

On and after the effective date of the rules and regulations establishing the standard contract format, the director or the supervisor of the appropriate division of the department of agriculture shall approve contracts for the sale or consignment of agricultural products by persons licensed as commission merchants pursuant to this chapter to insure that such contracts are in the form and style required by the department's rules and regulations.

Passed the Senate February 9, 1974.
Passed the House February 7, 1974.
Approved by the Governor February 16, 1974.
Filed in Office of Secretary of State February 16, 1974.

CHAPTER 103

[Substitute Senate Bill No. 3106]

MOTOR VEHICLE SPEED LIMITS

AN ACT Relating to the regulation of speeds of motor vehicles; amending section 2, chapter 16, Laws of 1963 as last amended by section 2, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.405; amending section 3, chapter 16, Laws of 1963 as last amended by section 1, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.410; amending section 4, chapter 16, Laws of 1963 and RCW 46.61.415; amending section 46.48.041, chapter 12, Laws of 1961 and RCW 46.61.430; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 2, chapter 16, Laws of 1963 as last amended by section 2, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.405 are each amended to read as follows:

Whenever the state highway commission shall determine upon the basis of an engineering and traffic investigation that any maximum speed hereinbefore set forth is greater than is reasonable or safe with respect to a state highway under the conditions found to exist at any intersection or upon any other part of the state highway system or at state ferry terminals, or that a general reduction of any maximum speed hereinbefore set forth would aid in the conservation of energy resources, said commission may determine and declare a lower ((reasonable and safe)) maximum limit ((thereat)) for any state highway, the entire state highway system, or any portion thereof, which shall be effective when appropriate signs giving notice thereof are erected. The commission may also fix and regulate the speed of vehicles on any state highway within the maximum speed limit allowed by this chapter for special occasions including, but not limited to, local parades and other special events. Any such

((a)) maximum speed limit may be declared to be effective at all times or at such times as are indicated upon the said signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective (a) when posted upon appropriate fixed or variable signs or (b) if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of RCW 46.61.410.

Sec. 2. Section 3, chapter 16, Laws of 1963 as last amended by section 1, chapter 100, Laws of 1970 ex. sess. and RCW 46.61.410 are each amended to read as follows:

(1) Subject to subsection (2) below the state highway commission may increase the maximum speed limit on any highway or portion thereof to not more than seventy miles per hour in accordance with the design speed thereof (taking into account all safety elements included therein), or whenever said commission determines upon the basis of an engineering and traffic investigation that such greater speed is reasonable and safe under the circumstances existing on such part of the highway. The greater maximum limit so determined shall be effective, when appropriate signs giving notice thereof are erected, or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon said signs or in the case of auto stages, as indicated in said written notice; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs or if a maximum limit is established for auto stages which is lower than the limit for automobiles, the auto stage speed limit shall become effective thirty days after written notice thereof is mailed in the manner provided in subsection (4) of this section.

(2) The maximum speed limit for vehicles over ten thousand pounds gross weight and vehicles in combination except auto stages shall not exceed sixty miles per hour and may be established at a lower limit by the state highway commission as provided in RCW 46.61.405.

(3) The word "trucks" used by the state highway commission on signs giving notice of maximum speed limits shall mean vehicles over

ten thousand pounds gross weight and all vehicles in combination except auto stages.

(4) Whenever the state highway commission shall establish maximum speed limits for auto stages lower than the maximum limits for automobiles, the secretary of the state highway commission shall mail notice thereof to each auto transportation company holding a certificate of public convenience and necessity issued by the Washington utilities and transportation commission. The notice shall be mailed to the chief place of business within the state of Washington of each auto transportation company or if none then its chief place of business without the state of Washington.

Sec. 3. Section 4, chapter 16, Laws of 1963 and RCW 46.61.415 are each amended to read as follows:

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under this act is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

(a) Decreases the limit at intersections; or

(b) Increases the limit but not to more than sixty miles per hour; or

(c) Decreases the limit but not to less than twenty miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed sixty miles per hour.

(3) The state highway commission is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements which are a prescribed condition for the allocation of federal funds to the state.

(4) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

((4)) (5) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the state highway commission.

Sec. 4. Section 46.48.041, chapter 12, Laws of 1961 and RCW 46.61.430 are each amended to read as follows:

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).

NEW SECTION. Sec. 5. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 9, 1974.
Passed the House February 5, 1974.
Approved by the Governor February 16, 1974.
Filed in Office of Secretary of State February 16, 1974.

CHAPTER 104

[Engrossed Senate Bill No. 3116]

COMMERCIAL HERRING FISHING

AN ACT Relating to commercial herring fishing; adding a new section to chapter 75.28 RCW; amending section 4, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.420; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 4, chapter 173, Laws of 1973 1st ex. sess. and RCW 75.28.420 are each amended to read as follows:

For the 1973 season and subsequent seasons, the department shall limit the number of licenses validated under RCW 75.28.410 to those individuals who held valid commercial fishing licenses and can