

11.26.010 VEHICLES AND TRAFFIC

11.26.140 Service parking—Meter space occupied.

No person shall place the service hood over any meter when the space is occupied by another vehicle.
(Ord. 108200 § 2(11.26.140), 1979.)

11.26.160 Service parking—Hooded meter unoccupied.

No person shall allow the service hood to remain in place for over one (1) hour when the space is not occupied by an authorized vehicle. The building service parking permittee shall, before vacating the space at the conclusion of the work, remove the service hood.
(Ord. 112550 § 6, 1985; Ord. 108200 § 2(11.26.160), 1979.)

11.26.180 Service parking—Duration.

The building service parking privilege shall not be valid for use on any single-service operation requiring more than two (2) days of on-street parking unless the permittee has obtained the approval of the Traffic Engineer for a period of time in excess of two (2) days.
(Ord. 112550 § 7, 1985; Ord. 108200 § 2(11.26.180), 1979.)

11.26.200 Service parking—Prohibited.

The service hood shall not be displayed during hours when parking or stopping in the parking space is prohibited unless a validation for such display and parking has been obtained from the Traffic Engineer and indicated on such permit.
(Ord. 108200 § 2(11.26.200), 1979.)

11.26.220 Service parking—Passenger vehicle.

No passenger type vehicle shall be parked on the authority of the service permit or at a meter covered by a service hood: Provided, that station wagons displaying the firm name in letters not less than two inches (2") high and bearing truck license plates may be accorded this privilege.
(Ord. 108200 § 2(11.26.220), 1979.)

11.26.240 Service parking—Permit revocation.

The Traffic Engineer may revoke any permit if the service hood is used for any purpose other than that authorized or for any violation of this chapter. Upon revocation, the service hood, if it is used pursuant to a building service parking permit, shall be returned to the Traffic Engineer,

or, if it is used pursuant to an on-street service parking permit, shall be removed by the Traffic Engineer, and all fees paid shall be forfeited.
(Ord. 112550 § 8, 1985; Ord. 108200 § 2(11.26.240), 1979.)

11.26.260 Service parking permit—Fee—Time period.

A. The fee for the building service parking permit shall be as follows:

The fee for the building service parking permit shall be Six Hundred Dollars (\$600.00) per permit per year or Fifty Dollars (\$50.00) per permit per month, or portion thereof for periods less than one (1) year. This fee includes the use of a parking meter hood, padlock and key which shall remain the property of the City. In case hoods, padlocks or keys become lost or destroyed or so defaced that they are no longer usable, the permittee shall reimburse the City Twenty Dollars (\$20.00) for issuance of a new hood and shall reimburse the City Eight Dollars (\$8.00) for each new padlock and Two Dollars (\$2.00) for each new key.

B. Building service parking permits issued under this chapter shall, unless revoked, be valid for a twelve (12) month period from July 1st to the following June 30th, or for any portion of the twelve (12) month period from the date of issuance to the date of expiration which shall be no later than the following June 30th.

C. The fee for the on-street service parking permit shall be Eight Dollars and Fifteen Cents (\$8.15) for installation and removal, plus Three Dollars and Sixty Cents (\$3.60) per day, or part thereof, for usage of each hood. Those nonprofit, tax-exempt organizations currently recognized by the United States of America as exempt from federal taxation pursuant to Section 501(c)(1) or (3) of the Internal Revenue Code of 1954, 26 U.S.C., Section 501, as now or hereafter amended, deemed by the Traffic Engineer to have a need to occupy street space while performing an on-street service function, shall be exempt from fee payment for on-street service parking permits. Also exempt from fee payment are the Seattle Engineering Department street and traffic maintenance crews.

(Ord. 114251 § 4, 1988; Ord. 112550 § 9, 1985; Ord. 110363 § 3, 1981; Ord. 108200 § 2(11.26.260), 1979.)

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11.26.280 Service parking—Violation.

The use of a building service parking permit shall be in conformance with the rules and regulations promulgated by the Traffic Engineer. It shall be unlawful for a holder of a valid building service parking permit to use a service hood in a manner contrary to the rules and regulations. (Ord. 112550 § 10, 1985; Ord. 110363 § 4, 1981; Ord. 108200 § 2(11.26.280), 1979.)

11.26.290 On-street service parking—Meter space occupied.

If spaces are occupied when service hoods are installed, a notice shall be left on the service hood indicating the time that the meter would normally have expired so that a parking ticket will not be issued to vehicles that parked legally. (Ord. 112550 § 11, 1985.)

Chapter 11.27 COLLISION REPORTS

Sections:**11.27.020 Collision reports.****11.27.040 Report when operator disabled.****11.27.060 Reports confidential.****11.27.100 Removal of glass and/or debris from roadway.****11.27.020 Collision reports.**

The operator of any vehicle involved in a collision resulting in injury to or death of any person or damage to the property of any one (1) person to an apparent extent of Three Hundred Dollars (\$300.00) or more, shall, within twenty-four (24) hours after such collision make a written report of such collision to the Chief of Police on forms furnished by him; the original of such report to be immediately forwarded by the Chief of Police to the Chief of the Washington State Patrol at Olympia, Washington, and the second copy of such report to be forwarded to the Department of Licensing at Olympia, Washington. The Chief of Police may require any operator of any vehicle involved in a collision, of which report must be made as provided in this section, to file supplemental reports whenever the original report in his opinion is insufficient and may likewise require witnesses of any such collision to render reports. (RCW 46.52.030) (Ord. 108200 § 2(11.27.020), 1979.)

11.27.040 Report when operator disabled.

Whenever the operator of the vehicle involved in any collision, concerning which a collision report is required, is physically incapable of making the required collision report and there is another occupant other than a passenger for hire therein, in the vehicle at the time of the collision 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. (Ord. 108200 § 2(11.27.040), 1979.)

11.27.060 Reports confidential.

All required collision reports and supplemental reports and copies thereof shall be without prejudice to the individuals so reporting and shall be for the confidential use of the Chief of Police, City Attorney, or other peace and enforcement officer as provided in this chapter and in RCW 46.52.080, except that any such officer shall disclose the names and addresses of persons reported as involved in a collision or as witnesses thereto, the vehicle license plate numbers and descriptions of vehicles involved and the date, time and location of a collision to any person who may have a proper interest therein, including the operator or operators involved, or the legal guardian thereof, the parent of a minor operator, any person injured therein, the owner of vehicles or property damaged thereby, or any authorized representative of such an interested party or the attorney or insurer thereof. No such collision report or copy thereof shall be used as evidence in any trial, civil or criminal, arising out of a collision, except that any officer above-named for receiving collision 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 collision report has or has not been made to the Chief of Police or 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: Provided, that the reports may be used as evidence when necessary to prosecute charges filed in connection with a violation of Section 11.10.160. (RCW 46.52.080)

(Ord. 108200 § 2(11.27.060), 1979.)

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11.27.100 Removal of glass and/or debris from roadway.

When there has been any collision or any wrecked or damaged vehicle is removed from the street or alley, any glass, debris or other injurious substance dropped from such vehicle shall be removed from the street or alley by the operators involved unless they be incapacitated or, unless one (1) or more of the vehicles involved is ordered removed by impound or private tow under which condition removal of any glass, debris or other injurious substance shall be made by the operator of the tow truck. The operator of the vehicle shall pay all costs for such removal. If the operator fails or is unable to remove such glass, debris or other injurious substance, the City may remove such substance and the operator of the vehicle shall reimburse the City for all costs of such removal. (RCW 46.61.645(3)) (Ord. 108200 § 2(11.27.100), 1979.)

**Chapter 11.28
ABUSE OF PRIVILEGES**

Sections:

11.28.010 Abuse of privileges in restricted parking zones.

11.28.020 Abuse of commercial loading permits.

11.28.010 Abuse of privileges in restricted parking zones.

A. No person shall, for any valuable consideration, offer or agree to authorize or permit another person to park a vehicle in any restricted parking zone. No person shall for any valuable consideration transfer or authorize the use of any permit or other identification issued by the City authorizing a vehicle to park in any restricted parking zone.

B. Any person to whom a permit or other authorization is granted to park in a restricted parking zone shall be strictly liable for compliance with its terms and conditions and complying with this subtitle. Any such permit or other authorization issued shall be revoked if any person to whom such permit is issued or authorization granted shall:

1. Offer or agree to authorize or permit another person to park a vehicle in any restricted parking zone for any monetary consideration;

2. Transfer for money the use of any permit or other identification issued by the City authorizing a vehicle to park in any restricted parking zone;

3. Allow another person under his control to do either 1 or 2; or

4. Allow a permit or other authorization issued to him to be so used.

C. No new permit may be issued or other authorization granted to such person for a period of one (1) year.

(Ord. 108354 § 7, 1979; Ord. 108200 § 2(11.28.010), 1979.)

11.28.020 Abuse of commercial loading permits.

A. No person shall for any valuable consideration transfer or authorize the use of a commercial loading permit or other identification issued by the City.

B. Any person or entity that is issued a commercial loading permit or authorization shall be strictly liable for compliance with its terms and conditions and complying with this subtitle. Any such permit or authorization issued shall be revoked if any person or entity to whom such permit is issued or authorization is granted shall:

1. Offer or agree to authorize or permit another person or entity to stand a vehicle in a commercial load zone or elsewhere for any monetary consideration;

2. Transfer for money the use of any permit or other identification issued by the City authorizing a vehicle to stand in a commercial load zone or elsewhere;

3. Allow another person or entity under his control to do as set out in either B1 or B2 of this subsection; or

4. Allow a permit or other authorization issued to him to be so used.

C. A new permit shall not be issued or other authorization granted to such person or entity for a period of one (1) year.

(Ord. 114518 § 3, 1989; Ord. 114251 § 8, 1988.)

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Part 3
ENFORCEMENT

Chapter 11.30
IMPOUNDING

Sections:

- 11.30.010 Impoundment defined.
- 11.30.020 Vehicle defined.
- 11.30.030 Applicable State law adopted by reference.
- 11.30.040 When a vehicle may be impounded without prior notice.
- 11.30.060 When a vehicle may be impounded after notice.
- 11.30.080 How impoundment is to be effected.
- 11.30.100 Owner of impounded vehicle to be notified.
- 11.30.120 Redemption of impounded vehicles.
- 11.30.160 Post-impoundment hearing procedure.
- 11.30.180 Responsibility for fees as to standby time or vehicles held for investigatory purposes.
- 11.30.200 Abandoned vehicles.
- 11.30.220 Contract for towing and storage.
- 11.30.240 Contract for towing and storage—Financial responsibility.
- 11.30.260 Contract for towing and storage—Notice to owners of impounded vehicles.
- 11.30.280 Contractor to file monthly claim for services.
- 11.30.290 Contract for towing and storage—Impound fee.
- 11.30.300 Record of impounded vehicles.
- 11.30.320 Rules and regulations.
- 11.30.360 Violations constituting abandoning—Evidence—Penalty.

11.30.010 Impoundment defined.

“Impoundment” means removal of a vehicle to a storage facility either by an officer or authorized agent of the Seattle Police Department or by a contractor for towing and storage in response to a request from an officer or authorized agent of the

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Seattle Police Department or the Seattle Housing Authority.

(Ord. 117306 § 1, 1994; Ord. 108200 § 2(11.30.010), 1979.)

11.30.020 Vehicle defined.

The term “vehicle” as used in this chapter shall have the definition set forth in Section 11.14.710 and, in addition, shall include any vehicle hulk as the same is defined in Section 11.14.045.

(Ord. 108200 § 2(11.30.020), 1979.)

11.30.030 Applicable State law adopted by reference.

Applicable provisions of Chapter 46.55 RCW, as now or hereafter amended, are hereby incorporated into Seattle Municipal Code Chapter 11.30 by this reference.

(Ord. 117306 § 2, 1994.)

11.30.040 When a vehicle may be impounded without prior notice.

A. A vehicle may be impounded with or without citation and without giving prior notice to its owner as required in Section 11.30.060 hereof only under the following circumstances:

1. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic; or

2. When the vehicle is illegally occupying a truck, commercial load zone, bus, loading, hooded-meter, taxi, or other similar zone where, by order of the Director of Engineering or Chiefs of Police or Fire, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, and where such vehicle is interfering with the proper and intended use of such zones; or

3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW, as now or hereafter amended, is parked in a stall or space clearly and conspicuously marked as provided in Section 11.72.065 A, as now or hereafter amended, whether the space is provided on private property without charge or on public property; or

4. When the vehicle poses an immediate danger to the public safety; or

5. When a police officer has probable cause to believe that the vehicle is stolen; or

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6. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence.

B. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. (Ord. 117306 § 3, 1994; Ord. 114518 § 4, 1989; Ord. 111835 § 1, 1984; Ord. 108200 § 2(11.30.040), 1979.)

11.30.060 When a vehicle may be impounded after notice.

A vehicle not subject to impoundment under Section 11.30.040 may be impounded after notice of such proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for a period of twenty-four (24) hours prior to such impoundment, for the following reasons:

A. When such vehicle is parked and/or used in violation of any law, ordinance or regulation; or

B. When such vehicle is abandoned, as that term is defined in RCW Chapter 46.55, as now or hereafter amended; or

C. When such vehicle is so mechanically defective as to be unsafe for operation; provided, however, that 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. (Ord. 117306 § 4, 1994; Ord. 108200 § 2(11.30.060), 1979.)

11.30.080 How impoundment is to be effected.

When impoundment is authorized by this chapter, a vehicle may be impounded either by an officer or authorized agent of the Police Department or by a contractor for towing and storage acting at the request of an officer or authorized agent of the Police Department or Seattle Housing Authority and in accordance with a contract authorized by Section 11.30.220.

(Ord. 117306 § 5, 1994; Ord. 108200 § 2(11.30.080), 1979.)

11.30.100 Owner of impounded vehicle to be notified.

A. Not more than twenty-four (24) hours after impoundment of any vehicle, the tow contractor shall mail a notice by first class mail to the last

known and legal owners of the vehicles, as may be disclosed by the vehicle identification number, and as provided by the Washington State Department of Licenses. The notice shall contain the full particulars of the impoundment, redemption, and opportunity for hearing to contest the propriety of the impoundment as hereinafter provided.

B. Similar notice shall be given to each person who seeks to redeem an impounded vehicle, except that if a vehicle is redeemed prior to the mailing of notice, then notice need not be mailed.

C. The Seattle Police Department shall give written notification to the last registered and legal owner that the investigatory hold has been removed, except that if a vehicle is redeemed following notice by telephone and prior to the mailing of notice, then notice need not be mailed. In addition, the Police Department shall notify the towing contractor, by telephone or in writing, of the authorization to release such vehicle.

(Ord. 117306 § 6, 1994; Ord. 108200 § 2(11.30.100), 1979.)

11.30.120 Redemption of impounded vehicles.

Vehicles impounded by the City shall be redeemed only under the following circumstances:

A. Only the registered owner, a person authorized by the registered owner, or one who has purchased the vehicle from the registered owner, who produces proof of ownership or authorization and signs a receipt therefor, may redeem an impounded vehicle.

B. Any person so redeeming a vehicle impounded by the City shall pay the towing contractor for costs of impoundment (towing and storage) prior to redeeming such vehicle, except as provided for by subsection C of this section. Such towing contractor shall accept payment as provided in RCW 46.55.120(b), as now or hereafter amended.

C. Any person seeking to redeem a vehicle impounded as a result of a parking or traffic citation has a right to a Municipal Court hearing to contest the validity of an impoundment or the amount of towing and storage charges if such request for hearing is in writing, in a form approved by the Municipal Court and signed by such person, and is received by the Municipal Court within the time period specified in SMC Section 11.31.050 A, as now or hereafter amended. Such hearing shall be provided as follows:

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1. In the event that the person seeking to redeem an impounded vehicle pays the costs of impoundment (towing and storage), the impounded vehicle shall be released to such person immediately, and a hearing as provided for in Section 11.30.160 shall be held within ninety (90) days of the written request for hearing.

2. In the event that the person seeking to redeem an impounded vehicle does not pay the costs of impoundment (towing and storage), the impounded vehicle shall not be released to such person until after the hearing provided pursuant to Section 11.30.160. Such person shall have the right to a hearing within two (2) business days (Monday through Friday) of the written request to the court for hearing.

3. Any person seeking a hearing who has failed to request such hearing within the time specified in SMC Section 11.31.050 A, as now or hereafter amended, may petition the Municipal Court for an extension to file a request for hearing. Such extension shall only be granted upon the demonstration of good cause as to the reason(s) the request for hearing was not timely filed. For the purposes of this section, good cause shall be defined as one (1) or more circumstances beyond the control of the person seeking the hearing that prevented such person from filing a request for hearing within the time specified in SMC Section 11.31.150 A, as now or hereafter amended. In the event such extension is granted, the person receiving such extension shall be granted a hearing in accordance with this chapter.

4. In the event a person fails to file a request for hearing within the time specified by SMC Section 11.31.050 A, as now or hereafter amended, and/or has not received an extension to file for such hearing as provided in this section, the City shall not be liable for towing and storage charges arising from the impoundment.

(Ord. 117306 § 7, 1994; Ord. 115634 § 1, 1991; Ord. 110106 § 1, 1981; (Ord. 108200 § 2(11.30.120), 1979.)

11.30.160 Post-impoundment hearing procedure.

Hearings requested pursuant to Section 11.30.120 shall be held in the municipal court, which court shall determine whether the impoundment was proper and whether the towing and/or storage fees and/or special fees charged in such connection were proper.

A. If the impoundment is found to be proper, the court shall enter an order so stating. In the event that the costs of impoundments (towing, storage, and special fees) have not been paid, the court's order shall also provide that the impounded vehicle shall be released only after payment to the City of any fines imposed on the underlying citation and the costs of impoundment to the towing company. In the event that the court grants time payments, the City shall be responsible for paying the costs of impoundment to the towing company. The court shall grant time payments only in cases of extreme financial need, and where there is an effective guarantee of payment.

B. If the impoundment is found to be improper, the court shall enter an order so stating and order the immediate release of the vehicle. If the costs of impoundment have already been paid, the court shall enter judgment against the City and in favor of the person who has paid the costs of impoundment in the amount of the costs of the impoundment.

C. In the event that the court finds that the impound was proper, but that the towing, storage, and/or special fees charged for the impoundment were improper, the court shall determine the correct fees to be charged. If the costs of impoundment have been paid, the court shall enter a judgment against the City and in favor of the person who has paid the costs of impoundment for the amount of the overpayment.

(Ord. 115634 § 3, 1991; Ord. 110106 § 2, 1981; Ord. 108200 § 2(11.30.160), 1979.)

11.30.180 Responsibility for fees as to standby time or vehicles held for investigatory purposes.

A. No fee shall be assessed against the owner of a vehicle for time elapsed after the towing equipment has arrived at the location of the vehicle to be towed and prior to the operation of the towing equipment or performance of the impound service.

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B. No impoundment fee and/or towing or storage charges shall be assessed against the owner of a vehicle which is being held for investigatory purposes pursuant to Section 11.30.040 A6 and which is redeemed within forty-eight (48) hours after the Police Department shall have notified the owner of the release of such vehicle in writing in the manner provided in Section 11.30.100 C; provided that such owner or person authorized to obtain possession of such impounded vehicle shall pay any charges assessed for storage after such forty-eight (48) hour period; provided further, that if the registered owner or the driver authorized by the registered owner is arrested or charged with a crime in connection with the incident leading to impoundment, the City shall not pay the towing or storage charges.

(Ord. 117306 § 8, 1994; Ord. 115634 § 4, 1991; Ord. 112421 § 6, 1985; Ord. 109031 § 1, 1980; Ord. 108200 § 2 (11.30.180), 1979.)

11.30.200 Abandoned vehicles.

A. Any impounded vehicle not redeemed within fifteen (15) days of mailing of the notice required by Section 11.30.100 shall be deemed abandoned.

B. No tow truck operator shall sell or otherwise dispose of an abandoned vehicle unless all applicable provisions of State law have been complied with.

(Ord. 117306 § 9, 1994; Ord. 108200 § 2(11.30.200), 1979.)

11.30.220 Contract for towing and storage.

A. The Finance Director is authorized and directed to prepare specifications for towing and storage of vehicles, including instructions to bidders, containing such provisions as the Director shall deem advisable and not in conflict with this chapter. The specifications shall be subject to the review and approval of the Budget Director and the approval of the City Council by resolution passed for such purpose.

B. A call for bids responsive to such specifications shall then be made, and the contract shall be awarded to the lowest and best bidder whose proposal is deemed by the Finance Director to be the most advantageous for the public and the City; provided that, in the event all bids are deemed by the Director to be too high or irregular, he or she may reject all such bids and make another call for bids or proceed alternatively pursuant to

ordinance passed for such purpose. The Director shall consider, among other relevant factors, the following:

1. Integrity, skill, and business judgment of the bidder;

2. General experience in providing towing and storage services;

3. Conduct and performance under a previous City towing impound contract demonstrating honesty, promptness, skill, efficiency, and a satisfactory relationship with vehicle owners;

4. Existing availability of equipment, facilities, and personnel; and

5. The bidder's financial ability and willingness to expand or improve available equipment, facilities, and services.

The contract award shall be in accordance with the specifications so approved for towing and storage service necessary for carrying out the provisions of this chapter.

C. Subsequent to the award of the contract, the Finance Director shall file a written statement with the City Clerk giving the name and address of the contractor for towing and storage of vehicles and, if more than one (1) place of storage has been provided, the name and address or location of each storage place. The Director shall administer and enforce contracts made pursuant to this section.

(Ord. 117169 § 128, 1994; Ord. 116368 § 214, 1992; Ord. 108200 § 2(11.30.220), 1979.)

11.30.240 Contract for towing and storage—Financial responsibility.

Any contract for towing and storage under the provisions of this chapter shall require the contractor to demonstrate proof of financial responsibility for any liability which the City may have as a result of any negligence, wilful conduct or breach of contract by the contractor and for any damages which the owner of an impounded vehicle may sustain as a result of damage to or loss of the vehicle, or the contents of a vehicle in the custody of the contractor. Proof of financial responsibility shall be furnished either by proof of insurance, by filing a surety bond and/or by depositing cash in such amounts as the Finance Director shall determine necessary.

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(Ord. 117306 § 10, 1994; Ord. 117169 § 129, 1994; Ord. 108200 § 2(11.30.240), 1979.)

11.30.260 Contract for towing and storage—Notice to owners of impounded vehicles.

Any contract for towing and storage under provisions of this chapter shall require the contractor, at any location where vehicles are impounded, to post conspicuous notice of the rights of the owners of such vehicles under Section 11.30.220.

(Ord. 108200 § 2(11.30.260), 1979.)

11.30.280 Contractor to file monthly claim for services.

The contractor shall, on or before the tenth day of each month, file his or her claim with the Finance Department for towing and storage charges accruing to him or her upon vehicles redeemed as provided in this chapter during the preceding month, in accordance with this chapter and with the specifications for the contract authorized in Section 11.30.220, and such claim shall be sworn to by him or her under oath. The Finance Director shall audit such claim and any payment thereof at least once annually. A warrant or warrants for payment of such claim shall be drawn and paid by the Finance Director from such expenditure allowances as may be provided therefor in the annual budget or from such moneys as may otherwise be appropriated for such purpose.

(Ord. 117169 § 130, 1994; Ord. 116368 § 215, 1992; Ord. 108200 § 2(11.30.280), 1979.)

11.30.290 Contract for towing and storage—Impound fee.

A fee of Eight Dollars (\$8.00) shall be levied upon each vehicle redeemed under the specifications of the contract provided by SMC Section 11.30.220. The fee shall be collected by the contractor performing the impound, and shall be remitted to the Finance Department in the manner directed by the Finance Director and as specified in the contract provided by SMC Section 11.30.220 A. The fee shall be for the purpose of offsetting, to the extent practicable, the City's tow contract administration costs and shall be deposited in an appropriate account.

(Ord. 117306 § 11, 1994.)

11.30.300 Record of impounded vehicles.

A. The Police Department shall keep, and make available for public inspection, a record of all vehicles impounded under the provisions of this chapter. The record shall include at least the following information:

1. Manufacturer's trade name or make;
2. Vehicle license number and state of registration;
3. Vehicle identification number;
4. Such other descriptive information as the Chief of Police deems useful for purposes of vehicle identification;
5. Basis for impoundment, including reference to the appropriate section or sections of this subtitle; and
6. Disposition of the vehicle and date of disposition.

B. The Police Department shall furnish to the towing contractor, upon request, the name of the registered owner of any vehicle impounded by such contractor pursuant to this chapter.

(Ord. 108200 § 2(11.30.300), 1979.)

11.30.320 Rules and regulations.

The Finance Director is authorized and directed to promulgate rules and regulations consistent with this chapter, the Charter of the City and the Administrative Code of the City,¹ to provide for the fair and efficient administration of any contract or contracts awarded pursuant to Section 11.30.220.

(Ord. 117169 § 131, 1994; Ord. 108200 § 2(11.30.320), 1979.)

1. Editor's Note: The City Charter is included in the front of this Code; the Administrative Code is codified in Chapter 3.02.

11.30.360 Violations constituting abandoning—Evidence—Penalty.

A. No person shall wilfully leave an abandoned vehicle on private property for more than twenty-four (24) hours without the permission of the person having the right to possession of the property, or a wrecked, dismantled, or inoperative vehicle or automobile hulk on a street, alley or way open to the public for twenty-four (24) hours or longer without notification to the Chief of Police of the reasons for leaving the motor vehicle in such a place. Any such vehicle or hulk shall be abated and removed in accordance with the

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provisions of Ordinance 98223,¹ as amended, and enforcement shall be by the City Engineer in accordance with said ordinance as amended. For the purposes of this section, the fact that a motor vehicle has been so left without permission or notification is prima facie evidence of abandonment.

B. Any person found to have abandoned a vehicle or hulk shall, in addition to any penalty imposed, also be assessed any costs incurred by the City in the removal of such abandoned vehicle or hulk less any moneys received by the City from such removal.

(Ord. 117306 § 13, 1994; Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.30.360), 1979.)

1.Editor's Note: Ord. 98223 is codified in Chapter 11.92 of this Code.

**Chapter 11.31
DISPOSITION OF TRAFFIC OFFENSES**

Sections:

11.31.010Violations as traffic infractions.

11.31.020Notice of traffic
infraction—Issuance.

11.31.030Parking notices.

11.31.040Notice of traffic
infraction—Determination—R
esponse.

11.31.050Response to notice of traffic
infraction—Contesting
determination—Hearing—Fail
ure to appear.

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11.31.060Hearing—Contesting determination that infraction committed—Appeal.

11.31.070Hearings—Explanation of mitigating circumstances.

11.31.080Owner responsible for stopping, standing, parking, or alarm violation.

11.31.090Failure to respond—Written and signed promise.

11.31.100Failure to respond—Parked, stopped or standing notice.

11.31.110Charging violations of speed regulations.

11.31.120Monetary penalties.

11.31.125Civil infraction—Automobile alarm—Failure to respond.

11.31.130Order of court—Civil in nature.

11.31.010Violations as traffic infractions.

Except as otherwise provided in Section 11.34.020 or elsewhere in this title, failure to perform any act required or the performance of any act prohibited by this title is designated as a traffic infraction and may not be classified as a criminal offense.

(Ord. 115040 § 6, 1990; Ord. 112975 § 1, 1986; Ord. 112466 § 2, 1985; Ord. 110967 § 5, 1983; Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.010), 1979.)

11.31.020Notice of traffic infraction—Issuance.

A. A peace officer has the authority to issue a notice of traffic infraction when the infraction is committed in the officer's presence or if an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction.

B. A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed. (RCW 46.63.030)
(Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.020), 1979.)

11.31.030Parking notices.

Whenever any motor vehicle without an operator is found parked, standing or stopped in violation of this subtitle, the officer finding it may take its registration number and any other information displayed on the vehicle which may identify its user, and shall fix conspicuously to such vehicle a notice of traffic infraction. (RCW 46.63.030(3))
(Ord. 109476 § 2(part), 1980; Ord. 108200 § 2(11.31.030), 1979.)

11.31.040Notice of traffic infraction—Determination—Response.

A notice of traffic infraction represents a determination that an infraction has been committed. The determination will be final unless contested as provided in this chapter. (RCW 46.63.060)
(Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.020), 1979.)

11.31.050Response to notice of traffic infraction—Contesting determination—Hearing—Failure to appear.

A. Any person who receives a notice of traffic infraction shall respond to such notice as provided in this section within fifteen (15) days of the date of the notice.

B. If the person determined to have committed the infraction does not contest the determination the person shall respond by completing the appropriate portion of the notice of infraction and submitting it, either by mail or in person, to the Municipal Court of Seattle. A check or money order in the amount of the penalty prescribed for the infraction must be submitted with the response. When a response which does not contest the determination is received, an appropriate order shall be entered in the court's records, and a record of the response and order shall be furnished to the Department of Licensing in accordance with RCW 46.20.270.

C. If the person determined to have committed the infraction wishes to contest the determination the person shall respond by completing the portion of the notice of infraction requesting a hearing and submitting it, either by mail or in person, to the Municipal Court of Seattle. The court shall notify the person in writing of the time, place, and date of the hearing, and that date shall

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not be sooner than fifteen (15) days from the date of the notice, except by agreement.

D. If the person determined to have committed the infraction does not contest the determination but wishes to explain mitigating circumstances surrounding the infraction, the person shall respond by completing the portion of the notice of infraction requesting a hearing for that purpose and submitting it, either by mail or in person, to the Municipal Court of Seattle. The court shall notify the person in writing of the time, place, and date of the hearing.

E. If any person issued a notice of traffic infraction:

1. Fails to respond to the notice of traffic infraction as provided in subsection B of this section; or

2. Fails to appear at a hearing requested pursuant to subsections C or D; the court shall enter an appropriate order assessing the monetary penalty prescribed for the traffic infraction and any other penalty authorized by this chapter and shall notify the Department of Licensing in accordance with RCW 46.20.270, of the failure to respond to the notice of infraction or to appear at a requested hearing. (RCW 46.63.070) (Ord. 111859 § 2, 1984; Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.050), 1979.)

11.31.060Hearing—Contesting determination that infraction committed—Appeal.

A. A hearing held for the purpose of contesting the determination that an infraction has been committed shall be without a jury.

B. The court may consider the notice of traffic infraction and any other written report made under oath submitted by the officer who issued the notice or whose written statement was the basis for the issuance of the notice in lieu of the officer's personal appearance at the hearing. The person named in the notice may subpoena witnesses, including the officer, and has the right to present evidence and examine witnesses present in court.

C. The burden of proof is upon the City to establish the commission of the infraction by a preponderance of the evidence.

D. After consideration of the evidence and argument, the court shall determine whether the infraction was committed. Where it has not been established that the infraction was committed, an order dismissing the notice shall be entered in the

court's records. Where it has been established that the infraction was committed an appropriate order shall be entered in the court's records. A record of the court's determination and order shall be furnished to the Department of Licensing in accordance with RCW 46.20.270 as now or hereafter amended.

E. An appeal from the court's determination or order shall be to the Superior Court. The decision of the Superior Court is subject only to discretionary review pursuant to Rule 2.3 of the Rules of Appellate Procedure. (RCW 46.63.090) (Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.060), 1979.)

11.31.070Hearings—Explanation of mitigating circumstances.

A. A hearing held for the purpose of allowing a person to explain mitigating circumstances surrounding the commission of an infraction shall be an informal proceeding. The person may not subpoena witnesses. The determination that an infraction has been committed may not be contested at a hearing held for the purpose of explaining mitigating circumstances.

B. After the court has heard the explanation of the circumstances surrounding the commission of the infraction an appropriate order shall be entered in the court's records. A record of the court's determination and order shall be furnished to the Department of Licensing in accordance with RCW 46.20.270 as now or hereafter amended.

C. There may be no appeal from the court's determination or order. (RCW 46.63.100) (Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.070), 1979.)

11.31.080Owner responsible for stopping, standing, parking, or alarm violation.

A. In any traffic infraction case involving a violation of this title relating to the stopping, standing or parking of a vehicle, or the sounding of an audible alarm, proof that the particular vehicle described in the notice of traffic infraction was stopping, standing or parking or emitting an audible alarm in violation of any such provision in this title together with proof of registered ownership of the vehicle at the time of the violation, shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who parked or placed the

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vehicle at the point where, and for the time during which, the violation occurred or was responsible for the failure to turn off the audible alarm as required.

B. The foregoing stated presumption shall apply only when the procedure prescribed in Section 11.31.030 has been followed. (RCW 46.63)

C. If a car rental agency declares that the vehicle was under lease at the time of the violation, and supplies the name and address of the lessee, there shall be a prima facie presumption that the lessee so identified parked or placed the vehicle at the point where the violation occurred, or was responsible for the failure to turn off the audible alarm as required.

(Ord. 116701 § 2, 1993; Ord. 109476 § 2(part), 1980; Ord. 108200 § 2(11.31.080), 1979.)

11.31.090 Failure to respond—Written and signed promise.

No person shall violate his written and signed promise to respond to a notice of traffic infraction or to appear at a requested hearing, as provided in this title, regardless of the disposition of the notice of infraction. (RCW 46.64.020)

(Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.090), 1979.)

11.31.100 Failure to respond—Parked, stopped or standing notice.

No person shall fail to respond to a notice of traffic infraction issued pursuant to Section 11.31.030 or fail to appear at a requested hearing, as provided in this title, regardless of the disposition of the notice of infraction. (RCW 46.64.020)

(Ord. 109476 § 2(part), 1980; Ord. 108200 § 2(11.31.100), 1979.)

11.31.110 Charging violations of speed regulations.

In every notice of traffic infraction for violation of any speed regulation in this title the notice of infraction shall specify the approximate speed at which the person named in the notice of infraction is alleged to have driven, and the maximum speed applicable at the location at which the person was issued a notice of infraction for violation of a speed regulation. (RCW 46.61.475)

(Ord. 109476 § 2(part), 1980; Ord. 108200 § 2(11.31.110), 1979.)

11.31.120 Monetary penalties.

A. A person found to have committed a traffic infraction shall be assessed a monetary penalty. No penalty may exceed Two Hundred Fifty Dollars (\$250.00) for each offense unless a higher penalty is specifically provided for in this title.

B. There shall be a penalty of Twenty-five Dollars (\$25.00) for failure to respond to a notice of traffic infraction, to appear at a requested hearing or to pay a monetary penalty imposed pursuant to this chapter; provided, the penalty for failure to respond to a notice of the traffic infraction of overtime parking shall be Twenty Dollars (\$20.00).

(Ord. 115927 § 1, 1991; Ord. 114839 § 1, 1989; Ord. 113186 § 1, 1986; Ord. 110013 § 1, 1981; Ord. 109476 § 1(part), 1980; Ord. 108200 § 2(11.31.120), 1979.)

11.31.125 Civil infraction—Automobile alarm—Failure to respond.

A. The violation of or failure to comply with Section 11.84.345 is a civil infraction as contemplated by RCW Chapter 7.80, and subject as a Class 4 civil infraction to a maximum penalty and a default amount of Twenty-three Dollars (\$23.00).

B. There shall be a maximum penalty and default amount of Twenty-five Dollars (\$25.00) for failure to respond to a notice of violation under Section 11.84.345 within fifteen (15) days from the date of notice as contemplated by RCW 7.80.030(1) and 7.80.076(2)(K), a failure to appear at a hearing requested by the recipient of the notice as contemplated by RCW 7.80.160(2) and RCW 7.80.070(2)(K), and a failure to pay a penalty imposed under subsection A of this section, as contemplated by RCW 7.80.160(3).

C. If the court determines that a person has insufficient funds to pay the monetary penalty, the court may order performance of a number of hours of community service instead. (Ord. 116701 § 3, 1993.)

11.31.130 Order of court—Civil in nature.

An order entered after the receipt of a response which does not contest the determination, or after

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it has been established at a hearing that the infraction was committed, or after a hearing for the purpose of explaining mitigating circumstances is civil in nature. (RCW 46.63.120) (Ord. 109476 § 1(part), 1980: Ord. 108200 § 2(11.31.130), 1979.)

**Chapter 11.32
CITATIONS**

Sections:

11.32.020 Service of citation.

Whenever any person is charged with any violation of this subtitle, other than a traffic infraction the officer may serve upon him a complaint and citation. Such complaint and citation shall be handled and disposed of as set forth in RCW 46.64.010 and also shall conform with the requirements and be in the form prescribed in RCW 46.64.015. The person, in order to secure release, and when permitted by the officer, must give his written promise to appear as required by the citation by signing in the appropriate place the written complaint and citation. If the person fails or refuses to sign such written promise, he may be taken into custody of the officer and so remain or be placed in confinement. (RCW 46.64.010, 46.64.015) (Ord. 109476 § 3(part), 1980: Ord. 108200 § 2(11.32.020), 1979.)

11.32.080 Return of citation.

The original or a copy of every citation issued by an enforcement officer shall be transmitted to the Municipal Court of Seattle as soon as is practicable. (RCW 46.64.010) (Ord. 108200 § 2(11.32.080), 1979.)

11.32.100 Failure to appear.

No person shall violate his written promise to appear, given in accordance with Section 11.32.020, regardless of the disposition of the charges for which the citation was originally issued. (Ord. 108200 § 2(11.32.100), 1979.)

11.32.140 Warrant issued for failure to appear.

Any person who fails to appear or fails to answer as required in Sections 11.32.020 or who violates Sections 11.31.090 or 11.31.100 shall have a complaint filed against him by the Municipal Court of Seattle. The court shall also secure and issue a warrant for his arrest. (Ord. 109476 § 3(part), 1980: Ord. 108200 § 2(11.32.140), 1979.)

11.32.160 Cancellation.

No person shall cancel or solicit the cancellation of any citation in any manner other than as provided in this chapter. (Ord. 108200 § 2(11.32.160), 1979.)

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Chapter 11.34
PENALTIES

Sections:

- 11.34.020 Penalties for criminal offenses.**
11.34.040 Aiding and abetting violation.

11.34.020 Penalties for criminal offenses.

A. Any person convicted of any of the following offenses may be punished by a fine in any sum not to exceed Five Thousand Dollars (\$5,000.00) or by imprisonment for a term not to exceed one (1) year, or by both such fine and imprisonment:

1. Section 11.55.340, Vehicles carrying explosives, flammable liquids and poison gas, liquefied petroleum gas (LPG) and cryogenics must stop at all railroad grade crossings;
2. Section 11.56.120, Reckless driving;
3. Section 11.56.320 B, Driving while license is suspended or revoked in the first degree;
4. Section 11.56.320 C, Driving while license is suspended or revoked in the second degree;
5. Section 11.56.340, Operation of motor vehicle prohibited while license is suspended or revoked;
6. Section 11.56.420, Hit and run (attended);
7. Section 11.56.445, Hit and run (by an unattended vehicle);
8. Section 11.56.450, Hit and run (pedestrian or person on a device propelled by human power);
9. Section 11.60.690, Transportation of liquefied petroleum gas;
10. Section 11.62.020, Flammable liquids, combustible liquids and hazardous chemicals;
11. Section 11.62.040, Explosives;
12. Section 11.80.140 B, Certain vehicles to carry flares or other warning devices (subsection B only);
13. Section 11.80.160 E, Display of warning devices when vehicle disabled (subsection E only);
14. Section 11.84.380, Fire extinguishers;
15. Section 11.86.080, Flammable or combustible labeling;
16. Section 11.86.100, Explosive cargo labeling;
17. Section 11.34.040, with respect to aiding and abetting the foregoing criminal offenses.

B. Any person convicted of any of the following offenses may be punished by a fine in any sum not to exceed One Thousand Dollars (\$1,000.00) or by imprisonment for a term not to exceed ninety (90) days, or by both such fine and imprisonment:

1. Section 11.20.010, Driver's license required — Exception;
2. Section 11.20.100, Display of nonvalid driver's license;
3. Section 11.20.120, Loaning driver's license;
4. Section 11.20.140, Displaying the driver's license of another;
5. Section 11.20.160, Unlawful use of driver's license;
6. Section 11.20.350 C, Providing false evidence of financial responsibility;
7. Section 11.31.090, Failure to respond — Written and signed promise;
8. Section 11.31.100, Failure to respond — Parked, stopped or standing notice;
9. Section 11.32.100, Failure to appear;
10. Section 11.40.430, Prohibited entry to no admittance area;
11. Section 11.56.320 D, Driving while license is suspended or revoked in the third degree;
12. Section 11.56.430, Hit and run (unattended vehicle) — Duty in case of accident with unattended vehicle;
13. Section 11.56.440, Hit and run (property damage) — Duty in case of accident with property;
14. Section 11.58.190, Leaving minor children in unattended vehicle;
15. Section 11.59.010, Obedience to peace officers, flaggers, and firefighters;
16. Section 11.59.040, Refusal to give information to or to cooperate with officer;
17. Section 11.59.060, Refusal to stop;
18. Section 11.59.080, Examination of equipment;
19. Section 11.59.090, Duty to obey peace officer — Traffic infraction;
20. Section 11.34.040, Aiding and abetting with respect to the criminal offenses in this subsection.

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(Ord. 116872 § 3, 1993; Ord. 116538 § 2, 1993; Ord. 115757 § 1, 1991; Ord. 115040 § 5, 1990; Ord. 112975 § 2, 1986; Ord. 112466 § 3, 1985; Ord. 111859 § 4, 1984; Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.34.020), 1979.)

11.34.040Aiding and abetting violation.

It is unlawful to counsel, aid, or abet the violation of or failure to comply with any of the provisions of this subtitle.

(Ord. 108200 § 2(11.34.040), 1979.)

**Part 4
PEDESTRIAN AND BICYCLE RULES**

**Chapter 11.40
PEDESTRIAN RULES**

Sections:

- 11.40.020Subject to traffic regulations.**
- 11.40.040Right-of-way in crosswalk.**
- 11.40.060Prohibited crossing.**
- 11.40.090Entry into street outside of crosswalk—Disabled persons—Exception.**
- 11.40.100Prohibited crossing near signals.**
- 11.40.120Yield near overpass or underpass.**
- 11.40.130Prohibited crossing of median barrier.**
- 11.40.140Prohibited crossing upon arterial streets.**
- 11.40.150Prohibited use of crosswalks.**
- 11.40.160Crossing intersection diagonally.**
- 11.40.180Standard of care for drivers of motor vehicles—Blind pedestrians carrying white cane or using guide dog.**
- 11.40.200White cane abuse.**
- 11.40.220Walking on sidewalk.**
- 11.40.240Walking in roadway.**
- 11.40.250Playing in streets.**
- 11.40.255Use of skateboards or rollerskates on sidewalk or public path.**
- 11.40.260Soliciting business prohibited.**
- 11.40.280Dispersal of crowd.**
- 11.40.340Pedestrians on bridges.**
- 11.40.360Pedestrians at railroad grade crossings.**
- 11.40.370Standing or walking on stationary rails prohibited.**
- 11.40.380Pedestrians at parades.**

11.40.400Soliciting watching of vehicle.

11.40.420Pedestrian right-of-way.

11.40.430Prohibited entry to no-admittance area.

11.40.020Subject to traffic regulations.

Pedestrians shall be subject to traffic-control signals as provided in Chapter 11.50 and to the direction of officers discharging the duty of directing traffic. (RCW 46.61.230)

(Ord. 108200 § 2(11.40.020), 1979.)

11.40.040Right-of-way in crosswalk.

When traffic-control signals are not in place or not in operation, the operator of an approaching vehicle shall stop to allow a pedestrian using an unmarked or marked crosswalk or a disabled person using a curb ramp as provided in Section 11.40.090 to cross the roadway when the pedestrian or disabled person is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian or disabled person is upon the opposite half of the roadway and moving toward the approaching vehicle. This section shall not apply to pedestrians crossing a roadway at a point where an accessible pedestrian tunnel or overhead pedestrian crossing has been provided.

(Ord. 115323 § 2, 1990; Ord. 108200 § 2(11.40.040), 1979.)

11.40.060Prohibited crossing.

No pedestrian shall suddenly leave a curb or other place of safety and move into the path of a vehicle which is so close that it is impossible for the driver to stop.

(Ord. 115323 § 3, 1990; Ord. 108200 § 2(11.40.060), 1979.)

11.40.090Entry into street outside of crosswalk—Disabled persons—Exception.

A. Except as otherwise provided in this subtitle, every pedestrian crossing a roadway at a point other than at designated crosswalks or other than within an unmarked crosswalk at an intersection shall yield right-of-way to all vehicles upon the roadway.

B. Where curb ramps exist at or adjacent to intersections or at marked crosswalks in other locations, disabled persons may enter the roadway from such curb ramps and cross the roadway within or as closely as practicable to the crosswalk. All other pedestrian rights and duties as defined elsewhere in this subtitle shall remain applicable. (Ord. 108200 § 2(11.40.090), 1979.)

11.40.100 Prohibited crossing near signals.

No pedestrian shall cross the roadway between adjacent intersections at which traffic-control signals are in operation, except in a marked crosswalk. (RCW 46.61.240 (3)) (Ord. 108200 § 2(11.40.100), 1979.)

11.40.120 Yield near overpass or underpass.

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. (RCW 46.61.240(2)) (Ord. 108200 § 2(11.40.120), 1979.)

11.40.130 Prohibited crossing of median barrier.

No person shall cross a median barrier except through an opening in such median barrier established by public authority at a crosswalk. (Ord. 108200 § 2(11.40.130), 1979.)

11.40.140 Prohibited crossing upon arterial streets.

No pedestrian shall cross an arterial street other than in a crosswalk, except upon the following portions of streets within the Pike Place Market Historical District:

A. Pike Street, Pine Street, Stewart Street and Virginia Street, west of First Avenue;

B. Pike Place between Pike Street and Virginia Street.

(Ord. 108809 § 1, 1980: Ord. 108200 § 2(11.40.140), 1979.)

11.40.150 Prohibited use of crosswalks.

No pedestrian shall cross a roadway in any crosswalk where a traffic or pedestrian-control sign prohibits such crossing. (RCW 46.61.240(5)) (Ord. 108200 § 2(11.40.150), 1979.)

11.40.160 Crossing intersection diagonally.

No pedestrian shall cross a roadway intersection diagonally unless authorized by official traffic-control devices; and, when authorized to cross diagonally, pedestrians shall cross only in accordance with the official traffic-control devices pertaining to such crossing movements. (RCW 46.61.240(4)) (Ord. 108200 § 2(11.40.160), 1979.)

11.40.180 Standard of care for drivers of motor vehicles—Blind pedestrians carrying white cane or using guide dog.

The driver of a vehicle approaching a pedestrian who is carrying a cane predominantly white in color (with or without a red tip) or using a guide dog shall take all necessary precautions to avoid injury to such pedestrian. No driver of any vehicle shall drive into or upon any crosswalk while there is on such crosswalk any pedestrian who is crossing or attempting to cross the roadway and who is indicating his/her intention to cross or of continuing on by carrying, holding up, or waving a white cane or by using a guide dog. The failure of any such pedestrian so to signal shall not deprive him of the right-of-way accorded him. (RCW 70.84.040)

(Ord. 108200 § 2(11.40.180), 1979.)

11.40.200 White cane abuse.

Only persons who have no vision or whose vision, with corrective glasses or contact lenses, is so defective as to prevent the performance of ordinary activities for which eyesight is essential, shall use a white cane or walking stick for the purpose of securing the rights accorded to pedestrians in Section 11.40.180.

(Ord. 108200 § 2(11.40.200), 1979.)

11.40.220 Walking on sidewalk.

Where there are sidewalks provided, no pedestrian shall move along and upon an adjacent roadway. Where sidewalks are provided but wheelchair access is not available, disabled persons may move along and upon an adjacent roadway until they reach an access point in the sidewalk.

(Ord. 115323 § 4, 1990: Ord. 108200 § 2(11.40.220), 1979.)

11.40.240 Walking in roadway.

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Where sidewalks are not provided any pedestrian moving along and upon a street shall, when practicable, move only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction and upon meeting an oncoming vehicle shall move clear of the roadway.

(Ord. 115323 § 5, 1990; Ord. 108200 § 2(11.40.240), 1979.)

11.40.250Playing in streets.

No person upon roller skates, or riding in or by means of any coaster, skateboard, toy vehicle or similar device, shall go upon the roadway of any arterial street or transit coach route, except while crossing such street at a crosswalk; or engage in any sport, amusement or exercise or play in the roadway of any street.

(Ord. 108200 § 2(11.40.250), 1979.)

11.40.255Use of skateboards or roller-skates on sidewalk or public path.

Every person using a skateboard or roller-skates upon any sidewalk or public path shall use 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 pedestrian traffic, grade and width of sidewalk or public path, and condition of surface, and shall obey all traffic-control devices. Every person using a skateboard or rollerskates upon a sidewalk or public path shall yield the right-of-way to any pedestrian thereon.

(Ord. 113546 § 1, 1987.)

Severability: The provisions of the ordinance codified in Section 11.40.255 are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of said ordinance, or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

(Ord. 113546 § 2, 1987.)

11.40.260Soliciting business prohibited.

No person shall stand in a roadway for the purpose of soliciting employment or business from the occupant of any vehicle. (RCW 46.61.255(4))

(Ord. 108200 § 2(11.40.260), 1979.)

11.40.280Dispersal of crowd.

(Ord. 108200 § 2(11.40.400), 1979.)

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No person shall wilfully congregate with other persons or wilfully cause other persons to congregate in any street or alley in such a manner as to interfere with, or obstruct traffic, or when so congregated, refuse to disperse upon being requested to do so by any peace officer.

(Ord. 108200 § 2(11.40.280), 1979.)

11.40.340Pedestrians on bridges.

No pedestrian shall enter or remain upon any bridge or approach thereto beyond a bridge signal gate after a bridge operation signal indication has been given, or enter or remain upon any bridge beyond a barrier indicating a bridge is closed to through traffic. (UVC 11-513-1971)

(Ord. 108200 § 2(11.40.340), 1979.)

11.40.360Pedestrians at railroad grade crossings.

No pedestrian shall pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed. (UVC 11-513-1971)

(Ord. 108200 § 2(11.40.360), 1979.)

11.40.370Standing or walking on stationary rails prohibited.

No pedestrian shall stand or walk on the stationary rails used for streetcars, except when necessary to cross a street or alley.

(Ord. 110566 § 3, 1982.)

11.40.380Pedestrians at parades.

All pedestrians, except those participating in parades, shall keep off the roadways of streets and alleys temporarily closed as part of a parade route.

(Ord. 108200 § 2(11.40.380), 1979.)

11.40.400Soliciting watching of vehicle.

No person shall stand on or in proximity to a street or alley for the purpose of soliciting the watch or guarding of any vehicle while parked or about to be parked on a street or alley. (RCW 46.61.255(5))

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11.40.420 Pedestrian right-of-way.

The City Council may by ordinance designate streets upon which pedestrians will be granted right-of-way over vehicles using that street. (Ord. 108200 § 2(11.40.420), 1979.)

11.40.430 Prohibited entry to no-admittance area.

No person shall enter or go upon any area which, pursuant to Section 11.16.122 or 11.16.125, is enclosed with fencing, or posted with “no admittance” or “no trespassing” signs, or both enclosed and posted, except as authorized by law. In any prosecution under this section, it is an affirmative defense that the actor was otherwise legally authorized to enter the area. (Ord. 116871 § 2, 1993; Ord. 116538 § 1(part), 1993.)

**Chapter 11.42
HITCHHIKING RULES**

Sections:

- 11.42.020 Soliciting rides.**
- 11.42.040 Soliciting rides—Limited access facilities.**

11.42.060 Giving solicited rides.

11.42.020 Soliciting rides.

A. No person shall stand in or on a public roadway, or alongside thereof at any place where a motor vehicle cannot safely stop off the main traveled portion thereof, for the purpose of soliciting a ride for himself or for another, from the occupant of any vehicle.

B. The provisions of this section and Section 11.42.040 shall not be construed to prevent a person upon any street or alley from soliciting a ride 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. (RCW 46.61.255(1) and (3)) (Ord. 108200 § 2(11.42.020), 1979.)

11.42.040 Soliciting rides—Limited access facilities.

No person shall solicit a ride for himself or another from within the right-of-way of any limited access facility except in such areas where permission to do so is given and posted with official traffic-control devices, except as provided in Section 11.42.020. (RCW 46.61.255(2)) (Ord. 108200 § 2(11.42.040), 1979.)

11.42.060 Giving solicited rides.

No person operating any vehicle upon any street of this City shall stop such vehicle on the main traveled portion of such street to offer or give transportation to any person. The provisions of this section shall not be construed to prevent any person operating a vehicle upon such street from granting or giving transportation where an emergency actually exists. (RCW 46.61.255(3)) (Ord. 108200 § 2(11.42.060), 1979.)

**Chapter 11.44
BICYCLE RULES**

Sections:

- 11.44.010 Where regulations apply.**
- 11.44.020 Rights and duties of rider.**
- 11.44.040 Riding on roadways.**
- 11.44.060 Riding more than two (2) abreast prohibited.**
- 11.44.080 Overtaking and passing on right.**

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- 11.44.100 Right-of-way in crosswalk.
 11.44.120 Riding on sidewalk or public path.
 11.44.140 Hand signals.
 11.44.160 Lamps and reflectors on bicycles.
 11.44.200 Brakes.
 11.44.210 Must ride on seat.
 11.44.220 Passengers.
 11.44.240 Clinging to vehicles.
 11.44.260 Control.
 11.44.280 Parking.
 11.44.320 Responsibility.

11.44.010 Where regulations apply.

These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street, alley, or way open to the public, subject to those exceptions stated in this chapter. (RCW 46.61.750(2))
 (Ord. 108200 § 2(11.44.010), 1979.)

11.44.020 Rights and duties of rider.

Every person operating 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 vehicle, except as to the special regulations of this chapter and except as to those provisions of this subtitle which by their nature can have no application. (RCW 46.61.755)
 (Ord. 108200 § 2(11.44.020), 1979.)

11.44.040 Riding on roadways.

Every person operating a bicycle upon a roadway at a speed slower than the normal and reasonable flow of motor vehicle traffic thereon shall ride as near to the right side of the right through lane as is safe, except as may be appropriate while preparing to make or while making turning movements, or while overtaking and passing another bicycle or vehicle proceeding in the same direction. A person operating a bicycle upon a roadway that carries traffic in one (1) direction only and that has two (2) or more marked traffic lanes may ride as near to the left side of the left through lane as is safe. A person operating a bicycle upon a roadway may utilize the shoulder of the roadway or any specially designated bicycle lane if such exists. (RCW

11.44.020 VEHICLES AND TRAFFIC

46.61770(1))
(Ord. 108200 § 2(11.44.040), 1979.)

11.44.060Riding more than two (2) abreast prohibited.

Persons operating bicycles upon a roadway or sidewalk shall not ride more than two (2) abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. (RCW 46.61.770(2))
(Ord. 108200 § 2(11.44.060), 1979.)

11.44.080Overtaking and passing on right.

The operator of a bicycle may overtake and pass a vehicle or a bicycle upon the right only under conditions permitting such movement in safety.
(Ord. 108200 § 2(11.44.080), 1979.)

11.44.100Right-of-way in crosswalk.

A person operating a bicycle across a roadway upon and along a crosswalk shall have all the rights and duties applicable to a pedestrian under the same circumstances, but shall yield to pedestrians upon and along a crosswalk. No person operating a bicycle shall suddenly enter a crosswalk into the path of a vehicle which is so close that the driver cannot yield safely.
(Ord. 108200 § 2(11.44.100), 1979.)

11.44.120Riding on sidewalk or public path.

Every person operating a bicycle upon any sidewalk or public path 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 pedestrian traffic, grade and width of sidewalk or public path, and condition of surface, and shall obey all traffic-control devices. Every person operating a bicycle upon a sidewalk or public path shall yield the right-of-way to any pedestrian thereon, and shall give an audible signal before overtaking and passing any pedestrian.
(Ord. 108200 § 2(11.44.120), 1979.)

11.44.140Hand signals.

A. All required hand signals shall be given in the following manner:

1. Left turn: left hand and arm extended horizontally beyond the side of the bicycle;
2. Right turn: left hand and arm extended upward beyond the side of the bicycle, or right

hand and arm extended horizontally to the right side of the bicycle;

3. Stop or decrease speed: left hand and arm extended downward beyond the side of the bicycle.

B. Such hand signal shall be given continuously during the last one hundred feet (100') traveled by the bicycle before initiation of a turn, unless during the last one hundred feet (100') both hands are needed to control or operate the bicycle.
(Ord. 108200 § 2(11.44.140), 1979.)

11.44.160Lamps and reflectors on bicycles.

Every bicycle, when in use during the hours of darkness, shall be equipped with a lamp on the front, which shall emit a white light visible from a distance of at least five hundred feet (500') to the front, and with a red reflector on the rear of a type approved by the State Commission on Equipment, which shall be visible at all distances up to six hundred feet (600') to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet (500') to the rear may be used in addition to the red reflector.
(RCW 46.61.780(1))
(Ord. 108200 § 2(11.44.160), 1979.)

11.44.200Brakes.

Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement. (RCW 46.61.780(2))
(Ord. 108200 § 2(11.44.200), 1979.)

11.44.210Must ride on seat.

A person operating a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto. (RCW 46.61.760(1))
(Ord. 108200 § 2(11.44.210), 1979.)

11.44.220Passengers.

No person shall use a bicycle to carry more persons at one time than the number for which it is designed and equipped, except that a person eighteen (18) years of age or older may carry a child securely attached to his person. (RCW 46.61.760(2))
(Ord. 108200 § 2(11.44.220), 1979.)

11.44.240Clinging to vehicles.

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No person operating any bicycle shall attach the same or himself to any vehicle. (RCW 46.61.765)
(Ord. 108200 § 2(11.44.240), 1979.)

11.44.260Control.

No person operating a bicycle shall carry any package, bundle or article which prevents him from keeping at least one (1) hand upon the handlebars, nor shall he operate the bicycle at any time without keeping at least one (1) hand upon the handlebars. (RCW 46.61.775)
(Ord. 108200 § 2(11.44.260), 1979.)

11.44.280Parking.

No person shall park a bicycle upon a sidewalk or public path in such a manner as to obstruct traffic thereon; or within, against or adjacent to a bus patron shelter in a manner which restricts or eliminates the use of such a shelter by pedestrians who are waiting for public transportation; or upon a roadway except in locations designated by official traffic-control devices.
(Ord. 108200 § 2(11.44.280), 1979.)

11.44.320Responsibility.

No person shall do any act forbidden by this chapter 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 the chapter by any child under the age of sixteen (16) 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 a child. (RCW 46.61.700)
(Ord. 108200 § 2(11.44.320), 1979.)