

11.53.260 Driving on left side—Intersection—Railroad crossing.

No person shall operate a vehicle on the left side of the centerline when approaching within one hundred (100) feet of or traversing any intersection or railroad grade crossing. (RCW 46.61.125(1)(b)) (Ord. 108200 § 2(11.53.260), 1979.)

11.53.280 Driving on left side of centerline when approaching a bridge.

No person shall operate a vehicle on the left side of the centerline when the view is obstructed upon approaching within one hundred (100) feet of any bridge, viaduct or tunnel. (RCW 46.61.125(1)(c)) (Ord. 108200 § 2(11.53.280), 1979.)

11.53.300 Exceptions to limitations on driving on left side of centerline.

The limitations described in Sections 11.53.210, 11.53.240, 11.53.260, and 11.53.280 shall not apply upon a one (1) way roadway, nor under the conditions described in Section 11.53.020 A2 nor to the driver of a vehicle turning left into or from an alley, private road or driveway. (RCW 46.61.125(2)) (Ord. 108200 § 2(11.53.300), 1979.)

11.53.320 Overtaking on right when overtaken vehicle is turning left.

The operator of a vehicle may overtake and pass upon the right of another vehicle when the vehicle overtaken is making or about to make a left turn. Such movement shall not be made by driving off the roadway. (RCW 46.61.115(1)(a)) (Ord. 108200 § 2(11.53.320), 1979.)

11.53.340 Overtaking on right upon multiple lane street.

The operator of a vehicle may overtake and pass upon the right of another vehicle upon a roadway with unobstructed pavement of sufficient width for two (2) or more lanes of vehicles moving lawfully in the direction being traveled by the overtaking vehicle. (RCW 46.61.115(1) (b)) (Ord. 108200 § 2(11.53.340), 1979.)

11.53.380 When conditions safe.

The operator of a vehicle may overtake and pass another vehicle upon the right only under

conditions permitting such movement in safety. Such movement shall not be made by driving off the roadway. (RCW 46.61.115(2)) (Ord. 108200 § 2(11.53.380), 1979.)

11.53.400 Further limitations on overtaking and passing.

Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the operator of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle. (RCW 46.61.235(4)) (Ord. 108200 § 2(11.53.400), 1979.)

11.53.420 No-passing zone.

Where signs or markings are in place to define a no-passing zone, no driver shall at any time drive on the left side of the roadway within such no-passing zone or on the left side of any pavement striping designed to mark such no-passing zone throughout its length. This section does not apply under the conditions described in Section 11.53.020 B, nor to the driver of a vehicle turning left into or from an alley, private road or driveway. (RCW 46.61.130(2) and (3)) (Ord. 108200 § 2(11.53.420), 1979.)

11.53.440 Overtaking and passing school bus.

A. Except as provided in subsections C and D of this section, the driver of a vehicle upon overtaking or meeting from either direction any school bus which has stopped on a roadway for the purpose of receiving or discharging any schoolchildren shall stop the vehicle before reaching such school bus when there is in operation on the school bus a visual signal as specified in Section 11.82.520 and the driver shall not proceed until such school bus resumes motion or the visual signals are no longer activated.

B. The driver of a school bus shall actuate the visual signals required by Section 11.82.520 only when the school bus is stopped on a roadway for the purpose of receiving or discharging schoolchildren.

C. The driver of a vehicle upon a street divided into separate roadways as provided in Section 11.53.080 need not stop upon meeting a school bus which is proceeding in the opposite direction and is stopped for the purpose of receiving or discharging schoolchildren.

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D. The driver of a vehicle upon a street with three (3) or more marked traffic lanes need not stop upon meeting a school bus which is proceeding in the opposite direction and is stopped for the purpose of receiving or discharging schoolchildren.

E. The driver of a school bus may stop completely off the roadway for the purpose of receiving or discharging school children only when the school children do not have to cross the roadway. The school bus driver shall actuate the hazard warning lamps as defined in RCW 46.37.215 before loading or unloading school children at such stops.

F. No school bus shall stop on an arterial street at a location other than an intersection, except at designated bus zones, passenger load zones, school loading zones, or load and unload zones for the purpose of receiving or discharging schoolchildren; provided, that school buses receiving or discharging handicapped, impaired or disabled students may stop at the most advantageous location for loading and unloading. (RCW 46.61.370)

(Ord. 119011 § 13, 1998; Ord. 108200 § 2(11.53.440), 1979.)

11.53.460 Overtaking or meeting private carrier bus—Signs.

A. The driver of a vehicle upon overtaking or meeting from either direction any private carrier bus which has stopped on a road for the purpose of receiving or discharging any passenger shall stop the vehicle before reaching such private carrier bus when there is in operation on the bus a visual signal as specified in RCW 46.37.190 and the driver shall not proceed until such bus resumes motion or is signaled by the bus driver to proceed or the visual signals are no longer activated.

B. The visual signals shall be actuated by the driver of the private carrier bus when such bus is stopped on a road for the purpose of receiving or discharging passengers, unless:

1. The passengers boarding or alighting do not have to cross a road and the bus is stopped completely off the main traveled portion of the road; or

2. The bus is stopped at an intersection or place where traffic is controlled by a traffic officer or official traffic-control signal; or

3. The bus is stopped on a multiple lane street for the purpose of receiving or discharging

passengers and the passengers are not required to cross the road.

C. The driver of a vehicle upon a street divided into separate roadways as provided in Section 11.53.080, need not stop upon meeting or passing a private carrier bus which is on a separate roadway or when upon a limited access street, and the private carrier bus is stopped in a loading zone which is a part of or adjacent to such street and where pedestrians are not permitted to cross the roadway.

D. No private carrier bus shall stop on an arterial street between crosswalks except at designated bus zones, passenger load zones, school loading zones, or load and unload zones for the purpose of receiving or discharging passengers. (RCW 46.61.375)

(Ord. 108200 § 2(11.53.460), 1979.)

**Chapter 11.54
LIMITED ACCESS FACILITIES**

Sections:

11.54.020 Cross dividing line.

11.54.040 Improper turn.

11.54.060 Improper lane.

11.54.080 Enter from service road.

11.54.100 Stop vehicle within right-of-way.

11.54.120 Designated access points.

11.54.140 Backing prohibited.

11.54.150 Limited access facilities—Penalties.

11.54.020 Cross dividing line.

No person shall drive a vehicle over, upon, or across any physical barrier, median barrier, or no-passing zone line on any limited access facility. (RCW 47.52.120(1))

(Ord. 108200 § 2(11.54.020), 1979.)

11.54.040 Improper turn.

No person shall make a left turn or a semicircular or U turn except through an opening provided for that purpose in the physical barrier, median barrier, or no-passing zone line on any

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limited access facility. (RCW 47.52.120(2))
(Ord. 108200 § 2(11.54.040), 1979.)

11.54.060Improper lane.

No person shall drive any vehicle except in the proper lane provided for that purpose and in the proper direction and to the right of the physical barrier, median barrier, or no-passing zone line on any limited access facility, except as provided in Section 11.53.020. (RCW 47.52.120(3))
(Ord. 108200 § 2(11.54.060), 1979.)

11.54.080Enter from service road.

No person shall drive any vehicle into a limited access facility from a local service road except through an opening provided for that purpose in the physical barrier or dividing line which separates such service road from the limited access facility proper. (RCW 47.52.120(4))
(Ord. 108200 § 2(11.54.080), 1979.)

11.54.100Stop vehicle within right-of-way.

No person shall stop or park any vehicle or equipment within the right-of-way of any limited access facility including the shoulders thereof, except at points specially provided therefor, and to make only such use of such specially provided stopping or parking points as is permitted by the designation thereof; provided, that this section shall not apply to authorized emergency vehicles, law enforcement vehicles or to vehicles stopped for emergency causes or equipment failures. (RCW 47.52.120(5))
(Ord. 108200 § 2(11.54.100), 1979.)

11.54.120Designated access points.

No person shall travel to or from any limited access facility at any point other than a point designated by the Director of Engineering as an approach to said facility or to use an approach to such facility for any use in excess of that specified by such official. (Ord. 115995 § 15, 1991; Ord. 108200 § 2(11.54.120), 1979.)

11.54.140Backing prohibited.

No person shall back a vehicle upon any shoulder or roadway of any limited access facility. (RCW 46.61.605(2))
(Ord. 108200 § 2(11.54.140), 1979.)

11.54.150Limited access facilities—Penalties.

Any person who violates any of the provisions of Sections 11.54.020 through 11.54.140 of this subtitle shall upon a finding thereof be assessed a penalty of not less than Five Dollars (\$5) nor more than One Hundred Dollars (\$100).

(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.54.150), 1979.)

Chapter 11.55

STARTING, STOPPING AND TURNING

Sections:

11.55.010Right-of-way of vehicles approaching an intersection.

11.55.020Right turns.

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11.55.060Two way left-turn lane.

11.55.080Right-of-way on making a left turn.

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11.55.220Stops—Signal required.

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11.55.260Signals by hand and arm or signal lamps.

11.55.280When signals required.

11.55.300Method of giving hand and arm signals.

11.55.320Certain vehicles must stop at all railroad grade crossings.

11.55.340Vehicles carrying explosives, flammable liquids, poison gas, liquefied petroleum gas (LPG) and cryogenics must stop at all railroad grade crossings.

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11.55.010 Right-of-way of vehicles approaching an intersection.

When two (2) vehicles approach or enter an uncontrolled intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right. (RCW 46.61.180) (Ord. 108200 § 2(11.55.010), 1979.)

11.55.020 Right turns.

The operator of a vehicle intending to turn right at an intersection shall make both the approach for a right turn and a right turn as close as practicable to the right-hand curb or edge of the roadway. (RCW 46.61.290(1)) (Ord. 108200 § 2(11.55.020), 1979.)

11.55.040 Left turns.

The operator of a vehicle intending to turn left shall approach the turn in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle. Whenever practicable the left turn shall be made to the left of the center of the intersection and so as to leave the intersection or other location in the extreme left-hand lane lawfully available to traffic moving in the same direction as such vehicle on the roadway being entered. (RCW 46.61.290(2)) (Ord. 108200 § 2(11.55.040), 1979.)

11.55.060 Two way left-turn lane.

Upon a roadway where a center lane has been provided by distinctive pavement markings for the use of vehicles turning left from both directions, no vehicles shall turn left from any other lane. A vehicle shall not be driven in this center lane for the purpose of overtaking or passing another vehicle proceeding in the same direction. No vehicle shall travel further than three hundred (300) feet within the lane. A signal, either electric or manual, for indicating a left-turn movement, shall be made at least one hundred (100) feet before the actual left-turn movement is made. (RCW 46.61.290(3)(c)) (Ord. 119011 § 14, 1998: Ord. 108200 § 2(11.55.060), 1979.)

11.55.080 Right-of-way on making a left turn.

The operator of a vehicle intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is

so close as to constitute an immediate hazard. (RCW 46.61.185) (Ord. 108200 § 2(11.55.080), 1979.)

11.55.100 Obedience to no-turn signs.

Whenever signs are erected indicating that no right or left or U turn is permitted, no person shall disobey the directions of any such signs; except, that at those intersections where there are authorized signs exempting transit coaches from the directions of a no-left-turn sign, the operators of taxicabs shall also be exempt from the directions of such sign; except that the above exception shall not apply to the intersection of Northeast 45th Street and University Way. (Ord. 119011 § 15, 1998: Ord. 10887 § 1, 1980: Ord. 108200 § 2(11.55.100), 1979.)

11.55.120 U turns—Restrictions.

No person shall make a U turn unless such movement can be made in safety and without interfering with other traffic. No person shall make a U turn on any curve, or on the approach to or near the crest of a grade, unless the vehicle can be seen by the drivers of all other vehicles approaching from both directions within five hundred (500) feet. (RCW 46.61.295) (Ord. 119011 § 16, 1998: Ord. 108200 § 2(11.55.120), 1979.)

11.55.140 Left turns between intersections—Limitations.

No person shall make a left turn between intersections on any street when such left turn delays or stops any vehicle traveling in the same or the opposite direction on the street, or when such left turn endangers or is likely to endanger any person or vehicle on the street, provided that if traffic conditions are such that the delayed or stopped vehicles could have safely passed the left turning vehicle on the right without stopping or being delayed such left turns are permitted. (Ord. 108200 § 2(11.55.140), 1979.)

11.55.160 Entering space—Angle parking.

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Operators of vehicles shall enter angle parking spaces only from the side of the roadway which is adjacent to such space.

(Ord. 108200 § 2(11.55.160), 1979.)

11.55.180 Starting parked vehicle.

No person shall start a vehicle which is stopped, standing, or parked and then commence

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movement unless and until such movement can be made with reasonable safety. (RCW 46.61.-300) (Ord. 108200 § 2(11.55.180), 1979.)

11.55.200 Turn signal—Required.

No person shall turn a vehicle or move right or left upon a roadway unless and until such movement can be made with reasonable safety nor without giving an appropriate signal. (RCW 46.61.305(1)) (Ord. 108200 § 2(11.55.200), 1979.)

11.55.220 Stops—Signal required.

No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal to the driver of any vehicle immediately to the rear when there is opportunity to give such signal. (RCW 46.61.305(3)) (Ord. 108200 § 2(11.55.220), 1979.)

11.55.240 Turn signal—Distance in advance.

A signal of intention to turn or move right or left when required shall be given continuously during not less than the last one hundred (100) feet traveled by the vehicle before turning or moving right or left. (RCW 46.61.305(2)) (Ord. 108200 § 2(11.55.240), 1979.)

11.55.260 Signals by hand and arm or signal lamps.

Any turn when required in this chapter shall be given either by means of the hand and arm or by signal lamps; provided, that whenever any motor vehicle is equipped with signal lamps in accordance with Section 11.82.420, any turn signal required in this chapter shall be given by means of the signal lamps. (RCW 46.61.310(1)) (Ord. 108200 § 2(11.55.260), 1979.)

11.55.280 When signals required.

Signals shall be used to indicate an intention to turn, change lanes, or start from a parked position and the signal lamps shall not be flashed on one (1) side only on a disabled vehicle, or flashed as a courtesy or “do pass” signal to operators of other vehicles approaching from the rear. (RCW 46.61.305(4)) (Ord. 108200 § 2(11.55.280), 1979.)

11.55.300 Method of giving hand and arm signals.

All signals given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:

- A. Left Turn. Hand and arm extended horizontally beyond the side of the vehicle.
- B. Right Turn. Hand and arm extended upward beyond the side of the vehicle;
- C. Stop or Decrease Speed. Hand and arm extended downward beyond the side of the vehicle. (RCW 46.61.315) (Ord. 108200 § 2(11.55.300), 1979.)

11.55.320 Certain vehicles must stop at all railroad grade crossings.

A. The driver of any motor vehicle carrying passengers for hire, other than a passenger car, or of any school bus or private carrier bus carrying any school child or other passenger, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required in this section and upon proceeding when it is safe to do so, the driver of any such vehicle shall proceed across the tracks only in a gear such that there will be no necessity for changing gears while traversing such crossing and the driver shall not shift gears while crossing the track or tracks.

B. This section shall not apply at:

- 1. Any railroad grade crossing at which traffic is controlled by a peace officer or a duly authorized flagger;
- 2. Any railroad grade crossing at which traffic is regulated by a traffic-control signal;
- 3. Any railroad grade crossing protected by crossing gates or an alternatively flashing light signal intended to give warning of the approach of a railroad train;
- 4. Any railroad grade crossing at which an official traffic-control device gives notice that the stopping requirement imposed by this section does not apply. (RCW 46.61.340)

(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.55.320), 1979.)

11.55.340 Vehicles carrying explosives, flammable liquids, poison gas, liquefied petroleum gas (LPG) and cryogenics must stop at all railroad crossings.

A. The driver of any motor vehicle carrying explosives, flammable liquids, poison gas, liquefied petroleum gas (LPG) or cryogenics, as a cargo or part of a cargo, before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty (50) feet but not less than fifteen (15) feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required in this section and upon proceeding when it is safe to do so, the driver of any such vehicle shall proceed across the tracks only in a gear such that there will be no necessity for changing gears while traversing such crossing and the driver shall not shift gears while crossing the track or tracks.

B. This section shall not apply at:

- 1. Any railroad grade crossing at which traffic is controlled by a peace officer or a duly authorized flagger;
- 2. Any railroad grade crossing at which traffic is regulated by a traffic-control signal;
- 3. Any railroad grade crossing protected by crossing gates or an alternatively flashing light signal intended to give warning of the approach of a railroad train;
- 4. Any railroad grade crossing at which an official traffic-control device gives notice that the stopping requirement imposed by this section does not apply. (RCW 46.61.340) (Ord. 109476 § 4(part), 1980; Ord. 108200 § 2(11.55.340), 1980.)

Chapter 11.56 SERIOUS TRAFFIC OFFENSES

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- 11.56.020**Persons under the influence of intoxicating liquor or any drug—Chemical analysis—Tests, evidence and penalties.
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11.56.010Arrest powers.

A peace officer may arrest a person without a warrant if the officer has probable cause to believe that such person has committed a crime as defined in this chapter.
(Ord. 108200 § 2(11.56.010), 1979.)

11.56.020Persons under the influence of intoxicating liquor or any drug—Chemical analysis—Tests, evidence and penalties.

A. Driving While Intoxicated.

1. A person is guilty of driving while under the influence of intoxicating liquor or any drug if the person drives a vehicle within the City:

a. And the person has, within two (2) hours after driving, an alcohol concentration of 0.08 or higher, as shown by analysis of the person's breath or blood made under the provisions of this section; or

b. While the person is under the influence of or affected by intoxicating liquor or any drug; or

c. While the person is under the combined influence of or affected by intoxicating liquor and any drug.

2. The fact that any person charged with a violation of this subsection is or has been entitled to use a drug under the laws of this state shall not constitute a defense against any charge of violating this subsection.

3. It is an affirmative defense to a violation of subsection A1a of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of driving and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two (2) hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

4. Analysis of blood or breath samples obtained more than two (2) hours after the alleged driving may be used as evidence that within two (2) hours after the alleged driving a person had an alcohol concentration of 0.08 or more in violation of subsection A1a of this section, and in any case in which the analysis shows an alcohol concentra-

tion above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsections A1b or A1c of this section.

5. Driving while under the influence of intoxicating liquor or any drug is a gross misdemeanor.

B. Physical Control.

1. A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person has actual physical control of a vehicle within the City:

a. And the person has, within two (2) hours after being in actual physical control of the vehicle, an alcohol concentration of 0.08 or higher, as shown by analysis of the person's breath or blood made under the provisions of this section; or

b. While the person is under the influence of or affected by intoxicating liquor or any drug; or

c. While the person is under the combined influence of or affected by intoxicating liquor and any drug.

2. The fact that any person charged with a violation of this subsection is or has been entitled to use a drug under the laws of this state shall not constitute a defense against any charge of violating this subsection. No person may be convicted under this subsection if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

3. It is an affirmative defense to a violation of subsection B1a of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two (2) hours after being in actual physical control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

4. Analysis of blood or breath samples obtained more than two (2) hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two (2) hours after

the alleged being in actual physical control of a vehicle a person had an alcohol concentration of 0.08 or more in violation of subsection B1a of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsections B1b or B1c of this section.

5. Being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug is a gross misdemeanor.

C. Minor Driving Or Being In Actual Physical Control Of A Motor Vehicle After Consuming Alcohol.

1. Notwithstanding any other provision of this title, a person is guilty of minor driving or being in actual physical control of a motor vehicle after consuming alcohol if the person:

a. Operates or is in actual physical control of a motor vehicle in the City;

b. Is under the age of twenty-one (21); and

c. Has, within two (2) hours after operating or being in actual physical control of the motor vehicle, an alcohol concentration of at least 0.02 but less than 0.08, as shown by an analysis of the person's breath or blood made under the provisions of this section.

2. It is an affirmative defense to a violation of this subsection which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of driving or being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be at least 0.02 but less than 0.08 within two (2) hours after driving or being in actual physical control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the earlier of (a) seven (7) days prior to trial; or (b) the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

3. Analysis of blood or breath samples obtained more than two (2) hours after the alleged driving or being in actual physical control of the vehicle may be used as evidence that within two (2) hours after the alleged driving or being in actual physical control of the vehicle a person had

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an alcohol concentration in violation of this subsection.

4. Minor driving or being in actual physical control of a motor vehicle after consuming alcohol is a misdemeanor.

D. Implied Consent. Any person who operates a motor vehicle within the City is deemed to have given consent, subject to the provisions of this section, to a test or tests of his or her breath or blood for the purpose of determining the alcohol concentration or presence of any drug in his or her breath or blood if arrested for any offense where, at the time of the arrest, the arresting officer has probable cause to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug or was in violation of subsection C of this section. The test or tests of breath shall be administered at the direction of a law enforcement officer having probable cause to believe the person to have been driving or in actual physical control of a motor vehicle within the City while under the influence of intoxicating liquor or in violation of subsection C of this section. However, in those instances where the person is incapable due to physical injury, physical incapacity, or other physical limitation, of providing a breath sample or where the person is being treated in a hospital, clinic, doctor's office, emergency medical vehicle, ambulance, or other similar facility in which a breath testing instrument is not present or where the officer has probable cause to believe that the person is under the influence of a drug, a blood test shall be administered by a qualified person as provided in RCW 46.61.506(4).

The officer shall inform the person of the person's right to refuse the breath or blood test, and of the person's right to have additional tests administered by any qualified person of the person's choosing as provided elsewhere in this section. The officer shall warn the driver that (1) the driver's license, permit, or privilege to drive will be revoked or denied if the driver refuses to submit to the test, (2) the driver's license, permit, or privilege to drive will be suspended, revoked, or denied if the test is administered and the test indicates the alcohol concentration of the driver's breath or blood is 0.08 or more in the case of a person age twenty-one (21) or over, or in violation of this section in the case of a person under age twenty-one (21) , and (3) the driver's refusal to

take the test may be used in a criminal trial. Except as provided in this section, the test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of vehicular homicide as provided in RCW 46.61.520, or vehicular assault as provided in RCW 46.61.522, or if an individual is under arrest for the crime of driving while under the influence of intoxicating liquor or drugs as provided in this section, which arrest results from an accident in which there has been serious bodily injury to another person, a breath or blood test may be administered without the consent of the individual so arrested.

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E. Person Incapable of Refusal. Any person who is dead, unconscious, or who is otherwise in a condition rendering the person incapable of refusal, shall be deemed not to have withdrawn the consent provided by subsection D of this section and the test or tests may be administered, subject to the provisions of this section, and the person shall be deemed to have received the warnings required under subsection D of this section.

F. Refusal to Submit to Test. If, following his/her arrest and receipt of warnings under subsection D of this section, the person arrested refuses upon the request of a law enforcement officer to submit to a test of his/her breath or blood, no test shall be given except as authorized under subsection D or E of this section.

G. Notices to Person After Arrest. If, after arrest and after the other applicable conditions and requirements of this section have been satisfied, a test or tests of the person's blood or breath is administered and the test results indicate that the alcohol concentration of the person's breath or blood is 0.08 or more if the person is age twenty-one (21) or over, or in violation of this section if the person is under the age of twenty-one (21), or the person refuses to submit to a test, the arresting officer or other law enforcement officer at whose direction any test has been given shall give the person the notices and mark the person's Washington state driver's license or permit to drive, if any, as provided by RCW 46.20.308.

H. Notification of Arrest and Test Result or Refusal to Department of Licensing. After giving the notices to the person and marking the person's Washington state driver's license or permit to drive, if any, the law enforcement official shall, within seventy-two (72) hours, except as delayed as the result of a blood test, transmit to the Washington State Department of Licensing a sworn report or report under a declaration authorized by RCW 9A.72.085 stating: (1) that the officer had probable cause to believe that the arrested person had been driving or was in actual physical control of a motor vehicle within the City while under the influence of intoxicating liquor or drugs, or both, or was under the age of twenty-one (21) years and had been driving or was in actual physical control of a motor vehicle while having an alcohol concentration in violation of subsection C of this section; (2) that after receipt of the warnings required by subsection D of this section the person

refused to submit to a test of the person's breath or blood, or a test was administered and the results indicated that the alcohol concentration of the person's breath or blood was 0.08 or more if the person was age twenty-one (21) or over, or was in violation of this section if the person was under the age of twenty-one (21); and (3) any other information that the Director of the Washington State Department of Licensing may require by rule.

I. Admissibility of Evidence. Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or any drug, if the person's alcohol concentration is less than 0.08, it is evidence that may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor or any drug. The breath analysis shall be based upon grams of alcohol per two hundred ten (210) liters of breath. The foregoing provisions of this subsection shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor or any drug.

J. Methods of Analysis. Analysis of the person's blood or breath to be considered valid under the provisions of this section shall have been performed according to methods approved by the State Toxicologist and by an individual possessing a valid permit issued by the State Toxicologist for this purpose.

K. Blood Tests. When a blood test is administered in accordance with this section, the withdrawal of blood for the purpose of determining its alcoholic or drug content may be performed only by a physician, a registered nurse, or a qualified technician. This limitation shall not apply to the taking of breath specimens.

L. Right to Additional Tests. The person tested may have a physician or a qualified technician, chemist, registered nurse or other qualified person of his or her own choosing administer one (1) or more tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

M. Right to Information. Upon the request of the person who shall submit to a test or tests at the request of a law enforcement officer, full information concerning this test or tests shall be made available to him/her or his/her attorney.

N. Penalty.

1. a. A person who is convicted of a violation of subsection A or B of this section, who has no prior offense within seven (7) years and whose alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test offered pursuant to subsection D of this section there is no test result indicating the person's alcohol concentration, shall be punished by imprisonment for not less than twenty-four (24) consecutive hours nor more than one (1) year and by a fine of not less than Three Hundred Fifty Dollars (\$350) and not more than Five Thousand Dollars (\$5,000). In lieu of the mandatory minimum term of imprisonment required under this subsection N1a, the court may order not less than fifteen (15) days of electronic home monitoring.

b. A person who is convicted of a violation of subsection A or B of this section, who has no prior offense within seven (7) years and whose alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to subsection D of this section, shall be punished by imprisonment for not less than two (2) consecutive days nor more than one (1) year, a fine of not less than Five Hundred Dollars (\$500) nor more than Five Thousand Dollars (\$5,000) and a court-ordered restriction under Section 11.20.230. In lieu of the mandatory minimum term of imprisonment required under this subsection

N1b, the court may order not less than thirty (30) days of electronic home monitoring.

2. a. A person who is convicted of a violation of subsection A or B of this section, who has one (1) prior offense within seven (7) years and whose alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test offered pursuant to subsection D of this section there is no test result indicating the person's alcohol concentration, shall be punished by imprisonment for not less than thirty (30) consecutive days nor more than one (1) year, sixty (60) days of electronic home monitoring, a fine of not less than Five Hundred Dollars (\$500) nor more than Five Thousand Dollars (\$5,000), and a court-ordered restriction under Section 11.20.230.

b. A person who is convicted of a violation of subsection A or B of this section, who has one (1) prior offense within seven (7) years and whose alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to subsection D of this section, shall be punished by imprisonment for not less than forty-five (45) consecutive days nor more than one (1) year, ninety (90) days of electronic home monitoring, a fine of not less than Seven Hundred Fifty Dollars (\$750) nor more than Five Thousand Dollars (\$5,000) and a court-ordered restriction under Section 11.20.230.

3. a. A person who is convicted of a violation of subsection A or B of this section, who has two (2) or more prior offenses within seven (7) years and whose alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test offered pursuant to subsection D of this section there is no test result indicating the person's alcohol concentration, shall be punished by imprisonment for not less than ninety (90) consecutive days nor more than one (1) year, one hundred twenty (120) days of electronic home monitoring, a fine of not less than One Thousand Dollars (\$1,000) nor more than Five Thousand Dollars (\$5,000) and a court-ordered restriction under Section 11.20.230.

b. A person who is convicted of a violation of subsection A or B of this section, who has two (2) or more prior offenses within seven (7) years and whose alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to subsection D of this section, shall be punished by imprisonment for not less than one

hundred twenty (120) consecutive days nor more than one (1) year, one hundred fifty (150) days of electronic home monitoring, a fine of not less than One Thousand Five Hundred Dollars (\$1,500) nor more than Five Thousand Dollars (\$5,000) and a court-ordered restriction under Section 11.20.230.

4. a. "Prior offense" means any of the following:

(i) A conviction for a violation of subsection A of this section, RCW 46.61.502 or equivalent local ordinance;

(ii) A conviction for a violation of subsection B of this section, RCW 46.61.504 or equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(iv) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(v) A conviction for a violation of Section 11.58.005 A, RCW 46.61.5249, Section 11.56.120, RCW 46.61.500, Section 12A.06.050, RCW 9A.36.050 or equivalent local ordinance, if the conviction was the result of a charge that was originally filed as a violation of subsection A or B of this section, RCW 46.61.502 or RCW 46.61.504, or equivalent local ordinance, or RCW 46.61.520 or RCW 46.61.522;

(vi) An out-of-state conviction for a violation that would have been a violation of subsections N4a(i), (ii), (iii), (iv) or (v) of this section if committed within this state;

(vii) A deferred prosecution under RCW Chapter 10.05 granted in a prosecution for a violation of subsection A or B of this section, RCW 46.61.502 or RCW 46.61.504 or equivalent local ordinance; or

(viii) A deferred prosecution under RCW Chapter 10.05 granted in a prosecution for a violation of Section 11.58.005 A, RCW 46.61.5249, or equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of subsection A or B of this section, RCW 46.61.502 or RCW 46.61.504, or equivalent local ordinance, or RCW 46.61.520 or RCW 46.61.522.

b. "Within seven (7) years" means that the arrest for the prior offense occurred within

seven (7) years of the arrest for the current offense.

5. For purposes of sentencing pursuant to subsections N1, N2, and N3 of this section, the judge shall determine, based on a preponderance of the evidence, the number of prior offenses within seven (7) years the person has, whether the person's alcohol concentration was less than 0.15 or 0.15 or more, whether the person refused to take a test offered pursuant to subsection D of this section or whether for any reason other than the person's refusal to take a test offered pursuant to subsection D of this section there is no test result indicating the person's alcohol concentration. The prosecutor or the court may obtain an abstract of the person's driving record, which shall be prima facie evidence of the person's prior offenses.

6. Unless the judge finds the person to be indigent, the mandatory minimum fine shall not be suspended or deferred. Neither the mandatory minimum jail sentence nor the mandatory minimum period of electronic home monitoring shall be suspended or deferred unless the judge finds that the imposition of this sentence will pose a substantial risk to the defendant's physical or mental well-being. Whenever the mandatory minimum sentence is suspended or deferred, the judge must state, in writing, the reason for granting the suspension or deferral and the facts upon which the suspension or deferral is based. Whenever the court sentences an offender to a period of electronic home monitoring, the court may also require the offender's home electronic monitoring device to include an alcohol detection breathalyzer and may restrict the amount of alcohol the offender may consume during the period of electronic home monitoring. The cost of electronic home monitoring shall be paid for by the offender and determined by the City. In exercising its discretion in setting penalties within the limits allowed by this subsection, the court shall particularly consider whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property, whether the person's license, permit or privilege to drive was suspended, revoked, denied or in

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probationary status at the time of the offense, whether the person was in compliance with Section 11.20.340 at the time of the offense and whether the person was driving or in actual physical control of a vehicle with one (1) or more passengers at the time of the offense.

7. A person convicted of a violation of subsection A or B of this section shall be required to complete a course in an alcohol information school approved by the Washington State Department of Social and Health Services or more intensive treatment at a program approved by the Washington State Department of Social and Health Services, as determined by the court. The court shall notify the Washington State Department of Licensing of a conviction under this section and whenever it orders a person to complete a course or treatment under this subsection N7. A diagnostic evaluation and treatment recommendation shall be prepared under the direction of the court by an alcoholism agency approved by the Washington State Department of Social and Health Services or a qualified probation department approved by the Washington State Department of Social and Health Services. A copy of the report shall be sent to the Washington State Department of Licensing. Based on the diagnostic evaluation, the court shall determine whether the person shall be required to complete a course in an alcohol information school or more intensive treatment.

8. In addition to any nonsuspendable and nondeferrable jail sentence required by this subsection, whenever the court imposes less than one (1) year in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five (5) years. The court shall impose conditions of probation that include: (a) not driving a motor vehicle within this state without a valid license to drive and proof of financial responsibility for the future; (b) not driving a motor vehicle within this state while having an alcohol concentration of 0.08 or more within two (2) hours after driving; and (c) not refusing to submit to a test of his or her breath or blood to determine alcohol concentration upon request of a law enforcement officer who has probable cause to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor. For each violation of mandatory conditions probation (a) and (b), or (a) and

(c) of this subsection N8, the court shall order the convicted person to be confined for thirty (30) days, which shall not be suspended or deferred. For each incident involving a violation of a mandatory condition of probation imposed under this subsection N8, the court shall suspend the person's license, permit or privilege to drive for thirty (30) days or, if the person's license, permit or privilege to drive already is suspended, revoked or denied at the time the finding of probation violation is made, then the suspension, revocation or denial then in effect shall be extended by thirty (30) days. The court shall notify the Washington State Department of Licensing of a person's violation of any mandatory condition of probation imposed under this subsection N8 and the suspension of or extension of the suspension, revocation or denial of a person's license, permit or privilege to drive. The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock or other biological or technical device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

9. In addition to the penalties set forth in this subsection, a fee of One Hundred Twenty-five Dollars (\$125) shall be assessed to a person who is either convicted, sentenced to a lesser charge or given a deferred prosecution as a result of an arrest for violating subsection A or B of this section, RCW 46.61.520 or RCW 46.61.522. Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay. The fee shall be collected by the clerk of the court and distributed according to RCW 46.61.5054.

10. A court may waive the electronic home monitoring requirements of this subsection when (a) the offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system; (b) the offender does not reside in The State of Washington; or (c) the court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty. Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the

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waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, additional jail time, work crew, or work camp. Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-five (365) days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-five (365) days.

O. Vehicle Seizure and Forfeiture.

1. Upon conviction for a violation of subsection A or B of this section, where the person has a prior offense within seven (7) years, as defined in subsection N4 of this section, the motor vehicle the person was driving or over which the person had actual physical control at the time of the offense, if the person has a financial interest in the vehicle, is subject to seizure and forfeiture pursuant to RCW 46.61.5058.

2. Upon the arrest or filing of a complaint or citation in Municipal Court based on probable cause to believe that a person has violated subsection A or B of this section, if such person has a prior offense within seven (7) years, as defined in subsection N4 of this section, the person shall be provided written notice that any transfer, sale or encumbrance of the person's interest in the vehicle the person was driving or over which the person had actual physical control at the time of the offense is unlawful pending acquittal, dismissal, sixty (60) days after conviction or other termination of the charge, except that:

a. A vehicle encumbered by a bona fide security interest may be transferred to the secured party or a person designated by the secured party;

b. A leased or rented vehicle may be transferred to the lessor, rental agency or a person designated by the lessor or rental agency; and

c. A vehicle may be transferred to a third party or a vehicle dealer who is a bona fide purchaser or may be subject to a bona fide security interest unless it is established that either (i) the purchaser had actual notice that the vehicle was subject to the prohibition prior to the transfer of title, or (ii) the holder of the security interest had

actual notice that the vehicle was subject to the prohibition prior to the encumbrance of title.

P. Refusal Admissible. The refusal of a person to submit to a test of the alcoholic content of the person's blood or breath under Section 11.-56.020 D is admissible into evidence at a subsequent criminal trial.

Q. Mandatory Appearance After Charging.

1. A defendant who is charged with a violation of this section shall be required to appear in person before a judicial officer within one (1) judicial day after the arrest if the defendant is served with a citation or complaint at the time of the arrest. The Municipal Court may by local court rule waive the requirement for an appearance within one (1) judicial day if it provides for the appearance at the earliest practicable day following arrest and establishes the method for identifying that day in the rule.

2. A defendant who is charged with a violation of this section and who is not served with a citation or complaint at the time of the incident shall appear in court for arraignment in person as soon as practicable, but in no event later than fourteen (14) days after the next day on which court is in session following the issuance of the citation or the filing of the complaint or information.

3. At the time of an appearance required by this subsection, the court shall determine the necessity of imposing conditions of pretrial release according to the procedures established by court rule for a preliminary appearance or an arraignment.

4. Appearances required by this subsection are mandatory and may not be waived.

5. Failure of the court to comply with the requirements of this subsection shall not be

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grounds for dismissal of any charge under this section nor the establishment of a constructive date of arraignment for purposes of Criminal Rule for Courts of Limited Jurisdiction 3.3.

(Ord. 120057 § 1, 2000; Ord. 119636 § 1, 1999; Ord. 119189 § 6, 1998; Ord. 118992 § 1, 1998; Ord. 118105 § 4, 1996; Ord. 117734 § 2, 1995; Ord. 117642 § 1, 1995; Ord. 117155 § 3, 1994; Ord. 116880 § 1, 1993; Ord. 116872 § 4, 1993; Ord. 113550 § 1, 1987; Ord. 112959 § 1, 1986; Ord. 112466 § 1, 1985; Ord. 111859 § 6, 1984; Ord. 111279 § 1, 1983; Ord. 110967 § 6, 1983; Ord. 109475 § 1(part), 1980; Ord. 108635 § 1, 1979; Ord. 108200 § 2(11.56.020), 1979.)

Cases: Person could be charged with drunk driving even if he was not driving erratically. **City of Seattle v. Tolliver**, 31 Wn.App. 299, 641 P.2d 719 (1982).

Being in physical control of a motor vehicle while intoxicated is a lesser included offense of driving while intoxicated. **McGuire v. City of Seattle**, 31 Wn.App. 438, 642 P.2d 765 (1982).

Ordinance defining crime of driving while intoxicated as driving with a blood alcohol level of 0.10 or above did not create an unconstitutional presumption that a person with that blood alcohol level is intoxicated. **City of Seattle v. Urban**, 32 Wn.App. 634, 648 P.2d 922 (1982).

Where defendant, after being advised of his right to have an assigned attorney if he could not afford a retained attorney, was given access to a telephone and a telephone book containing the phone numbers of private attorneys and the public defender, both having 24-hour answering services, and did not request a list of available retained or assigned attorneys nor other means of contacting an attorney, he was not denied access to counsel. **City of Seattle v. Carpenito**, 32 Wn.App. 809, 649 P.2d 861 (1982).

A jury instruction similar to the language of subsection A 1 and 2 was found to be erroneous. **Seattle v. Gellein**, 112 Wn.2d 58 and 113 Wn.2d 1, 768 P.2d 470 and 775 P.2d 448 (1989).

A citation describing the offense as "DWT" and listing the code section by its numbers without the periods is sufficient. **State v. Leach**, 113 Wn.2d 679, 782 P.2d 552 (1989). A citation "D.W.I." and "11.56.020(1) (A & B)" is sufficient. **Seattle v. McKinney**, 58 Wn.App. 607, 794 P.2d 857 (1990).

Editor's Note: The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances. In the event that a court should declare void any provision of the Municipal Code affected by this ordinance because the alcohol concentration is 0.08 rather than 0.10, then an alcohol concentration of 0.10 rather than 0.08 shall be in full force and effect as though "0.10" appeared everywhere "0.08" appears in the Municipal Code, except in Section 11.56.020 N8, and prosecutions shall be made and shall continue thereunder as if the alcohol concentration was 0.10.

(Ord. 117734 § 3, 1995; Ord. 117642 § 2, 1995; Ord. 117155 § 4, 1994.)

11.56.120 Reckless driving.

A. Any person who drives any vehicle in the City in wilful or wanton disregard for the safety of persons or property is guilty of reckless driving.

B. No person or persons may race any motor vehicle or motor vehicles upon any street, alley or way open to the public of the City.

C. Any person or persons who wilfully compare or contest relative speeds by operation of one (1) or more motor vehicles is guilty of reckless driving, whether or not such speed is in excess of the maximum speed prescribed by law;

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provided however, that any comparison or contest of the accuracy with which motor vehicles may be operated in terms of relative speeds not in excess of the posted maximum speed does not constitute reckless driving.

(Ord. 115757 § 2, 1991; Ord. 111859 § 3, 1984; Ord. 108200 § 2(11.56.120), 1979.)

Cases: Ordinance prohibiting racing of motor vehicles on City streets and providing that persons comparing or contesting relative speeds by simultaneous operations are prima facie guilty of reckless driving whether or not they exceed the speed limit was not void for vagueness. City of Seattle v. Platt, 19 Wn.App. 904, 578 P.2d 873 (1978).

than ninety (90) days. The minimum sentence of confinement required shall not be suspended or deferred.

11.56.130 Reckless endangerment of roadway workers.

A. A person is guilty of reckless endangerment of roadway workers if he or she:

1. Drives a vehicle in a roadway construction zone in such a manner as to endanger or be likely to endanger any persons or property; or
2. Removes, evades, or intentionally strikes a traffic safety device or a traffic control device.

B. Reckless endangerment of roadway workers is a gross misdemeanor. (RCW 46.61.527(4)) (Ord. 119011 § 17, 1998.)

11.56.320 Driving while license is suspended or revoked.

A. It is unlawful for any person to drive a motor vehicle within the City while that person is in a suspended or revoked status or when his or her privilege to drive is suspended or revoked in this or any other state.

B. A person found to be an habitual offender under Chapter 46.65 RCW, who violates this section while an order of revocation issued under Chapter 46.65 RCW prohibiting such operation is in effect, is guilty of driving while license suspended or revoked in the first degree, a gross misdemeanor. Upon the first such conviction, the person shall be punished by imprisonment for not less than ten (10) days. Upon the second conviction, the person shall be punished by imprisonment for not less than ninety (90) days. Upon the third or subsequent conviction, the person shall be punished by imprisonment for not less than one hundred eighty (180) days. If the person is also convicted of the offense defined in Section 11.56.020 A or Section 11.56.020 B, when both convictions arise from the same event, the minimum sentence of confinement shall be not less

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C. A person who violates this section while an order of suspension or revocation prohibiting such operation is in effect and while the person is not eligible to reinstate his or her driver's license or driving privilege, other than for a suspension for the reasons described in subsection D of this section, is guilty of driving while license suspended or revoked in the second degree, a gross misdemeanor. This subsection applies when a person's driver's license or driving privilege has been suspended or revoked by reason of:

Seattle Municipal Code

SERIOUS TRAFFIC OFFENSES

11.56.320

April, 2001 code update file
Text provided for historic reference only.

See ordinances creating and amending sections for complete text, graphics, and tables and to confirm accuracy of this source file.

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1. A conviction of a felony in the commission of which a motor vehicle was used;
2. A previous conviction under this section;
3. A notice received by the Washington Department of Licensing from a court or diversion unit as provided by RCW 46.20.265, relating to a minor who has committed, or who has entered a diversion agreement concerning an offense relating to alcohol, legend drugs, controlled substances, or imitation controlled substances;
4. A conviction relating to the violation of restrictions of an occupational driver's license;
5. A conviction relating to the operation of a motor vehicle with a suspended or revoked license;
6. A conviction relating to duty in case of injury to or death of a person or damage to an attended vehicle;
7. A conviction relating to attempting to elude pursuing police vehicles;
8. A conviction relating to reckless driving;
9. A conviction relating to a person under the influence of intoxicating liquor or drugs;
10. A conviction relating to vehicular homicide;
11. A conviction relating to vehicular assault;
12. A conviction relating to racing of vehicles on highways;
13. A conviction relating to leaving children in an unattended vehicle with motor running;
14. A conviction relating to attempting, aiding, abetting, coercing, and committing crimes; or
15. An administrative action taken by the Washington Department of Licensing under Chapter 46.20 RCW.

D. A person who violates this section when his or her driver's license or driving privilege is, at the time of the violation, suspended or revoked solely because (1) the person must furnish proof of satisfactory progress in a required alcoholism or drug treatment program, (2) the person must furnish proof of financial responsibility for the future as provided by Chapter 46.29 RCW, (3) the person has failed to comply with the provisions of Chapter 46.29 RCW relating to uninsured accidents, (4) the person has committed an offense in another state that, if committed in this state, would not be grounds for the suspension or revocation of the person's driver's license, (5) the person has been suspended or revoked by reason of one (1) or more of the items listed in subsection C of this section, but was eligible to reinstate his or her driver's license or driving privilege at the time of

the violation, or (6) the person has failed to respond to a notice of traffic infraction, failed to appear at a requested hearing, violated a written promise to appear in court or has failed to comply with the terms of a notice of traffic infraction or citation, as provided in Washington Laws of 1993, Chapter 501, Section 1, or any combination of (1) through (6), is guilty of driving while license suspended or revoked in the third degree, a misdemeanor.

(Ord. 116872 § 5, 1993; Ord. 115757 § 3, 1991; Ord. 113824 § 1, 1988; Ord. 109475 § 1(part), 1980; Ord. 108200 § 2(11.56.320), 1979.)

Cases: A motorist was found to violate this section by driving without a valid driver's license, although the letter of the Department of Licensing revoking his license, sent by certified mail, was returned as "unclaimed." His refusal to take a breath test after an earlier stop had put him on notice. *Seattle v. Foley*, 56 Wn.App. 485, 784 P.2d 176 (1990).

11.56.340 Operation of motor vehicle prohibited while license is suspended or revoked.

No person, whose driver's license or right or privilege to operate a motor vehicle has been suspended or revoked as provided in RCW Title 46, shall operate a motor vehicle on any street, alley or way open to the public in the City under a license, permit or registration certificate issued by any jurisdiction or otherwise during such suspension or after such revocation until a new license is obtained when and as permitted under RCW Chapter 46.20. (RCW 46.20.420) (Ord. 108200 § 2(11.56.340), 1979.)

11.56.350 Operation of motor vehicle without required ignition interlock or other biological or technical device.

No person whose driver's license includes a notation, pursuant to RCW 46.20.740, that the person may operate only a motor vehicle equipped with an ignition interlock or other biological or technical device shall operate a motor vehicle that is not so equipped. Violation of this section is a misdemeanor. (RCW 46.20.740) (Ord. 119189 § 7, 1998.)

11.56.355 Assisting another in starting and operating motor vehicle in violation of court order regarding ignition interlock or

other biological or technical device.

A. No person shall knowingly assist another person who is restricted to the use of a motor vehicle equipped with an ignition interlock or other biological or technical device to start and operate such a motor vehicle in violation of a court order regarding such device.

B. This section shall not apply to the starting of a motor vehicle or the request to start a motor vehicle equipped with an ignition interlock or other biological or technical device if done for the purpose of safety or mechanical repair of the device or the vehicle and the person subject to the court order does not operate the vehicle.

C. "Knowingly" has the same meaning as in Section 12A.04.030 B.

D. Violation of this section is a gross misdemeanor. (RCW 46.20.750) (Ord. 119189 § 8, 1998.)

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11.56.360 Driving with a suspended vehicle registration.

A. No person shall operate a motor vehicle on any street, alley or way open to the public while the vehicle registration is suspended as provided in RCW Title 46.

B. Any person convicted of a violation of subsection A of this section shall be punished by imprisonment for not less than two (2) days nor more than five (5) days, or a fine of not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500), or by both such imprisonment and fine.

(Ord. 115757 § 4, 1991; Ord. 110967 § 13, 1983.)

11.56.410 Hit and run—Definitions.

A. “Accident” means a collision between two (2) or more vehicles, or between a vehicle and property, or between a vehicle and a person. “Accident” also means the operation of a vehicle in such a manner as to cause the driver of another vehicle, or a pedestrian, or a person on a device propelled by human power to take evasive action which results in damage to property or injury to a person.

B. “Device propelled by human power” includes but is not limited to, a bicycle, tricycle, wagon, and any other similar device.

(Ord. 111861 § 9, 1984.)

11.56.420 Hit and run (attended)—Duty in case of accident with occupied vehicle.

The operator of any vehicle involved in an accident resulting in damage to a vehicle which is operated or occupied by any person shall do the following:

A. Immediately stop such vehicle at the scene of the collision, or as close thereto as possible, and forthwith return to and remain at the scene of such accident until he or she has done the following; and

B. Give his or her name, address and vehicle license number, and exhibit his or her vehicle operator's license, to the operator or any occupant of the other vehicle; and

C. Render to any person involved in such accident reasonable assistance including the carrying or the making of arrangements for the carrying of such person to a physician or hospital for medical treatment if it is apparent that such treatment may be necessary or if such carrying is requested by the person involved in the accident or on his or her behalf. Under no circumstances shall the rendering of assistance or other compliance with the provisions of this section be evidence of the liability of any operator for such accident.

(Ord. 111861 § 10, 1984.)

Cases: This section was upheld as valid against a challenge claiming it conflicted with RCW 46.52.020. *Seattle v. Wandler*, 60 Wn.App. 309, 803 P.2d 833 (1991).

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Seattle Municipal Code

SERIOUS TRAFFIC OFFENSES

11.56.420

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(Seattle 3-99)

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11.56.430 Hit and run (unattended vehicle)—Duty in case of accident with unattended vehicle.

The operator of any vehicle involved in an accident resulting in damage to another vehicle which is unattended shall do the following:

A. Immediately stop such vehicle at the scene of the accident, or as close thereto as possible; and

B. Then and there:

1. Locate and notify the operator or owner of such vehicle of the name and address of the operator and of the owner of the vehicle striking the unattended vehicle; or

2. Leave in a conspicuous place in the vehicle struck a written notice, giving the name and address of the operator and of the owner of the vehicle striking such other vehicle.

(Ord. 111861 § 11, 1984.)

11.56.440 Hit and run (property damage)—Duty in case of accident with property.

The operator of any vehicle involved in an accident resulting in damage to property other than a vehicle shall do the following:

A. Immediately stop such vehicle at the scene of the collision, or as close thereto as possible; and

B. Then and there:

1. Locate and notify the owner or person in charge of such property of the name and address of the operator and of the owner of the vehicle striking the property; or

2. Leave in a conspicuous place upon the property struck a written notice, giving the name and address of the operator and of the owner of the vehicle so striking the property.

(Ord. 111861 § 12, 1984.)

11.56.445 Hit and run (by unattended vehicle)—Duty in case of accident caused by unattended vehicle.

The last operator of any unattended vehicle which collides with any other vehicle or other property shall do the following:

A. Immediately take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of the name and address of the last operator and the owner of the vehicle striking such property; or

B. Immediately leave in a conspicuous place upon the property struck a written notice, giving the name and address of the operator and of the owner of the vehicle so striking the property; and

C. Make report of such collision as in the case of other collisions upon the streets and alleys of the City.

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(Ord. 112466 § 5, 1985.)

11.56.450 Hit and run (pedestrian or person on a device propelled by human power)—Duty in case of accident with pedestrian or bicyclist.

The operator of any vehicle involved in an accident with a pedestrian, or with a device propelled by human power operated by any person, or on which a person is seated, shall do the following:

A. Immediately stop such vehicle at the scene of such accident, or as close thereto as possible, and forthwith return to and remain at the scene of such accident until he has done the following:

B. Give his name, address and vehicle license number, and exhibit his operator's license to the pedestrian or person operating the device propelled by human power, or, if they are unconscious or incompetent, to another person whom he or she reasonably believes is acting on their behalf; and

C. Render to any person involved in such accident reasonable assistance including the carrying or the making of arrangements for the carrying of such person to a physician or hospital for medical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the person involved in the accident or on his or her behalf. Under no circumstances shall the rendering of assistance or other compliance with the provisions of this section be evidence of the liability of any operator for such accident.

(Ord. 111861 § 13, 1984.)

11.56.460 Hit and run—Duty when specified persons are not in condition to receive information.

In the event that none of the persons specified in Sections 11.56.420, 11.56.430, 11.56.440, and 11.56.450 are in condition to receive the information to which they otherwise would be entitled, and no peace officer is present, the person with a duty to provide such information,

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after fulfilling all other requirements of the applicable provisions of this code, shall forthwith report such accident to the nearest office of a duly authorized police authority and submit thereto the information specified in the applicable ordinance. (Ord. 111861 § 14, 1984.)

**Chapter 11.57
MOTORCYCLE REGULATIONS**

Sections:

11.57.020 Seating.

11.57.040 Foot pegs.

11.57.060 Operator to keep both hands on handlebars.

11.57.080 Passenger interfering.

11.57.100 Mirrors.

11.57.120 Goggles or face shield.

11.57.160 Handlebars—Maximum height.

11.57.180 Both feet not to be on same side of motorcycle.

11.57.200 Exemption for motorcycles in parades.

11.57.220 Lighted lamps required.

11.57.240 Headlamps.

11.57.260 Height of headlamps.

11.57.280 Exhaust system.

11.57.020 Seating.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person nor shall any other person ride on a motorcycle unless such motorcycle is designed to carry more than one (1) person, in which event a passenger may ride upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator. (RCW 46.61.610)

(Ord. 108200 § 2(11.57.020), 1979.)

11.57.040 Foot pegs.

No person shall operate a motorcycle not equipped with foot pegs of a type approved by the State Commission on Equipment for each person such motorcycle is designed to carry. (RCW 46.61.610)

(Ord. 108200 § 2(11.57.040), 1979.)

11.57.060 Operator to keep both hands on handlebars.

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No person shall operate a motorcycle while carrying any package, bundle, or other article which prevents him from keeping both hands on the handlebars. (UVC 11-1302(c)) (Ord. 108200 § 2(11.57.060), 1979.)

11.57.080 Passenger interfering.

No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of a motorcycle or the view of the operator. (UVC 11-1302(d)) (Ord. 108200 § 2(11.57.080), 1979.)

11.57.100 Mirrors.

A. No person shall operate a motorcycle or motor-driven cycle not equipped with mirrors on the left and right sides of the handlebars which shall be so located as to give the operator a complete view of the street or alley for a distance of at least two hundred feet (200') to the rear of the motorcycle or motor-driven cycle.

B. Mirrors shall not be required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique classic motorcycle contest, show, or other such assemblage. No mirror is required on any motorcycle manufactured prior to January 1, 1931. (Ord. 113906 § 5, 1988; Ord. 108200 § 2(11.57.100), 1979.)

11.57.120 Goggles or face shield.

No person shall operate a motorcycle or motor-driven cycle which does not have a windshield unless he wears glasses, goggles, or a face shield of a type approved by the State Commission on Equipment. (RCW 46.37.530(1)(b)) (Ord. 108200 § 2(11.57.120), 1979.)

11.57.160 Handlebars—Maximum height.

No person shall operate on a street or alley a motorcycle on which the handlebars or grips are more than fifteen inches (15") higher than the seat or saddle for the operator. (RCW 46.61.611) (Ord. 108200 § 2(11.57.160), 1979.)

11.57.180 Both feet not to be on same side of motorcycle.

No person shall ride a motorcycle in such a position that both feet are placed on the same side of the motorcycle. (RCW 46.61.612) (Ord. 108200 § 2(11.57.180), 1979.)

11.57.200 Exemption for motorcycles in parades.

Sections 11.57.020 through 11.57.180 shall not apply to the operation of motorcycles as part of a parade for which a permit has been obtained pursuant to Section 11.25.020 of this subtitle. (RCW 46.61.613) (Ord. 108200 § 2(11.57.200), 1979.)

11.57.220 Lighted lamps required.

Every motorcycle and every motor-driven cycle shall have its head and tail lamps lighted whenever such vehicle is in motion upon a street or alley. (RCW 46.37.020) (Ord. 108200 § 2(11.57.220), 1979.)

11.57.240 Headlamps.

Every motorcycle and every motor-driven cycle shall be equipped with at least one (1) and not more than two (2) headlamps which shall comply with the requirements and limitations of this chapter. (RCW 46.37.040(2)) (Ord. 108200 § 2(11.57.240), 1979.)

11.57.260 Height of headlamps.

Every motorcycle and every motor-driven cycle shall have every headlamp at a height meeting the requirements of Section 11.82.100. (RCW 46.37.040(3)) (Ord. 108200 § 2(11.57.260), 1979.)

11.57.280 Exhaust system.

No person shall modify the exhaust system of a motorcycle in a manner which will increase the noise emitted by the exhaust system of such vehicle above that emitted by the exhaust system originally installed on the vehicle, and it shall be unlawful for any person to operate a motorcycle not equipped as required by Sections 11.84.060 and 11.84.080 or which has been amplified as prohibited by this section. (RCW 46.37.390(3)) (Ord. 108200 § 2(11.57.280), 1979.)

**Chapter 11.58
MISCELLANEOUS DRIVING RULES**

Sections:

- 11.58.005 Operating motor vehicle in a negligent manner—Penalty.
- 11.58.008 Inattention.
- 11.58.010 Operating with gears in neutral or clutch disengaged.
- 11.58.015 Use of compression brakes.
- 11.58.020 Carrying persons on outside of vehicle.
- 11.58.025 Riding in trailers.
- 11.58.030 Carrying animals on outside of vehicle.
- 11.58.040 Boarding or alighting from vehicles.
- 11.58.050 Opening and closing vehicle doors.
- 11.58.060 Interference with operator's view or control.
- 11.58.070 Passenger not to interfere with operator.
- 11.58.140 Moving defective vehicle unlawful.
- 11.58.150 Lowering passenger vehicle below clearance.
- 11.58.160 Advertising.
- 11.58.170 Crossing wet paint lines.
- 11.58.190 Leaving minor children in unattended vehicle.
- 11.58.195 Child passenger restraint required.
- 11.58.198 Safety belts required.
- 11.58.200 Parades and processions.
- 11.58.210 Funeral procession identification.
- 11.58.220 Funeral procession—Obedience to traffic-control device.
- 11.58.230 Emerging from alley, driveway, private property, or building.
- 11.58.240 Driving along sidewalk or planting strip.
- 11.58.250 Driving on constructed sidewalk.
- 11.58.260 Right-of-way of emergency vehicles.
- 11.58.270 Operation of vehicles on approach of authorized emergency vehicles.
- 11.58.275 Right-of-way of transit vehicles.
- 11.58.280 Limitations on backing.
- 11.58.290 Alley—Backing from or to.
- 11.58.300 Driveway ingress prohibited.

- 11.58.303 Driveway egress prohibited.
- 11.58.305 Certain turns from driveways prohibited.
- 11.58.310 Regard for pedestrians.
- 11.58.350 Throwing debris.
- 11.58.370 Dimming headlights—Oncoming traffic.
- 11.58.380 Dimming headlights—Following traffic.
- 11.58.390 Red light restriction.
- 11.58.400 Flashing light restriction.
- 11.58.410 Causing or permitting unlawful vehicle operation.
- 11.58.420 Persons driving while drinking intoxicants—Penalty.
- 11.58.425 Open alcoholic containers.

11.58.005 Operating motor vehicle in a negligent manner—Penalty.

A. 1. A person is guilty of negligent driving in the first degree if he or she operates a motor vehicle in a manner that is both negligent and endangers or is likely to endanger any person or property, and exhibits the effects of having consumed liquor or an illegal drug.

2. It is an affirmative defense to negligent driving in the first degree by means of exhibiting the effects of having consumed an illegal drug, that must be proved by the defendant by a preponderance of the evidence, that the driver has a valid prescription for the drug consumed and has been consuming it according to the prescription directions and warnings.

3. Negligent driving in the first degree is a misdemeanor.

B. 1. A person is guilty of negligent driving in the second degree if, under circumstances not amounting to negligent driving in the first degree, he or she operates a motor vehicle in a manner that is both negligent and endangers or is likely to endanger any person or property.

2. It is an affirmative defense to negligent driving in the second degree, that must be proved by the defendant by a preponderance of the evidence, that the driver was operating the motor vehicle on private property with the consent of the owner in a manner consistent with the owner's consent.

3. Negligent driving in the second degree is a traffic infraction and is subject to a penalty of Two Hundred Fifty Dollars (\$250.00).

C. For the purposes of this section:

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1. "Negligent" means the failure to exercise ordinary care, and is the doing of some act that a reasonably careful person would not do under the same or similar circumstances or the failure to do something that a reasonably careful person would do under the same or similar circumstances.

2. "Exhibiting the effects of having consumed liquor" means that the person has the odor of liquor on his or her breath, or that by speech, manner, appearance, behavior, lack of coordination, or otherwise exhibits that he or she has consumed liquor, and either:

a. Is in possession of or in close proximity to a container that has or recently had liquor in it; or

b. Is shown by other evidence to have recently consumed liquor.

3. "Exhibiting the effects of having consumed an illegal drug" means that a person by speech, manner, appearance, behavior, lack of coordination, or otherwise exhibits that he or she has consumed an illegal drug, and either:

a. Is in possession of an illegal drug; or

b. Is shown by other evidence to have recently consumed an illegal drug.

4. "Illegal drug" means a controlled substance under RCW 69.50 for which the driver does not have a valid prescription or that is not being consumed in accordance with the prescription directions and warnings, or a legend drug under RCW Chapter 69.41 for which the driver does not have a valid prescription or that is not being consumed in accordance with the prescription directions and warnings.

D. Any act prohibited by this section that also constitutes a crime under any other law of this City may be the basis of prosecution under such other law notwithstanding that it may also be the basis for prosecution under this section. (RCW 46.61.525)

(Ord. 118105 § 5, 1996; Ord. 117156 § 1, 1994; Ord. 115757 § 6, 1991; Ord. 109476 § 3(part), 1980; Ord. 109475 § 1(part), 1980; 108200 § 2(11.58.005), 1979.)

11.58.008 Inattention.

A. No person shall operate a vehicle in an inattentive manner over and along the streets, alleys or ways open to the public of this City. For the purpose of this section, "inattentive manner"

means such a manner so as to fail to maintain a careful lookout for persons or property in the direction of travel.

B. The offense of operating a vehicle in an inattentive manner shall be considered to be a lesser offense than, but included in, the offense of

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operating a vehicle in a negligent manner, and any person charged with operating a vehicle in a negligent manner may be convicted of the lesser offense of operating a vehicle in an inattentive manner.

(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.58.008), 1979.)

11.58.010 Operating with gears in neutral or clutch disengaged.

A. The driver of any motor vehicle when traveling upon a downgrade shall not coast with the gears of such vehicle in neutral.

B. No driver shall coast with the clutch disengaged when traveling upon a downgrade. This section shall not prevent the proper shifting of gears or the towing of a disabled vehicle. (RCW 46.61.630)

(Ord. 108200 § 2(11.58.010), 1979.)

11.58.015 Use of compression brakes.

A. No person shall use compression brakes while operating a motor vehicle upon any street where signs prohibit the use of compression brakes, except as such use is necessary in an emergency.

B. Definitions.

1. "Compression brakes" means a device which, when manually activated, retards the forward motion of a motor vehicle by the direct and sole use of the compression of the engine of the vehicle. "Compression brakes" are sometimes called "jake brakes."

2. An "emergency" contemplates that an immediate stoppage or slowing of the vehicle is necessary in order to prevent injury to persons or damage to property or to remedy an injury that

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has already occurred, and that friction brakes are either not available or would not have been as effective in bringing the vehicle to a stop or slowing it.

C. This section shall not apply to vehicles of a municipal fire department, whether or not responding to an emergency, participating in an exercise in emergency management, or rendering assistance under a mutual aid pact.

D. Violation of this section shall be punished as an infraction.

(Ord. 116500 § 1, 1992.)

11.58.020 Carrying persons on outside of vehicle.

No person shall transport any person upon the runningboard, fenders, hood or other outside parts of any vehicle, except that this provision shall not apply to authorized emergency vehicles or to garbage trucks, while engaged in the collection of garbage. (RCW 46.61.660)

(Ord. 108200 § 2(11.58.020), 1979.)

11.58.025 Riding in trailers.

No person shall occupy any trailer while it is being moved upon a street or alley, except a person occupying a proper position for steering a trailer designed to be steered from a rear-end position. (RCW 46.61.625)

(Ord. 108200 § 2(11.58.025), 1979.)

11.58.030 Carrying animals on outside of vehicle.

No person shall transport any living animal on the runningboard, fenders, hood or other outside part of any vehicle unless suitable harness, cage, or enclosure is provided and so attached as to protect such animal from falling or being thrown therefrom. (RCW 46.61.660)

(Ord. 108200 § 2(11.58.030), 1979.)

11.58.040 Boarding or alighting from vehicles.

No person shall board or alight from any vehicle while such vehicle is in motion.

(Ord. 108200 § 2(11.58.040), 1979.)

11.58.050 Opening and closing vehicle doors.

No person shall enter, leave, or open the door of a motor vehicle on the side adjacent to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle adjacent to moving traffic for a period of time longer than necessary to load or unload passengers. (RCW 46.61.620)

(Ord. 108200 § 2(11.58.050), 1979.)

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11.58.060 Interference with operator's view or control.

No person shall drive a vehicle when it is so loaded, or when there are in the front seat such a number of persons, as to obstruct the view of the operator to the front or sides of the vehicle or as to interfere with the operator's control over the driving mechanism of the vehicle. (RCW 46.61.615(1)) (Ord. 108200 § 2(11.58.060), 1979.)

11.58.070 Passenger not to interfere with operator.

No person in a vehicle shall ride in such position as to interfere with the operator's view ahead or to the sides, or to interfere with the operator's control over the driving mechanism of the vehicle. (RCW 46.61.615(2)) (Ord. 108200 § 2(11.58.070), 1979.)

11.58.140 Moving defective vehicle unlawful.

No person shall operate or move, and no owner shall cause or permit to be operated or moved, upon any street, alley or way open to the public, any vehicle or combination of vehicles, which is not at all times equipped in the manner required by Chapters 11.80, 11.82, 11.84, 11.86, and 11.88 or the equipment of which is not in a proper condition and adjustment as required by those chapters. This section shall not be construed to prevent the operation of any such defective vehicle in the manner directed by any peace officer or representative of the State Commission

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on Equipment for the correction of defective equipment. (RCW 46.32.060)
(Ord. 108200 § 2(11.58.140), 1979.)

11.58.150 Lowering passenger vehicle below clearance.

No person shall operate any passenger motor vehicle which has been modified from the original design so that any portion of such passenger vehicle other than the wheels has less clearance from the surface of a level roadway than the clearance between the roadway and the lowermost portion of any rim of any wheel the tire on which is in contact with such roadway. (RCW 46.61.680)
(Ord. 108200 § 2(11.58.150), 1979.)

11.58.160 Advertising.

No person shall operate any vehicle or bicycle on a street or alley for the primary purpose of displaying advertising when such operation obstructs vehicular traffic.
(Ord. 108200 § 2(11.58.160), 1979.)

11.58.170 Crossing wet paint lines.

No person shall operate any vehicle across or along wet paint lines or pavement markings freshly applied when signs or devices warning of the condition are in place.
(Ord. 108200 § 2(11.58.170), 1979.)

11.58.190 Leaving minor children in unattended vehicle.

No person shall while operating or in charge of a vehicle, park or wilfully allow such vehicle to stand upon a street or alley or in a public place with its motor running, leaving a child or children under the age of sixteen (16) unattended therein. (RCW 46.61.685)
(Ord. 108200 § 2(11.58.190), 1979.)

11.58.195 Child passenger restraint required.

A. Whenever a child who is less than ten (10) years of age is being transported in a motor vehicle that is in operation and that is required by RCW 46.37.510 to be equipped with a safety belt system in a passenger seating position, the driver of the vehicle shall keep the child properly restrained as follows:

1. If the child is less than three (3) years of age, the child shall be properly restrained in a child restraint system that complies with standards of the United States Department of Transportation and that is secured in the vehicle in accordance with instructions of the manufacturer of the child restraint system:

2. If the child is less than ten (10) but at least three (3) years of age, the child shall be re-

11.58.198 VEHICLES AND TRAFFIC

strained either as specified in subsection A1 or with a safety belt property adjusted and fastened around the child's body.

B. A person violating this section may be issued a notice of traffic infraction under Chapter 11.31. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system within seven (7) days to the court, the notice of traffic infraction shall be dismissed.

C. This section does not apply to for hire vehicles, vehicles designed to transport sixteen (16) or fewer passengers, including the driver, operated by auto transportation companies as defined in RCW 81.68.010, or vehicles providing consumer shuttle service between parking, convention, and hotel facilities, and airport terminals. (RCW 46.61.687) (Ord. 119011 § 18, 1998; Ord. 111861 § 15, 1984.)

11.58.198 Safety belts required.

A. For the purposes of this section, the term "motor vehicle" includes:

1. "Buses," meaning motor vehicles with motive power, except trailers, designed to carry more than ten (10) passengers;

2. "Multipurpose passenger vehicles," meaning motor vehicles with motive power, except trailers, designed to carry ten (10) persons or less, that are constructed either on a truck chassis or with special features for occasional off-road operation;

3. "Passenger cars," meaning motor vehicles with motive power, except multipurpose passenger vehicles, motorcycles, or trailers, designed for carrying ten (10) passengers or less; and

4. "Trucks," meaning motor vehicles with motive power, except trailers, designed primarily for the transportation of property.

B. This section only applies to motor vehicles that meet the manual seat belt safety standards as set forth in federal Motor Vehicle Safety Standard 208. This section does not apply to a motor vehicle occupant for whom no safety belt is available when all designated seating positions as required by federal Motor Vehicle Safety Standard 208 are occupied.

C. Every person sixteen (16) years of age or older operating or riding in a motor vehicle shall wear the safety belt assembly in a properly adjusted and securely fastened manner.

D. No person may operate a motor vehicle unless all passengers under the age of sixteen (16) years are either wearing a safety belt assembly or are securely fastened into an approved child restraint device.

E. Failure to comply with the requirements of this section does not constitute negligence, nor may failure to wear a safety belt assembly be admissible as evidence of negligence in any civil action.

F. Enforcement of this section by law enforcement officers may be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of title 46 RCW or an equivalent local ordinance or some other offense.

G. This section does not apply to an operator or passenger who possesses written verification from a licensed physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons. (Ord. 113266 § 1, 1987.)

11.58.200 Parades and processions.

No pedestrian, bicyclist, equestrian, or operator of a vehicle shall pass through, drive between, or interrupt the vehicles comprising any regularly organized funeral procession, any parade or procession authorized by the Chief of Police as provided in Section 11.25.020, or any passage of military or naval forces of the United States or of the National Guard of the state, when any one of the above-mentioned processions is accompanied by a military, naval or civil police escort which directs traffic at all intersections as used; provided however, that there is no duty imposed upon the Police Department or other law enforcement agency of the City to provide such escort services. This provision shall not apply to operation of emergency vehicles. (Ord. 108200 § 2(11.58.200), 1979.)

11.58.210 Funeral procession identification.

No person shall operate a motor vehicle in or as a part of a funeral procession unless such vehicles be marked or distinguished by illuminated headlights. (Ord. 108200 § 2(11.58.210), 1979.)

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11.58.220Funeral procession—Obedience to traffic-control device.

No person shall operate a motor vehicle in or as part of a funeral procession in violation of traffic-control devices unless directed to do so by a uniformed police officer.
(Ord. 108200 § 2(11.58.220), 1979.)

11.58.230Emerging from alley, driveway, private property, or building.

Except as directed otherwise by official traffic-control devices, the driver of a vehicle emerging from any alley, driveway, private property, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alley or driveway, or onto a public path, and shall yield the right-of-way to any pedestrian or bicyclist as may be necessary to avoid collision, and upon entering the roadway of a street shall yield the right-of-way to all vehicles approaching on the roadway. (RCW 46.61.365)
(Ord. 108200 § 2(11.58.230), 1979.)

11.58.240Driving along sidewalk or planting strip.

No person shall drive a vehicle on or along any sidewalk or planting strip.
(Ord. 108200 § 2(11.58.240), 1979.)

11.58.250Driving on constructed sidewalk.

No person shall drive any vehicle upon a constructed sidewalk and/or curb except upon a permanent driveway or a temporary driveway established in accordance with a permit issued under Section 11.24.100.
(Ord. 108200 § 2(11.58.250), 1979.)

11.58.260Right-of-way of emergency vehicles.

The following vehicles on emergency calls shall in the order named have the right-of-way over all other traffic:

- A. Vehicles and apparatus of the Fire Department;
- B. Vehicles and apparatus of Police Department, Sheriff's offices, Washington State Patrol;
- C. Ambulances and other authorized emergency vehicles. (RCW 46.61.035)
(Ord. 108200 § 2(11.58.260), 1979.)

11.58.270Operation of vehicles on approach of authorized emergency vehicles.

A. Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of Section 11.82.520, or of a police vehicle properly and lawfully making use of an audible signal only the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a peace officer.

B. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street or alley. (RCW 46.61.210)
(Ord. 108200 § 2(11.58.270), 1979.)

11.58.275Right-of-way of transit vehicles.

A. The driver of a vehicle shall yield the right-of-way to a transit vehicle traveling in the same direction that has signalled and is re-entering the traffic flow.

B. This section shall not operate to relieve the driver of a transit vehicle from the duty to drive with due regard for the safety of all persons using the street or alley.

C. For purposes of this section, "transit vehicle" means a motor vehicle, street car, train, or trolley which is owned or operated by a city, county, county transportation authority, a public benefit area, or the state, and which is used to carry passengers on a regular schedule. (RCW 46.04.355; 69.50.435(5), (6)).
(Ord. 116977 § 1, 1993.)

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11.58.280 Limitations on backing.

No person shall back a vehicle unless such movement can be made with safety and without interfering with other traffic. (RCW 46.61.605(1)) (Ord. 108200 § 2(11.58.280), 1979.)

11.58.290 Alley—Backing from or to.

No person shall back any vehicle into or out of any alley; Provided, that this section will not apply when backing is done under the guidance of a person whose duty is to direct the driver's movements with safety. (Ord. 108200 § 2(11.58.290), 1979.)

11.58.300 Driveway ingress prohibited.

No person shall drive any vehicle from a street

or alley into a driveway when there is maintained in a prominent position adjacent to such driveway a sign as provided in Section 11.24.060¹ indicating the driveway is to be used only for exit from the driveway into the street or alley. (Ord. 108200 § 2(11.58.300), 1979.)

1.Editor's Note: Section 11.24.060 does not exist. The correct cross-reference is Section 11.24.030.

11.58.303 Driveway egress prohibited.

No person shall drive any vehicle from any driveway into a street or alley when there is maintained in a prominent position adjacent to such driveway a sign as provided in Section 11.24.060¹ indicating that the driveway is to be used only for entry from the street or alley into the driveway. (Ord. 108200 § 2(11.58.303), 1979.)

1.Editor's Note: Section 11.24.060 does not exist. The correct cross-reference is Section 11.24.030.

11.58.305 Certain turns from driveways prohibited.

No person shall turn a vehicle from a driveway into a street or alley when, at the direction of the Director of Engineering there is maintained in a prominent position adjacent to such driveway a sign indicating such turn is prohibited. (Ord. 108200 § 2(11.58.305), 1979.)

11.58.310 Regard for pedestrians.

Notwithstanding the provisions of Chapters 11.40 and 11.44, every operator of a vehicle shall exercise due care to avoid colliding with any pedestrian or person riding a bicycle upon any roadway and shall give warning by sounding the horn when necessary, and shall exercise all proper precautions upon observing any child or any obviously confused or incapacitated person upon a roadway. (RCW 46.61.245)
(Ord. 108200 § 2(11.58.310), 1979.)

11.58.350 Throwing debris.

No person shall throw or drop any glass objects, debris, or any waste from a vehicle or upon any street or alley. (RCW 46.61.645)
(Ord. 108200 § 2(11.58.350), 1979.)

11.58.370 Dimming headlights—Oncoming traffic.

Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming

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driver. The lowermost distribution of light, or composite beam, specified in Section 11.82.140 B shall be dimmed to avoid glare at all times, regardless of road contour and loading. (RCW 46.37.230(2))
(Ord. 108200 § 2(11.58.370), 1979.)

11.58.380 Dimming headlights—Following traffic.

Whenever the driver of a vehicle approaches another vehicle from the rear within three hundred (300) feet such driver shall use a distribution of light permissible under this subtitle other than the uppermost distribution of light specified in Section 11.82.140 A. (RCW 46.37.230(3))
(Ord. 108200 § 2(11.58.380), 1979.)

11.58.390 Red light restriction.

No person shall drive or move any vehicle or equipment upon any street or alley with any lamp or device thereon displaying a red light either lighted or not lighted visible from directly in front of the center thereof. (RCW 46.37.280(2))
(Ord. 108200 § 2(11.58.390), 1979.)

11.58.400 Flashing light restriction.

Flashing lights are prohibited except as required in Sections 11.82.380, 11.82.430, 11.82.520, 11.82.560 and warning lamps authorized by the State Commission on Equipment. (RCW 46.37.280(3))
(Ord. 108200 § 2(11.58.400), 1979.)

11.58.410 Causing or permitting unlawful vehicle operation.

No owner, or any other person, shall, in employing or otherwise directing the operation of a vehicle, require or knowingly permit the operation of such vehicle upon a street, alley or way open to the public in any manner contrary to law. (RCW 46.61.675)
(Ord. 108200 § 2(11.58.410), 1979.)

11.58.420 Persons driving while drinking intoxicants—Penalty.

A. It is a traffic infraction to drink any alcoholic beverage in a motor vehicle when the vehicle is upon a highway.

B. It is a traffic infraction for a person to have in his possession while in a motor vehicle upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage if the container has been opened or a seal broken or the contents partially removed.

C. It is a traffic infraction for the registered owner of a motor vehicle, or the driver if the registered owner is not then present in the vehicle, to keep in a motor vehicle when the vehicle is upon a highway, a bottle, can, or other receptacle containing an alcoholic beverage which has been opened or a seal broken or the contents partially removed, unless the container is kept in the trunk of the vehicle or in some other area of the vehicle not normally occupied by the driver or passengers if the vehicle does not have a trunk. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers.

D. This section does not apply to a public conveyance that has been commercially chartered for group use or to the living quarters of a motor home or camper or, except as otherwise provided by law, to any passenger for compensation in a for-hire vehicle licensed under City, county, or state law, or to a privately owned vehicle operated by a person possessing a valid operator's license with a special endorsement issued under RCW 46.20.440 in the course of his usual employment transporting passengers at the employer's direction; provided that nothing in this subsection shall be construed to authorize possession or consumption of an alcoholic beverage by the operator of any vehicle while upon a highway.
(Ord. 111859 § 1, 1984; Ord. 111279 § 2, 1983.)

11.58.425 Open alcoholic containers.

A. It is an infraction to incorrectly label the original container of an alcoholic beverage and to then violate Seattle Municipal Code (SMC) Section 11.58.420.

B. It is an infraction to place an alcoholic beverage in a container specifically labeled by the manufacturer of the container as containing a non-alcoholic beverage and then to violate SMC Section 11.58.420.

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(Ord. 111859 § 5, 1984.)

duce evidence of his or her authorization as such.
(RCW 46.61.020)**Chapter 11.59****OBEDIENCE TO PEACE OFFICERS AND
AUTHORIZED PERSONNEL****Sections:****11.59.010**Obedience to peace officers,
flaggers, and firefighters.**11.59.040**Refusal to give information or to
cooperate with officer.**11.59.060**Refusal to stop.**11.59.080**Examination of equipment.**11.59.090**Duty to obey peace
officer—Traffic
infraction—Authority to detain
and check for warrants.**11.59.100**Disregard of school patrol.**11.59.120**Refusal to stop—Weighing.**11.59.140**Refusal to stop a train.**11.59.160**Refusal to give information or to
cooperate with officer—Train.**11.59.010**Obedience to peace officers,
flaggers, and firefighters.

No person shall wilfully fail or refuse to comply with any lawful order of any peace officer, duly authorized flagger, or firefighter, who is at the time discharging the duty of regulating and directing traffic or pedestrians. (RCW 46.61.015) (Ord. 108200 § 2(11.59.010), 1979.)

11.59.040Refusal to give information or to
cooperate with officer.

It is unlawful for any person while operating or in charge of any vehicle to refuse when requested by a peace officer to give his or her name and address and the name and address of the owner of the vehicle, or to give a false name and address to such peace officer, or to refuse upon demand of such peace officer to produce his or her certificate of license registration of such vehicle, his or her insurance identification card, or his or her vehicle driver's license, or to refuse to permit such officer to take any such license or certificate for the purpose of examination thereof, or for such person to refuse or neglect to produce the certificate of license registration of such vehicle, insurance card, or his or her driver's license when requested by any court. Any peace officer shall on request pro-

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(Ord. 115040 § 3, 1990: Ord. 108200 § 2(11.59.040), 1979.)

11.59.060Refusal to stop.

No person shall, while operating or in charge of a vehicle, refuse or neglect to stop when signaled to stop by any peace officer. (RCW 46.61.020) (Ord. 108200 § 2(11.59.060), 1979.)

11.59.080Examination of equipment.

No person shall, while operating or in charge of a vehicle, refuse to permit a peace officer to make an examination of any equipment of such vehicle or weigh such vehicle. (RCW 46.61.020) (Ord. 108200 § 2(11.59.080), 1979.)

11.59.090Duty to obey peace officer—Traffic infraction—Authority to detain and check for warrants.

A. Any person requested or signaled to stop by a peace officer for a traffic infraction has a duty to stop.

B. Whenever any person is stopped for a traffic infraction, the officer may detain that person for a reasonable period of time necessary to identify the person and check for outstanding warrants and, if applicable, check the status of the person's license, insurance identification card, and the vehicle's registration, and complete and issue a notice of traffic infraction.

C. Any person requested to identify himself to a peace officer pursuant to an investigation of a traffic infraction has a duty to identify himself or herself, give his or her current address, and sign an acknowledgement of receipt of the notice of infraction. (RCW 46.61.021) (Ord. 118877 § 2, 1997: Ord. 115040 § 4, 1990: Ord. 109476 § 4(part), 1980: Ord. 108200 § 2(11.59.090), 1979.)

11.59.100Disregard of school patrol.

No person shall fail to stop his vehicle when directed to do so by any school patrol sign or signal displayed by a member of the school patrol or an adult school crossing supervisor engaged in the performance of his duty and wearing or displaying appropriate insignia, and further, no person shall disregard any other reasonable directions of any member of the school patrol or an adult school crossing supervisor when acting in performance of his duties as such. (RCW 46.61.385)

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(Ord. 108200 § 2(11.59.100), 1979.)

11.59.120Refusal to stop—Weighing.

No person shall fail or refuse to stop and submit a vehicle and load to a weighing, or to fail or refuse when directed by a peace officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this chapter. (RCW 46.44.100) (Ord. 108200 § 2(11.59.120), 1979.)

11.59.140Refusal to stop a train.

No person shall, while operating or in charge of a train, refuse or neglect to stop when signaled to stop by a uniformed peace officer. (Ord. 108200 § 2(11.59.140), 1979.)

11.59.160Refusal to give information or to cooperate with officer—Train.

No person shall, while operating or in charge of a train, refuse when requested by a peace officer, to give his name and address and the name and address of the owner of the train, or for such person to give a false name and address or to refuse upon demand of such peace officer to produce a personal identification document which indicates that he is a railroad employee. Any peace officer shall on request produce evidence of his authorization as such. (Ord. 108200 § 2(11.59.160), 1979.)

**Part 6
SPECIAL DRIVING AND OPERATING
REGULATIONS**

**Chapter 11.60
SIZE, WEIGHT AND LOAD
REGULATIONS**

Sections:

- 11.60.020Liability of owner, others, for violations.
- 11.60.050Outside width limits.
- 11.60.060Maximum height—Impaired clearance—Signs.
- 11.60.070Hitting structure with impaired clearance.
- 11.60.130Maximum lengths.
- 11.60.140Maximum length—Combination.
- 11.60.160Maximum length—Exceptions.
- 11.60.180Maximum length—Front protrusions.
- 11.60.200Maximum length—Rear protrusions.
- 11.60.220Combination of units—Limitation.
- 11.60.240Combination of units—Lawful operations—Special permits.
- 11.60.290Annual additional tonnage permits—Fees.
- 11.60.340Maximum gross weight—Two axle trailer.
- 11.60.370Maximum gross weights—Wheelbase and axle factors.
- 11.60.380Maximum gross weight—Brake restriction.
- 11.60.420Maximum gross weight—Tire factor.
- 11.60.480Excess weight—Discretion of arresting officer.
- 11.60.520Excess weight—Logging trucks—Discretion of arresting officer.
- 11.60.540Minimum length of wheelbase.
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- 11.60.580Enforcement—Lightening.
- 11.60.583Maximum gross weight—Penalties for violations.
- 11.60.587Additional penalty.

- 11.60.589Street gross weight limitation—Penalty.
- 11.60.592Maximum gross weight—Penalty period.
- 11.60.620Liability for damage to streets, bridges, etc.
- 11.60.640Overloading licensed capacity.
- 11.60.660Overloading licensed capacity—Additional license.
- 11.60.665Overloading licensed capacity—Penalties.
- 11.60.670Special permits—Misrepresentation penalty.
- 11.60.675Special permit—Violation of terms—Penalty.
- 11.60.680Overweight permit—Penalty.
- 11.60.685Oversize permit—Penalty.
- 11.60.690Transportation of liquefied petroleum gas.

11.60.020Liability of owner, others, for violations.

Whenever an act or omission is declared to be unlawful in this chapter, the owner of any motor vehicle involved in such act or omission shall be responsible therefor. Any person operating such vehicle, and any persons knowingly and intentionally participating in creating an unlawful condition of use, shall also be subject to the penalties provided in Chapter 11.34 for such unlawful act or omission. (RCW 46.44.120) (Ord. 108200 § 2(11.60.020), 1979.)

11.60.050Outside width limits.

The total outside width of any vehicle or load thereon shall not exceed eight and one-half (8½) feet; provided, that no rear vision mirror may extend more than five (5) inches beyond the extreme limits of the body; provided further, that excluded from this calculation of width are safety appliances such as clearance lights, rub rails, flexible fender extensions, mud flaps, and splash and spray suppressant devices, and appurtenances such as door handles, door hinges, and turning signal brackets and such other safety appliances and appurtenances as the Traffic Engineer may determine are necessary for the safe and efficient operation of motor vehicles, and provided further, that no appliances or appurtenances may extend more than two (2) inches beyond the

extreme limits of the body. (RCW 46.44.010)
 (Ord. 112092 § 20, 1984.)

11.60.060 Maximum height—Impaired clearance—Signs.

No person shall operate any vehicle unladen or with load exceeding a height of fourteen (14) feet above the level surface upon which the vehicle stands provided that this height limitation shall not apply to authorized emergency vehicles or repair equipment of a public utility engaged in reasonably necessary operation. The provisions of this section shall not relieve the owner or operator of a vehicle or combination of vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the streets or alleys where such vehicle or combination of vehicles is being operated. No liability shall attach to the City by reason of any damage or injury to persons or property by reason of the existence of any structure over or across any street or alley where the vertical clearance above the roadway is fourteen (14) feet, or more, or where such vertical clearance is less than fourteen (14) feet if impaired clearance signs are erected and maintained on the side of any such street or alley in a conspicuous location at a distance of

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April, 2001 code update file

Text provided for historic reference only.

See ordinances creating and amending sections for complete text, graphics, and tables and to confirm accuracy of this source file.

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not less than two hundred feet (200') and not more than three hundred feet (300'). If any structure over or across any street or alley is not owned by the City, it shall be the duty of the owner thereof when billed therefor to reimburse the City for the actual cost of erecting and maintaining such impaired clearance signs. (RCW 46.44.020) (Ord. 112092 § 7, 1984; Ord. 108200 § 2(11.60.060), 1979.)

11.60.070 Hitting structure with impaired clearance.

No person shall operate a vehicle in a manner that allows the vehicle to strike any structure over or across any street or alley where impaired clearance signs are erected and maintained. (Ord. 108200 § 2(11.60.070), 1979.)

11.60.130 Maximum lengths.

A. It is unlawful for any person to operate upon the streets and alleys of the City, any vehicle other than a municipal transit vehicle having an overall length, with or without load, in excess of forty feet (40'); provided, that an auto stage or school bus shall not exceed an overall length, inclusive of front and rear bumpers, of forty feet (40'); provided further, that any such school bus constructed prior to April 1, 1977, shall be equipped with three (3) axles; provided further, that any school bus constructed on or after April 1, 1977, and in excess of thirty-six feet six inches (36' 6") shall be equipped with three (3) axles; provided further, that the route of any auto stage in excess of thirty-five feet (35') or school bus in excess of thirty-six feet six inches (36' 6") upon or across the public highways shall be limited as determined by the Department of Transportation for state highways, or by the City's legislative authority for City streets, alleys and roads.

B. It shall be a violation for any person to operate on the streets and alleys, any combination of vehicles that contains a vehicle of which the permanent structure is in excess of forty-eight feet (48').

C. It shall be a violation for any person to operate upon the streets and alleys any combination consisting of a tractor and semitrailer that has a semitrailer length in excess of forty-eight feet (48') or a combination consisting of a tractor and two trailers in which the combined length of the trailers exceeds fifty-nine feet (59').

D. It shall be a violation for any person to operate on the streets and alleys any combination

consisting of a truck and trailer with an overall length, with or without load, in excess of sixty-five feet (65'), or a combination consisting of a tractor and a stinger steered semitrailer that has an overall length in excess of sixty-five feet (65') without load or in excess of seventy feet (70') with load.

E. "Stinger steered" as used in this section means a tractor and semitrailer combination that has the coupling connecting the semitrailer to the tractor located to the rear of the centerline of the rear axle of the tractor.

F. These length limitations do not apply to vehicles transporting poles, pipe, machinery, or other objects of a structural nature that cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties, but, in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of the load.

G. The length limitations described in this section are exclusive of safety and energy conservation devices, such as mud flaps and splash and spray suppressant devices, refrigeration units or air compressors, and other devices that the department determines to be necessary for safe and efficient operation of commercial vehicles. No device excluded under this subsection from the limitations of this section may have, by its design or use, the capability to carry cargo. (RCW 46.44.030) (Ord. 112092 § 21, 1984.)

11.60.140 Maximum length—Combination.

No person shall operate on a street or alley any combination consisting of a truck and trailer, or any lawful combination of three vehicles, with an overall length, with or without load, in excess of sixty-five feet (65'), or a combination consisting of a tractor and a stinger steered semitrailer which has an overall length in excess of sixty-five feet (65') without load or in excess of seventy feet (70') with load. "Stinger steered" as used in this section shall mean a tractor and semitrailer combination which has the coupling connecting the semitrailer to the tractor located to the rear of the

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centerline of the rear axle of the tractor. (RCW 46.44.030)
(Ord. 108200 § 2(11.60.140), 1979.)

11.60.160 Maximum length—Exceptions.

The length limitations set forth in Sections 11.60.130 and 11.60.140 shall not apply to vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties, but in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load. (RCW 46.44.030)
(Ord. 112092 § 21, 1984; Ord. 108200 § 2(11.60.160), 1979.)

11.60.180 Maximum length—Front protrusions.

The load, or any portion of any vehicle operated alone upon a street or alley, or the load, or any portion of the front vehicle of a combination of vehicles, shall not extend more than three feet (3') beyond the front wheels of such vehicle, or the front bumper, if equipped with front bumper. (RCW 46.44.034)
(Ord. 108200 § 2(11.60.180), 1979.)

11.60.200 Maximum length—Rear protrusions.

No person shall operate a vehicle upon a street or alley with any part of the permanent structure or load extending in excess of fifteen feet (15') beyond the center of the last axle of such vehicle. (RCW 46.44.034)
(Ord. 108200 § 2(11.60.200), 1979.)

11.60.220 Combination of units—Limitation.

Except as provided in Section 11.60.240, no person shall operate upon a street or alley any combination of vehicles consisting of more than two (2) vehicles. For the purposes of this section a truck tractor-semitrailer and/or pole trailer combination will be considered as two (2) vehicles but the addition of another axle to the tractor of a truck tractor-semitrailer and/or pole trailer combination in such a way that it supports a proportional share of the load of the semitrailer and/or pole

trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the truck tractor. For the purposes of this section a converter gear used in converting a semitrailer to a full trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the trailer. (RCW 46.44.036)
(Ord. 108200 § 2(11.60.220), 1979.)

11.60.240 Combination of units—Lawful operations—Special permits.

Notwithstanding the provisions of Section 11.60.220 and subject to such rules and regulations governing their operation as may be adopted by the Board of Public Works, operation of the following combinations shall be lawful:

A. A combination consisting of a truck tractor, a semitrailer, and a full trailer. In this connection a converter gear used to convert a semitrailer into a full trailer shall be considered to be a part of the full trailer and not a separate vehicle. A converter gear being pulled without load and not used to convert a semitrailer into a full trailer may be substituted in lieu of a full trailer or a semitrailer in any lawful combination;

B. A combination consisting of three (3) trucks or truck tractors used in driveway service where two (2) of the vehicles are towed by the third in double saddlemount position. (RCW 46.44.037)
(Ord. 112092 § 9, 1984; Ord. 108200 § 2(11.60.240), 1979.)

11.60.290 Annual additional tonnage permits—Fees.

A. When a combination of vehicles has been lawfully licensed to a total weight of eighty thousand (80,000) pounds and when a three (3) or more axle single-unit vehicle has been lawfully licensed to a total gross weight of forty thousand (40,000) pounds pursuant to Section 11.60.370, a permit for additional gross weight may be issued by the Traffic Engineer upon the payment of Thirty-seven Dollars and Fifty Cents (\$37.50) per year for each one thousand (1,000) pounds or fraction thereof of such additional gross weight; provided, that the tire limits specified in Section 11.60.420 shall apply, and the gross weight on any single axle shall not exceed twenty thousand

(20,000) pounds, and the gross load on any group of axles shall not exceed the limits set forth in Section 11.60.370; provided further, that within the tire limits of Section 11.60.420 and notwithstanding Sections 11.60.370 and 11.23.250, a permit for an additional six thousand (6,000) pounds may be purchased for the rear axles of a two (2) axle garbage truck or eight thousand (8,000) pounds for the tandem axle of a three (3) axle garbage truck at a rate not to exceed Thirty Dollars (\$30.00) per thousand.

B. The annual additional tonnage permits provided for in this section shall be issued upon such terms and conditions as may be prescribed by the department pursuant to general rules adopted by the Traffic Engineer. Such permits shall entitle the permittee to carry such additional load in an amount and upon streets or alleys, as may be determined by the Traffic Engineer to be capable of withstanding increased gross load without undue injury to the street or alley.

C. The annual additional tonnage permits provided for in this section shall commence on the first of January or the first of April of each year. The permits may be purchased at any time, and if they are purchased for less than a full year, the fee shall be one-twelfth ($1/12$) of the full fee multiplied by the number of months, including any fraction thereof, covered by the permit. When the Traffic Engineer issues a duplicate permit to replace a lost or destroyed permit and where the Traffic Engineer transfers a permit from one (1) vehicle to another a fee of Five Dollars (\$5.00) shall be charged for each duplicate issued or each transfer. The Traffic Engineer shall issue permits on a temporary basis for periods of not less than five (5) days at One Dollar (\$1.00) per day for each two thousand (2,000) pounds or fraction thereof.

D. The fees levied in Section 11.60.588 and this section shall not apply to any vehicles owned and operated by the state of Washington, any county within the state, or any city or town or metropolitan municipal corporation within the state, or by the federal government.
(Ord. 112092 § 19, 1984.)

11.60.340 Maximum gross weight—Two (2) axle trailer.

No person shall operate any two (2) axle trailer upon a street or alley with a gross weight, including load, in excess of thirty-six thousand (36,000) pounds. (RCW 46.44.041)

(Ord. 108200 § 2(11.60.340), 1979.)

11.60.370 Maximum gross weights—Wheelbase and axle factors.

A. No vehicle or combination of vehicles shall operate upon the streets and alleys with a gross load on any single axle in excess of twenty thousand (20,000) pounds, or upon any group of axles in excess of that set forth in the following table, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet (36') or more. (See Table 11.60.370 A)

B. When inches are involved: Under six inches (6"), disregard the additional inches, when six inches (6") or over, calculate to the next highest figure (in feet). The maximum load on any axle in any group of axles shall not exceed 1.2 times the load given in the above table divided by the number of axles in that group, and shall not exceed the single axle or tandem axle allowance as set forth elsewhere. For considering the number of axles in a group, the front axle of a unit supplying motive power need not be included in the axle group.

C. The maximum axle and gross weights specified in this section are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law.

D. It shall be a violation to operate upon the streets and alleys, any single unit vehicle, supported upon three (3) axles or more with a gross weight including load in excess of forty thousand (40,000) pounds or any combination of vehicles having a gross weight in excess of eighty thousand (80,000) pounds without first obtaining an additional tonnage permit as provided for in Section 11.23.290.

E. It shall be a violation to operate any vehicle upon the streets and alleys equipped with two (2) axles spaced less than seven (7) feet apart, unless the two (2) axles are so constructed and mounted in such a manner as to provide oscillation between the two (2) axles and that either one (1) of the two (2) axles will not at any one time carry more than the maximum gross weight

Table for Section 11.60.370 A

Distance in feet between the extremes of any group of 2 or more consecutive axles	Size, Weight, Load							
	Maximum load in pounds carried on any group of 2 or more consecutive axles							
	*(Maximum load in pounds carried on any group of 2 consecutive sets of tandem axles)							
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles
4	34,000							
5	34,000							
6	34,000							
7	34,000							
8	34,000	36,500						
9	39,000	38,000						
10	40,000	39,500						
11		41,000						
12		42,500	42,500					
13		44,000	44,000					
14		45,500	45,500					
15		47,000	47,000					
16		48,000	48,000	48,000				
17		48,500	48,500	49,000				
18		49,500	49,500	50,000				
19		50,000	50,000	51,000				
20		51,000	51,000	52,000	52,000			
21		51,000	51,500	53,000	53,000			
22		52,500	52,500	54,000	54,000			
23		53,000	53,000	55,000	55,000			
24		54,000	54,000	55,500	56,000	56,000		
25		54,500	55,000	56,500	57,000	57,000		
26		55,500	56,000	57,500	58,000	58,000		
27		56,000	57,000	58,500	59,000	59,000		
28		57,000	58,000	60,000	60,000	60,000	60,000	
29		57,500	59,000	60,500	61,000	61,000	61,000	
30		58,500	59,000	61,500	62,000	62,000	62,000	
31		59,000	60,500	62,500	63,000	63,000	63,000	
32		60,000	61,500	63,500	64,000	64,000	64,000	64,000
33			62,500	64,500	65,000	65,000	65,000	65,000
34			63,500	65,000	66,500	66,500	66,500	66,500

SIZE, WEIGHT AND LOAD REGULATIONS

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	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles
35			64,500	66,500	67,500	67,500	67,500	67,500
			(65,000)*					
36			65,500	67,500	68,500	68,500	68,500	68,500
			(68,000)*					
37			66,500	68,500	69,500	69,500	69,500	69,500
38			67,500	69,000	70,500	70,500	70,500	70,500
39			68,000	70,000	71,500	71,500	71,500	71,500
40			68,500	71,000	72,500	72,500	72,500	72,500
41			69,500	72,000	73,500	73,500	73,500	73,500
42			70,000	73,000	74,500	74,500	74,500	74,500
43			70,500	74,000	75,500	75,500	75,500	75,500
44			71,500	75,000	76,500	76,500	76,500	76,500
45			72,000	76,000	78,000	78,000	78,000	78,000
46			72,500	76,500	79,000	79,000	79,000	79,000
47			73,500	77,500	80,000	80,000	80,000	80,000
48			74,000	78,000	81,000	81,000	81,000	81,000
49			74,500	78,500	82,000	82,000	82,000	82,000
50			75,500	79,000	83,000	83,000	83,000	83,000
51			76,000	80,000	84,000	84,000	84,000	84,000
52			76,500	80,500	85,000	85,000	85,000	85,000
52			77,500	81,000	86,000	86,000	87,000	87,000
54			78,000	81,500	86,500	87,500	89,000	89,000
55			78,500	82,500	87,000	88,000	91,000	91,000
56			79,500	83,000	87,500	90,000	93,000	93,000
57			80,000	83,500	88,000	91,000	95,000	95,000
58				84,000	89,000	92,500	97,000	97,000
59				85,000	89,500	93,500	99,000	99,000
60				85,500	90,000	95,000	100,500	100,500
61				86,000	90,500	95,500	101,000	102,500
62				86,500	91,000	97,000	101,500	104,000
63				87,500	92,000	96,500	102,000	105,500
64				88,000	92,500	97,000	102,500	105,500
65				88,500	93,000	98,000	103,000	105,500
66				89,000	93,500	98,500	103,500	105,500
67				90,000	94,000	99,000	104,000	105,500
68				90,500	94,500	99,500	104,500	105,500
69				91,000	95,500	100,000	105,500	105,500
70				91,500	96,000	101,000	105,500	105,500

allowed for one (1) axle specified in this section. (RCW 46.44.041) (Ord. 112092 § 22, 1984.)

11.60.380 Maximum gross weight—Brake restriction.

The maximum axle and gross weight specified in Section 11.60.370 are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law. (RCW 46.44.040(2)) (Ord. 112092 § 10, 1984; Ord. 108200 § 2(11.60.380), 1979.)

any vehicle upon a street or alley with a gross weight, including load, upon any tire concentrated upon the surface of a street or alley in excess of five hundred fifty (550) pounds per inch width of such tire, up to a maximum width of twelve inches (12”), and for a tire having a width of twelve inches (12”) or more there shall be allowed a twenty percent (20%) tolerance above five hundred fifty (550) pounds per inch width of

11.60.420 Maximum gross weight—Tire factor.

Subject to the maximum gross weights specified in Section 11.60.370, no person shall operate

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11.60.370 VEHICLES AND TRAFFIC

such tire. For the purpose of this section, the width of tire in case of solid rubber or hollow-center cushion tires, so long as the use thereof may be permitted by the law, shall be measured between the flanges of the rim. For the purpose of this section, the width of tires in case of pneumatic tires shall be the maximum overall normal inflated width as stipulated by the manufacturer when inflated to the pressure specified and without load thereon. (RCW 46.44.042)

(Ord. 112092 § 11, 1984; Ord. 108200 § 2(11.60.420), 1979.)

11.60.480 Excess weight—Discretion of arresting officer.

In addition to the limitations of Section 11.60.370, if the gross axle weight is not more than five hundred (500) pounds in excess of the maximum gross axle weight for one (1) axle, and if the gross weight of two (2) axles spaced less than seven feet (7') apart is not more than one thousand (1,000) pounds in excess of the maximum gross weight for two (2) axles spaced less than seven feet (7') apart, and if the gross weight of any group of axles is not more than one thousand five hundred (1,500) pounds in excess of the maximum gross weight for any group of axles according to the wheelbase spacing of the group of axles as shown in the maximum gross load table of Section 11.60.370 and if the gross weight of a two (2) axle vehicle is not more than one thousand (1,000) pounds in excess of the legal gross weight for such two (2) axle vehicle, and if the gross weight of a three (3) axle vehicle is not more than one thousand five hundred (1,500) pounds in excess of the maximum legal gross weight for such three (3) axle vehicle, and if the maximum gross weight of the combination of vehicles is not more than two thousand pounds (2,000) in excess of the maximum legal gross weight of the combination of vehicles, the arresting officer may, within his discretion, permit the operator to proceed with his vehicle or vehicles in combination without penalty. For the purposes of determining gross weights the actual scale weight taken by arresting officer shall be prima facie evidence of such total gross weight. (RCW 46.44.105)

(Ord. 112092 § 12, 1984; Ord. 108200 § 2(11.60.480), 1979.)

11.60.520 Excess weight—Logging trucks—Discretion of arresting officer.

Any person, firm or corporation using any City street or alley to reach or leave a state highway route for the purpose of transporting logs with weights authorized by state highway log tolerance permits, without first obtaining a City permit when required by the City, shall be subject to the penalties prescribed by Sections 11.60.060 through 11.60.130. For the purpose of determining gross weight the actual scale weight taken by the officer shall be prima facie evidence of such total weight. In the event the gross weight is in excess of the weight permitted by law, the officer may, within his discretion, permit the operator to proceed with his vehicles in combination. (RCW 46.44.047)

(Ord. 112092 § 13, 1984; Ord. 108200 § 2(11.60.520), 1979.)

11.60.540 Minimum length of wheelbase.

No person shall operate any vehicle with a wheelbase between any two (2) axles thereof of less than three feet six inches (3' 6"). For the purpose of this section, wheelbase shall be measured upon a straight line from center to center of the vehicle axles designated. (RCW 46.44.050)

(Ord. 108200 § 2(11.60.540), 1979.)

11.60.560 Enforcement—Weighing.

Any peace officer may require the operator of a vehicle or combination of vehicles to stop and submit to a weighing of the same by means of a portable or stationary scale and may require that such vehicle be driven to the nearest public scale. (RCW 46.44.100)

(Ord. 108200 § 2(11.60.560), 1979.)

11.60.580 Enforcement—Lightening.

Whenever a peace officer, upon weighing a vehicle and load, determines that the weight is unlawful, such peace officer may, in addition to any other penalty provided, require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit permitted by Chapters 11.60 and 11.23: Provided, that in the event such vehicle is loaded with grain or other perishable commodities, the driver shall be permitted to proceed without removing any of such

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load, unless the gross weight of the vehicle and load exceeds by more than ten percent (10%) the limit permitted by Chapters 11.60 and 11.23. All materials unloaded shall be cared for by the owner or operator of the vehicle at the risk of such owner or operator. (RCW 46.44.100) (Ord. 108200 § 2(11.60.580), 1979.)

11.60.583 Maximum gross weight—Penalties for violations.

Any person violating any of the provisions of Section 11.60.370 shall and upon the first finding thereof be assessed a penalty of not less than Fifty Dollars (\$50.00); upon a second finding thereof shall be assessed a penalty of not less than Seventy-five Dollars (\$75.00), and upon a third or subsequent finding, shall be assessed a penalty of not less than One Hundred Dollars (\$100.00). (RCW 46.44.105(1)) (Ord. 112092 § 14, 1984; Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.583), 1979.)

11.60.587 Additional penalty.

In addition to, but not in lieu of the basic penalties imposed in Section 11.60.583, any person violating any of the provisions of Section 11.60.370 shall be assessed a penalty for each pound overweight, as follows:

- A. One (1) pound through four thousand (4,000) pounds overweight is Three Cents (\$.03) for each pound;
- B. Four thousand one (4,001) pounds through ten thousand (10,000) pounds overweight is One Hundred Twenty Dollars (\$120.00) plus Twelve Cents (\$.12) per pound for each additional pound over four thousand (4,000) pounds overweight;
- C. Ten thousand one (10,001) pounds through fifteen thousand (15,000) pounds overweight is Eight Hundred Forty Dollars (\$840.00) plus Sixteen Cents (\$.16) per pound for each additional pound over ten thousand (10,000) pounds overweight;
- D. Fifteen thousand one (15,001) pounds through twenty thousand (20,000) pounds overweight is One Thousand Six Hundred Forty Dollars (\$1,640.00) plus Twenty Cents (\$.20) per pound for each additional pound over fifteen thousand (15,000) pounds overweight;
- E. Twenty thousand one (20,001) pounds and more is Two Thousand Six Hundred Forty Dollars (\$2,640.00) plus Thirty Cents (\$.30) per pound for

each additional pound over twenty thousand (20,000) pounds overweight.

Upon a first violation in any calendar year, the court may suspend the penalty for five hundred (500) pounds of excess weight for each axle or any vehicle or combination of vehicles, not to exceed a two thousand (2,000) pound suspension. In no case shall the basic penalty assessed under Section 11.60.583 be suspended nor shall the additional penalty assessed in Section 11.60.587, except as provided for the first violation, be suspended (RCW 46.44.105(2)). (Ord. 118342 § 1, 1996; Ord. 112092 § 23, 1984.)

11.60.589 Street gross weight limitation—Penalty.

Any person found to have violated any posted weight limitations of a street or alley shall be assessed a monetary penalty of not less than One Hundred and Fifty Dollars (\$150.00) and the court shall, upon a second conviction, within a twelve (12) month period and involving the same power unit, suspend the certificate of license registration for not less than thirty (30) days. (RCW 46.44.105(4)) (Ord. 112092 § 15, 1984; Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.589), 1979.)

11.60.592 Maximum gross weight—Penalty period.

For the purpose of computing the basic penalties and additional penalties to be imposed under the provisions of Sections 11.60.583, 11.60.587 and 11.60.589, the findings shall be based on the same vehicle or combination of vehicles within a twelve (12) month period under the same ownership. (Ord. 112421 § 7, 1985; Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.592), 1979.)

11.60.620 Liability for damage to streets, bridges, etc.

Any person operating any vehicle or moving any object or conveyance upon a street or alley or upon or under a bridge or elevated structure which is a part of any such street or alley shall be liable for all damages which the street, alley, bridge, or elevated structure may sustain as a result of any illegal operation of such vehicle or the moving of any such object or conveyance or as a result of the operation or moving of any vehicle, object, or conveyance weighing in excess of the legal weight

11.60.620 VEHICLES AND TRAFFIC

limits allowed by law. This section shall apply to any person operating any vehicle or moving any object or contrivance in any illegal or negligent manner or without a special permit as by law provided for vehicles, objects, or contrivances of overweight, overwidth, overheight, or overlength. Any person operating any vehicle shall be liable for any damage to any street, alley, bridge, or elevated structure sustained as the result of any negligent operation thereof. When such operator is not the owner of such vehicle, object or contrivance but is so operating or moving the same with the express or implied permission of the owner thereof, then the owner and the operator shall be jointly and severally liable for any such damage. Such damage to any street, alley, bridge or elevated structure may be recovered in a civil action instituted in the name of the City. Any measure of damage to any street or alley by reason of this section shall be prima facie the amount of damage caused thereby and shall be presumed to be the amount recoverable in any civil action therefor. (RCW 46.44.110)
(Ord. 108200 § 2(11.60.620), 1979.)

11.60.640Overloading licensed capacity.

No person shall operate, cause, permit, or suffer to be operated upon a street or alley any stage, motor truck, trailer, pole trailer, or semitrailer, with passengers, or with a maximum gross weight, in excess of that for which the vehicle is licensed. (RCW 46.16.140)
(Ord. 108200 § 2(11.60.640), 1979.)

11.60.660Overloading licensed capacity—Additional license.

Any person who operates or causes to be operated upon a street or alley any motor truck, trailer, pole trailer, or semitrailer with a maximum gross weight in excess of the maximum gross weight for which the vehicle is licensed shall be deemed to have set a new maximum gross weight, and shall, in addition to any penalties otherwise provided, be required to purchase a new license covering the new maximum gross weight; provided, that this section shall not apply to for-hire vehicles or stages; provided, further, that no such person may be permitted or required to purchase the new license upon a gross weight which would exceed the maximum gross weight allowed by Sections 11.23.290, 11.60.370 and 11.60.420. (RCW 46.16.140)

(Seattle 3-97)

(Ord. 112092 § 16, 1984; Ord. 108200 § 2(11.60.660), 1979.)

11.60.665Overloading licensed capacity—Penalties.

Any person violating any of the provisions of Section 11.60.640 or 11.60.660 shall upon a first finding thereof, be assessed a penalty of not less than Ten Dollars (\$10.00) nor more than Twenty-five Dollars (\$25.00); upon a second finding thereof be assessed a penalty of not less than Twenty-five Dollars (\$25.00) nor more than Fifty Dollars (\$50.00), and upon a third and subsequent finding, be assessed a penalty of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00). (RCW 46.16.145)
(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.665), 1979.)

11.60.670Special permit—Misrepresentation penalty.

Any person who misrepresents the size or weight of any load in obtaining a special permit shall upon a finding thereof, be assessed a penalty of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00). (RCW 46.44.097)
(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.670), 1979.)

11.60.675Special permit—Violation of terms—Penalty.

Any person who fails to follow the requirements and conditions of a special permit shall upon a finding thereof be assessed a penalty of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00). (RCW 46.44.097)
(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.675), 1979.)

11.60.680Overweight permit—Penalty.

Any person who operates any vehicle, the gross weight of which is in excess of the maximum for which such vehicle may be eligible for license without first obtaining a special permit shall upon a finding thereof, be assessed a penalty of not less than One Hundred Dollars (\$100.00). (RCW 46.44.097)

(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.680), 1979.)

11.60.685Oversize permit—Penalty.

Any person who operates any vehicle in excess of legal size limitations without first obtaining a special permit shall, upon a finding thereof, be assessed a penalty of not less than One Hundred Dollars (\$100.00).

(Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.60.685), 1979.)

11.60.690Transportation of liquefied petroleum gas.

The bulk transportation of liquefied petroleum gas (LPG) is prohibited in or through Fire Zone No. 1 as defined in the City of Seattle Building Code¹ (see Fire Zone One map).

(Ord. 108200 § 2(11.60.690), 1979.)

1.Editor's Note: The Building Code is codified in Title 22 of this Code.

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FIRE ZONE ONE

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11.62.020 VEHICLES AND TRAFFIC

**Chapter 11.62
REGULATING THE KINDS AND CLASSES
OF TRAFFIC ON CERTAIN STREETS**

(Ord. 108200 § 2(11.62.040), 1979.)

1.Editor's Note: The Fire Code is codified in Title 22 of this Code.

Sections:

11.62.020 Flammable liquids, combustible liquids and hazardous chemicals.

11.62.040 Explosives.

11.62.060 Routes—Trucks carrying overlegal loads and truck-trailer or truck semitrailer combinations used for intercity or interstate hauling.

11.62.080 Operation in downtown traffic-control zone—General.

11.62.100 Operation in downtown traffic-control zone—Peak hour.

11.62.120 Operation on certain streets—Peak hour.

11.62.130 Exceptions—Operation on specified streets without a permit.

11.62.140 Operation on nonarterial streets.

11.62.200 Stage operation.

11.62.060 Routes—Trucks carrying overlegal loads and truck-trailer or truck semitrailer combination used for intercity or interstate hauling.

All trucks carrying overlegal loads under a state or county permit, traveling to, from or through the City, and all truck and trailer combinations and truck and semitrailer combinations used in intercity or interstate hauling shall operate over one (1) of the Major Truck Streets while in the City, and whenever practicable all trucks shall take the most direct route to or from one (1) of the Major Truck Streets to or from their destination. Major Truck Streets are identified on Exhibit 11.62.060 A.¹

(Ord. 117923 § 3, 1995; Ord. 112359 § 1, 1985; Ord. 108200 § 2(11.62.060), 1979.)

1.Editor's Note: Exhibit 11.62.060 A of Ordinance 117923 is on file with the ordinance in the City Clerk's Office.

11.62.020 Flammable liquids, combustible liquids and hazardous chemicals.

No person shall load or transport any flammable liquids, combustible liquids except heating oil, or hazardous chemicals as defined by the Seattle Fire Code,¹ upon:

A. Battery Street depressed roadway from the Alaskan Way Viaduct to Aurora Avenue North at any time;

B. Alaskan Way Viaduct between the hours of seven a.m. and nine a.m. and four p.m. and six p.m. on weekdays.

(Ord. 108200 § 2(11.62.020), 1979.)

1.Editor's Note: The Fire Code is codified in Title 22 of this Code.

11.62.040 Explosives.

No person shall load or transport any explosive, as defined in the Seattle Fire Code,¹ upon the following arterial streets:

A. Alaskan Way Viaduct;

B. Battery Street depressed roadway from the Alaskan Way Viaduct to Aurora Avenue North.

(Seattle 3-96)

11.62.080 Operation in downtown traffic-control zone—General.

No person shall operate any vehicle with or without a trailer attached, except authorized buses or stages, exceeding an overall length of thirty feet (30') in the downtown traffic-control zone between seven a.m. and seven p.m. without obtaining a permit for such operation as provided in Sections 11.23.080 and 11.23.100, except as provided in Section 11.62.130.

(Ord. 108200 § 2(11.62.080), 1979.)

11.62.100 Operation in downtown traffic-control zone—Peak hour.

No person shall operate a vehicle except authorized buses or stages over eight feet (8') in width, over twenty-four feet (24') in length, or over twenty-four thousand (24,000) pounds gross weight in the downtown traffic-control zone between the hours of four p.m. and six p.m. without obtaining a permit for such operation as provided in Sections 11.23.080 and 11.23.100, except as provided in Section 11.62.130.

(Ord. 108200 § 2(11.62.100), 1979.)

11.62.120 Operation on certain streets—Peak hour.

No person shall operate a truck or truck tractor and semitrailer over eight feet (8') in width, over thirty feet (30') in length, or over thirty-two thousand (32,000) pounds gross weight, or a motor vehicle with a trailer attached, except authorized buses or stages, on the following arterial streets on any weekday during the hours indicated without a permit for such operation as provided in Sections 11.23.080 and 11.23.100, except as provided in Section 11.62.130:

A. Aurora Avenue North. From the north City limits to Denny Way: Southbound between seven a.m. and nine a.m.; Northbound between four p.m. and six p.m.;

B. Boren Avenue and Boren Avenue South. From Virginia Street to South Jackson Street: Southbound between seven a.m. and nine a.m. and between four p.m. and six p.m.; Northbound between seven a.m. and nine a.m. and between four p.m. and six p.m.;

C. Denny Way. From Western Avenue to Olive Way: Eastbound between seven a.m. and nine a.m. and between four p.m. and six p.m.; Westbound between seven a.m. and nine a.m. and between four p.m. and six p.m.

(Ord. 108200 § 2(11.62.120), 1979.)

11.62.130 Exceptions—Operation on specified streets without a permit.

Sections 11.62.080, 11.62.100 and 11.62.120 shall not apply to persons operating motor vehicles engaged in movement to or from an in-street work area when such movement to or from the in-street work area is required to protect life, limb or property.

(Ord. 108200 § 2(11.62.130), 1979.)

11.62.140 Operation on nonarterial streets.

No person shall operate a vehicle except authorized buses or stages exceeding ten thousand pounds (10,000) gross weight on any street that is not designated an arterial street; provided, that this section shall not prohibit necessary local operations on such nonarterial streets for the purpose of reaching the vehicle's destination or for a pickup or delivery.

(Ord. 108200 § 2(11.62.140), 1979.)

11.62.200 Stage operation.

Stages shall be operated only upon routes prescribed by the Traffic Engineer and passengers shall be taken on or discharged only at such locations as the Traffic Engineer has designated.

(Ord. 108200 § 2(11.62.200), 1979.)

**Chapter 11.64
TOWING REGULATIONS AND
EQUIPMENT**

Sections:

11.64.020 Operation.

11.64.040 Trailer whipping.

11.64.060 Operation without towbar.

11.64.080 Towing in downtown traffic-control zone.

11.64.100 Towing authorized under special conditions.

11.64.120 Destination.

11.64.140 Drawbar requirements.

11.64.160 Flag required.

11.64.180 Equipment.

11.62.200 VEHICLES AND TRAFFIC

11.64.020Operation.

No person shall operate a motor vehicle with more than one (1) vehicle in tow except as provided in Sections 11.60.220 and 11.60.240 of this subtitle. (RCW 46.44.036)
(Ord. 108200 § 2(11.64.020), 1979.)

11.64.040Trailer whipping.

No operator shall permit a towed vehicle to whip, weave, or oscillate or fail to follow substantially in the course of the towing vehicle. (RCW 46.44.070)
(Ord. 108200 § 2(11.64.040), 1979.)

11.64.060Operation without towbar.

Vehicles not connected to a towing vehicle by a towbar shall be in charge of a driver, and, before descending any grade of four percent (4%) or greater, the towing vehicle shall be brought to a full stop, and the vehicle being towed shall be placed in gear until the descent shall have been made, except when drawn by a vehicle of such size and design and so equipped as to retain complete control.
(Ord. 108200 § 2(11.64.060), 1979.)

11.64.080Towing in downtown traffic-control zone.

No person shall drive or operate a motor vehicle with another vehicle in tow within the downtown traffic-control zone between the hours of four p.m. and six p.m. except when ordered by a peace officer.
(Ord. 108200 § 2(11.64.080), 1979.)

11.64.100Towing authorized under special conditions.

Any vehicle otherwise legally parked but obstructing access to a public utility manhole or pole, obstructing access to a drain inlet or sewer manhole or other public utility facilities, obstructing passage of an oversize vehicular load, or obstructing a street or alley after snow reaches a depth of two inches (2") on such street or alley may be moved under emergency conditions at the direction of a peace officer by means of towing or otherwise to a location not to exceed three hundred feet (300') away from such interference whenever such distance is practicable. The peace officer authorizing such parked vehicle to be moved shall affix a notice in writing to the vehicle on which shall be noted the location from which

the vehicle has been moved and the location to which the vehicle has been moved and the reason for the move. Such tow shall be at the expense and liability of the person, agency, or utility making the request. The Police Department shall maintain a record of this information.
(Ord. 108200 § 2(11.64.100), 1979.)

11.64.120Destination.

A person in charge of a towing operation shall not deliver the towed vehicle, if it be inoperable or without current and valid license, to a storage position on any street or alley, unless directed to do so by a peace officer.
(Ord. 108200 § 2(11.64.120), 1979.)

11.64.140Drawbar requirements.

The drawbar or other connection between vehicles in combination shall be of sufficient strength to hold the weight of the towed vehicle on any grade where operated. (RCW 46.44.070)
(Ord. 108200 § 2(11.64.140), 1979.)

11.64.160Flag required.

When a disabled vehicle is being towed by means of bar, chain, rope, cable, or similar means and the distance between the towed vehicle and the towing vehicle exceeds fifteen feet (15') there shall be fastened on such connection in approximately the center thereof a white flag or cloth not less than twelve inches (12") square. (RCW 46.44.070)
(Ord. 108200 § 2(11.64.160), 1979.)

11.64.180Equipment.

No person shall tow a vehicle unless the vehicle being towed displays lights and, except when such towed vehicle is drawn by a vehicle of such size and design and so equipped as to retain complete control, and is equipped with brakes in accordance with the provisions of Chapter 11.84.
(Ord. 108200 § 2(11.64.180), 1979.)

**Chapter 11.65
STREETCAR RULES**

Sections:

11.65.020Rights and duties of streetcar operator.

11.65.040Streetcar rights-of-way.

(Seattle 3-86)

11.65.060 Operation of streetcars on approach of authorized emergency vehicles.

11.65.080 Obstructing streetcars.

11.65.020 Rights and duties of streetcar operator.

Every person operating a streetcar shall be granted all of the rights and shall be subject to all of the duties applicable to a driver of a vehicle, except as to the special regulations of this chapter and except as to those provisions of this subtitle which by their nature can have no application. (Ord. 110566 § 4(part), 1982.)

11.65.040 Streetcar rights-of-way.

Streetcars shall have the right-of-way over all traffic except authorized emergency vehicles. (Ord. 110566 § 4(part), 1982.)

11.65.060 Operation of streetcars on approach of authorized emergency vehicles.

Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of Section 11.82.520 or of a police vehicle properly and lawfully making use of an audible warning signal, the operator of a streetcar shall yield the right-of-way and shall immediately stop clear of any intersection and shall remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. (Ord. 110566 § 4(part), 1982.)

11.65.080 Obstructing streetcars.

No person shall obstruct, hinder, interfere, or delay in any way the movement of a streetcar. (Ord. 110566 § 4(part), 1982.)

**Chapter 11.66
RAILROAD OPERATION**

Sections:

11.66.020 Railroad Company responsible for violation.

11.66.025 Warnings at unprotected grade crossings.

11.66.035 Sounding of horn or whistle.

11.66.040 Flagger at grade crossings.

11.66.060 Blocking intersections and crosswalks.

11.66.080 Blocking use of street when switching.

11.66.090 Trains on Alaskan Way.

11.66.100 Switching during peak traffic hours.

11.66.120 Locomotive and train speed limit.

11.66.180 Fences, barriers and gates—When required.

11.66.200 Failure to erect or repair fences, gates and barriers—Forfeiture of right to use track—Work done by City—Penalty—Removal of barrier.

11.66.220 Liability of railroad—Use of bridges and railroads by public.

11.66.230 Severity of offense—Penalty.

11.66.020 Railroad Company responsible for violation.

Whenever an act or omission is declared to be a violation of Sections 11.66.025 through 11.66.120, the railroad company shall be the person responsible for the operation of the train, locomotive, car or cars and such responsible person shall receive a citation in accordance with Chapter 11.32. A railroad company shall maintain an engineer in the locomotive while it is in operation.

Each railroad engaging in business activities in the City shall maintain with the City Director of Transportation the name and address of its agent with Seattle for the service of process for citations under this chapter.

(Ord. 118409 § 31, 1996; Ord. 117239 § 1, 1994; Ord. 108200 § 2(11.66.020), 1979.)

11.66.025 Warnings at unprotected grade crossings.

A. A railroad company shall provide a flagger on the ground, or a crew member on a locomotive or railroad car, one (1) of whose duties shall be to look out for and warn the public of an approaching locomotive and/or railroad car(s) whenever the railroad tracks occupy or cross an improved public place at grade where there are no automatic crossing gates (hereinafter “unprotected crossing”), and:

1. Conditions at the unprotected crossing due to weather, traffic, building structures or other

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temporary or permanent circumstances impair the train operator's ability to see traffic approaching the unprotected crossing or the ability of approaching traffic operators to see the locomotive and/or railroad car(s); or

2. The cab end of the locomotive, i.e., the location of the engineer and controls, is not at the forwardmost portion of the train movement on approaching the crossing.

B. When required by subsection A1 or A2, the railroad's flagger or crew member performing said function shall be a person other than the locomotive engineer. The sole duty of such person at such time shall be to look out for and give warning for the safety of people in or approaching the unprotected crossing whenever the locomotive or lead railroad car approaches within one hundred feet (100') of the unprotected crossing.
(Ord. 117239 § 2(part), 1994.)

11.66.035 Sounding of horn or whistle.

No person shall sound the horn or whistle of any locomotive being operated on or along Alaskan Way from King Street to Broad Street, and along the waterfront area west of Elliott Avenue and northward to West Garfield Street, except to prevent accidents not otherwise avoidable.
(Ord. 112977 § 1, 1986; Ord. 110686 § 2, 1982.)

11.66.040 Flagger at grade crossings.

No person shall operate or propel a train, in which the forwardmost unit is a car, whether attached to a locomotive or not, on, over, or across any grade crossing of a street or alley that is not protected by automatic railroad signals or gates without having stationed within the dedicated width of such street or alley, a flagger who before and while such crossing operation is under way shall give proper warning for the safety of traffic.
(Ord. 108200 § 2(11.66.040), 1979.)

11.66.060 Blocking intersections and crosswalks.

No person who is responsible for the operation of any railroad train or car shall stop the same within an intersection or on a crosswalk except to avoid accident or upon direction of a peace officer.
(Ord. 108200 § 2(11.66.060), 1979.)

11.66.080 Blocking use of street when switching.

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A. No person who is responsible for the operation of any railroad train or car which is engaged in switching shall direct the operation of or operate the same in such a manner as to prevent or interfere with the use of any street or alley for purposes of travel, or impede property access, for a period of time longer than four (4) consecutive minutes.

B. A time interval between successive switching operations shall be provided if the initial switching operation prevents or interferes with the use of the street or alley for purposes of travel or property access, in order to allow the waiting traffic to proceed, provided that the time interval between successive switching operations need not exceed two (2) consecutive minutes.
(Ord. 108200 § 2(11.66.080), 1979.)

11.66.090 Trains on Alaskan Way.

No person shall operate any train, including the locomotive engine, which exceeds sixty (60) cars or three thousand five hundred feet (3,500') in length, whichever is greater, on or along Alaskan Way and Alaskan Way South from South Atlantic Street to Blanchard Street; provided, that this provision shall not be enforced when the railroad tunnel running between Bell and Jackson Streets is unavailable for use due to closure for repairs, hazards or some other emergency condition.
(Ord. 108200 § 2(11.66.090), 1979.)

11.66.100 Switching during peak traffic hours.

No switching movement shall be made on or across any arterial streets, between the hours of seven a.m. (7:00 a.m.) to nine a.m. (9:00 a.m.) and four p.m. (4:00 p.m.) to six p.m. (6:00 p.m.), except on Sundays and public holidays.
(Ord. 108200 § 2(11.66.100), 1979.)

11.66.120 Locomotive and train speed limit.

A. No person shall operate any locomotive or train over or across any street at a speed in excess of twenty (20) miles per hour except where:

1. The railroad exists on an underpass or overpass; or

2. The Federal Rail Safety Act of 1970 (45 U.S.C. Section 434) or rules of the United States thereunder preempt City authority to set a speed limit on mainline tracks;

3. Unless preempted, the speed limit shall be forty (40) miles per hour at mainline grade crossings of streets or alleys south of South Spokane Street when signals are in operation.

B. Subsection A shall not apply to the crossings listed in this subsection. For those crossings, the speed limits are as follows:

1. South Holgate Street and South Lander Street: Thirty-five (35) miles per hour for both passenger and freight trains;

2. South Horton Street and South Spokane Street: Forty (40) miles per hour for passenger trains and thirty-five (35) miles per hour for freight trains;

3. South Royal Brougham Way: Twenty-five (25) miles per hour for both passenger and freight trains.

(Ord. 120101 § 3, 2000; Ord. 114841 § 1, 1989; Ord. 108200 § 2(11.66.120), 1979.)

11.66.180 Fences, barriers and gates—When required.

Every owner, agent, lessee or operator of any railroad, trestle or other property in the City where the same is open or accessible to the public as a route of pedestrian, bicycle, horse, or motor or vehicle travel, either along or across the same, shall be and is required within ten (10) days after receipt of notice from the Director of Transportation, to guard and protect the public properly in the safe use of the same by the erection of fences, barriers, or other means of protection, approved by said Director along the edge of all trestles and at all other exposed and dangerous places in or along such railroads or other property. Every such owner, agent, lessee or operator of any such railroad or other property, upon notice from said Director, shall provide, within the time to be prescribed by said Director, in such official's reasonable discretion, proper lights and signals at crossings and other dangerous places, such lights to be of the same character and to be maintained during the same hours as the streetlights in the district adjacent to such crossing, or other dangerous place, and every agent, lessee or operator of any such railroad is further required, upon notice from the Director of Transportation, to provide within such time as may be specified by such official, in such official's reasonable discretion, gates or barriers and flaggers at crossings over such tracks as may be designated by said Director.

(Ord. 118409 § 32, 1996; Ord. 115995 § 16, 1991; Ord. 108200 § 2 (11.66.180), 1979.)

11.66.200 Failure to erect or repair fences, gates and barriers—Forfeiture of right to use track—Work done by City—Penalty—Removal of barrier.

A. Any owner, agent, lessee or operator of any railroad, trestle or other property in the City, where the same is open or accessible to the public as a route of pedestrian, bicycle, horse, or motor vehicle travel, either along or across the same, who shall fail to erect proper fences or barriers or other suitable means of protection along the edge of all trestles and at all other exposed or dangerous places within thirty (30) days after notice from the Director of Transportation, or to thereafter maintain the same, or shall fail to provide the required lights and signals at the designated points within the time specified in the notice from said Director, and to thereafter maintain the same, or to provide gates or barriers and flaggers at crossings designated by said Director, within the time specified by said Director's notice, or to thereafter maintain the same, or who shall fail to repair or replace any of the things specified within ten (10) days after notice from said Director so to do, shall forfeit the right to use such track, trestle or other property until protection to the public is afforded as set forth in this chapter. The Director of Transportation shall forthwith proceed to erect such temporary barrier or other suitable means of protection as shall be necessary to prevent all access to any exposed or dangerous places, and to thoroughly protect any unlighted or unguarded crossing.

B. Any person who shall remove, or attempt to remove, any such barricades, upon a finding thereof, shall be assessed a penalty not exceeding Three Hundred Dollars (\$300.00), and the cost of replacement thereof.

C. In all cases where such temporary barricades have been erected by Seattle Transportation, as provided in this section, the same shall not be removed until a permit shall be granted by the Director of Transportation for the construction of the required permanent fences or barricades, nor until the required lights, signals, gates or flaggers are provided, nor until the said owner, agent, lessee or operator shall have paid to the City the

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amount of all costs incurred by the City in the construction and maintenance of such temporary barricades or other suitable means of protection as shall be necessary, as indicated on a statement of such costs furnished by the Director of Transportation.

(Ord. 118409 § 33, 1996; Ord. 116368 § 216, 1992; Ord. 115995 § 17, 1991; Ord. 109476 § 3(part), 1980; Ord. 108200 § 2(11.66.200), 1979.)

11.66.220 Liability of railroad—Use of bridges and railroads by public.

Nothing in this chapter shall be construed to relieve the owner, agent, lessee or operator of any railroad from any liability for any injury or damage which may be suffered by any person upon any such railroad property, but the safeguards and protection to the public prescribed shall be provided and maintained in addition to all other care and protection required by law: Provided, however, that nothing contained herein shall authorize or be considered as authorizing the use by the public for purposes of travel, of any railroad, trestle or other property, and such use of any trestle or bridge erected for the sole purpose of carrying railroad track by any person, except by express permission of the company or person whose tracks are carried by any such trestle or bridge, is prohibited, and any person using any such trestle or bridge, except as aforesaid, is declared to be a trespasser. The company or person whose tracks are carried by any such bridge or trestle shall keep at each end thereof a white sign bearing in black letters the words "Danger: Walking or driving on this bridge (or trestle) is prohibited by Ordinance of The City of Seattle."

(Ord. 108200 § 2(11.66.220), 1979.)

11.66.230 Severity of offense—Penalty.

If a railroad company shall violate any section of Sections 11.66.030 through 11.66.120, and its act or omission results in physical injury to the person or property of another, the railroad company shall be guilty of a misdemeanor, and it may be punished therefor by a criminal fine of not more than Five Thousand Dollars (5,000.00).

If a railroad company shall violate any section of Sections 11.66.030 through 11.66.120, but no injury to the person or property of another should result from its act or omission, the railroad company shall be guilty of a civil infraction, and it

shall be punished by a civil fine of not more than One Thousand Dollars (\$1,000.00).
(Ord. 117239 § 2(part), 1994.)

**Chapter 11.68
FIRE REGULATIONS**

Sections:

- 11.68.020 Fire area existence.**
- 11.68.040 Removal of obstructions.**
- 11.68.080 Traffic operation and entry into fire area.**
- 11.68.100 Fire lines established.**
- 11.68.120 Fire line equipment.**
- 11.68.140 Crossing fire hose.**
- 11.68.180 Barricading hazardous area.**
- 11.68.200 Following fire apparatus prohibited.**

11.68.020 Fire area existence.

A "fire area" shall remain in existence about the scene of every fire or every Fire Department emergency operation until such time as the Chief of the Fire Department, or his authorized agent, shall declare the emergency past.

(Ord. 108200 § 2(11.68.020), 1979.)

11.68.040 Removal of obstructions.

Commanding officers at a fire shall have authority to remove from the fire area obstructions to the extinguishment of fire or other emergency operation.

(Ord. 108200 § 2(11.68.040), 1979.)

11.68.080 Traffic operation and entry into fire area.

All traffic, including locomotives and rail cars, within a fire area shall stop in a safe place so as not to hinder the movement of any apparatus of the Fire Department, and no traffic shall enter or move in that zone except upon orders of the Chief of Police or Fire Chief or their authorized representatives.

(Ord. 108200 § 2(11.68.080), 1979.)

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11.68.100 Fire lines established.

During any emergency requiring the services of the Fire Department, the Chief of the Fire Department or his authorized agent is authorized to establish fire lines on a street, alley or private property by roping or barricading off same, or by stationing a fireman in service gear, or a peace officer to direct traffic, and no person shall disregard or fail to obey the orders of the fireman or peace officer, or run over the rope or operate any vehicle inside fire lines.

(Ord. 108200 § 2(11.68.100), 1979.)

11.68.120 Fire line equipment.

The Chief of Police shall maintain in readiness for immediate use a sufficient quantity of rope, traffic cones and barricades for establishing fire lines, and, in case of fire, shall dispatch thereto patrolmen in charge of an officer with the fire line ropes, traffic cones or barricades which officer shall report for duty and be subject to the orders of the Chief of the Fire Department, or his authorized agent, and shall establish fire lines and direct traffic in accordance with his orders.

(Ord. 108200 § 2(11.68.120), 1979.)

11.68.140 Crossing fire hose.

No person shall drive a vehicle over any unprotected fire hose or other equipment of the Fire Department that has been laid down on any street, alley, or private property to be used in any Fire Department operation without the consent of the Fire Department official in command. (RCW 46.61.640)

(Ord. 108200 § 2(11.68.140), 1979.)

11.68.180 Barricading hazardous area.

The Chief of the Fire Department or his authorized agent shall, when the walls of a structurally unsafe building are unsafe or in such condition as to endanger traffic on a street or alley, or when any pole, chimney, spire, steeple, electric wire or other thing or object endangers human life or property in the streets or alleys, rope,

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Seattle Municipal Code

April, 2001 code update file

Text provided for historic reference only.

See ordinances creating and amending sections for complete text, graphics, and tables and to confirm accuracy of this source file.

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11-102.2

Seattle Municipal Code
April, 2001 code update
Text provided for historical purposes only.

fence or wall off parts of streets, alleys and private property adjacent thereto, and place suitable signs marked "Danger" about same, or caution lights at night, and no person shall remove, mutilate, tear down or otherwise damage any sign, fence, wall or rope, or walk, or drive, operate or move any vehicle inside the lines, fences or walls.
(Ord. 108200 § 2(11.68.180), 1979.)

See ordinances creating and amending sections for complete and tables and to consult this source file.

11.68.200 Following fire apparatus prohibited.
No driver of any vehicle other than one on official business shall follow any fire apparatus traveling in response to a fire alarm or other emergency operation closer than five hundred feet (500') or stop such vehicle within five hundred feet (500') of any fire apparatus stopped in answer to a fire alarm or other emergency operation.
(RCW 46.61.635)
(Ord. 108200 § 2(11.68.200), 1979.)

**Chapter 11.69
TRAFFIC CONGESTION AREAS**

Sections:

- 11.69.010 Definitions.**
- 11.69.020 Designation of traffic congestion area.**
- 11.69.030 Cruising prohibited in traffic congestion area.**
- 11.69.040 Exemptions.**

11.69.010 Definitions.
A. "Cruising" is the repeated passage of a motor vehicle on or across a portion of a street or way open to the public.
B. "Traffic congestion area" is any portion of a street or way open to the public affected by traffic congestion caused in whole or in part by cruising, and declared to be a "traffic congestion area" by the Chief of Police or his or her designee.
C. The "Chief of Police" means the Chief of the Seattle Police Department or his or her designee.
(Ord. 113957 § 1, 1988.)

11.69.020 Designation of traffic congestion area.
A. The Chief of Police shall declare all or a

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portion of a street or way open to the public to be a "traffic congestion area" when:

1. Traffic congestion has slowed average vehicle speed to less than one-half the posted speed limit; and
2. The congestion significantly interferes with passage of vehicles being driven to and from locations within the area; and
3. In areas which contain transit routes, buses are or would be substantially delayed; and
4. The congestion is likely to prevent or substantially delay emergency vehicles from responding to locations within the area, or from passing through the area; and
5. The congestion is caused in whole or in substantial part by cruising.

B. When a street or way open to the public is designated a traffic congestion area, officers of the Police Department shall post signs identifying it as a traffic congestion area and notifying drivers that passage of a motor vehicle more than one (1) time in the same direction within a four (4) hour period is a violation of law.

C. The designation of a street or way open to the public as a traffic congestion area shall remain in effect for a period of four (4) hours, unless withdrawn earlier or extended for additional four (4) hour periods by the Chief of Police. (Ord. 113957 § 2, 1988.)

11.69.030 Cruising prohibited in traffic congestion area.

No person shall drive or permit a motor vehicle under his or her control to be driven within a posted traffic congestion area in the same direction more than one (1) time within a four (4) hour period. (Ord. 113957 § 3, 1988.)

11.69.040 Exemptions.

This chapter shall not apply to:

- A. Any publicly owned vehicle of any city, county, public district, state, or federal agency.
- B. Any vehicle licensed for public transportation, including but not limited to buses and taxi cabs.
- C. Any in-service emergency vehicle.
- D. Any vehicle being driven by a resident of the traffic congestion area, or any vehicle being driven within the traffic congestion area for necessary commercial or medical reasons. (Ord. 113957 § 4, 1988.)

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**Part 7
STOPPING, STANDING, PARKING
AND LOADING**

**Chapter 11.70
METHOD OF PARKING**

Sections:

- 11.70.020 Angle parking—General.**
- 11.70.040 Parallel parking—Right-hand side.**
- 11.70.060 Parallel parking—One (1) way street.**
- 11.70.080 Parking on a shoulder—Leave a sidewalk.**
- 11.70.100 Parking stalls or spaces.**
- 11.70.120 Right-of-way for parking.**
- 11.70.140 Stopping and securing car when parking.**
- 11.70.160 Keys in ignition.**
- 11.70.180 Locking doors and removing key.**
- 11.70.200 Use of street or alley for parking by business prohibited.**

11.70.020 Angle parking—General.

No person shall park a vehicle upon streets or alleys which have been marked or signed for angle parking, at an angle in relation to the curb or margin of the shoulder, other than consistent with such markings or signs. (Ord. 108200 § 2(11.70.020), 1979.)

11.70.040 Parallel parking—Right-hand side.

No person shall stop, stand, or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the wheels on the right side of the vehicle within twelve inches (12") of the right constructed curb or with the wheels on the right side of the vehicle on a shoulder as provided in Section 11.70.080, except as otherwise provided in this chapter. (RCW 46.61.575(1)) (Ord. 108200 § 2(11.70.040), 1979.)

11.70.060 Parallel parking—One (1) way street.

No person shall stop, stand, or park a vehicle upon the left-hand side of a one (1) way street other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the wheels on the left side of the vehicle within twelve inches (12") of the left constructed

curb or with the wheels on the left side of the vehicle on a shoulder as provided in Section 11.70.080, except as otherwise provided in this chapter. (RCW 46.61.575(2)) (Ord. 108200 § 2(11.70.060), 1979.)

11.70.080 Parking on a shoulder—Leave a sidewalk.

No person shall stop, stand or park a vehicle on a shoulder at an angle with the edge of the roadway headed in the direction opposite of lawful traffic, or so as to obstruct a sidewalk on the side of the vehicle opposite from moving traffic except as otherwise provided in this chapter. (Ord. 108200 § 2(11.70.080), 1979.)

11.70.100 Parking stalls or spaces.

Where parking stalls or spaces are marked or painted upon the curb and/or pavement of the street, or alley, no person shall park any vehicle so that any part of such vehicle occupies more than one (1) such space, protrudes beyond the markings designating such space, or is in the adjacent area for use for safe maneuvering into and out of a designated parking space. (Ord. 117043 §1, 1994; Ord. 108200 § 2(11.70.100), 1979.)

11.70.120 Right-of-way for parking.

The operator who first begins maneuvering his vehicle into a vacant parking space shall have a prior right-of-way to park in such space and no person shall attempt to deprive him thereof by blocking his access or otherwise. For the purpose of establishing right-of-way in this section it shall be considered proper to back into any but a front-in angle parking space. (Ord. 108200 § 2(11.70.120), 1979.)

11.70.140 Stopping and securing car when parking.

No person shall stand or park a motor vehicle unattended without setting the brake thereon and when facing down upon a downhill grade without turning the front wheels to the curb or side of the roadway or shoulder, or when facing up upon an uphill grade, without turning the front wheels away

from the curb or side of the roadway or shoulder. (RCW 46.61.600) (Ord. 108200 § 2(11.70.140), 1979.)

11.70.160 Keys in ignition.

No person shall stand or park a motor vehicle upon a street or alley without first locking the ignition, removing the key therefrom and keeping such key removed, except when a person with a valid motor vehicle operator's license remains within the passenger compartment of the vehicle. (Ord. 108200 § 2(11.70.160), 1979.)

11.70.180 Locking doors and removing key.

No person shall stand or park a motor vehicle upon a street or alley without first locking the doors, removing the key therefrom and keeping such key removed, except when a person with a valid motor vehicle operator's license remains within the passenger compartment of the vehicle. (Ord. 108200 § 2(11.70.180), 1979.)

11.70.200 Use of street or alley for parking by business prohibited.

No person shall park or store any motor vehicle upon any street or alley when such has been left in the care of the owner or operator of any parking lot, garage, new or used car lot, service business, or car rental business, or his agent. The provisions of this section shall be applicable whether or not any consideration has been paid, directly or indirectly, by the person leaving a motor vehicle in the care or custody of such owner or operator, or his agent, and the arrest and conviction of any owner or operator of such business, or his or their agent, for violating the provisions of this section shall be deemed sufficient cause to warrant a revocation of the business license held by the owner under the License Code of the City.¹ (Ord. 108200 § 2(11.70.200), 1979.)

¹Editor's Note: The License Code provisions on revocation of licenses are codified in Chapter 6.02 of this Code.

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Chapter 11.72
STOPPING, STANDING OR PARKING
RESTRICTIONS

Sections:

- 11.72.000 Provisions of chapter prohibit stopping, standing and parking—Exceptions.
- 11.72.010 Advertising.
- 11.72.020 Alley.
- 11.72.025 Alley—Driveway.
- 11.72.030 Angle—Arterial or bus route.
- 11.72.035 Blocking or obstructing traffic or sidewalk—Unoccupied vehicle.
- 11.72.040 Blocking or obstructing traffic—Occupied vehicle.
- 11.72.045 Bus patron shelter.
- 11.72.050 Bus zone.
- 11.72.051 Curb bulbs.
- 11.72.053 Carpool parking—Unauthorized vehicles.
- 11.72.055 Class of vehicle.
- 11.72.060 Clear roadway.
- 11.72.065 Disabled parking—Violation.
- 11.72.070 Commercial and large size vehicles.
- 11.72.075 Commercial load zone.
- 11.72.080 Crosswalk—On.
- 11.72.090 Crosswalk approach.
- 11.72.100 Double parking.
- 11.72.110 Driveway or alley entrance.
- 11.72.120 Driveway—Painted curb.
- 11.72.130 Elevated structure.
- 11.72.140 Excavation or obstruction.
- 11.72.145 Expired or improper license plates.
- 11.72.150 Fire apparatus.
- 11.72.155 Fire exit door.
- 11.72.160 Fire hydrant.
- 11.72.170 Fire station.
- 11.72.180 Fire area.
- 11.72.185 Fire lane.
- 11.72.190 Flashing signal.
- 11.72.200 Fuel loss.
- 11.72.205 Grease dropping.
- 11.72.210 Intersection.
- 11.72.215 Load and unload zone.
- 11.72.220 Meter—Hooded.
- 11.72.230 Moving vehicle of another.
- 11.72.240 Moving vehicle to avoid time limit.
- 11.72.250 Municipal property.

- 11.72.260 Overtime.
- 11.72.270 Overtime—Repeated.
- 11.72.280 Park.
- 11.72.285 Passenger load zone.
- 11.72.290 Pavement markings.
- 11.72.300 Peak traffic hours.
- 11.72.310 Planted area.
- 11.72.320 Planting strip.
- 11.72.330 Posted signs.
- 11.72.350 Railroad tracks—Stopping.
- 11.72.351 Restricted parking zone.
- 11.72.352 Husky Stadium Event Restricted Parking Zone.
- 11.72.353 School loading zone.
- 11.72.355 Servicing vehicles in street.
- 11.72.360 Sidewalk.
- 11.72.370 Stop sign approach.
- 11.72.390 Street—Limited access.
- 11.72.400 Taxicab zone.
- 11.72.410 Tow-away zone.
- 11.72.415 Trail or path.
- 11.72.420 Traffic-control signal approach.
- 11.72.430 Trailer or camper—Detached.
- 11.72.435 Truck load zone—Passenger vehicles.
- 11.72.440 Seventy-two (72) hours.
- 11.72.450 Type of vehicle.
- 11.72.460 Wall or fence.
- 11.72.465 Curb ramp.
- 11.72.470 Wrong side parking.
- 11.72.480 Yield sign approach.
- 11.72.500 Junk vehicles.

11.72.000 Provisions of chapter prohibit stopping, standing and parking—Exceptions.

The provisions of this chapter prohibit or restrict the stopping, standing, parking or angle parking of a vehicle at all places and times as herein specified or as indicated by official traffic-control devices, except when necessary to avoid conflict with other traffic or to comply with the law or the directions of a peace officer or traffic-control devices. (RCW 46.61.570) (Ord. 108200 § 2(11.72.000), 1979.)

11.72.010 Advertising.

No person shall stop, stand, or park a vehicle on any street for the primary purpose of advertising, which purpose shall be presumed if a vehicle contains either more than two (2) advertising signs, or two (2) advertising signs, either one of which exceeds an area of six (6) square feet;

provided, that nothing in this section shall prevent the stopping, standing or parking of any vehicle while used in the regular course of the same business advertised thereon.
(Ord. 108200 § 2(11.72.010), 1979.)

11.72.020Alley.

No person shall stand or park a vehicle except a commercial vehicle, a vehicle displaying a valid commercial loading permit, or authorized emergency vehicle in an alley.
(Ord. 114518 § 5, 1989; Ord. 114251 § 5, 1988; Ord. 108200 § 2(11.72.020), 1979.)

11.72.025Alley—Driveway.

No person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.
(RCW 46.90.433(2))
(Ord. 108200 § 2(11.72.025), 1979.)

11.72.030Angle—Arterial or bus route.

No person shall stop, stand or park a vehicle other than parallel to the curb on any arterial street or street on which transit coaches are operated except in areas specifically signed or marked for angle parking or except under permit as provided for in Section 11.23.080.
(Ord. 108200 § 2(11.72.030), 1979.)

11.72.035Blocking or obstructing traffic or sidewalk—Unoccupied vehicle.

No person shall park a vehicle upon or along any street and exit such vehicle when traffic will be unreasonably obstructed thereby, or when, in areas designated for angle parking, the vehicle is of such a length as to obstruct the sidewalk or the adjacent moving traffic lane. Violation of this section constitutes a parking violation rather than a moving traffic violation.
(Ord. 108200 § 2(11.72.035), 1979.)

11.72.040Blocking or obstructing traffic—Occupied vehicle.

No person shall stop, stand or park a vehicle and remain therein upon or along any street when traffic will be unreasonably obstructed. Violation of this section constitutes a moving traffic violation rather than a parking violation. (RCW 46.61.560)

(Ord. 108200 § 2(11.70.240), 1979.)

11.72.045Bus patron shelter.

No person shall stand or park a vehicle, bicycle or other device 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.
(Ord. 108200 § 2(11.72.045), 1979.)

11.72.050Bus zone.

No person shall stop, stand or park a vehicle other than authorized buses in a zone established for such specific use. Violators will be impounded without prior notice.
(Ord. 108200 § 2(11.72.050), 1979.)

11.72.051Curb bulbs.

No person shall stop, stand or park a vehicle in areas adjacent to curb bulbs so that such vehicle blocks access to a metered space or protrudes into a traffic lane.
(Ord. 117043 § 2, 1994.)

11.72.053Carpool parking—Unauthorized vehicles.

No person shall park a vehicle not displaying a valid carpool parking permit in any space designated and established for the use of certified carpool vehicles during any time period when, as specified by posted signs, parking in such space is restricted to certified carpool vehicles.
(Ord. 108200 § 2(11.72.053), 1979.)

11.72.055Class of vehicle.

No person shall stop, stand or park a vehicle in a parking space designated by signs for a specified class of vehicles other than a vehicle of the class specified.
(Ord. 108200 § 2(11.72.055), 1979.)

11.72.060Clear roadway.

No person shall stand or park a vehicle upon a street, excluding alleys in such a manner as to leave available less than ten (10) feet of the width of the roadway for free movement of vehicular traffic.
(Ord. 108200 § 2(11.72.060), 1979.)

11.72.065Disabled parking—Violation.

A. A parking space or stall for a physically disabled person shall be indicated by a vertical sign, between thirty-six (36) and eighty-four (84)

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inches off the ground, with the international symbol of access, whose colors are white on a blue background, described under RCW 70.92.120 displaying the notice "State disabled parking permit required" and a warning that other vehicles without permits will be impounded.

B. Any person who meets the criteria for special parking privileges under RCW 46.16 shall be allowed free of charge to park a vehicle being used to transport that person for unlimited periods of time in parking zones or areas including zones or areas with parking meters which are otherwise restricted as to the length of time parking is permitted. This section does not apply to those zones or areas in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles. The person shall obtain and display a disabled parking placard or license plate under RCW Chapter 46.16 to be eligible for the privileges under this section.

C. It is a parking infraction, with a monetary penalty of Two Hundred Fifty Dollars (\$250) for any person to stop, stand or park a vehicle in a parking space or stall for a physically disabled person, whether the stall is indicated as required by subsection A of this section, by pavement markings or a sign indicating that the stall is reserved for disabled parking, for any purpose or length of time unless such vehicle displays a special placard or license plate indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW.

D. It is a parking infraction, with a monetary penalty of Two Hundred Fifty Dollars (\$250), for any person to make inaccessible the access aisle located next to a space reserved for physically disabled persons.

E. The court may not suspend more than one-half (1/2) of any fine imposed under subsection C or D of this section. For a second or subsequent violation of subsection C or D of this section, in addition to a monetary penalty, a violator must complete a minimum of forty (40) hours of either community service for a nonprofit organization that serves the disabled community or persons having disabling diseases or any other community service that may sensitize the violator to the needs and obstacles faced by persons who have disabilities.

(Ord. 119011 § 19, 1998; Ord. 111835 § 2, 1984.)

1.Editor's Note: Ordinance 111835 was adopted by the City Council on August 13, 1984.

(Seattle 12-00)

11.72.070 Commercial and large size vehicles.

No person shall park a vehicle on any street or alley, except in a Manufacturing or Industrial Zone as defined in the Zoning Code of Seattle (Ordinance 86300 as amended)¹ between the hours of midnight and six (6) a.m. if the vehicle is a truck and/or trailer or other conveyance which is over eighty (80) inches wide.
(Ord. 108200 § 2(11.72.070), 1979.)

1.Editor's Note: The Zoning Code is codified in Title 24 of this Code.

11.72.075 Commercial load zone.

No person shall stop, stand or park a vehicle other than a commercial vehicle or a vehicle displaying a valid commercial loading permit in a commercial load zone during the hours the zone restriction is in effect; provided, that commercial load zone restrictions are not effective on Sundays or public holidays, except where otherwise indicated by appropriate sign.
(Ord. 114518 § 6, 1989; Ord. 114251 § 9, 1988.)

11.72.080 Crosswalk—On.

No person shall stop, stand or park a vehicle on a crosswalk. (RCW 46.61.570(a)(iv))
(Ord. 108200 § 2(11.72.080), 1979.)

11.72.090 Crosswalk approach.

No person shall stand or park a vehicle within twenty (20) feet upon the approach to a crosswalk. (RCW 46.61.570(b)(iii))
(Ord. 108200 § 2(11.72.090), 1979.)

11.72.100 Double parking.

No person shall stop, stand or park a vehicle with its side next to or adjacent to another vehicle which is stopped, standing or parked on a street, or alley except while angle parking. (RCW 46.61.570 (a)(i))

(Ord. 108200 § 2(11.72.100), 1979.)

11.72.110 Driveway or alley entrance.

No person shall stand or park a vehicle in front of a public or private driveway within a street or alley or in front of or in an alley entrance or within five feet (5') of the end of a constructed driveway return or alley entrance return, or if none, within five feet (5') of the projection of the edge of the driveway or alley.

(Ord. 108200 § 2(11.72.110), 1979.)

11.72.120 Driveway—Painted curb.

The prohibited area for driveway returns described in Section 11.72.110 may be maintained with traffic yellow paint by the property owner or occupant.

(Ord. 108200 § 2(11.72.120), 1979.)

11.72.130 Elevated structure.

No person shall stop, stand or park a vehicle upon any bridge or other elevated structure upon a street or alley or within a street tunnel or alley tunnel. (RCW 46.61.570(1)(a)(vii))

(Ord. 108200 § 2(11.72.130), 1979.)

11.72.140 Excavation or obstruction.

No person shall stop, stand or park a vehicle alongside or opposite any street or alley excavation or obstruction when such stopping, standing or parking would obstruct traffic. (RCW 46.61.570(1)(a)(vi))

(Ord. 108200 § 2(11.72.140), 1979.)

11.72.145 Expired or improper license plates.

No person shall stop, stand or park any vehicle on any street or alley, or in any garage, parking area or other property operated by the City, without first having displayed current and proper vehicle license plates thereon as provided in RCW Chapter 46.16. The vehicle license plates shall be attached conspicuously at the front and rear of each vehicle for which the same are issued and in such manner that they can be plainly seen and read at all times: Provided, that if only one (1) license plate is legally issued for any vehicle such plate shall be conspicuously attached to the rear of

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such vehicle. Each vehicle license plate shall be placed or hung in a horizontal position at a distance of not less than one foot (1') nor more than four feet (4') from the ground and shall be kept clean so as to be plainly seen and read at all times: Provided, however, that this requirement shall not apply in cases where the State Commission on Equipment has granted permission to deviate therefrom, as provided in RCW 46.16.240. (Ord. 113898 § 2, 1988.)

11.72.150Fire apparatus.

No person shall stop, stand or park a vehicle within five hundred feet (500') of any fire apparatus, or other Fire Department emergency operation stopped in answer to a fire alarm. It is a defense to violation of this section that a vehicle was so parked prior to the Fire Department's responding to such fire alarm. (RCW 46.61.635) (Ord. 108200 § 2(11.72.150), 1979.)

11.72.155Fire exit door.

No person shall stand or park a vehicle so as to block a labeled fire exit door which opens into an alley, nor shall a vehicle reduce the egressway to less than four feet (4') between the exit door and a public street. (Ord. 108200 § 2(11.72.155), 1979.)

11.72.160Fire hydrant.

No person shall stand or park a vehicle within fifteen feet (15') of a fire hydrant. (RCW 46.61.570(1)(b)(ii)) (Ord. 108200 § 2(11.72.160), 1979.)

11.72.170Fire station.

No person shall stand or park a vehicle within twenty feet (20') of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five feet (75') of the entrance when signposted. (RCW 46.61.570(1)(b)(v)) (Ord. 108200 § 2(11.72.170), 1979.)

11.72.180Fire area.

No person shall stop, stand or park a vehicle within any fire area. (Ord. 108200 § 2(11.72.180), 1979.)

11.72.185Fire lane.

No person shall stop, stand or park a vehicle

within any fire lane. (Ord. 108200 § 2(11.72.185), 1979.)

11.72.190Flashing signal.

No person shall stand or park a vehicle within thirty feet (30') upon the approach to any flashing signal located at the side of a roadway. (RCW 46.61.570(1)(b)(iv)) (Ord. 108200 § 2(11.72.190), 1979.)

11.72.200Fuel loss.

No person shall stop, stand or park a vehicle on a street, alley or way open to the public in such a manner that motor fuel leaks from the tanks thereof. (Ord. 108200 § 2(11.72.200), 1979.)

11.72.205Grease dropping.

No person shall drop or permit to be dropped from any vehicle or the machinery thereof any oil, grease or similar substance upon the streets or alleys. (Ord. 108200 § 2(11.72.205), 1979.)

11.72.210Intersection.

No person shall stop, stand or park a vehicle within an intersection. (RCW 46.61.570(1)(a)(iii)) (Ord. 108200 § 2(11.72.210), 1979.)

11.72.215Load and unload zone.

No person shall stop, stand, or park a vehicle in a load and unload zone, for any purpose or length of time other than for the expeditious pickup and loading or unloading and delivery of persons or property, and then in no case shall the stop for such purposes exceed thirty (30) minutes. (Ord. 108200 § 2(11.72.215), 1979.)

11.72.220Meter—Hooded.

No person shall stop, stand or park a vehicle where parking meters are hooded, except as otherwise provided in this subtitle. (Ord. 108200 § 2(11.72.220), 1979.)

11.72.230Moving vehicle of another.

No person shall move a vehicle not lawfully under his control into any area where stopping, standing or parking is prohibited or restricted. (RCW 46.61.570(3)) (Ord. 108200 § 2(11.72.230), 1979.)

11.72.240Moving vehicle to avoid time limit.

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No person shall move and repark a vehicle on either side of a street within the same block in order to avoid a parking time limit regulation specified for either side of the street in that particular block.

(Ord. 108200 § 2(11.72.240), 1979.)

11.72.250Municipal property.

No person shall stop, stand or park a vehicle in any garage, parking area or other property operated by the city, where signs prohibit or restrict such stopping, standing or parking without lawful authority or permission. Any motor vehicle so stopped, standing or parked without such authority or permission is a nuisance. Such nuisance may be summarily abated by issuing a parking citation as provided in Section 11.31.030 and/or by impounding in the same manner as provided in Section 11.30.060. The impounding of such a vehicle shall not prevent or preclude the institution and prosecution of charges in the municipal court or elsewhere for violation of this subtitle.

(Ord. 112421 § 8, 1985: Ord. 108200 § 2(11.72.250), 1979.)

11.72.260Overtime.

No person shall stand or park a vehicle upon a street for a longer period of time than the limit that is signposted. Parking spaces may be used without respect to time limit posted on Sundays and legal holidays, except where otherwise indicated by the signposting in the area or for such parking space.

(Ord. 112076 § 2, 1984: Ord. 108200 § 2(11.72.260), 1979.)

11.72.270Overtime—Repeated.

Each subsequent period of time, as signposted, lapsing following affixation to a vehicle of a notice of overtime parking shall constitute a further violation of Section 11.72.260.

(Ord. 108200 § 2(11.72.270), 1979.)

11.72.280Park.

No person shall stop, stand or park a vehicle in any park as defined in the Park Code (Ordinance 106615),¹ except in areas designated for such purposes.

(Ord. 108200 § 2(11.72.280), 1979.)

1.Editor's Note: The Park Code is codified in Chapter 18.12 of this Code.

11.72.285Passenger load zone.

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In a passenger load zone during the hours the zone restriction is in effect, no person shall stop, stand or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers for a period not to exceed three (3) minutes.

(Ord. 108200 § 2(11.72.285), 1979.)

11.72.290 Pavement markings.

No person shall stand or park a vehicle in a street or alley area marked with cross-hatched pavement markings or other pavement markings indicating no standing or parking.

(Ord. 108200 § 2(11.72.290), 1979.)

11.72.300 Peak traffic hours.

No person shall stop, stand or park a vehicle during peak traffic hours on any day, except

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Sundays and legal holidays, on any portion of any street when signs are erected giving notice of the specified hours of such prohibition, and except as provided in Section 11.74.120.

(Ord. 112076 § 3, 1984; Ord. 108200 § 2(11.72.300), 1979.)

11.72.310Planted area.

No person shall stop, stand or park a vehicle within a planted area of any street when such area is planted and maintained in a well-defined manner.

(Ord. 108200 § 2(11.72.310), 1979.)

11.72.320Planting strip.

No person shall stop, stand or park a vehicle on a planting strip unless the vehicle bears a card or decal issued pursuant to RCW 46.16.381.

(Ord. 112421 § 9, 1985; Ord. 109545 § 2, 1980; Ord. 108200 § 2(11.72.320), 1979.)

11.72.330Posted signs.

No person shall:

A. Stop, stand or park a vehicle at any place or time where official signs prohibit stopping;

B. Stand or park a vehicle at any place or time where official signs prohibit standing; or

C. Park a vehicle at any place or time where official signs prohibit parking.

(Ord. 108200 § 2(11.72.330), 1979.)

11.72.350Railroad tracks—Stopping.

No person shall stop, stand or park a vehicle within six (6) feet of the nearest rail of a railroad track.

(Ord. 108200 § 2(11.72.350), 1979.)

11.72.351Restricted parking zone.

No person shall stop, stand or park a vehicle in violation of the posted or marked restrictions or when a permit or other authorization issued by the city is required as a condition for parking unless the same or a card or decal issued pursuant to RCW 46.16.381 or recognized under RCW 46.16.390 is displayed in a prominent place on the vehicle.

(Ord. 115486 § 1, 1991; Ord. 110967 § 15, 1983; Ord. 108354 § 6, 1979; Ord. 108200 § 2(11.72.351), 1979.)

11.72.352 Husky Stadium Event Restricted Parking Zone.

No person shall stop, stand or park a vehicle in violation of a posted or marked Husky Stadium Event Restricted Parking Zone unless a permit or other authorization issued by the City or card or decal issued pursuant to RCW 46.16.381 or recognized under RCW 46.16.390 is displayed in a prominent place on the vehicle. (Ord. 119781 § 1, 1999.)

11.72.353 School loading zone.

No person shall park in a school loading zone except for a reasonable period of time while waiting for passengers. (Ord. 108200 § 2(11.72.353), 1979.)

11.72.355 Servicing vehicles in street.

No person shall park a vehicle in any street or alley to service such vehicle by supplying such vehicle with gasoline, oil or water; or by changing or renewing the tires thereof; or by washing the same; or by repairing the same in any manner which leaves the vehicle on the street or alley in an inoperable condition: Provided, however, that necessary service may be rendered to a vehicle so disabled that the same cannot be operated under its own power or without damage or injury thereto. (Ord. 108200 § 2(11.72.355), 1979.)

11.72.360 Sidewalk.

No person shall stop, stand or park a vehicle on or over a sidewalk, whether constructed or not. (RCW 46.61.570(1)(a)(ii)) (Ord. 108200 § 2(11.72.360), 1979.)

11.72.370 Stop sign approach.

No person shall stand or park a vehicle within thirty (30) feet upon approaching any stop sign located at the side of a roadway. (RCW 46.61.570(1)(b)(iv)) (Ord. 108200 § 2(11.72.370), 1979.)

11.72.390 Street—Limited access.

No person shall stop, stand or park a vehicle on any limited access street except as provided in Section 11.54.100. (Ord. 108200 § 2(11.72.390), 1979.)

11.72.400 Taxicab zone.

No person shall stop, stand or park a vehicle other than a taxicab within any space reserved for taxicabs. (Ord. 108200 § 2(11.72.400), 1979.)

11.72.410 Tow-away zone.

No person shall stop, stand or park a vehicle within any space signed or marked as a tow-away zone. Violators will be impounded. (Ord. 108200 § 2(11.72.410), 1979.)

11.72.415 Trail or path.

No person shall stop, stand, or park a vehicle, bicycle, or other device on or adjacent to a trail, path, lane or other facility or way which has been designated for the use of pedestrians, equestrians, or bicyclists, in such a manner as to obstruct or restrict the use of any portion thereof: Provided, that authorized emergency and maintenance vehicles are excluded from the provisions of this section when engaged in necessary emergency or maintenance work. (Ord. 108200 § 2(11.72.415), 1979.)

11.72.420 Traffic-control signal approach.

No person shall stand or park a vehicle within thirty (30) feet upon the approach to any traffic-control signal located at the side of a roadway. (RCW 46.61.570(1)(b)(iv)) (Ord. 108200 § 2(11.72.420), 1979.)

11.72.430 Trailer or camper—Detached.

No person shall detach and park any trailer or camper on any street or alley: Provided, that in case of collision such trailer or camper may be moved to a portion of the street or alley where parking a motor vehicle is lawful, and if a good and sufficient red signal be displayed at both ends thereof during the hours of darkness, such trailer or camper may be permitted or allowed to remain for a period not exceeding twenty-four (24) hours pending removal: Provided, further, that such trailer or camper shall not remain upon any portion of a street or alley where standing or parking is limited or prohibited for a period longer than is necessary to effect its removal. (Ord. 108200 § 2(11.72.430), 1979.)

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11.72.435 Truck load zone—Passenger vehicles.

No person shall stop, stand, or park a passenger vehicle, including truck-licensed taxicabs, in a truck load zone during the hours the zone restriction is in effect: Provided, that passenger vehicles other than taxicabs which are commercial vehicles may stop, stand, or park in a truck load zone as provided in Section 11.74.020: Provided further, that truck load zone restrictions are not effective on Sundays or public holidays except where otherwise indicated by appropriate sign.

(Ord. 112113 § 1, 1985; Ord. 112076 § 4, 1984; Ord. 108200 § 2(11.72.435), 1979.)

11.72.440 Seventy-two (72) hours.

A. Unless otherwise provided by law, no person shall park a vehicle on any street or other municipal property for a period of time longer than seventy-two (72) hours.

B. Authorized vehicles on municipal property are excluded from the provisions of this section.

C. This section shall not apply to “junk motor vehicles” or “abandoned junk motor vehicles” as defined in this Chapter.

D. Vehicles in violation of this section are subject to impound as provided for in Chapter 11.30 SMC, in addition to any other penalty provided for by law.

(Ord. 120097 § 1, 2000; Ord. 112113 § 2, 1985; Ord. 108200 § 2(11.72.440), 1979.)

11.72.450 Type of vehicle.

No person shall stand or park a vehicle in a parking space designated for “D” licensed vehicles, police vehicles, fire vehicles, foreign consular vehicles, U.S. Marshal vehicles, or ambulance vehicles other than the type of vehicle specified.

(Ord. 108200 § 2(11.72.450), 1979.)

11.72.460 Wall or fence.

No person shall stand or park a vehicle alongside any wall, fence, or other physical obstructions where there is no sufficient sidewalk for the use of pedestrians in a reasonable manner as provided in Section 11.70.080 or to permit persons to exit from the vehicle on the sidewalk side thereof.

(Ord. 108200 § 2(11.72.460), 1979.)

11.72.465 Curb ramp.

No person shall stop, stand, or park a vehicle in front of or on a curb ramp or curb ramp return.

(Ord. 108200 § 2(11.72.465), 1979.)

11.72.470 Wrong side parking.

No person shall stop, stand or park a vehicle on that portion of any street or alley lawfully set aside for the parking of vehicles or movement of traffic in the direction opposite to that which the parked vehicle faces.

(Ord. 108200 § 2(11.72.470), 1979.)

11.72.480 Yield sign approach.

No person shall stand or park a vehicle within thirty (30) feet upon the approach to any yield sign located at the side of a roadway.

(Ord. 108200 § 2(11.72.480), 1979.)

11.72.500 Junk vehicles.

A. No person shall park a junk motor vehicle on a street, alley, or way open to the public, or on municipal or other public property.

B. Violation of subsection A is a Class 1 civil infraction as contemplated by Chapter 7.80 RCW for which there shall be a penalty of Two Hundred Fifty Dollars (\$250), which penalty shall not be suspended or deferred.

(Ord. 120102 § 3, 2000.)

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Chapter 11.73
RESTRICTED PARKING AREAS¹

Sections:

- 11.73.010 **Broadway and Stevens Neighborhood, vicinity of Group Health Cooperative.**
- 11.73.020 **Fauntleroy Neighborhood, vicinity of Fauntleroy Ferry Terminal.**
- 11.73.030 **Mann Minor Neighborhood, vicinity of Providence Medical Center.**
- 11.73.040 **Montlake Neighborhood.**
- 11.73.050 **Husky Stadium Event Restricted Parking Zone.**
- 11.73.060 **Husky Stadium Event Restricted Parking Zone—Applicable provisions.**
- 11.73.080 **First Hill/Capitol Hill Neighborhood Restricted Parking Zone.**

1. Editor's Note: Maps of the restricted parking zones are codified at the end of this chapter.

11.73.010 Broadway and Stevens Neighborhood, vicinity of Group Health Cooperative.

A. There is hereby established a restricted parking zone as contemplated by Ordinance 108354, Section 1, on the following street segments:

1. 10th Avenue East, between East Denny Way and East Roy Street (also known as the 100, 200, 300, 400, 500, and 600 blocks of 10th Avenue East);
2. 11th Avenue/11th Avenue East, between East Pine Street and East Aloha Street (also known as the 1600, 1700, and 1800 blocks of 11th Avenue and 100, 200, 300, 400, 500, 600, and 700 blocks of 11th Avenue East);
3. 12th Avenue/12th Avenue East, between East Pine Street and East Aloha Street (also known as the 1600, 1700, and 1800 blocks of 12th Avenue and 100, 200, 300, 400, 500, 600, and 700 blocks of 12th Avenue East);
4. 13th Avenue/13th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 13th Avenue and the 100, 200, 300, 400, 500, 600, and 700 blocks of 13th Avenue East);
5. 14th Avenue/14th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 14th Avenue and the 100, 200, 300, 400, 500, 600, 700, and 800 blocks of 14th Avenue East);

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6. 15th Avenue/15th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 15th Avenue and the 100, 200, 300, 400, 500, 600, 700 and 800 blocks of 15th Avenue East);

7. 16th Avenue/16th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 16th Avenue and the 100, 200, 300, 400, 500, 600 and 700 blocks of 16th Avenue East);

8. 17th Avenue/17th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 17th Avenue and the 100, 200, 300, 400, 500, 600 and 700 blocks of 17th Avenue East);

9. 18th Avenue/18th Avenue East between East Pine Street and East Aloha Street (also known as the 1600, 1700 and 1800 blocks of 18th Avenue and the 100, 200, 300, 400, 500, 600 and 700 blocks of 18th Avenue East);

10. 19th Avenue/19th Avenue East, between East Madison Street and East Aloha Street (also known as the 1700 and 1800 blocks of 19th Avenue and 100, 200, 300, 400, 500, 600, and 700 blocks of 19th Avenue East);

11. Malden Avenue East between East Thomas Street and East Roy Street (also known as the 300, 400, 500 and 600 blocks of Malden Avenue East);

12. Federal Avenue East, between East Thomas Street and East Roy Street (also known as the 300, 400, 500 and 600 blocks of Federal Avenue East);

13. Coryell Court East, between East Harrison Street and East Thomas Street (also known as the 300 block of Coryell Court East);

14. East Olive Street between 11th Avenue and 18th Avenue (also known as the 1100, 1200, 1300, 1400, 1500, 1600 and 1700 blocks of East Olive Street);

15. East Howell Street between 11th Avenue and 19th Avenue (also known as the 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Howell Street);

16. East Denny Way between Broadway Avenue East and 19th Avenue (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Denny Way);

17. East John Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East John Street);

18. East Thomas Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Thomas Street);

19. East Harrison Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Harrison Street);

20. East Republican Street between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Republican Street);

21. East Mercer Street, between Broadway Avenue East and 19th Avenue East (also known as the 900, 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700, and 1800 blocks of East Mercer Street);

22. East Roy Street, between 10th Avenue East and 19th Avenue East (also known as the 1000, 1100, 1200, 1300, 1400, 1500, 1600, 1700 and 1800 blocks of East Roy Street);

23. East Valley Street, between 14th Avenue East and 15th Avenue East (also known as the 1400 block of East Valley Street);

24. East Glen Street, between 18th Avenue East and 19th Avenue East (also known as the 1800 block of East Glen Street).

(Ord. 117189 § 1, 1994; Ord. 115995 § 22(part), 1991; Ord. 110713 § 1, 1982.)

11.73.020 Fautleroy Neighborhood, vicinity of Fautleroy Ferry Terminal.

A. There is hereby established a restricted parking zone as contemplated by Ordinance 108200, Section 11.16.315, as amended by Ordinance 108354, Section 1, on the following street segments:

1. Southwest Cloverdale Street between Fautleroy Way Southwest and 46th Avenue Southwest (also known as the 4600 block of Southwest Cloverdale Street);

2. Southwest Trenton Street between Fautleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Trenton Street);

3. Southwest Concord Street between Fautleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Concord Street);

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4. Southwest Henderson Street between Fauntleroy Way Southwest and 44th Avenue Southwest (also known as the 4400 and 4500 blocks of Southwest Henderson Street);

5. Southwest Director Street between Fauntleroy Way Southwest and 44th Avenue Southwest (also known as the 4400 and 4500 blocks of Southwest Director Street);

6. Southwest Director Place between Fauntleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Director Place);

7. Southwest Barton Street between Fauntleroy Way Southwest and 45th Avenue Southwest (also known as the 4500 block of Southwest Barton Street);

8. Southwest Wildwood Place between Fauntleroy Way Southwest and Southwest Brace Point Drive (also known as the 4400, 4500, 4600 and 4700 blocks of Southwest Wildwood Place);

9. Fauntleroy Way Southwest between a private road south of Southwest Brace Point Drive and Southwest Thistle Street (also known as the 8400, 8600, 8800, 8900, 9000, 9100 and 9200 blocks and a portion of the 9300 block to 3344 of Fauntleroy Way Southwest);

10. 47th Avenue Southwest between Southwest Brace Point Drive and Southwest Wildwood Place (also known as the 9200 block of 47th Avenue Southwest);

11. 46th Avenue Southwest between Southwest Cloverdale Street and Southwest Trenton Street and between Southwest Brace Point Drive and Southwest Wildwood Place (also known as the 8600 and 9200 blocks of 46th Avenue Southwest);

12. 45th Avenue Southwest between Southwest Trenton Street and Southwest Wildwood Place (also known as the 8800, 8900, 9000, 9100 and part of the 9200 block of 45th Avenue Southwest);

13. Southwest Brace Point Drive between Puget Sound and 45th Avenue Southwest (also known as the 4500, 4600, 4700 and 4800 blocks of Southwest Brace Point Drive);

14. Southwest Director Street between 44th Avenue Southwest and California Avenue Southwest (also known as the 4300 and 4400 blocks at Southwest Director Street);

15. Southwest Henderson Street between 44th Avenue Southwest and California Avenue Southwest (also known as the 4300 and 4400 blocks of Southwest Henderson Street);

16. 44th Avenue Southwest between Southwest Henderson Street and Southwest Director Street (also known as the 9000 block of 44th Avenue Southwest);

17. 43rd Avenue Southwest between Southwest Henderson Street and Southwest Director Street (also known as the 9000 block of 43rd Avenue Southwest);

18. Southwest Brace Point Drive between 45th Avenue Southwest and Southwest Wildwood Street (also known as the 4400 block of Southwest Brace Point Drive);

19. 45th Avenue Southwest between Southwest Brace Point Drive and Southwest Kilborne Court (also known as the 9300 block and a portion of the 9400 block of 9431 of 45th Avenue Southwest);

20. 47th Avenue Southwest between Southwest Brace Point Drive and Southwest Roxbury Street (also known as the 9300 block of 47th Avenue Southwest);

21. Southwest Barton Street between California Avenue Southwest and 41st Avenue Southwest (also known as the 4100 Block of Southwest Barton Street);

22. Southwest Brace Point Drive between Southwest Wildwood Place and California Avenue Southwest (also known as the 4300 block of Southwest Brace Point Drive);

23. 42nd Avenue Southwest between Southwest Barton Street and Southwest Henderson Street (extended) (also known as a portion of the 8800 block to 8862 of 41st Avenue Southwest);

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24. California Avenue Southwest between Southwest Brace Point Drive and the dead-end north of Southwest Barton Street (also known as the 9000 and 9100 blocks of California Avenue Southwest);

25. 44th Avenue Southwest between Southwest Fletcher Street and Southwest Brace Point Drive (also known as the 9200 block of 44th Avenue Southwest); and

26. Fauntleroy Way Southwest between Southwest Thistle Street and Southwest Monroe Street (also known as the 8000 and 8300 blocks of Fauntleroy Way Southwest).

(Ord. 115995 § 22(part), 1991; Ord. 111763 § 1, 1984; Ord. 110515 § 1, 1982; Ord. 110026 § 1, 1981.)

11.73.030Mann Minor Neighborhood, vicinity of Providence Medical Center.

A. There is hereby established a restricted parking zone as contemplated by Ordinance 108200, Section 11.16.315, as amended by Ordinance 108354, Section 1, on the following street segments:

1. 15th Avenue between East Alder Street and East Spring Street (also known as the 300, 500 700, 800 and 900 blocks of 15th Avenue);

2. 16th Avenue between East Alder Street and East Spring Street (also known as the 300, 500, 700 800 and 900 blocks of 16th Avenue);

3. 17th Avenue between East Alder Street and East Jefferson Street and between East Cherry Street and East Spring Street (also known as the 300, 700, 800 and 900 blocks of 17th Avenue);

4. 18th Avenue between East Alder Street and East Jefferson Street and between East Cherry Street and East Spring Street (also known as the 300, 700, 800 and 900 blocks of 18th Avenue);

5. 19th Avenue between East Alder Street and East Columbia Street (also known as the 300, 500 and 700 blocks of 19th Avenue);

6. East Jefferson Street between 15th Avenue and 20th Avenue (also known as the 1500, 1600, 1700, 1800 and 1900 blocks of East Jefferson Street);

7. East Columbia Street between 14th and 18th Avenue (also known as the 1400, 1500, 1600 and 1700 blocks of East Columbia Street); and

8. East Marion Street between 14th Avenue and 18th Avenue (also known as the 1400, 1500, 1600 and 1700 blocks of East Marion Street).

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11.73.040 VEHICLES AND TRAFFIC

(Ord. 115995 § 22(part), 1991; Ord. 115341 § 1, 1990; Ord. 110798 § 1, 1982; Ord. 109261 § 1, 1980.)

11.73.040 Montlake Neighborhood.

A. There is hereby established a restricted parking zone as contemplated by Ordinance 108200, Section 11.16.315, as amended by Ordinance 108354, Section 1, in the area bounded by East Shelby Street, East Hamlin Street, West Park Drive East, and East Park Drive East; and on the following street segments:

1. East Lake Washington Boulevard between 24th Avenue East and Lake Washington Boulevard East (also known as the 2400 block of East Lake Washington Boulevard);
2. East North Street between East Montlake Place East and 24th Avenue East (also known as the 2200 block of East North Street);
3. East Roanoke Street between West Montlake Place East and 25th Avenue East (also known as the 2000, 2200 and 2400 blocks of East Roanoke Street);
4. East Louisa Street between West Montlake Place East and 24th Avenue East (also known as the 2000 and 2200 blocks of East Louisa Street);
5. Twentieth Avenue East between East Miller Street and West Montlake Place East (also known as the 2500 block of 20th Avenue East);
6. Twenty-second Avenue East between East Roanoke Street and East Miller Street (also known as the 2500 block of 22nd Avenue East);
7. East Montlake Place East between 22nd Avenue East and 24th Avenue East (also known as the 2500 and 2600 blocks of East Montlake Place East);
8. Twenty-fourth Avenue East between East Louisa Street and East Roanoke Street (also known as the 2500 block of 24th Avenue East);
9. Twenty-fourth Avenue East between East Lake Washington Boulevard and the street end (also known as the 2600 block of 24th Avenue East);
10. Glenwilde Place East between East Roanoke Street and the street end (also known as the 2600 block of Glenwilde Place East); and
11. Twenty-fifth Avenue East between East Louisa Street and the street end (also known as the 2500 from 2524 and 2600 blocks of 25th Avenue East).

(Ord. 115995 § 22(part), 1991; Ord. 113461 § 1, 1987; Ord. 113300 § 1, 1987; Ord. 108615 § 1, 1979.)

11.73.050 Husky Stadium Event Restricted Parking Zone.

A. There is established a Husky Stadium Event Restricted Parking Zone (“the zone”) in the areas within the outer boundary of the secondary impact area as delineated in the City-University Agreement and shown on the map contained in Exhibit “A.”¹

B. On dates with events likely to attract twenty-four thousand (24,000) or more people to Husky Stadium, and after following procedures set forth in SMC Section 11.16.317, the Director of Transportation is authorized to restrict public parking on eligible streets within the zone to vehicles of:

1. Residents of the zone;
2. Owners of businesses in the zone and used for business purposes;
3. Service vehicles of persons having business in the street or used for law enforcement purposes;
4. Nonresidents with a handicapped card, decal or special license plate issued pursuant to RCW 46.61.580; and
5. Subject to such restrictions as may be established by the Director of Transportation, guests of residents of the zone.

C. The restrictions on public parking shall be designed to exclude or restrict public parking only to the extent reasonably needed to preserve the capacity of the streets for travel and transportation during the event, to maintain for the residents only the parking needed, and to alleviate hazards of too closely packed parking, such as impairing sightlines or turning at driveways and intersections, blocking in residential vehicles and other unsafe practices. Restrictions on public parking may be placed on certain streets or block segments while others remain open, the restricted streets may be relocated from year to year, and restrictions may be changed from time to time.

D. The restrictions upon or exclusion of public parking shall only be in effect on the dates with events likely to attract twenty-four thousand (24,000) or more people to Husky Stadium. The dates shall be stated on traffic-control devices in the zone. The restriction shall commence at times set by the Director of Transportation, which shall

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not be more than three (3) hours before the event is scheduled to begin nor continue more than two hours after the event is over. A restriction shall be given effect although the traffic-control device(s) in the immediate block or street segment may have been removed, damaged or obscured by theft, vandalism, weathering or other cause, if other traffic-control devices in the vicinity or a parking control or peace officer gives general notice to the public of the restriction. (Ord. 119781 § 3, 1999; Ord. 115995 § 18, 1991; Ord. 113462 § 1, 1987; Ord. 112988 § 1, 1986.)

I. Editor's Note: Exhibit "A" is codified at the end of this chapter as map, "Husky Stadium Event Restricted Parking Zone."

11.73.060 Husky Stadium Event Restricted Parking Zone—Applicable provisions.

The Husky Stadium Event Restricted Parking Zone shall be considered a "restricted parking zone" for purposes of the following Seattle Municipal Code Sections:

- 11.14.515, Restricted parking zone—Definition;
- 11.28.010, Abuse of privileges in restricted parking zones;
- 11.72.352, Husky Stadium Event Restricted Parking Zone; and
- 11.30.040, When a vehicle may be impounded without prior notice.

The provisions of each of these sections, insofar as consistent with Section 11.73.050, shall apply to the Husky Stadium Event Restricted Parking Zone. (Ord. 119781 § 2, 1999; Ord. 112988 § 2, 1986.)

11.73.080 First Hill/Capitol Hill Neighborhood Restricted Parking Zone.

A. There is hereby established a restricted parking zone as contemplated by Ordinance 108354 Section 1,¹ on the following street segments (see Figure 11.73.080):

- 1. Bellevue Avenue between East Union Street and East Pine Street (also known as the 1400 and 1500 blocks of Bellevue Avenue);

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2. Minor Avenue between Spring Street and Seneca Street (also known as the 1100 block of Minor Avenue);

3. Minor Avenue between University Street and Pike Street (also known as the 1300 and 1400 blocks of Minor Avenue);

4. Summit Avenue between Seneca Street and East Union Street (also known as the 1200 and 1300 blocks of Summit Avenue);

5. Seneca Street between Summit Avenue and Boyleston Avenue (also known as the 1300 block of Seneca Street);

6. Boyleston Avenue between Seneca Street and University Street (also known as the 1200 block of Boyleston Avenue);

7. University Street between Summit Avenue and Boyleston Avenue (also known as the 1300 block of University Street);

8. Union Street between Terry Avenue and Minor Avenue (also known as the 1300 and 1400 blocks of Union Street);

9. East Union Street between Bellevue Avenue and Crawford Avenue (also known as the 400 block of East Union Street);

10. East Union Street between Summit Avenue and Boyleston Avenue (also known as the 500 and 600 blocks of East Union Street);

11. Terry Avenue between University Street and Union Street (also known as the 1300 block of Terry Avenue);

12. Eighth Avenue between Spring and Seneca Street (also known as the 1100 block of 8th Avenue);

13. Marion Street between 8th Avenue and 9th Avenue (also known as the 800 block of Marion Street);

14. Columbia Street between Terry Avenue and Boren Avenue (also known as the 1100 block of Columbia Street);

15. Eighth Avenue between James Street and Columbia Street (also known as the 600 and 700 blocks of 8th Avenue);

16. Ninth Avenue between James Street and Columbia Street (also known as the 600 and 700 blocks of 9th Avenue);

17. Cherry Avenue between 7th Avenue and Boren Avenue (also known as the 700, 800, 900 and 1000 blocks of 9th Avenue);

18. Terry Avenue between Spruce Street and Cherry Street (also known as the 150, 200, 300, 400, 500 and 600 blocks of Terry Avenue);

19. Jefferson Street between 9th Avenue and Broadway (also known as the 900 and 1000 blocks of Terrace Street);

20. Alder Street between 9th Avenue and Broadway (also known as the 900 and 1000 blocks of Alder Street);

21. Ninth Avenue between Spruce Street and Alder Street (also known as the 800 block of 9th Avenue);

22. Spruce Street between 9th Avenue and Broadway (also known as the 900 block of Spruce Street);

23. Eighth Avenue between Yesler Way and Spruce Street (also known as the 100 block of 8th Avenue);

24. Eighth Avenue South between East Yesler Way and I-5 (also known as the 100 block of 8th Avenue);

25. Yesler Way between I-5 and Broadway (also known as the 700 block of Yesler Way);

26. Broadway between Yesler Way and Alder Street (also known as the 100, 150 and 200 blocks of Broadway);

27. East Yesler Way between Broadway and 10th Avenue (also known as the 900 block of East Yesler Way);

28. Tenth Avenue between East Yesler Way and East Jefferson Street (also known as the 100, 150, 200, 300 and 400 blocks of 11th Avenue);

29. Eleventh Avenue between East Fir Street and East Jefferson Street (also known as the 150, 200, 300 and 400 blocks of 11th Avenue);

30. Twelfth Avenue between East Yesler and East Fir Street (also known as the 100 block of 12th Avenue);

31. Twelfth Avenue between East James Court and East Cherry Street (also known as the 600 block of 12th Avenue);

32. Fourteenth Avenue between East Yesler Way and East Jefferson Street (also known as the 100, 200, 300 and 400 blocks of 14th Avenue);

33. Fourteenth Avenue between East Cherry Street and East Union Street (also known as the 700, 800, 900 and 1100 blocks of 14th Avenue);

34. Thirteenth Avenue between East Remington Court and East Jefferson Street (also known as the 400 block of 13th Avenue);

11.73.080 VEHICLES AND TRAFFIC

35. Thirteenth Avenue between East Barclay Court and East James Court (also known as the 800, 900 and 1100 blocks of 13th Avenue);

(Ord. 115995 § 22(part), 1991; Ord. 115352 §§ 1, 2, 1990.)

36. Eleventh Avenue between East Madison Street and East Union Street (also known as the 1100 block of 11th Avenue);

1.Editor's Note: Section 1 of Ordinance 108354 is set out at Section 11.16.315 of this Code.

37. South Washington Street between 10th Avenue and 12th Avenue South (also known as the 1000 block of South Washington);

38. East Yesler Way between I-5 and 10th Avenue South (also known as the 700, 800 and 900 blocks of East Yesler Way);

39. East Fir Street between 13th Avenue and 14th Avenue (also known as the 1300 block of East Fir Street);

40. East Fir Street between 13th Avenue and 14th Avenue (also known as the 1300 block of East Fir Street);

41. East Spruce Street between 10th Avenue and 14th Avenue (also known as the 1100, 1200 and 1300 blocks of East Spruce Street);

42. East Alder Street between Broadway and 12th Avenue (also known as the 900, 1000 and 1100 blocks of East Alder);

43. East Terrace Street between Broadway and 12th Avenue (also known as the 900, 1000 and 1100 blocks of East Terrace Street);

44. East Remington Court between 12th Avenue and 14th Avenue (also known as the 1200 and 1300 blocks of East Remington Court);

45. East Jefferson Street between Broadway and 12th Avenue (also known as the 900, 1000 and 1100 blocks of East Jefferson Street);

46. East Barclay Court between 12th Avenue and 14th Avenue (also known as the 1200 block of East Barclay Court);

47. East Marion Street between 12th Avenue and 14th Avenue (also known as the 1200 and 1300 blocks of East Marion Street);

48. East Spring Street between 12th Avenue and 14th Avenue (also known as the 1200 and 1300 blocks of East Spring Street);

49. East Union Street between 13th Avenue and 14th Avenue (also known as the 1300 block of East Union Street);

50. Broadway between East Terrace Street and East James (also known as the 400 and 500 blocks of Broadway).

B. On these block segments listed in subsection A of this section, vehicles displaying disabled license plates or permits shall be exempt from RPZ restrictions.

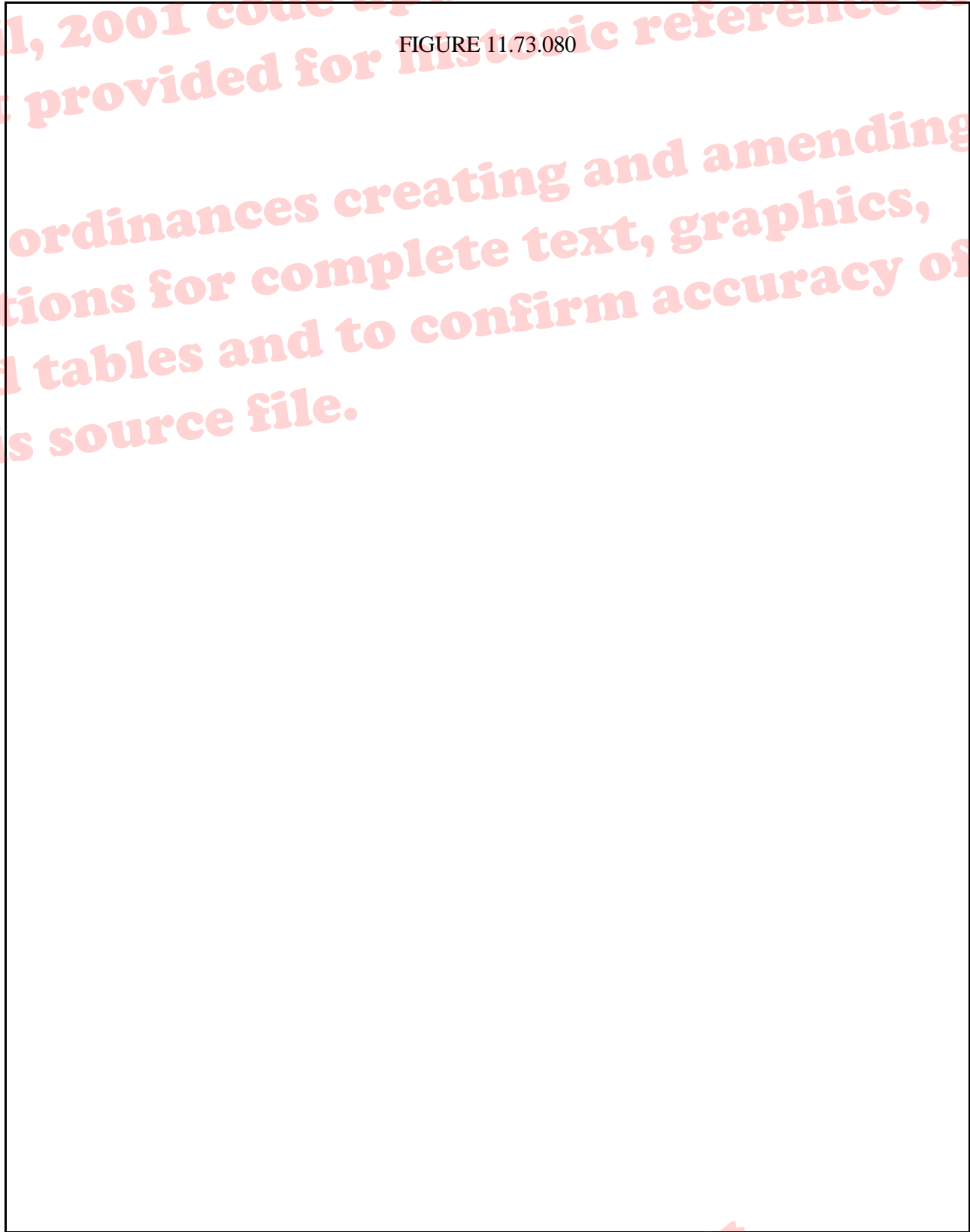
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SPECIAL EVENT PARKING ZONE ATTACHMENT GOES HERE

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FIGURE 11.73.080



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RESTRICTED PARKING AREAS

GROUP HEALTH RPZ MAP GOES HERE

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RESTRICTED PARKING AREAS

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MONTLAKE RPZ MAP GOES HERE

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SEATTLE MUNICIPAL CODE
VEHICLES AND TRAFFIC

**Chapter 11.74
LOADING AND LOAD REGULATIONS**

Sections:

11.74.010 Loading in alleys.

11.74.020 Truck load zone—Commercial vehicles.

11.74.030 Commercial load zone—Usage.

11.74.060 Certain loading or unloading prohibited.

11.74.070 Dragging loads prohibited.

11.74.075 Dumping loads.

11.74.080 Damaging street surface.

11.74.090 Loud noise.

11.74.100 High temperatures.

11.74.110 Open flame.

11.74.120 Standing in morning peak-hour restricted areas in downtown traffic-control zone.

11.74.130 Special permits.

11.74.140 Passenger vehicles—Outside load limits.

11.74.150 Loads to be securely fastened.

11.74.160 Driving a vehicle capable of dropping obstacles or debris prohibited.

11.74.170 Cleaning roadway.

11.74.010 Loading in alleys.

No person shall stop, stand or park a commercial vehicle or a vehicle displaying a valid commercial loading permit in any alley for any purpose or length of time other than the expeditious unloading and delivery or pickup and loading of property and then in no case shall such parking for loading and unloading of property exceed thirty (30) minutes.

(Ord. 114518 § 7, 1989; Ord. 108200 § 2(11.74.010), 1979.)

11.74.020 Truck load zone—Commercial vehicles.

No person shall stop, stand, or park a commercial vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick-up and loading of property in a truck load zone during the hours the zone restriction is in effect, and then in no case shall such parking for loading and unloading of property exceed thirty (30) minutes: Provided, that truck load zone restrictions are not effective on Sundays

11.74.075 Dumping loads.

or legal holidays, except where otherwise indicated by appropriate signs.

(Ord. 112076 § 5, 1984; Ord. 108200 § 2(11.74.020), 1979.)

11.74.030 Commercial load zone—Usage.

No person shall stop a commercial vehicle or a vehicle displaying a valid commercial loading permit in a commercial load zone for any purpose or length of time other than for the expeditious unloading and delivery or pickup and loading of property. In no case shall such stopping for loading and/or unloading of commercial products exceed thirty (30) minutes. Such time and loading limitations shall be in effect during the days and times displayed on the traffic signs or marking at the zone.

(Ord. 114518 § 8, 1989.)

11.74.060 Certain loading or unloading prohibited.

No person shall:

A. Load or unload any property:

1. From any vehicle to any railroad car, or
 2. From any railroad car to any vehicle, or
 3. From any vehicle to any other vehicle;
- or

B. Load or unload any vehicle onto or from another vehicle to or from a street or alley, while such vehicle or vehicles are parked upon any street or alley without obtaining a permit for such operation as provided in Section 11.23.080. The permit is to be in the possession of the driver or crew engaged in such loading or unloading operation; provided, that the permit will not be required when the transfer of goods is to be made in areas where the Director of Engineering has designated such transfers permissible, or when done at the direction of an authorized peace officer or when occasioned by a mechanical breakdown of one of the motor vehicles.

(Ord. 115995 § 20, 1991; Ord. 108200 § 2(11.74.060), 1979.)

11.74.070 Dragging loads prohibited.

No person shall drag any property along or over any street or alley.

(Ord. 108200 § 2(11.74.070), 1979.)

No person shall dump any load onto any street or alley without obtaining a street use permit¹ for such dumping and any associated operations. (Ord. 108200 § 2(11.74.075), 1979.)

1.Editor's Note: The Street Use Ordinance provisions on permits are codified in Chapter 15.04 of this Code.

11.74.080 Damaging street surface.

No person shall load or unload a vehicle in such a manner as to cause damage to the surface of any street or alley. (Ord. 108200 § 2(11.74.080), 1979.)

11.74.090 Loud noise.

No person shall load or transport any metals or metal vessels or materials in such a manner as to cause noises or the disturbance of the peace. (Ord. 108200 § 2(11.74.090), 1979.)

11.74.100 High temperatures.

No person shall transport open vessels of any liquid the temperature of which exceeds one hundred thirty degrees Fahrenheit (130° F.). (Ord. 108200 § 2(11.74.100), 1979.)

11.74.110 Open flame.

No person shall transport any burner or stove with open flame: Provided, that this prohibition will not be construed to prevent normal street maintenance operations. (Ord. 108200 § 2(11.74.110), 1979.)

11.74.120 Standing in morning peak-hour restricted areas in downtown traffic-control zone.

No person shall stop, stand or park a vehicle on any portion of any street or alley where signs are erected prohibiting parking as provided in Section 11.72.300: Provided, that commercial vehicles may park on those streets in the downtown traffic-control zone during morning peak traffic hours where signs are erected prohibiting parking between seven a.m. (7:00 a.m.) and nine a.m. (9:00 a.m.) for the purpose or length of time necessary for the expeditious unloading and delivery or pickup and loading of property, but in no case shall such parking for loading and unloading exceed thirty (30) minutes and: Provided, further, that this exception shall not apply to those streets or portions thereof where signs are erected prohibiting stops during specified times.

(Ord. 108200 § 2(11.74.120), 1979.)

11.74.130 Special permits.

In places where, and at hours when, parallel parking for loading or unloading of property in a business district, on an arterial street or on a Metro Transit route, is permitted under the provisions of this subtitle, vehicles used for the transportation or handling of property may be angle parked or backed to the curb for loading or unloading only when the owner or operator of such vehicle or the owner or lessee of the adjacent property holds a permit, provided for in Section 11.23.080, authorizing him so to park. The permit shall be prominently displayed on the vehicle or on the adjacent property at the time the vehicle is so parked: Provided, that such permit shall only be valid during actual loading or unloading operations.

(Ord. 108200 § 2(11.74.130), 1979.)

11.74.140 Passenger vehicles—Outside load limits.

No passenger-type vehicle shall be operated on a street or alley with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches (6") beyond the line of the fenders on the right side thereof. (RCW 46.44.060) (Ord. 108200 § 2(11.74.140), 1979.)

11.74.150 Loads to be securely fastened.

No person shall operate a vehicle upon any street or alley without having the load thereon securely fastened and protected by safety chains or other device, and covered, tied down, confined or otherwise secured so as to prevent the material from spilling, escaping, or being deposited outside the vehicle. The City may enforce rules and regulations adopted by the State Commission on Equipment, which are adopted by reference and are on file with the City Clerk, as to what shall constitute adequate and safe chains or other devices for the fastening and protection of loads upon vehicles. (Derived in part from RCW 46.37.490)

(Ord. 116708 § 1, 1993: Ord.108200 § 2(11.74.150), 1979.)

11.74.160 Driving a vehicle capable of dropping obstacles or debris prohibited.

No vehicle shall be driven or moved in any street or alley unless such vehicle is so constructed or loaded, and the load covered or tied down or confined or otherwise secured, as to prevent any of the load from dropping, sifting, leaking, spilling, or depositing any matter by dragging, tracking, or otherwise escaping, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in the cleaning or maintaining of such roadway by the public authority having jurisdiction. (Derived in part from RCW 46.61.655)

(Ord. 116708 § 2, 1993; Ord. 108200 § 2(11.74.160), 1979.)

11.74.170 Cleaning roadway.

Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction to or may injure a vehicle or otherwise endanger travel upon a street or alley shall immediately cause the street or alley to be cleaned of all such glass or objects and shall pay any costs therefor. (RCW 46.61.655)

(Ord. 108200 § 2(11.74.170), 1979.)

Chapter 11.76

PARKING METER OPERATIONS

Sections:

11.76.010 Deposit of coins and time limit.

11.76.015 Parking prohibited when meter indicates violation.

11.76.020 Parking longer than time limit.

11.76.030 Other parking restrictions must be observed.

11.76.040 Illegal use.

11.76.050 Tampering with meter.

11.76.010 Deposit of coins and time limit.

A. No person shall park a vehicle in any parking space upon a street alongside of and next to which a parking meter has been installed during the restricted and regulated time applicable to the parking meter unless a coin or coins of United States currency of the appropriate denominations as indicated in the legend on the meter shall have been deposited therein, or shall have been previ-

ously deposited therein for an unexpired interval of time, and the meter has been placed in operation.

B. No person shall permit a vehicle within his control to be parked in any parking meter space during the restricted and regulated time applicable to that meter space while the parking meter for such space indicates by signal that the lawful parking time in such space has expired.

C. This section shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin or coins in such meter or to the parking of certified carpool vehicles in accordance with the provisions of Section 11.23.410.

(Ord. 108200 § 2(11.76.010), 1979.)

11.76.015 Parking prohibited when meter indicates violation.

A. No person shall stop, stand, or park, or permit a vehicle within his control to be parked in any parking meter space while the parking meter for such space displays the words "Violation," or "Expired."

B. This section shall not apply to the act of parking or the necessary time which is required to activate the timer on the parking meter or to the parking of certified carpool vehicles in accordance with the provisions of Section 11.23.410.

(Ord. 112261 § 1, 1985; Ord. 110956 § 2, 1982.)

11.76.020 Parking longer than time limit.

It is unlawful for any person to park a vehicle in any such parking meter space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter space as indicated in the legend on the parking meter, irrespective of the number or amounts of the coins deposited in such meter; provided, that this section shall not apply to the parking of certified carpool vehicles in accordance with the provisions of Section

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