspection**

- 46.32.010 Source—[1947 c 267 § 1; 1945 c 44 § 1; 1937 c 189 § 7; Rem. Supp. 1947 § 6360-7.]  
 "this act" to "this chapter".  
 46.32.020 Source—[1945 c 44 § 2; 1937 c 189 § 8; Rem. Supp. 1945 § 6360-8.]  
 In the first sentence of the second paragraph, "placed in operation on the effective date of this act any station" to "placed in operation any station".  
 46.32.030 Source—[1945 c 44 § 3; 1937 c 189 § 9; Rem. Supp. 1945 § 6360-9.]  
 In the second paragraph: "at the time of the taking effect of this act", deleted.  
 46.32.040 Source—[1945 c 44 § 4; 1937 c 189 § 10; Rem. Supp. 1945 § 6360-10.]  
 46.32.050 Source—[1945 c 44 § 5; 1937 c 189 § 11; Rem. Supp. 1945 § 6360-11.]  
 46.32.060 Source—[1937 c 189 § 12; RRS § 6360-12.]  
 "this act" to "this title".  
 46.32.070 Source—[1937 c 189 § 13; RRS § 6360-13.]

**Chapter 46.36 Vehicle Equipment**

Most of the sections in chapter 46.36 were repealed by 1955 c 269 which is codified as chapter 46.37—Vehicle lighting and other equipment. The remaining sections of chapter 46.36 are herein codified elsewhere as indicated below.

- 46.36.010 Source—[1943 c 133 § 1; 1937 c 189 § 6; Rem. Supp. 1943 § 6360-6; 1927 c 309 § 14, part; RRS § 6362-14, part.]  
 Herein recodified as 46.37.005.

- Explanatory note.**
- 46.36.110 Source—[1937 c 189 § 43; RRS § 6360-43; 1927 c 309 § 18; RRS § 6362-18.]  
Herein recodified as 46.37.490.
- 46.36.130 Source—[1947 c 200 § 3; 1937 c 189 § 44; Rem. Supp. 1947 § 6360-44.]  
First paragraph herein recodified as 46.56.135.  
Second paragraph herein recodified as 46.37.500.
- 46.36.140 Source—[1937 c 189 § 46; RRS § 6360-46.]  
Herein recodified as 46.08.065.
- 46.36.150 Source—[1949 c 196 § 11; Rem. Supp. 1949 § 6360-98d.]  
Herein recodified as 46.37.480.

**Chapter 46.37 Vehicle Lighting and Other Equipment**

- 46.37.005 Source—[1943 c 133 § 1; 1937 c 189 § 6; Rem. Supp. 1943 § 6360-6; 1927 c 309 § 14, part; RRS § 6362-14, part.]  
Presently codified as RCW 46.36.010.  
“this act” to “this title”.  
“Director of highways” to “, and such person as may be designated by the state highway commission”, in furtherance of 1951 c 247 § 5: RCW 43.27.120; being sec. 47.01.070 of the companion bill for the enactment of Title 47.
- 46.37.010 Source—[1955 c 269 § 1.] For prior law see history note to RCW 46.37.020.  
In subsection (3) “article [section]” changed to “section”; 1955 c 269 codified as chapter 46.37 was drawn from chapter 12 of the uniform vehicle code but the division of said chapter 12 into “Articles” was not preserved in the enactment. RCW 46.37.010 is identical with section 12-101 of the uniform code which is the only section contained in Article I entitled “Scope and Effect of Regulations”, hence the words “this article” as used therein are translated to “this section”.
- 46.37.020 Source—[1955 c 269 § 2. Prior: 1937 c 189 § 14, part; RRS § 6360-14, part; RCW 46.40.010, part; 1929 c 178 § 2; 1927 c 309 § 19; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part; 1915 c 142 § 21, part; RRS § 6362-19.]
- 46.37.030 Source—[1955 c 269 § 3. Prior: 1937 c 189 § 14, part; RRS § 6360-14, part; RCW 46.40.010, part.]  
“section 2” to “RCW 46.37.020”.
- 46.37.040 Source—[1955 c 269 § 4. Prior: 1937 c 189 § 15; RRS § 6360-15; RCW 46.40.020; 1933 c 156 § 1, part; 1929 c 178 § 3, part; 1927 c 309 § 20, part, 24; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part; 1915 c 142 § 21, part; RRS §§ 6362-20, part, 6362-24.]  
“section 3(1)” changed to “RCW 46.37.030(2)”; the reference to 1955 c 269 § 3(1), codified herein as 46.37.030(1), was apparently a clerical error, it being § 3(2) which set forth how height is to be measured.
- 46.37.050 Source—[1955 c 269 § 5. Prior: 1947 c 267 § 2, part; 1937 c 189 § 16, part; Rem. Supp. 1947 § 6360-16, part; RCW 46.40.030, part; 1929 c 178 § 7; 1927 c 309 § 27; RRS § 6362-27; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part; 1915 c 142 § 21, part.]
- 46.37.060 Source—[1955 c 269 § 6. Prior: 1947 c 267 § 2, part; 1937 c 189 § 16, part; Rem. Supp. 1947 § 6360-16, part; RCW 46.40.030, part.]  
“section 9” to “RCW 46.37.090”.  
“section 3(2)” to “RCW 46.37.030(2)”.
- 46.37.070 Source—[1959 c 319 § 32; 1955 c 269 § 7. Prior: 1953 c 248 § 2, part; 1947 c 267 § 4, part; 1937 c 189 § 23, part; Rem. Supp. 1947 § 6360-23, part; RCW 46.40.090, part; 1929 c 178 § 1, part; 1927 c 309 § 15, part; RRS § 6362-15, part.]
- 46.37.080 Source—[1955 c 269 § 8. Prior: 1947 c 267 § 3, part; 1937 c 189 § 17, part; Rem. Supp. 1947 § 6360-17, part; RCW 46.40.040, part.]

- "sections 9, 10, 11, 12 and 13" to "RCW 46.37.090, 46.37.100, 46.37.110, 46.37.120 and 46.37.130".  
 "section 2" to "RCW 46.37.020".
- 46.37.090 Source—[1955 c 269 § 9. Prior: 1947 c 267 § 3, part; 1937 c 189 § 17, part; Rem. Supp. 1947 § 6360-17, part; RCW 46.40.040, part; 1933 c 156 §§ 5, part, 6, part; 1929 c 178 §§ 7, part, 8, part; 1927 c 309 §§ 27, part, 28, part; RRS §§ 6362-27, part, 6362-28, part; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part.]  
 "section 8" to "RCW 46.37.080".
- 46.37.100 Source—[1955 c 269 § 10. Prior: 1947 c 267 § 3, part; 1937 c 189 § 17, part; Rem. Supp. 1947 § 6360-17, part; RCW 46.40.040, part; 1933 c 156 §§ 5, part, 6, part; 1929 c 178 §§ 7, part, 8, part; 1927 c 309 §§ 27, part, 28, part; RRS §§ 6362-27, part, 6362-28, part; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part; 1915 c 142 § 21, part.]
- 46.37.110 Source—[1955 c 269 § 11. Prior: 1947 c 267 § 3, part; 1937 c 189 § 17, part; Rem. Supp. 1947 § 6360-17, part; RCW 46.40.040, part; 1933 c 156 §§ 5, part, 6, part; 1929 c 178 §§ 7, part, 8, part; 1927 c 309 §§ 27, part, 28, part; RRS §§ 6362-27, part, 6362-28, part; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part.]  
 "section 9" to "RCW 46.37.090".
- 46.37.120 Source—[1955 c 269 § 12. Prior: 1947 c 267 § 3, part; 1937 c 189 § 17, part; Rem. Supp. 1947 § 6360-17, part; RCW 46.40.040, part; 1933 c 156 §§ 5, part, 6, part; 1929 c 178 §§ 7, part, 8, part; 1927 c 309 §§ 27, part, 28, part; RRS §§ 6362-27, part, 6362-28, part; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part.]  
 "section 9" to "RCW 46.37.090".
- 46.37.130 Source—[1955 c 269 § 13.]
- 46.37.140 Source—[1955 c 269 § 14. Prior: 1937 c 189 § 18; RRS § 6360-18; RCW 46.40.050; 1929 c 178 § 11, part; 1927 c 309 § 32, part; RRS § 6362-32, part; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part.]  
 "section 2" to "RCW 46.37.020".
- 46.37.150 Source—[1955 c 269 § 15. Prior: 1937 c 189 § 19; RRS § 6360-19; RCW 46.40.060; 1933 c 156 § 8; 1929 c 178 § 10; 1927 c 309 § 31; RRS § 6362-31.]
- 46.37.160 Source—[1955 c 269 § 16.]  
 "section 2" to "RCW 46.37.020".  
 "sections 22 or 25 of this act" to "RCW 46.37.220 or 46.37.250".  
 "sections 22, 24, or 26 of this act" to "RCW 46.37.220, 46.37.240, or 46.37.260".
- 46.37.170 Source—[1955 c 269 § 17. Prior: 1937 c 189 § 21; RRS § 6360-21; RCW 46.40.080; 1927 c 309 § 34; 1921 c 96 § 22, part; 1917 c 40 § 1; RRS § 6362-34.]  
 "section 1(2)" changed to "RCW 43.37.010(3)"; 1955 c 269 § 1 is codified as 43.37.010; reference to subsection (2) of that section appears to have been a clerical error, the contents of subsection (3) being identifiable as the subsection referred to.  
 "this article" changed to "RCW 46.37.020 through 46.37.330". 1955 c 269 codified as chapter 46.37 was drawn from chapter 12 of the uniform vehicle code but the division of said chapter 12 into "Articles" was not preserved in the enactment. Article II of said code, of which the above section is a part, was enacted as sections 2 through 33 of chapter 269, Laws of 1955, herein codified as RCW 46.37.020 through 46.37.330.  
 "section 2 of this act" to "RCW 46.37.020".
- 46.37.180 Source—[1955 c 269 § 18. Prior: 1949 c 157 § 1; Rem. Supp. 1949 § 6360-22a; RCW 46.40.110, 46.40.120.]  
 "section 22" to "RCW 46.37.220".



Explanatory  
note.

- 46.37.184 Source—[1953 c 161 § 1.]  
Presently codified as RCW 46.40.220.
- 46.37.185 Source—[1953 c 161 § 2.]  
Presently codified as RCW 46.40.230.
- 46.37.186 Source—[1953 c 161 § 3.]  
Presently codified as RCW 46.40.240.
- 46.37.187 Source—[1953 c 161 § 4.]  
Presently codified as RCW 46.40.250.  
"section 2 of this act" to "RCW 46.37.185".  
"section 3 of this act" to "RCW 46.37.186".
- 46.37.188 Source—[1953 c 161 § 5.]  
Presently codified as RCW 46.40.260.  
"this act" to "RCW 46.37.184, 46.37.185, 46.37.186 or 46.37.187".
- 46.37.190 Source—[1957 c 66 § 1; 1955 c 269 § 19.]
- 46.37.192 Source—[1957 c 66 § 2.]
- 46.37.194 Source—[1957 c 66 § 3.]
- 46.37.200 Source—[1955 c 269 § 20. Prior: 1953 c 248 § 2, part; 1947 c 267 § 4, part; 1937 c 189 § 23, part; Rem. Supp. 1947 § 6360-23, part; RCW 46.40.090, part; 1929 c 178 § 1, part; 1927 c 309 § 15, part; RRS § 6362-15.]  
"section 2" to "RCW 46.37.020".
- 46.37.210 Source—[1955 c 269 § 21. Prior: 1937 c 189 § 24; RRS § 6360-24; RCW 46.40.100.]
- 46.37.220 Source—[1955 c 269 § 22. Prior: 1947 c 267 § 5, part; Rem. Supp. 1947 § 6360-25a, part; RCW 46.40.140, part; 1933 c 156 § 3, part; 1929 c 178 § 5, part; 1927 c 309 § 22, part; RRS § 6362-22, part.]
- 46.37.230 Source—[1955 c 269 § 23. For prior law see history note to 46.37.220.]  
"section 2" changed to "RCW 46.37.020"; 1955 c 269 § 2 is so codified.  
"section 22(2)" changed to "RCW 46.37.220(2)"; 1955 c 269 § 22 is so codified.  
"shall be dimmed [deemed] to" changed to "shall be deemed to" to conform this section to section 12-222 of the uniform vehicle code from which 1955 c 269 was drawn.  
"paragraph (1) of section 22" changed to "RCW 46.37.020(1)"; paragraph (1) of 1955 c 269 is so codified.
- 46.37.240 Source—[1955 c 269 § 24. For prior law see history note to 46.37.220.]  
"the effective date of this act" to "March 18, 1955".
- 46.37.250 Source—[1955 c 269 § 25.]  
"section 22(1)" to "RCW 46.37.220(1)".  
"section 22(2)" to "RCW 46.37.220(2)".
- 46.37.260 Source—[1955 c 269 § 26. Prior: 1937 c 189 § 27; RRS § 6360-27; RCW 46.40.150.]  
"section 2" to "RCW 46.37.020".  
"section 22" to "RCW 46.37.220".  
"section 24" to "RCW 46.37.240".
- 46.37.270 Source—[1955 c 269 § 27. Prior: 1937 c 189 § 28; RRS § 6360-28; RCW 46.40.160; 1929 c 178 § 2; 1927 c 309 § 19; 1921 c 96 § 22, part; 1919 c 59 § 10, part; 1917 c 155 § 15, part; 1915 c 142 § 21, part; RRS § 6362-19.]  
"section 2" to "RCW 46.37.020".
- 46.37.280 Source—[1955 c 269 § 28. Prior: 1949 c 157 § 2; 1947 c 267 § 6; 1947 c 200 § 2; 1937 c 189 § 29; Rem. Supp. 1949 § 6360-29; RCW 46.40.170; 1927 c 309 § 33; RRS § 6362-33.]
- 46.37.290 Source—[1955 c 269 § 29. Prior: 1937 c 189 § 25, part; RRS § 6360-25, part; RCW 46.40.130, part; 1929 c 178 § 3, part; 1927 c 309 § 20, part; RRS § 6362-20, part.]
- 46.37.300 Source—[1955 c 269 § 30.]
- 46.37.310 Source—[1955 c 269 § 31. Prior: 1937 c 189 § 30; RRS § 6360-30; RCW 46.40.180; 1929 c 178 § 12; 1927 c 309 § 35; RRS § 6362-35.]

- 46.37.320 Source—[1955 c 269 § 32. Prior: 1937 c 189 § 31; RRS § 6360-31; RCW 46.40.190; 1933 c 156 § 4, part; 1929 c 178 § 6, part; 1927 c 309 § 23, part; RRS § 6362-23, part.] Explanatory note.
- 46.37.330 Source—[1955 c 269 § 33. Prior: 1937 c 189 § 32; RRS § 6360-32; RCW 46.40.200; 1933 c 156 § 4, part; 1929 c 178 § 6, part; 1927 c 309 § 23, part; RRS § 6362-23, part.]
- 46.37.340 Source—[1955 c 269 § 34. Prior: 1937 c 189 § 34, part; RRS § 6360-34, part; RCW 46.36.020, 46.36.030, part; 1929 c 180 § 6; 1927 c 309 § 16; 1923 c 181 § 5; 1921 c 96 § 23; 1915 c 142 § 22; RRS § 6362-16.]
- 46.37.350 Source—[1955 c 269 § 35. Prior: 1951 c 56 § 2, part. For prior law see history note to RCW 46.37.340.]
- 46.37.360 Source—[1955 c 269 § 36. Prior: 1951 c 56 § 2, part. For prior law see history note to RCW 46.37.340.]
- 46.37.370 Source—[1955 c 269 § 37.]  
"section 35" to "RCW 46.37.350".
- 46.37.380 Source—[1955 c 269 § 38. Prior: 1937 c 189 § 35; RRS § 6360-35; RCW 46.36.040.]
- 46.37.390 Source—[1955 c 269 § 39. Prior: 1937 c 189 § 36; RRS § 6360-36; RCW 46.36.050; 1927 c 309 § 17; 1921 c 96 § 21; 1915 c 142 § 20; RRS § 6362-17.]
- 46.37.400 Source—[1955 c 269 § 40. Prior: 1937 c 189 § 37; RRS § 6360-37; RCW 46.36.060.]
- 46.37.410 Source—[1955 c 269 § 41. Prior: (i) 1937 c 189 § 38; RRS § 6360-38; RCW 46.36.070. (ii) 1937 c 189 § 39; RRS § 6360-39; RCW 46.36.080.]
- 46.37.420 Source—[1955 c 269 § 42. Prior: (i) 1937 c 189 § 41; RRS § 6360-41; RCW 46.36.100. (ii) 1937 c 189 § 42; RRS § 6360-42; RCW 46.36.120; 1929 c 180 § 7; 1927 c 309 § 46; RRS § 6362-46.]
- 46.37.430 Source—[1955 c 269 § 43. Prior: 1947 c 220 § 1; 1937 c 189 § 40; Rem. Supp. 1947 § 6360-40; RCW 46.36.090.]
- 46.37.440 Source—[1955 c 269 § 44. Prior: 1947 c 267 § 7, part; Rem. Supp. 1947 § 6360-32a, part; RCW 46.40.210, part.]
- 46.37.450 Source—[1955 c 269 § 45. For prior law see history note to RCW 46.37.440.]  
In subsection (1) "paragraph (i) of this section" to "subdivision (a) of this subsection".  
In subsection (6), "section 44" to "RCW 46.37.440".
- 46.37.460 Source—[1955 c 269 § 46.]
- 46.37.470 Source—[1955 c 269 § 47.]
- 46.37.480 Source—[1949 c 196 § 11; Rem. Supp. 1949 § 6360-98d.]  
Presently codified as RCW 46.36.150.
- 46.37.490 Source—[1937 c 189 § 43; RRS § 6360-43; 1927 c 309 § 18; RRS § 6362-18.]  
Presently codified as RCW 46.36.110.
- 46.37.500 Source—[1947 c 200 § 3, part; 1937 c 189 § 44, part; Rem. Supp. 1947 § 6360-44, part.]  
Presently codified as RCW 46.36.130 (second paragraph).

#### Chapter 46.40 Vehicle Lighting

Most of the sections in chapter 46.40 were repealed by 1955 c 269 which is codified as chapter 46.37—Vehicle lighting and other equipment. The remaining sections of chapter 46.40 are herein recodified elsewhere as indicated below.

- 46.40.070 Source—[1951 c 76 § 8; 1937 c 189 § 20; RRS § 6360-20; 1927 c 309 § 26; RRS § 6362-26.]  
Herein recodified as 46.47.080.
- 46.40.220 Source—[1953 c 161 § 1.]  
Recodified herein as 46.37.184.
- 46.40.230 Source—[1953 c 161 § 2.]  
Recodified herein as 46.37.185.
- 46.40.240 Source—[1953 c 161 § 3.]  
Recodified herein as 46.37.186.

Explanatory  
note.

- 46.40.250 Source—[1953 c 161 § 4.]  
Recodified herein as 46.37.187.
- 46.40.260 Source—[1953 c 161 § 5.]  
Recodified herein as 46.37.188.

## Chapter 46.44 Size, Weight, Load

- 46.44.010 Source—[1947 c 200 § 4; 1937 c 189 § 47; Rem. Supp. 1947 § 6360-47; 1923 c 181 § 4, part; RRS § 6362-8, part.]
- 46.44.020 Source—[1959 c 319 § 26; 1955 c 384 § 1; 1953 c 125 § 1; 1951 c 269 § 20; 1937 c 189 § 48; RRS § 6360-48.]
- 46.44.030 Source—[1959 c 319 § 25; 1957 c 273 § 14; 1951 c 269 § 22. Prior: 1949 c 221 § 1, part; 1947 c 200 § 5, part; 1941 c 116 § 1, part; 1937 c 189 § 49, part; Rem. Supp. 1949 § 6360-49, part.]  
"Director of highways" to "state highway commission".
- 46.44.034 Source—[1957 c 273 § 15; 1951 c 269 § 24. Prior: 1949 c 221 § 1, part; 1947 c 200 § 5, part; 1941 c 116 § 1, part; 1937 c 189 § 49, part; Rem. Supp. 1949 § 6360-49, part.]
- 46.44.036 Source—[1955 c 384 § 2; 1951 c 269 § 23. Prior: 1949 c 221 § 1, part; 1947 c 200 § 5, part; 1941 c 116 § 1, part; 1937 c 189 § 49, part; Rem. Supp. 1949 § 6360-49, part.]  
"section 3 of this act" to "RCW 46.44.037".
- 46.44.037 Source—[1957 c 273 § 16; 1955 c 384 § 3.]
- 46.44.040 Source—[1957 c 273 § 17; 1955 c 384 § 4; 1951 c 269 § 26. Prior: 1949 c 221 § 2, part; 1947 c 200 § 6, part; 1941 c 116 § 2, part; 1937 c 189 § 50, part; Rem. Supp. 1949 § 6360-50, part; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; 1921 c 96 § 20, part; RRS § 6362-8, part.]
- 46.44.042 Source—[1959 c 319 § 27; 1951 c 269 § 27. Prior: 1949 c 221 § 2, part; 1947 c 200 § 6, part; 1941 c 116 § 2, part; 1937 c 189 § 50, part; Rem. Supp. 1949 § 6360-50, part; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; 1921 c 96 § 20, part; RRS § 6362-8, part.]
- 46.44.044 Source—[1953 c 72 § 1; 1951 c 269 § 28. Prior: 1949 c 221 § 2, part; 1947 c 200 § 6, part; 1941 c 116 § 2, part; 1937 c 189 § 50, part; Rem. Supp. 1949 § 6360-50, part; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; 1921 c 96 § 20, part; RRS § 6362-8, part.]
- 46.44.045 Source—[1959 c 136 § 1; 1953 c 254 § 2; 1951 c 269 § 29. Prior: 1949 c 221 § 2, part; 1947 c 200 § 6, part; 1941 c 116 § 2, part; 1937 c 189 § 50, part; Rem. Supp. 1949 § 6360-50, part; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; 1921 c 96 § 20, part; RRS § 6362-8, part.]  
"of this amendatory act of 1959" deleted from subsection (6) as surplusage.
- 46.44.046 Source—[1953 c 254 § 3; 1951 c 269 § 30.]  
"RCW 46.44.040 to 46.44.044, inclusive" to "RCW 46.44.040 through 46.44.044".  
"director of highways" to "state highway commission".
- 46.44.047 Source—[1955 c 384 § 19; 1953 c 254 § 10; 1951 c 269 § 31.]  
"director of highways" to "state highway commission".
- 46.44.049 Source—[1951 c 269 § 47.]  
"director of highways" to "state highway commission".
- 46.44.050 Source—[1941 c 116 § 3; 1937 c 189 § 51; Rem. Supp. 1941 § 6360-51; 1929 c 180 § 3, part; 1927 c 309 § 8, part; 1923 c 181 § 4, part; RRS § 6362-8, part.]
- 46.44.060 Source—[1937 c 189 § 52; RRS § 6360-52; 1929 c 180 § 5, part; 1927 c 309 § 10, part; RRS § 6362-10, part.]
- 46.44.070 Source—[1937 c 189 § 53; RRS § 6360-53; 1929 c 180 § 5, part; 1927 c 309 § 10, part; RRS § 6362-10, part; 1923 c 181 § 4, part.]
- 46.44.080 Source—[1937 c 189 § 54; RRS § 6360-54.]  
"director of highways" to "state highway commission".

- 46.44.090 Source—[1951 c 269 § 34. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.] Explanatory note.
- “director of highways” to “state highway commission”.
- 46.44.091 Source—[1959 c 319 § 28; 1953 c 254 § 12; 1951 c 269 § 35. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.]
- 46.44.092 Source—[1959 c 319 § 29; 1955 c 146 § 2; 1951 c 269 § 36. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.]
- 46.44.093 Source—[1951 c 269 § 37. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.]
- “director of highways” to “highway commission”.
- 46.44.094 Source—[1959 c 319 § 30; 1951 c 269 § 38. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.]
- 46.44.095 Source—[1959 c 319 § 31; 1957 c 273 § 18; 1955 c 185 § 1; 1953 c 254 § 13; 1951 c 269 § 39. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.]
- In first paragraph, “state highway department” to “state highway commission”.
- 46.44.096 Source—[1955 c 185 § 2; 1951 c 269 § 40. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.]
- 46.44.097 Source—[1957 c 273 § 19; 1953 c 254 § 14; 1951 c 269 § 41. Prior: 1949 c 221 § 3, part; 1947 c 200 § 7, part; 1945 c 177 § 1, part; 1937 c 189 § 55, part; Rem. Supp. 1949 § 6360-55, part.]
- 46.44.100 Source—[1937 c 189 § 56; RRS § 6360-56.]
- “act” to “chapter”.
- 46.44.110 Source—[1937 c 189 § 57; RRS § 6360-57.]
- “Director of highways” to “state highway commission”.

#### Chapter 46.47 Bicycles—Operation and Equipment

- 46.47.010 Source—[1951 c 76 § 1.]
- “act” to “chapter”.
- 46.47.020 Source—[1951 c 76 § 2.]
- 46.47.030 Source—[1951 c 76 § 3.]
- 46.47.040 Source—[1951 c 76 § 4.]
- 46.47.050 Source—[1951 c 76 § 5.]
- 46.47.060 Source—[1951 c 76 § 6.]
- 46.47.070 Source—[1951 c 76 § 7.]
- 46.47.080 Source—[1951 c 76 § 8; 1937 c 189 § 20; RRS § 6360-20; 1927 c 309 § 26; RRS § 6362-26.]
- Section formerly cross-reference section to 46.40.070 where 1951 c 76 § 8 was codified.
- “this act” to “chapter 46.37”. This act referred to 1937 c 189, the lighting provisions of which have been superseded by 1955 c 269 codified herein as chapter 46.37.
- 46.47.090 Source—[1951 c 76 § 9.]
- “act” to “chapter” throughout.

#### Chapter 46.48 Safety

- 46.48.010 Source—[1949 c 196 § 6, part; 1947 c 200 § 8, part; 1937 c 189 § 64, part; Rem. Supp. 1949 § 6360-64, part; 1927 c 309 § 3, part; 1923 c 181 § 6, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; 1915 c 142 § 24, part; RRS § 6362-3, part; 1909 c 249 § 279, part; Rem. & Bal. 2531, part.]
- 1949 c 196 § 6 was divided by the 1941 Code Committee into 46.48.010, 46.48.020, 46.48.021, 46.48.022, 46.48.023, 46.48.024, 46-

Explanatory  
note.

- .48.025, 46.48.026 and 46.48.027; such division as subsequently amended is herein retained.
- 46.48.020 Source—[1951 c 28 § 6. For prior law see history note to RCW 46.48.010.]
- 46.48.021 Source—[1951 c 28 § 7. For prior law see history note to RCW 46.48.010.]
- 46.48.022 Source—[1955 c 177 § 1; 1951 c 28 § 8. For prior law see history note to RCW 46.48.010.]
- 46.48.023 Source—[1951 c 28 § 9. For prior law see history note to RCW 46.48.010.]
- 46.48.024 Source—[1955 c 177 § 4; 1951 c 28 § 10. For prior law see history note to RCW 46.48.010.]
- 46.48.025 Source—[1951 c 28 § 11. For prior law see history note to RCW 46.48.010.]
- 46.48.026 Source—[1951 c 28 § 12. For prior law see history note to RCW 46.48.010.]
- 46.48.027 Source—[1951 c 28 § 13. For prior law see history note to RCW 46.48.010.]
- 46.48.030 Source—[1937 c 189 § 65; RRS § 6360-65.]  
“director of highways” to “state highway commission”.  
“primary state highway” to “state highway”.
- 46.48.040 Source—[1951 c 28 § 2. Prior: 1937 c 189 § 66, part; RRS § 6360-66, part; 1927 c 309 § 5, part; 1921 c 96 § 41, part; 1919 c 59 § 13, part; 1917 c 155 § 20, part; 1915 c 142 § 34, part; RRS § 6362-5, part.]
- 46.48.041 Source—[1955 c 177 § 5.]
- 46.48.044 Source—[1951 c 28 § 3. For prior law see history note to RCW 46.48.040.]
- 46.48.046 Source—[1951 c 28 § 4. For prior law see history note to RCW 46.48.040.]
- 46.48.050 Source—[1937 c 189 § 67; RRS § 6360-67; 1921 c 96 § 32; 1915 c 142 § 25; RRS § 6344.]
- 46.48.060 Source—[1937 c 189 § 68; RRS § 6360-68.]
- 46.48.070 Source—[1937 c 189 § 69; RRS § 6360-69.]
- 46.48.080 Source—[1937 c 189 § 70; RRS § 6360-70.]  
“Director of highways” to “state highway commission”.  
“primary state highway” to “state highway”.
- 46.48.090 Source—[1955 c 177 § 2; 1947 c 200 § 9; 1937 c 189 § 71; Rem. Supp. 1947 § 6360-71; 1929 c 180 § 2, part; 1927 c 309 § 4, part; 1923 c 181 § 6, part; RRS § 6362-4, part; 1921 c 96 § 27, part; 1917 c 155 § 16, part; RRS § 6362-3, part.]
- 46.48.100 Source—[1955 c 177 § 3; 1947 c 200 § 10; 1937 c 189 § 72; Rem. Supp. 1947 § 6360-72; 1929 c 180 § 2, part; 1927 c 309 § 4, part; 1923 c 181 § 6, part; RRS § 6362-4, part.]
- 46.48.110 Source—[1947 c 200 § 11; 1937 c 189 § 73; Rem. Supp. 1947 § 6360-73.]  
“This act” to “this title”.
- 46.48.120 Source—[1937 c 189 § 74; RRS § 6360-74; 1927 c 309 § 7; RRS § 6362-7.]
- 46.48.130 Source—[1945 c 151 § 1, part; 1937 c 189 § 45, part; Rem. Supp. 1945 § 6360-45, part.]  
1945 c 151 § 1 was divided and codified in 46.48.130 and 46.48.140; the division is herein retained.  
“the effective date of this act” to “June 6, 1945”.
- 46.48.140 Source—[1945 c 151 § 1, part; 1937 c 189 § 45, part; Rem. Supp. 1945 § 6360-45, part.]  
See 46.48.130 above.
- 46.48.150 Source—[1937 c 189 § 131; RRS § 6360-131.]  
“Director of highways” to “state highway commission”.
- 46.48.160 Source—[1953 c 278 § 1; 1937 c 189 § 130; RRS § 6360-130; 1927 c 309 § 42; RRS § 6362-42.]

- 46.48.170 Source—[1951 c 102 § 1; 1949 c 101 § 1; Rem. Supp. 1949 § 6360-63a.] Explanatory note.
- 46.48.175 Source—[1951 c 102 § 2.]  
"section 1" to "RCW 46.48.170".
- 46.48.180 Source—[1949 c 101 § 2; Rem. Supp. 1949 § 6360-63b.]  
"section 1 of this act" to "RCW 46.48.170".
- 46.48.190 Source—[1949 c 101 § 3; Rem. Supp. 1949 § 6360-63c.]  
"section 1 of this act" to "RCW 46.48.170".
- 46.48.260 Source—[1949 c 196 § 5; 1939 c 35 § 1; 1937 c 189 § 108; Rem. Supp. 1949 § 6360-108.]  
"Director of highways" to "state highway commission".
- 46.48.270 Source—[1937 c 189 § 107; RRS § 6360-107.]  
"Director of highways" to "state highway commission".
- 46.48.280 Source—[1937 c 189 § 109; RRS § 6360-109.]
- 46.48.290 Source—[1937 c 189 § 110; RRS § 6360-110; 1927 c 309 § 47, part; 1927 c 105 § 1, part; 1921 c 96 § 35, part; RRS § 6362-47, part.]
- 46.48.300 Source—[1937 c 189 § 111; RRS § 6360-111. For prior law see history note to RCW 46.48.290.]
- 46.48.310 Source—[1955 c 172 § 1.]
- 46.48.320 Source—[1955 c 172 § 2.]
- 46.48.330 Source—[1955 c 172 § 3.]

## Chapter 46.52 Accidents and Reports

- 46.52.010 Source—[1937 c 189 § 133; RRS § 6360-133; 1927 c 309 § 50, part; RRS § 6362-50, part.]
- 46.52.020 Source—[1937 c 189 § 134; RRS § 6360-134; 1927 c 309 § 50, part; RRS § 6362-50, part.]
- 46.52.030 Source—[1943 c 154 § 1; 1937 c 189 § 135; RRS § 6360-135.]
- 46.52.040 Source—[1937 c 189 § 136; RRS § 6360-136.]
- 46.52.050 Source—[1937 c 189 § 137; RRS § 6360-137.]
- 46.52.060 Source—[1937 c 189 § 138; RRS § 6360-138.]  
"directors of the departments of highways, licenses, public service" to "director of licenses, the highway commission, the public service commission".
- 46.52.070 Source—[1937 c 189 § 139; RRS § 6360-139.]
- 46.52.080 Source—[1937 c 189 § 140; RRS § 6360-140.]
- 46.52.090 Source—[1937 c 189 § 141; RRS § 6360-141.]
- 46.52.100 Source—[1955 c 393 § 2; 1949 c 196 § 15; 1937 c 189 § 142; Rem. Supp. 1949 § 6360-142.]
- 46.52.110 Source—[1937 c 189 § 143; RRS § 6360-143.]
- 46.52.120 Source—[1937 c 189 § 144; RRS § 6360-144.]  
In the fourth sentence "license of [to] any person" changed to "license to any person".

## Chapter 46.56 Driving Delinquencies

- 46.56.010 Source—[1955 c 393 § 3; 1949 c 196 § 4; 1937 c 189 § 119; Rem. Supp. 1949 § 6360-119; 1927 c 309 § 51; RRS § 6362-51.]  
"In any case provided for in this act where a driver's license is to be revoked or suspended" changed to "In any case provided for in this section, RCW 46.20.250 and 46.52.100 where a driver's license is to be revoked or suspended".  
1955 c 393 is a four section act codified in 46.56.010, 46.20.250, 46.52.100 and 46.08.190; section 4 of the act, 46.08.190, having no provision dealing with revoking or suspending a driver's license, is omitted in the reference.
- 46.56.020 Source—[1937 c 189 § 118; RRS § 6360-118; 1927 c 309 § 45; 1923 c 122 § 2; RRS § 6362-45.]
- 46.56.030 Source—[1939 c 154 § 1; RRS § 6360-118 ½.]  
"this act" changed to "this section"; 1939 c 154 is a two section act, the second section being an "emergency" section.
- 46.56.040 Source—[1937 c 189 § 120; RRS § 6360-120.]

**Explanatory  
note.**

- 46.56.050 Source—[1937 c 189 § 113; RRS § 6360-113.]  
 46.56.060 Source—[1937 c 189 § 114; RRS § 6360-114.]  
 46.56.070 Source—[1937 c 189 § 115; RRS § 6360-115.]  
 46.56.080 Source—[1949 c 196 § 10; RRS § 6360-98c.]  
 46.56.090 Source—[1949 c 196 § 3; 1937 c 189 § 116; Rem. Supp. 1949 § 6360-116.]  
 46.56.100 Source—[1937 c 189 § 117; RRS § 6360-117; 1927 c 309 § 49; RRS § 6362-49.]  
 46.56.110 Source—[1937 c 189 § 95; RRS § 6360-95.]  
 46.56.120 Source—[1937 c 189 § 94; RRS § 6360-94.]  
 46.56.130 Source—[1937 c 189 § 96; RRS § 6360-96.]  
 46.56.135 Source—[1947 c 200 § 3, part; 1937 c 189 § 44, part; Rem. Supp. 1947 § 6360-44, part.]  
 Presently codified as RCW 46.36.130 (1st paragraph).  
 46.56.140 Source—[1937 c 189 § 112; RRS § 6360-112.]  
 46.56.150 Source—[1937 c 189 § 122; RRS § 6360-122.]  
 46.56.160 Source—[1937 c 189 § 123; RRS § 6360-123.]  
 46.56.170 Source—[1937 c 189 § 124; RRS § 6360-124.]  
 “this act” to “this title”.  
 46.56.180 Source—[1937 c 189 § 125; RRS § 6360-125; 1927 c 309 § 36; 1921 c 96 § 37; RRS § 6362-36.]  
 46.56.190 Source—[1937 c 189 § 126; RRS § 6360-126; 1927 c 309 § 38; RRS § 6362-38.]  
 46.56.200 Source—[1937 c 189 § 148; RRS § 6360-148.]  
 46.56.210 Source—[1937 c 189 § 149; RRS § 6360-149.]  
 “this act” to “this title”.

**Chapter 46.60 Rules of the Road**

- 46.60.010 Source—[1937 c 189 § 75; RRS § 6360-75; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § 6362-41, part.]  
 46.60.020 Source—[1959 c 44 § 1; 1955 c 146 § 1; 1949 c 196 § 12; Rem. Supp. 1949 § 6360-98e.]  
 46.60.040 Source—[1937 c 189 § 77; RRS § 6360-77; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § 6362-41, part.]  
 46.60.050 Source—[1959 c 42 § 1; 1957 c 96 § 1; 1937 c 189 § 78; RRS § 6360-78; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § 6362-41, part.]  
 46.60.060 Source—[1953 c 31 § 1; 1937 c 189 § 79; RRS § 6360-79; 1927 c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; RRS § 6362-41, part.]  
 46.60.070 Source—[1937 c 189 § 80; RRS § 6360-80.]  
 46.60.080 Source—[1937 c 189 § 81; RRS § 6360-81; 1927 c 309 § 41, part; RRS § 6362-41, part.]  
 “primary state highway” to “state highway”.  
 46.60.090 Source—[1937 c 189 § 82; RRS § 6360-82; 1921 c 96 § 31, part; RRS § 6343, part.]  
 46.60.100 Source—[1937 c 189 § 83; RRS § 6360-83; 1921 c 96 § 31, part; RRS § 6343, part.]  
 46.60.110 Source—[1937 c 189 § 84; RRS § 6360-84; 1927 c 309 § 41, part; 1921 c 96 § 29, part; 1919 c 59 § 11, part; 1915 c 142 § 26, part; RRS § 6362-41, part.]  
 46.60.120 Source—[1953 c 248 § 1; 1949 c 157 § 3; 1947 c 267 § 9; 1937 c 189 § 85; Rem. Supp. 1949 § 6360-85; 1929 c 178 § 1, part; RRS § 6362-15, part; 1927 c 309 § 41, part; 1921 c 96 § 29, part; RRS § 6362-41, part.]  
 46.60.130 Source—[1947 c 200 § 12; 1937 c 189 § 86; Rem. Supp. 1947 § 6360-86.]  
 46.60.140 Source—[1937 c 189 § 87; RRS § 6360-87.]

- 46.60.150 Source—[1955 c 146 § 3; 1937 c 189 § 88; RRS § 6360-88; 1927 Explanatory c 309 § 41, part; 1923 c 181 § 7, part; 1921 c 96 § 28, part; RRS note. § 6362-41, part.]
- 46.60.160 Source—[1937 c 189 § 89; RRS § 6360-89.]
- 46.60.170 Source—[1955 c 146 § 4; 1937 c 189 § 90; RRS § 6360-90.]
- 46.60.180 Source—[1937 c 189 § 91; RRS § 6360-91.]
- 46.60.190 Source—[1937 c 189 § 92; RRS § 6360-92.]
- 46.60.200 Source—[1949 c 196 § 9; Rem. Supp. 1949 § 6360-98b.]
- 46.60.210 Source—[1937 c 189 § 93; RRS § 6360-93.]
- 46.60.220 Source—[1937 c 189 § 97; RRS § 6360-97.]
- 46.60.230 Source—[1959 c 135 § 1; 1951 c 56 § 3; 1949 c 196 § 7; 1947 c 200 § 13; 1937 c 189 § 98; Rem. Supp. 1949 § 6360-98; 1927 c 284 § 2; RRS § 6362-41b.]  
In next to last paragraph: "director of highways" to "state highway commission".
- 46.60.240 Source—[1949 c 196 § 8; Rem. Supp. 1949 § 6360-98a.]
- 46.60.250 Source—[1949 c 196 § 2; 1937 c 189 § 99; Rem. Supp. 1949 § 6360-99.]
- 46.60.260 Source—[1945 c 105 § 1; Rem. Supp. 1945 § 6360-99a.]
- 46.60.270 Source—[1945 c 105 § 2; Rem. Supp. 1945 § 6360-99b.]  
"this act" to "RCW 46.60.260".
- 46.60.280 Source—[1937 c 189 § 100; RRS § 6360-100.]
- 46.60.290 Source—[1937 c 189 § 101; RRS § 6360-101.]
- 46.60.300 Source—[1937 c 189 § 102; RRS § 6360-102.]
- 46.60.310 Source—[1937 c 189 § 103; RRS § 6360-103.]  
"Director of highways" to "state highway commission".
- 46.60.320 Source—[1957 c 96 § 2; 1937 c 189 § 104; RRS § 6360-104.]
- 46.60.330 Source—[1955 c 146 § 5; 1947 c 200 § 14; 1937 c 189 § 105; Rem. Supp. 1947 § 6360-105.]
- 46.60.340 Source—[1937 c 189 § 106; RRS § 6360-106; 1927 c 284 § 1; RRS § 6362-41a.]  
"director of highways" to "state highway commission".  
"primary state highways" to "state highways".
- 46.60.350 Source—[1949 c 196 § 14; Rem. Supp. 1949 § 6360-98g.]  
"Director of highways" to "state highway commission".

## Chapter 46.64 Enforcement

- 46.64.010 Source—[1949 c 196 § 16; 1937 c 189 § 145; Rem. Supp. 1949 § 6360-145.]  
"this article" to "this section".
- 46.64.015 Source—[1951 c 175 § 1.]
- 46.64.020 Source—[1937 c 189 § 146; RRS § 6360-146.]  
"this act" to "this title".
- 46.64.030 Source—[1937 c 189 § 147; RRS § 6360-147.]  
"this act" to "this title".
- 46.64.040 Source—[1959 c 121 § 1; 1957 c 75 § 1; 1937 c 189 § 129; RRS § 6360-129.]
- 46.64.050 Source—[(i) 1937 c 189 § 150; RRS § 6360-150; 1927 c 309 § 53; RRS § 6362-53. (ii) 1937 c 188 § 82; RRS § 6312-82; 1921 c 108 § 16; RRS § 6378.]  
46.64.050 combines identical sections (1937 c 189 § 150 and 1937 c 188 § 82).  
"this act" to "this title".

## Chapter 46.68 Disposition of Revenue

- 46.68.010 Source—[1937 c 188 § 76; RRS § 6312-76.]  
"this act" to "this title".
- 46.68.020 Source—[1955 c 259 § 3; 1947 c 164 § 7; 1937 c 188 § 11; Rem. Supp. 1947 § 6312-11.]
- 46.68.030 Source—[1957 c 105 § 2; 1955 c 259 § 4; 1947 c 164 § 15; 1937 c 188 § 40; Rem. Supp. 1947 § 6312-40.]
- 46.68.040 Source—[1959 c 81 § 1; 1957 c 294 § 2; 1955 c 259 § 5; 1949 c 52



Explanatory  
note.

- § 2; 1947 c 164 § 19; 1939 c 213 § 1; 1937 c 188 § 71; Rem. Supp. 1949 § 6312-71.]
- 46.68.050 Source—[(1) 1949 c 75 § 4; 1937 c 189 § 151; Rem. Supp. 1949 § 6360-151. (ii) 1949 c 75 § 3; 1937 c 188 § 83; Rem. Supp. 1949 § 6312-83; 1927 c 309 § 54; RRS § 6362-54.]  
46.68.050 combined identical sections (1949 c 75 § 3 and 1949 c 75 § 4).  
“this act” to “this title”.
- 46.68.060 Source—[1957 c 104 § 1; 1937 c 188 § 81; RRS § 6312-81; 1921 c 108 § 13; RRS § 6375.]
- 46.68.070 Source—[(i) 1935 c 111 § 1, part; 1933 c 41 § 4, part; RRS § 6600, part; 1929 c 163 § 1; 1925 ex.s. c 185 § 1; 1923 c 181 § 3; 1921 c 96 § 18; 1919 c 46 § 3; 1917 c 155 § 13; 1915 c 142 § 18; RRS § 6330. (ii) 1939 c 181 § 1; RRS § 6600-1; 1937 c 208 §§ 1, 2, part.]  
This section adopts the RCW text which is substantially the language of 1939 c 181 § 1, minus the session law reference to the “General Obligation Bonds of 1933 Retirement Fund” which bonds were retired several years ago.
- 46.68.080 Source—[1939 c 181 § 9; RRS § 6450-54a.]
- 46.68.090 Source—[1943 c 115 § 3; 1939 c 181 § 2; Rem. Supp. 1943 § 6600-1d; 1937 c 208 §§ 2, part, 3, part.]  
“this act” to “this chapter”. Reference is to “net tax amount”, construed in this chapter. Two sections of 1939 c 181 codified outside 46.48 as 36.75.030 and 47.24.040 do not appear essential to this translation to “chapter”.
- 46.68.100 Source—[1959 1st ex.s. c 4 § 1; 1957 c 271 § 3; 1957 c 175 § 10; 1943 c 83 § 1; 1939 c 181 § 3; Rem. Supp. 1943 § 6600-1e; 1937 c 208 §§ 2, part, 3, part.]  
Note that chapter 271, Laws of 1957, being one of the acts in the legislative history of this section, is mentioned in RCW 47.65.110 as expiring on June 30, 1961.
- 46.68.110 Source—[1957 c 175 § 11; 1949 c 143 § 1; 1943 c 83 § 2; 1941 c 232 § 1; 1939 c 181 § 4; Rem. Supp. 1949 § 6600-3a; 1937 c 208 § 2, part, 3, part.]  
“subdivision (1) of RCW 46.68.100” changed to “subdivision (2) of RCW 46.68.100”; 46.68.100 was amended in 1959 (1st ex.s. c 4 § 1) and a new subsection was added thereto, and as a result former subsections (1) and (2) were made (2) and (3) respectively.  
“board” changed to “state census board”; this section ends with “on the basis of the population last determined by the board.” Said “board” is not otherwise identified. The original session law basis of this section, 1939 c 181 § 4, subsection (b) distributed to incorporated cities and towns on the basis of the official United States census of 1930, cities incorporating subsequent thereto, on the basis of population on date of incorporation shown on the certificate of the incorporating officials. The 1941 amendment used similar language; the 1949 amendment changed it to read “as determined by the next preceding official United States census.” 1947 c 51 created a state census board. 1951 c 51 § 2, as amended, [RCW 43.62.010] was amended in 1957 c 175 wherein this section, 46.68.110 was also amended. The purpose of that act was to amend those RCW sections with population estimates forming a basis of computation to insure such population estimates were that of the state census board. It is in this 1957 amendment of 46.68.110 the use of “board” first appears.  
“director of highways” to “state highway commission”.
- 46.68.120 Source—[1957 c 109 § 1; 1955 c 243 § 1; 1949 c 143 § 2; 1945 c 260 § 1; 1943 c 83 § 3; 1939 c 181 § 5; Rem. Supp. 1949 § 6600-2a.]  
In subsection (f) (3): “paragraph 9, chapter 181, Laws of 1939; RCW 46.68.080” to “RCW 46.68.080”.

- 46.68.130 Source—[1957 c 271 § 4; 1957 c 105 § 3; 1941 c 246 § 1; 1939 c 181 § 6; Rem. Supp. 1941 § 6600-2b.] Explanatory note.

Note that chapter 271, Laws of 1957, being one of the acts in the legislative history of this section, is mentioned in RCW 47.65.110 as expiring on June 30, 1961.

RCW 46.68.130 was twice amended by the 1957 legislature. 1957 c 105 § 3 amended it to harmonize with the operations of the state patrol highway account created by that act. 1957 c 271 § 4 amended it by adding the words "and section 3 of this amendatory act" in order to insure the adoption by reference of the correlative amendment of RCW 46.68.100, which amendment added to the existing allocations from the net tax amount of the motor vehicle fund, a new one-half of one percent allocation to the Puget Sound stabilization fund.

The inclusion in this reenactment of the amendment wrought by 1957 c 271 § 4 appears to be unnecessary since RCW 46.68.100 is already referred to in the instant section, RCW 46.68.130, and upon reenactment the reference to RCW 46.68.100 will carry with it the 1957 amendment thereto.

It is therefore necessary herein only to reenact RCW 46.68.130 as amended by 1957 c 105 § 3.

This construction is also in accord with the rule of construction of RCW 1.12.025 which provides that:

"If at any session of the legislature there are enacted two or more acts amending the same section of the session laws or of the official code, each act shall be given effect to the extent that the amendments do not conflict in purpose, otherwise the act last filed in the office of the secretary of state in point of time, shall control."

- 46.68.140 Source—[1957 c 105 § 4.]

#### Chapter 46.70 Dealer's Licenses

- 46.70.010 Source—[1959 c 166 § 15; 1951 c 150 § 2.]  
 46.70.020 Source—[1951 c 150 § 3.]  
 46.70.030 Source—[1951 c 150 § 4.]  
 46.70.040 Source—[1959 c 166 § 16; 1951 c 150 § 5.]  
 46.70.050 Source—[1959 c 166 § 17; 1951 c 150 § 6.]  
 46.70.060 Source—[1959 c 166 § 18; 1951 c 150 § 7.]  
 46.70.070 Source—[1959 c 166 § 19; 1951 c 150 § 8.]  
 46.70.080 Source—[1951 c 150 § 9.]  
 46.70.090 Source—[1955 c 283 § 1; 1951 c 150 § 10.]  
 46.70.100 Source—[1959 c 166 § 20; 1957 c 273 § 20; 1951 c 150 § 13.]  
 46.70.110 Source—[1951 c 150 § 14.]  
 "this act" to "this chapter".  
 46.70.120 Source—[1951 c 150 § 15.]  
 46.70.130 Source—[1951 c 150 § 16.]  
 46.70.140 Source—[1951 c 150 § 11.]  
 46.70.150 Source—[1951 c 150 § 12.]  
 46.70.160 Source—[1959 c 166 § 21.]

#### Chapter 46.72 Passenger Transportation for Hire

This chapter is presently codified as chapter 81.72 RCW. In view of the fact that its provisions are administered by the director of licenses rather than the public service commission, and the incidents of regulation are more akin to those of Title 46 than of Title 81, it is here presented for enactment as part of Title 46 and is omitted from the bill for the reenactment of Title 81.

- 46.72.010 Source—[1947 c 253 § 1; Rem. Supp. 1947 § 6386-1.]

Formerly 81.72.010.

"this act" to "this chapter". 1947 c 253 is basic act; 1951 c 219 as amended by 1953 c 12 was added thereto; all in this chapter. "stages, victory vehicles, or school busses" changed to "stages

Explanatory  
note.

- or school buses". "Victory vehicles" were authorized by 1943 c 281 which expired April 1, 1947. See 1945 c 86 § 1, which amended 1943 c 281 § 16.
- 46.72.020 Source—[1947 c 253 § 2; Rem. Supp. 1947 § 6386-2. Prior: 1915 c 57 § 1; RRS § 6382.]  
Formerly 81.72.020.
- 46.72.030 Source—[1947 c 253 § 3; Rem. Supp. 1947 § 6386-3. Prior: 1933 c 73 § 1, part; 1915 c 57 § 2, part; RRS § 6383, part.]  
Formerly 81.72.030.
- 46.72.040 Source—[1947 c 253 § 4; Rem. Supp. 1947 § 6386-4. Prior: 1933 c 73 § 1, part; 1915 c 57 § 2, part; RRS § 6383, part.]  
Formerly 81.72.040.  
"act" to "chapter".
- 46.72.050 Source—[1947 c 253 § 5; Rem. Supp. 1947 § 6386-5.]  
Formerly 81.72.050.  
"this act" to "this chapter".
- 46.72.060 Source—[1947 c 253 § 6; Rem. Supp. 1947 § 6386-6. Prior: 1929 c 27 § 1; 1927 c 161 § 1; 1915 c 57 § 3; RRS § 6384.]  
Formerly 81.72.060.  
"this act" to "this chapter".
- 46.72.070 Source—[1947 c 253 § 7; Rem. Supp. 1947 § 6386-7.]  
Formerly 81.72.070.
- 46.72.080 Source—[1947 c 253 § 8; Rem. Supp. 1947 § 6386-8.]  
Formerly 81.72.080.
- 46.72.100 Source—[1947 c 253 § 9; Rem. Supp. 1947 § 6386-9. Prior: 1915 c 57 § 4; RRS § 6385.]  
Formerly 81.72.100.  
"this act" to "this chapter".
- 46.72.110 Source—[1947 c 253 § 10; Rem. Supp. 1947 § 6386-10.]  
Formerly 81.72.110.  
"this act" to "this chapter".
- 46.72.120 Source—[1947 c 253 § 11; Rem. Supp. 1947 § 6386-11.]  
Formerly 81.72.120.  
"this act" to "this chapter".
- 46.72.130 Source—[1953 c 12 § 1; 1951 c 219 § 1.]  
Formerly 81.72.130.
- 46.72.140 Source—[1951 c 219 § 2.]  
Formerly 81.72.140.
- 46.72.150 Source—[1951 c 219 § 3.]  
Formerly 81.72.150.  
"this act" to "RCW 46.72.130 and 46.72.140".

#### Chapter 46.76 Motor Vehicle Transporters

- 46.76.010 Source—[1957 c 107 § 1; 1953 c 155 § 1; 1947 c 97 § 1; Rem. Supp. 1947 § 6382-75.]
- 46.76.020 Source—[1947 c 97 § 2; Rem. Supp. 1947 § 6382-76.]
- 46.76.030 Source—[1947 c 97 § 3; Rem. Supp. 1947 § 6382-77.]
- 46.76.040 Source—[1957 c 107 § 2; 1947 c 97 § 4; Rem. Supp. 1947 § 6382-78.]
- 46.76.050 Source—[1947 c 97 § 5; Rem. Supp. 1947 § 6382-79.]
- 46.76.060 Source—[1957 c 107 § 3; 1947 c 97 § 6; Rem. Supp. 1947 § 6382-80.]
- 46.76.070 Source—[1947 c 97 § 7; Rem. Supp. 1947 § 6382-81.]  
"of the act" to "of this chapter"; chapter 46.76 consists only of 1947 c 97, as amended, in its entirety.
- 46.76.080 Source—[1947 c 97 § 8; Rem. Supp. 1947 § 6382-82.]  
"this act" to "this chapter".

#### Chapter 46.80 Motor Vehicle Wreckers

- 46.80.010 Source—[1947 c 262 § 1; Rem. Supp. 1947 § 8326-40.]  
"act" to "chapter" throughout. 1947 c 262, as amended, is codified in its entirety in 46.80, which contains no other session law sections.
- 46.80.020 Source—[1947 c 262 § 2; Rem. Supp. 1947 § 8326-41.]

- 46.80.030 Source—[1947 c 262 § 3; Rem. Supp. 1947 § 8326-42.]
- 46.80.040 Source—[1947 c 262 § 4; Rem. Supp. 1947 § 8326-43.]
- 46.80.050 Source—[1947 c 262 § 5; Rem. Supp. 1947 § 8326-44.]  
"act" to "chapter".
- 46.80.060 Source—[1957 c 273 § 21; 1947 c 262 § 6; Rem. Supp. 1947 § 8326-45.]
- 46.80.070 Source—[1947 c 262 § 7; Rem. Supp. 1947 § 8326-46.]  
"act" to "chapter".
- 46.80.080 Source—[1947 c 262 § 8; Rem. Supp. 1947 § 8326-47.]
- 46.80.090 Source—[1947 c 262 § 9; Rem. Supp. 1947 § 8326-48.]
- 46.80.100 Source—[1947 c 262 § 10; Rem. Supp. 1947 § 8326-49.]  
"the act" to "this chapter".
- 46.80.110 Source—[1947 c 262 § 11; Rem. Supp. 1947 § 8326-50.]  
"Committed" added as first word of subsections (c) and (d) and new paragraph made in (d); see copy.
- 46.80.120 Source—[1947 c 262 § 12; Rem. Supp. 1947 § 8326-51.]  
"act" to "chapter".
- 46.80.130 Source—[1947 c 262 § 13; Rem. Supp. 1947 § 8326-52.]
- 46.80.140 Source—[1947 c 262 § 14; Rem. Supp. 1947 § 8326-53.]  
"act" to "chapter".
- 46.80.150 Source—[1947 c 262 § 15; Rem. Supp. 1947 § 8326-54.]  
"act" to "chapter".
- 46.80.160 Source—[1947 c 262 § 16; Rem. Supp. 1947 § 8326-55.]  
"act" to "chapter".

Explanatory  
note.

#### Chapter 46.82 Drivers' Training Schools

- 46.82.010 Source—[1957 c 87 § 1.]  
"act" changed to "chapter". 1957 c 87 is codified in its entirety 46.82, which contains no other session law sections.
- 46.82.020 Source—[1957 c 87 § 2.]
- 46.82.030 Source—[1957 c 87 § 3.]  
"section 2 of this act" to "RCW 46.82.020".
- 46.82.040 Source—[1957 c 87 § 4.]
- 46.82.050 Source—[1957 c 87 § 5.]  
"act" to "chapter".
- 46.82.060 Source—[1957 c 87 § 6.]  
"act" to "chapter".
- 46.82.070 Source—[1957 c 87 § 7.]
- 46.82.080 Source—[1957 c 87 § 8.]  
"act" to "chapter".
- 46.82.090 Source—[1957 c 87 § 9.]  
"act" to "chapter".
- 46.82.100 Source—[1957 c 87 § 10.]
- 46.82.110 Source—[1957 c 87 § 11.]
- 46.82.120 Source—[1957 c 87 § 12.]  
"section 15 [Sec. 14] of this act" changed to "RCW 46.82.140".
- 46.82.130 Source—[1957 c 87 § 13.]
- 46.82.140 Source—[1957 c 87 § 14.]
- 46.82.150 Source—[1957 c 87 § 15.]  
"act" to "chapter".
- 46.82.160 Source—[1957 c 87 § 16.]  
"this chapter goes into effect" to "June 13, 1957".  
"act" to "chapter".
- 46.82.170 Source—[1957 c 87 § 17.]
- 46.82.180 Source—[1957 c 87 § 18.]
- 46.82.190 Source—[1957 c 87 § 19.]
- 46.82.200 Source—[1957 c 87 § 20.]
- 46.82.210 Source—[1957 c 87 § 21.]
- 46.82.220 Source—[1957 c 87 § 22.]
- 46.82.230 Source—[1957 c 87 § 23.]  
"section 7 of this act" to "RCW 46.82.070".
- 46.82.240 Source—[1957 c 87 § 24.]  
"act" to "chapter".

Explanatory  
note.

- 46.82.250 Source—[1957 c 87 § 25.]  
“act” to “chapter”.  
46.82.260 Source—[1957 c 87 § 26.]  
“this shall not” to “This chapter shall not”; word chapter  
added for clarification, the intention being evidenced by last  
sentence in section.  
“act” to “chapter”.  
46.82.270 Source—[1957 c 87 § 27.]

## Chapter 46.83 Traffic Schools

- 46.83.010 Source—[1959 c 182 § 1.]  
“act” to “chapter”. 1959 c 182 is codified in its entirety in  
46.83, which contains no other session law sections.  
46.83.020 Source—[1959 c 182 § 2.]  
“act” to “chapter”.  
46.83.030 Source—[1959 c 182 § 3.]  
46.83.040 Source—[1959 c 182 § 4.]  
46.83.050 Source—[1959 c 182 § 5.]  
46.83.060 Source—[1959 c 182 § 6.]  
“act” to “chapter”.

## Chapter 46.84 Highway User Tax Structure

- 46.84.010 Source—[1955 c 381 § 1.]  
46.84.020 Source—[1957 c 273 § 22; 1955 c 381 § 2.]  
46.84.030 Source—[1955 c 381 § 3.]  
46.84.040 Source—[1955 c 381 § 4.]  
“act” to “chapter”. 1955 c 381, as amended, is codified in its  
entirety in 46.84, which contains no other session law sections.  
46.84.050 Source—[1957 c 273 § 23; 1955 c 381 § 5.]  
46.84.060 Source—[1955 c 381 § 6.]  
46.84.070 Source—[1955 c 381 § 7.]  
46.84.080 Source—[1955 c 381 § 8.]  
46.84.090 Source—[1955 c 381 § 9.]  
46.84.100 Source—[1955 c 381 § 10.]  
“act” to “chapter”.

## Chapter 46.98 Construction

- 46.98.010 This section has been added to preserve continuity with the  
laws which this bill reenacts.  
46.98.020 See Part I of these notes.  
46.98.030 Provides that chapter, etc., headings are not part of law.  
46.98.040 Severability.  
46.98.050 Repeals and saving.  
The laws set forth in the schedule of repeals were either re-  
pealed previously or are substantially reenacted by this bill.  
Omitted from reenactment without comment are certain emer-  
gency and effective date sections, obsolete appropriations and  
other obsolete or temporary sections heretofore uncoded.  
A list of said sections is permanently filed in the reviser's  
office. Rights acquired under the repealed acts are preserved  
by the last paragraph of this section.  
46.98.060 Emergency clause.