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11.26.140Service 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.)

11.26.160Service 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.)

11.26.180Service 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.)

11.26.200Service 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.)

11.26.220Service 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.)

11.26.240Service 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.)

11.26.260Service 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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11.26.280Service 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.)

11.26.290On-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:

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

11.27.020Collision 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.)

11.27.040Report 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.)

11.27.060Reports 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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11.27.100Removal 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:

11.28.010Abuse of privileges in restricted parking zones.
11.28.020Abuse of commercial loading permits.

11.28.010Abuse 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.)

11.28.020Abuse 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:

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

11.30.010Impoundment 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 Seattle Police Department or the Seattle Housing Authority.

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

11.30.020Vehicle defined.

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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.)

11.30.030Applicable 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.)

11.30.040When 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

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.)

11.30.060When 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.)

11.30.080How 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.)

11.30.100Owner 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

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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.)

11.30.120Redemption 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:

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

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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.)

11.30.160Post-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.)

11.30.180Responsibility 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.)

11.30.200Abandoned 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.)

11.30.220Contract 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.)

11.30.240Contract 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.)

11.30.260Contract 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.)

11.30.280Contractor 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 Executive Services 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. 118397 § 100, 1996: Ord. 117169 § 130, 1994: Ord. 116368 § 215, 1992: Ord. 108200 § 2(11.30.280), 1979.)

11.30.290Contract 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 Executive Services 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. 118397 § 101, 1996: Ord. 117306 § 11, 1994.)

11.30.300Record 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.)

11.30.320Rules 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.

11.30.360Violations 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

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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 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:

11.31.010 Violations as traffic infractions.
11.31.020 Notice of traffic infraction—Issuance.
11.31.030 Parking notices.
11.31.040 Notice of traffic infraction—Determination—Response.
11.31.050 Response to notice of traffic infraction—Contesting determination—Hearing—Failure 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 than 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.)

11.31.090Failure 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.)

11.31.100Failure 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.)

11.31.110Charging 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.)

11.31.120Monetary 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.)

11.31.125Civil 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.)

11.31.130Order of court—Civil in nature.

An order entered after the receipt of a re-

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sponse which does not contest the determination, or after 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:

11.32.020Service of citation.
11.32.080Return of citation.
11.32.100Failure to appear.
11.32.140Warrant issued for failure to appear.
11.32.160Cancellation.

11.32.020Service 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.)

11.32.080Return 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.)

11.32.100Failure 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.)

11.32.140Warrant 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.)

11.32.160Cancellation.
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:

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

11.34.020Penalties 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 — Penalty, unless the person cited for the violation provided the citing officer with an expired driver's license or other valid identifying documentation under RCW 46.20.035 at the time of the stop and was not in violation of Section 11.56.320 or Section 11.56.340, in which case the violation is an infraction;
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 11.23.400, Unauthorized use of a disabled person's parking placard or license plate;
8. Section 11.31.090, Failure to respond — Written and signed promise;
9. Section 11.31.100, Failure to respond — Parked, stopped or standing notice;
10. Section 11.32.100, Failure to appear;
11. Section 11.40.430, Prohibited entry to no admittance area;
12. Section 11.56.320 D, Driving while license is suspended or revoked in the third degree;
13. Section 11.56.430, Hit and run (unattended vehicle) — Duty in case of accident with unattended vehicle;
14. Section 11.56.440, Hit and run (property damage) — Duty in case of accident with property;
15. Section 11.58.005 A, Negligent driving in the first degree;
16. Section 11.58.190, Leaving minor children in unattended vehicle;
17. Section 11.59.010, Obedience to peace officers, flaggers, and firefighters;
18. Section 11.59.040, Refusal to give information to or to cooperate with officer;

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19. Section 11.59.060, Refusal to stop;

20. Section 11.59.080, Examination of equipment;

21. Section 11.59.090, Duty to obey peace officer — Traffic infraction;

22. Section 11.34.040, Aiding and abetting with respect to the criminal offenses in this subsection.

(Ord. 118105 § 3, 1996: 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.

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

11.40.090 Entry 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 inter-

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section 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.)

11.40.100Prohibited 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.)

11.40.120Yield 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.)

11.40.130Prohibited 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.)

11.40.140Prohibited 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.)

11.40.150Prohibited use of crosswalks.

No pedestrian shall cross a roadway in any

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crosswalk where a traffic or pedestrian-control sign prohibits such crossing. (RCW 46.61.240(5))
(Ord. 108200 § 2(11.40.150), 1979.)

11.40.160Crossing 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.)

11.40.180Standard 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.)

11.40.200White 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.)

11.40.220Walking 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.)

11.40.240Walking in roadway.

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

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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.

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))
(Ord. 108200 § 2(11.40.400), 1979.)

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11.40.420Pedestrian 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.)

11.40.430Prohibited 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:

11.42.020Soliciting rides.
11.42.040Soliciting rides—Limited access facilities.
11.42.060Giving solicited rides.

11.42.020Soliciting 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.)

11.42.040Soliciting 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.)

11.42.060Giving 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:

11.44.010Where regulations apply.
11.44.020Rights and duties of rider.
11.44.040Riding on roadways.
11.44.060Riding more than two (2) abreast prohibited.
11.44.080Overtaking and passing on right.
11.44.100Right-of-way in crosswalk.
11.44.120Riding on sidewalk or public path.
11.44.140Hand signals.
11.44.160Lamps and reflectors on bicycles.
11.44.200Brakes.
11.44.210Must ride on seat.
11.44.220Passengers.
11.44.240Clinging to vehicles.
11.44.260Control.
11.44.280Parking.
11.44.320Responsibility.

11.44.010Where 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.)

11.44.020Rights and duties of rider.

Every person operating a bicycle upon a roadway shall be granted all of the rights and shall be

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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.)

11.44.040Riding 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

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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

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46.61.760(2))
(Ord. 108200 § 2(11.44.220), 1979.)

11.44.240Clinging to vehicles.
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.)

Part 5
DRIVING RULES

Chapter 11.50
OBEDIENCE TO TRAFFIC-CONTROL DEVICES

Sections:

11.50.020Traffic-control signals—Colors—Indications.
11.50.040Circular green signal.
11.50.060Green arrow signal.
11.50.070Obstructing traffic at traffic-control signals.
11.50.080Green indication—Pedestrian's rights.
11.50.100Steady yellow signal—Vehicle operator duties.
11.50.120Steady yellow signal—Pedestrian duties.
11.50.140Steady circular red signal.
11.50.150Steady red arrow signal.
11.50.160Steady red signal—Pedestrian's duties.
11.50.180Traffic-control signal other than at an intersection.
11.50.200Flashing red stop signal.
11.50.220Flashing yellow—Caution signal.
11.50.230Stop at nonoperating traffic signal.
11.50.240Flashing signals—Exceptions.
11.50.250Obedience to signal indicating approach of train.
11.50.260Stop railroad grade crossings.
11.50.270“Walk” pedestrian-control signal.
11.50.280“Don't walk” pedestrian-control signal.
11.50.300“Wait” pedestrian-control signal.
11.50.320Stop intersections.
11.50.340Yield signs.
11.50.360One (1) way traffic—Streets and alleys.
11.50.380Disobedience of traffic-control devices.
11.50.420When traffic devices required for enforcement purposes.
11.50.500Structures concealing signs prohibited.
11.50.520Unlawful erection of traffic-control devices.
11.50.530Unlawful erection of direction signs.
11.50.540Imitation of traffic-control devices.
11.50.560Forbidden devices.

Seattle Municipal Code
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11.50.020Traffic-control signals—Colors—Indications.

Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively one (1) at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a symbol or word legend, and the lights shall indicate and apply to drivers of vehicles and pedestrians in accordance with Sections 11.50.040 through 11.50.160. (RCW 46.61.055)
(Ord. 108200 § 2(11.50.020), 1979.)

11.50.040Circular green signal.

Vehicle operators facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn; provided, that vehicle operators turning right or left shall stop to allow other vehicles or pedestrians lawfully within the intersection control area to complete their movements.
(Ord. 115323 § 6, 1990: Ord. 108200 § 2(11.50.040), 1979.)

11.50.060Green arrow signal.

Vehicle operators facing a green arrow signal, shown alone or in combination with another indication, may enter the intersection control area only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. The vehicular operators shall stop to allow other vehicles or pedestrians lawfully within the intersection control area to complete their movements.
(Ord. 115323 § 7, 1990: Ord. 108200 § 2(11.50.060), 1979.)

11.50.070Obstructing traffic at traffic-control signals.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed. (UVC 11-1112-1971)
(Ord. 108200 § 2(11.50.070), 1979.)

Cases: A driver entering an intersection in violation of this section is negligent as a matter of law. **Roberts v. Larsen**, 71 Wn.2d 743, 431 P.2d 166 (1967).

11.50.080Green indication—Pedestrian's rights.

Unless otherwise directed by a pedestrian-control signal, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk. (RCW 46.61.055(1)(c))
(Ord. 108200 § 2(11.50.080), 1979.)

11.50.100Steady yellow signal—Vehicle operator duties.

Vehicle operators facing a steady circular yellow or yellow arrow signal are thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection.
(Ord. 115323 § 8, 1990: Ord. 108200 § 2(11.50.100), 1979.)

11.50.120Steady yellow signal—Pedestrian duties.

Pedestrians facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian-control signal as provided in SMC Section 11.50.270, shall not enter the roadway, but if pedestrians have begun to cross before the display of either signal, vehicle operators shall stop to allow them to complete their movements.
(Ord. 115323 § 9, 1990: Ord. 108200 § 2(11.50.120), 1979.)

11.50.140Steady circular red signal.

Vehicle operators facing a steady circular red signal alone shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection control area and shall remain standing until an indication to proceed is shown. However, the vehicle operators facing a steady circular red signal may, after stopping proceed to make a right turn from a one (1) way or two (2) way street into a two (2) way street or into a one (1) way street carrying traffic in the direction of the right turn; or a left turn from a one (1) way or two (2) way street into a one (1) way street carrying traffic in the direction of the left turn; unless a sign posted in accordance with the provisions of this title prohibits such movement; but vehicle operators planning to

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make such turns shall remain stopped to allow other vehicles lawfully within or approaching the intersection control area, or approaching pedestrians lawfully within an adjacent crosswalk, to complete their movements.
(Ord. 115323 § 10, 1990: Ord. 108200 § 2(11.50.140), 1979.)

11.50.150Steady red arrow signal.

Vehicle operators facing a steady red arrow indication may not enter the intersection control area to make the movement indicated by such arrow, and unless entering the intersection control area to make such other movement as is permitted by other indications shown at the same time, shall stop at a clearly marked stop line, but if none, before entering a crosswalk on the near side of the intersection control area, or if none, then before entering the intersection control area; and shall remain standing until an indication to make the movement indicated by such arrow is shown. However, the vehicle operators facing a steady red arrow indication may, after stopping, proceed to make a right turn from a one (1) way or two (2) way street into a two (2) way street or into a one (1) way street carrying traffic in the direction of the right turn; or a left turn from a one (1) way street or two (2) way street into a one (1) way street carrying traffic in the direction of the left turn; unless a sign posted in accordance with the provisions of this title prohibits such movement; but vehicle operators planning to make such turns shall remain stopped to allow other vehicles lawfully within or approaching the intersection control area, or approaching pedestrians lawfully within an adjacent crosswalk to complete their movements.
(Ord. 115323 § 11, 1990: Ord. 108200 § 2(11.50.150), 1979.)

11.50.160Steady red signal—Pedestrian's duties.

Unless otherwise directed by a pedestrian-control signal as provided in Sections 11.50.260 and 11.50.280, pedestrians facing a lone steady circular red or lone red arrow signal shall not enter the roadway. (RCW 46.61.055(3)(b))
(Ord. 108200 § 2(11.50.160), 1979.)

11.50.180Traffic-control signal other than at an intersection.

If a traffic signal posted in accordance with the provisions of this title is erected and maintained at a place other than an intersection, any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.
(Ord. 115323 § 12, 1990: Ord. 108200 § 2(11.50.180), 1979.)

11.50.200Flashing red stop signal.

When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a marked stop line, but if none, before entering a marked crosswalk on the near side of the intersection, or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign. (RCW 46.61.065(1)(a))
(Ord. 108200 § 2(11.50.200), 1979.)

11.50.220Flashing yellow—Caution signal.

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. (RCW 46.61.065(1)(b))
(Ord. 108200 § 2(11.50.220), 1979.)

11.50.230Stop at nonoperating traffic signal.

Except when directed to proceed by a peace officer, every driver of a vehicle approaching a traffic signal which is not showing any green, red, or yellow indication to the approach the vehicle is on, shall stop and yield the right-of-way, except at railroad grade crossings and except at fire signals which are not in operation.
(Ord. 108200 § 2(11.50.230), 1979.)

11.50.240Flashing signals—Exceptions.

Sections 11.50.200 and 11.50.220 shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad crossings shall be governed by the rules as set forth in Section 11.50.250. (RCW 46.61.065(2))
(Ord. 108200 § 2(11.50.240), 1979.)

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11.50.250Obedience to signal indicating approach of train.

A. Whenever any person driving a vehicle approaches a railroad grade crossing, the driver shall stop the vehicle within fifty feet (50′), but not less than fifteen feet (15′), from the nearest rail of such railroad, and shall not proceed until he can do so safely, when:

1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;

2. A crossing gate is lowered or when a flagger gives or continues to give a signal of the approach or passage of a railroad train;

3. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing.

B. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. (RCW 46.61.340)

(Ord. 108200 § 2(11.50.250), 1979.)

11.50.260Stop railroad grade crossings.

When stop signs are erected at a railroad grade crossing the driver of any vehicle shall stop within fifty feet (50′) but not less than fifteen feet (15′) from the nearest rail or such railroad and shall proceed only upon exercising due care. (RCW 46.61.345)

(Ord. 108200 § 2(11.50.260), 1979.)

11.50.270"Walk" pedestrian-control signal.

Pedestrians facing a "WALK" word legend or walking person symbol signal may cross the roadway in the direction of the signal. If pedestrians have begun to cross a roadway while facing such a signal, all approaching vehicle operators shall stop to allow them to complete their crossing.

(Ord. 115323 § 13, 1990: Ord. 108200 § 2(11.50.270), 1979.)

11.50.280"Don't walk" pedestrian-control signal.

Pedestrians facing a steady or flashing "DON'T WALK" word legend or a hand symbol signal shall not enter the roadway, but if pedestrians have begun to cross before the display of either signal, vehicle operators shall stop to allow them to complete their movements.

(Ord. 115323 § 14, 1990: Ord. 108200 § 2(11.50.280), 1979.)

11.50.300"Wait" pedestrian-control signal.

Pedestrian-control signals having the "WAIT" legend in use shall mean the same as the "DON'T WALK" legend. (RCW 46.61.060(3))

(Ord. 108200 § 2(11.50.300), 1979.)

11.50.320Stop intersections.

A. Every driver of a vehicle approaching a stop sign shall stop at a marked stop line, or if none, before entering a marked crosswalk on the near side of the intersection or, if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway, unless directed to proceed by a person duly authorized to regulate traffic.

B. Before entering the intersection, and after having stopped, the driver shall yield the right-of-way to any vehicle which is in the intersection or which is approaching on another roadway so closely as to constitute an immediate hazard. (RCW 46.61.190(2) and 46.61.360(2)) (RCW 47.36.110)

(Ord. 108200 § 2(11.50.320), 1979.)

11.50.340Yield signs.

The driver of a vehicle approaching a yield sign shall slow down to a speed which is reasonable for the existing conditions and if required for safety to stop, shall stop at a marked stop line, or if none, before entering a marked crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Before entering the roadway, after slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection, or to any vehicle which is approaching on another roadway so closely as to constitute an immediate hazard of collision. If a driver is involved in a collision with a vehicle in the intersection or junction of roadways, after driving past a yield sign without stopping, such collision shall be deemed prima facie evidence of his failure to yield the right-of-way. (RCW 46.61.190(3))(Note: See 47.36.100 for another statute.)

(Ord. 108200 § 2(11.50.340), 1979.)

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11.50.360One (1) way traffic—Streets and alleys.

No person shall drive any vehicle on any street or alley which is designated for one (1) way traffic, except in the designated direction. (UVC 11-308)
(Ord. 108200 § 2(11.50.360), 1979.)

11.50.380Disobedience of traffic-control devices.

No person shall disobey the applicable instructions of any official traffic-control device, unless otherwise directed by a peace officer. (RCW 46.61.050(1))
(Ord. 108200 § 2(11.50.380), 1979.)

11.50.420When traffic devices required for enforcement purposes.

Whenever a person has been cited for failing to obey the instructions of an official traffic-control device, it shall be a defense to the charge that the official device was not in proper position and insufficiently legible or visible to an ordinarily observant person at the time and place of the alleged violation. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place. (RCW 46.61.050 (2))
(Ord. 108200 § 2(11.50.420), 1979.)

11.50.500Structures concealing signs prohibited.

No person shall erect any sign, device, or structure in such a manner that it obscures or conceals an official sign, signal, signboard, guide post, or other traffic-control device in such a manner as to interfere with the full and effective use thereof. (RCW 47.36.140)
(Ord. 108200 § 2(11.50.500), 1979.)

11.50.520Unlawful erection of traffic-control devices.

No person shall, without lawful authority display, erect, or locate any signs, signals, signboards, guide posts, pavement marking, curb marking, or other traffic-control devices upon any street or alley. Any sign, signal, signboard, guide post, pavement marking, curb marking or any other traffic-control device so erected or maintained, constitutes a public nuisance and may be removed by the Director of Engineering or his duly authorized agent and such removal shall not be a breach of the peace. (RCW 47.36.160)
(Ord. 108200 § 2(11.50.520), 1979.)

11.50.530Unlawful erection of direction signs.

No person shall erect any device on a street or alley for the purpose of the information or the direction of traffic, giving the distance or direction to or from any point or place, unless such person shall have first applied for and obtained from the Board of Public Works a permit to do so, and the same shall have been constructed, erected and located according to the specific requirements therefor contained in such permit. Any device erected or maintained without such a permit constitutes a public nuisance and may be removed by the Director of Engineering or his duly authorized agent and such removal of an unlawful device on private or public property, shall not be a breach of the peace. Furthermore, no liability shall attach to the City, its agents, or employees by reason of any damage or injury to persons or property when removing such unlawful device. (RCW 47.36.160)
(Ord. 108200 § 2(11.50.530), 1979.)

11.50.540Imitation of traffic-control devices.

No person shall erect or maintain an imitation or counterfeit of any sign, signal, signboard, guide post, or any other traffic-control devices for the direction, information, warning, control or restriction of traffic either for use upon any private roads or upon any street or alley, or for the purpose of advertising or for any other purpose whatsoever. No person shall erect or maintain any device which simulates in shape, color, or design any uniform state standard signal, signboard, guide post or any other traffic-control device adopted, designated and used by the City, which might by reason of its shape, color, design or location be mistaken for one such uniform state standard sign, signboard, guide post, or other traffic-control device. (RCW 47.36.160)
(Ord. 108200 § 2(11.50.540), 1979.)

11.50.560Forbidden devices.

A. No person shall erect or maintain at or near a street or alley any structure, sign, light or device that is:

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1. Visible from a street or alley and simulating any directional, warning, or regulatory sign or likely to be mistaken for such a sign or bearing any such words as "danger," "stop," "slow," "turn," "impound," or similar words, figures, or directions likely to be construed as giving warning to or regulating traffic;

2. Visible from a street or alley and displaying any red, green, or yellow light or intermittent or blinking light or rotating light identical or similar in size, shape and color to that used on any emergency or road equipment or any light otherwise likely to be mistaken for a traffic-control device;

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3. Visible from a street or alley and displaying any lights tending to blind persons operating vehicles upon the street or alley or any glaring light, or any light likely to be mistaken for a vehicle upon the street or alley or otherwise to be so mistaken as to constitute a hazard; or

4. Visible from a street or alley, and flooding, or intended to flood, or directed across, the roadway of the street or alley with a directed beam, or with diffused light, whether or not the floodlight is shielded against directing its flood beam toward approaching traffic on the street or alley.

B. Any structure or device erected or maintained contrary to the provisions of this section is a public nuisance and the Director of Engineering shall notify the owner thereof that it constitutes a public nuisance and must be removed, and if the owner fails to do so, the Director of Engineering may abate the nuisance. Any and all actions undertaken by the Director of Engineering or his duly authorized agent to abate such a nuisance shall not attach any liability to the City, its agents, or employees. (RCW 47.36.180)
(Ord. 108200 § 2(11.50.560), 1979.)

Chapter 11.52
SPEED REGULATIONS

Sections:

11.52.020General speed stated.
11.52.040Maximum speed.
11.52.060Twenty-five (25) m.p.h. speed limits.
11.52.080Thirty (30) m.p.h. speed limits.
11.52.100Speed limit—School or playground crosswalks.
11.52.120Speed limit in alleys.
11.52.130Minimum speed regulation—Passing slow-moving vehicle.
11.52.160Minimum speed regulation.
11.52.200Speed traps—Evidence.
11.52.220Exceeding speed limit evidence of reckless driving.

11.52.020General speed stated.

A. No person shall drive a vehicle on a street, alley or way open to the public at a speed greater than is reasonable and prudent under the conditions and having regard for the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering such street, alley or way open to the public in compliance with legal

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requirements and the duty of all persons to use due care.

B. The driver of every vehicle shall, consistent with the requirements of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or roadway conditions. (RCW 46.61.400(1) and (3))
(Ord. 108200 § 2(11.52.020), 1979.)

11.52.040Maximum speed.

No person shall operate any vehicle at a speed in excess of the stated or posted speed limits on any street or alley.
(Ord. 108200 § 2(11.52.040), 1979.)

11.52.060Twenty-five (25) m.p.h. speed limits.

Except in those instances where a different maximum lawful speed is provided by this subtitle or otherwise, no person shall operate any vehicle at speed in excess of twenty-five (25) miles per hour on any street. (RCW 46.61.400(2)(a))
(Ord. 108200 § 2(11.52.060), 1979.)

11.52.080Thirty (30) m.p.h. speed limits.

Subject to Section 11.52.020, and except in those instances where a different maximum lawful speed is provided by this subtitle or otherwise, no person shall operate any vehicle at a speed in excess of thirty (30) miles per hour on arterial streets.
(Ord. 108200 § 2(11.52.080), 1979.)

11.52.100Speed limit—School or playground crosswalks.

Except in those instances where a lower maximum speed is provided by this subtitle, no person shall operate any vehicle at a speed in excess of the posted speed limit when passing any marked school or playground crosswalk when such marked crosswalk is fully posted with school speed limit signs or playground speed limit signs. (RCW 46.61.440)
(Ord. 108200 § 2(11.52.100), 1979.)

11.52.120Speed limit in alleys.

No person shall operate any vehicle at a speed in excess of fifteen (15) miles per hour upon an alley. (RCW 46.61.415 (1)(c))
(Ord. 108200 § 2(11.52.120), 1979.)

11.52.130Minimum speed regulation—Passing slow-moving vehicle.

No person shall operate a motor vehicle at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law. Any person following a vehicle being driven at less than the legal maximum speed and desiring to pass such vehicle shall not exceed the speed limit when passing such vehicle. Where any slow-moving motor vehicle tends to congest traffic, any peace officer may cause such vehicle to be removed from the roadway and permit the congested traffic to be relieved. (RCW 46.61.425(1))
(Ord. 108200 § 2(11.52.130), 1979.)

11.52.160Minimum speed regulation.

No person shall drive a vehicle slower than a minimum speed limit when appropriate signs giving notice thereof are erected, except when necessary for safe operation or in compliance with law. (RCW 46.61.425(2))
(Ord. 108200 § 2(11.52.160), 1979.)

11.52.200Speed traps—Evidence.

No evidence as to the speed of any vehicle by any person arrested for violation of any of the provisions of this subtitle regarding speed, or of any orders, rules or regulations made pursuant 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 street or alley, 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, however, that evidence shall be

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admissible against any person arrested for violation of any of the provisions of this subtitle, or of any orders, rules or regulations made pursuant thereto regarding speed, if the same is determined by a particular section of or distance on a street, or alley the length of which has been accurately measured off or otherwise designated or determined and the limits of which are controlled by a mechanical, electronic, 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 (5%) using the lapsed time during which such vehicle travels between such limits: Provided further, that such limits shall not be closer than one-fourth (¼) mile. (RCW 46.61.470)
(Ord. 108200 § 2(11.52.200), 1979.)

11.52.220Exceeding speed limit evidence of reckless driving.

The unlawful operation of a vehicle in excess of the maximum lawful speeds permitted by this subtitle 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. (RCW 46.61.465)
(Ord. 108200 § 2(11.52.220), 1979.)

Chapter 11.53
VEHICLE POSITION ON ROADWAY—OVERTAKING AND PASSING

Sections:

11.53.020Driving on right side of roadway—Exceptions.
11.53.040Slow vehicles—Right side—Exceptions.
11.53.080Divided streets—Medians and barriers.
11.53.100Operate in single lane.
11.53.120Interval between vehicles.
11.53.140Interval between trucks.
11.53.180Driving on the shoulder.
11.53.190Driving in a bicycle lane.
11.53.195Marked bicycle crossing.
11.53.200Overtaking a vehicle on the left.
11.53.210Limitations on overtaking on the left.
11.53.220Overtaken vehicle to give way.
11.53.240Driving on left side of centerline when approaching a curve or hill crest.
11.53.260Driving on left side—Intersection—Railroad crossing.
11.53.280Driving on left side of centerline when approaching a bridge.
11.53.300Exceptions to limitations on driving on left side of centerline.
11.53.320Overtaking on right when overtaken vehicle is turning left.
11.53.340Overtaking on right upon multiple lane street.
11.53.380When conditions safe.
11.53.400Further limitations on overtaking and passing.
11.53.420No-passing zone.
11.53.440Overtaking and passing school bus.
11.53.460Overtaking or meeting private carrier bus—Signs.

11.53.020Driving on right side of roadway—Exceptions.

A. Upon all roadways of sufficient width, but less than four (4) lanes, a vehicle shall be driven upon the right half of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

2. When an obstruction exists making it necessary to drive to the left of the centerline of the roadway: Provided, that any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the roadway within such distance as to constitute an immediate hazard;

3. Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable thereon; or

4. Upon a roadway restricted to one (1) way traffic.

B. Upon any roadway having four (4) or more lanes for moving traffic and providing for two (2) way movement of traffic, no vehicle shall be driven to the left of the centerline of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection A2 hereof. However, this subsection shall not be construed as prohibiting the crossing of the

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centerline in making a left turn into or from an alley, private road or driveway. (RCW 46.61.100(1) and (3))
(Ord. 108200 § 2(11.53.020), 1979.)

11.53.040Slow vehicles—Right side—Exceptions.

Upon all roadways, any vehicle, proceeding slower than the legal maximum speed or at a speed slower than necessary for safe operation at the time and place under the conditions then existing, shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection, exit, or into a private road or driveway when such left turn is legally permitted. (RCW 46.61.100(2))
(Ord. 108200 § 2(11.53.040), 1979.)

11.53.080Divided streets—Medians and barriers.

Whenever any street has been divided into two (2) or more roadways by a physical barrier or by a planted area or by a median island not less than eighteen inches (18″) wide formed either by solid yellow pavement markings or by a yellow cross-hatching between two (2) solid yellow lines so installed as to control vehicular traffic, every vehicle shall be driven only upon the right-hand roadway unless directed or permitted to use another roadway by official traffic-control devices or peace officers. No vehicle shall be driven over, across or within any such physical barrier or planted area or median island, except through an opening in such physical barrier or planted area or median island, or at a crossover or intersection established by public authority. (RCW 46.61.150)
(Ord. 108200 § 2(11.53.080), 1979.)

11.53.100Operate in single lane.

Every vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety. (RCW 46.61.140(1))
(Ord. 108200 § 2(11.53.100), 1979.)

11.53.120Interval between vehicles.

The driver of a motor vehicle shall not follow another vehicle or bicycle more closely than is reasonable and prudent, having due regard for the speed of such vehicles or bicycles and the traffic upon and the condition of the street or alley. (RCW 46.61.145(1))
(Ord. 108200 § 2(11.53.120), 1979.)

11.53.140Interval between trucks.

The driver of any motor truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another motor truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a motor truck or motor vehicle drawing another vehicle from overtaking and passing any like vehicle or other vehicle. (RCW 46.61.145(2))
(Ord. 108200 § 2(11.53.140), 1979.)

11.53.180Driving on the shoulder.

No person shall drive any vehicle or combination of vehicles with one (1) or more of the wheels on the shoulder of a street except for the purpose of stopping off such roadway, for gaining access to adjacent property, or having stopped thereat, for proceeding back onto the roadway. (RCW 46.61.670)
(Ord. 108200 § 2(11.53.180), 1979.)

11.53.190Driving in a bicycle lane.

The operator of a motor vehicle shall not drive in a bicycle lane except to execute a turning maneuver, yielding to all persons riding bicycles thereon.
(Ord. 108200 § 2(11.53.190), 1979.)

11.53.195Marked bicycle crossing.

When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a person riding a bicycle within a marked bicycle crossing when such bicyclist is upon the half of the roadway upon which the vehicle is traveling, or when the bicyclist is approaching from the opposite half of the roadway as to be in danger.
(Ord. 108200 § 2(11.53.195), 1979.)

11.53.200Overtaking a vehicle on the left.

The operator of a vehicle overtaking another

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vehicle proceeding in the same direction shall pass to the left of such overtaken vehicle at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. (RCW 46.61.110(1))
(Ord. 108200 § 2(11.53.200), 1979.)

11.53.210 Limitations on overtaking on the left.

No person shall drive a vehicle to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless authorized by the provisions of this chapter and unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to an authorized lane of travel as soon as practicable and in the event the passing movement involves the use of a lane authorized for vehicles approaching from the opposite direction, before coming within two hundred feet (200′) of any approaching vehicle. (RCW 46.61.120)
(Ord. 108200 § 2(11.53.210), 1979.)

11.53.220 Overtaken vehicle to give way.

Except when overtaking and passing on the right is permitted, the driver of a vehicle being overtaken by a vehicle proceeding in the same direction shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. (RCW 46.61.110(2))
(Ord. 108200 § 2(11.53.220), 1979.)

11.53.240 Driving on left side of centerline when approaching a curve or hill crest.

No person shall operate a vehicle on the left side of the centerline when approaching or upon the crest of a grade or upon a curve where the operator's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction. (RCW 46.61.125(1)(a))
(Ord. 108200 § 2(11.53.240), 1979.)

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