

22* ORDINANCE No. 115040

08* COUNCIL BILL No. 107885

Law Department

The City

AN ORDINANCE relating to the Traffic Code, adding new sections 11.20.340 and 11.20.350 to Seattle Municipal Code Chapter 11.20 relating to the operation of a motor vehicle by a person who is not financially responsible and proof of financial responsibility, respectively, and setting penalties for violations; amending sections 11.59.040 and 11.59.090 to refer to insurance identification cards; and amending sections 11.34.020 and 11.31.010 to clarify penalties for traffic offenses.

Honorable President:

Your Committee on Public Safety

to which was referred the within report that we have considered the

COMPTROLLER FILE No. _____

| | |
|---------------------------------------|---|
| Introduced: APR 1 1990 | By: <u>Noland</u> |
| Referred: APR 1 1990 | To: <u>Public Safety & Environment</u> |
| Referred: | To: |
| Referred: | To: |
| Reported: APR 1 1990 | Second Reading: APR 1 1990 |
| Third Reading: APR 1 1990 | Signed: APR 1 1990 |
| Presented to Mayor: APR 1 1990 | Approved: APR 1 1990 |
| Returned to City Clerk: APR 2 1990 | Published: |
| Vetted by Mayor: | Veto Published: |
| Passed over Veto: | Veto Sustained: |

OK

Department

The City of Seattle--Legislative Department

REPORT OF COMMITTEE

Date Reported
and Adopted

4-10-90

to President:

submitted on

Public Safety & Environment

was referred the within Council Bill No.

107885

that we have considered the same and respectfully recommend that the same:

Pass

3-0

Vote 1-0

Jane Maud

Committee Chair

107885

ORDINANCE 115040

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AN ORDINANCE relating to the Traffic Code, adding new sections 11.20.340 and 11.20.350 to Seattle Municipal Code Chapter 11.20 relating to the operation of a motor vehicle by a person who is not financially responsible and proof of financial responsibility, respectively, and setting penalties for violations; amending sections 11.59.040 and 11.59.090 to refer to insurance identification cards; and amending sections 11.34.020 and 11.31.010 to clarify penalties for traffic offenses.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 11.20 of the Seattle Municipal Code is amended by adding a new section as follows:

11.20.340 Financial Responsibility required.

A. No person may operate a motor vehicle subject to registration under chapter 46.16 RCW in this City unless the person is insured under a motor vehicle liability policy with liability limits of at least the amounts provided in RCW 46.29.090, is self-insured as provided in RCW 46.29.630, is covered by a certificate of deposit in conformance with RCW 46.29.550, or is covered by a liability bond of at least the amounts provided in RCW 46.29.090.

B. A violation of this section constitutes a traffic infraction punishable by a fine of Two Hundred Fifty Dollars (\$250.00) unless a court determines that in the interest of justice the find should be reduced. In lieu of the fine, a court may permit the defendant to perform community service designated by the court.

C. If a person cited for a violation of this section appears in person before the court and provides written evidence that at the time the person was cited, he or she was in compliance with this section, the citation shall be dismissed. In lieu of personal appearance, a person cited for a violation of this section may, before the date scheduled for the person's appearance before the court, submit by mail to the court written evidence that at the time the person was

1 cited, he or she was in compliance with this section, in which
2 case the citation shall be dismissed.

3 D. The provisions of this chapter shall not govern:

4 (1) The operation of a motor vehicle registered
5 under RCW 46.16.310 or 46.16.315, governed by RCW 46.16.020,
6 or registered with the Washington Utilities and Transportation
7 Commission as common or contract carriers; or

8 (2) The operation of a motorcycle as defined in RCW
9 46.04.330, a motor-driven cycle as defined in RCW 46.04.332,
10 or a moped as defined in RCW 46.04.304. (RCW 46.30.020)

11 Section 2. Chapter 11.20 of the Seattle Municipal Code
12 is amended by adding a new section as follows:

13 11.20.350 Proof of financial responsibility--Penalty for
14 falsification.

15 A. Whenever a person operates a motor vehicle subject to
16 registration under chapter 46.16 RCW, the person shall have in
17 his or her possession an identification card of the type
18 specified by the Department of Licensing under RCW 46.30.030
19 and shall display the card upon demand to a law enforcement
20 officer.

21 B. Every person who drives a motor vehicle required to
22 be registered in another state that requires drivers and
23 owners of vehicles in that state to maintain insurance or
24 financial responsibility shall, when requested by a law
25 enforcement officer, provide evidence of financial
26 responsibility or insurance as is required by the laws of the
27 state in which the vehicle is registered.

28 C. Any person who knowingly provides false evidence of
financial responsibility to a law enforcement officer or to a
court, including an expired or canceled insurance policy,
bond, or certificate of deposit is guilty of a criminal

1 offense subject to punishment under Section 11.34.020 B. (RCW
2 46.30.040)

3 Section 3. Section 11.59.040 of the Seattle Municipal
4 Code (Ordinance 108200 § 2 (11.59.040) is amended as follows:

5 11.59.040 Refusal to give information or to cooperate
6 with officer.

7 It is unlawful for any person while operating or in
8 charge of any vehicle to refuse when requested by a peace
9 officer to give his or her name and address and the name and
10 address of the owner of the vehicle, or to give a false name
11 and address to such peace officer, or to refuse upon demand of
12 such peace officer to produce his or her certificate of
13 license registration of such vehicle, his or her insurance
14 identification card, or his or her vehicle driver's license,
15 or to refuse to permit such officer to take any such license
16 or certificate for the purpose of examination thereof, or for
17 such person to refuse or neglect to produce the certificate of
18 license registration of such vehicle, insurance card, or his
19 or her driver's license when requested by any court. Any
20 peace officer shall on request produce evidence of his or her
21 authorization as such. (RCW 46.61.020)

22 Section 4. Section 11.59.090 of the Seattle Municipal
23 Code (Ordinance 108200 § 2 (11.59.090) as amended by Ordinance
24 109476 § 4 (part)) is further amended as follows:

25 11.59.090 Duty to obey peace officer--Traffic
26 infraction.

27 A. Any person requested or signaled to stop by a peace
28 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,
check the status of the person's license, insurance

1 identification card, and the vehicle's registration, and
2 complete and issue a notice of traffic infraction.

3 C. Any person requested to identify himself to a peace
4 officer pursuant to an investigation of a traffic infraction
5 has a duty to identify himself, given his current address, and
6 sign an acknowledgement of receipt of the notice of
7 infraction. (RCW 46.61.021)

8 Section 5. Section 11.34.020 of the Seattle Municipal
9 Code (Ordinance 108200 § 2 (11.34.020) as last amended by
10 Ordinance 112975 § 2) is further amended as follows:

11 11.34.020 Penalties for criminal offenses.

12 ~~A. Except as otherwise provided in this section or~~
13 ~~elsewhere in this subtitle, a~~ Any person convicted of any of
14 the following offenses a violation of this subtitle not
15 designated a traffic infraction by Section 11.31.610 may be
16 punished by a fine in any sum not to exceed Five Thousand
17 Dollars (\$5,000.00) or by imprisonment ~~in the City Jail~~ for a
18 term not to exceed one (1) year, or by both such fine and
19 imprisonment:

20 1. Section 11.55.340, Vehicles carrying explosives,
21 flammable liquids and poison gas, liquefied petroleum gas
22 (LPG) and cryogenics must stop at all railroad grade
23 crossings;

24 2. Section 11.56.420, Hit and run (attended);

25 3. Section 11.56.450, Hit and run (pedestrian or person
26 on a device propelled by human power);

27 4. Section 11.60.690, Transportation of liquefied
28 petroleum gas;

5. Section 11.62.020, Flammable liquids, combustible
liquids and hazardous chemicals;

6. Section 11.62.040, Explosives;

1 7. Section 11.80.140(B), Certain vehicles to carry
2 flares or other warning devices (subsection B only);

3 8. Section 11.80.160(E), Display of warning devices when
4 vehicle disabled (subsection E only);

5 9. Section 11.84.380, Fire extinguishers;

6 10. Section 11.86.080, Flammable or combustible labeling;

7 11. Section 11.86.100, Explosive cargo labeling;

8 12. Section 11.34.040 with respect to aiding and abetting
9 the foregoing criminal offenses.

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

15 1. Section 11.20.010, Driver's license required--
16 Exception:

17 2. Section 11.20.100, Display of nonvalid driver's
18 license;

19 3. Section 11.20.120, Loaning driver's license;

20 4. Section 11.20.140, Displaying the driver's
21 license of another;

22 5. Section 11.20.160, Unlawful use of driver's
23 license;

24 6. Section 11.20.350(c), Providing false evidence
25 of financial responsibility;

26 ((6))7. Section 11.31.090, Failure to respond--
27 Written and signed promise;

28 ((7))8. Section 11.31.110, Failure to respond--
Parked, stopped or standing notice;

 ((8))9. Section 11.32.100, Failure to appear;

10. Section 11.56.120, Reckless driving;

1 ((9))11. Section 11.56.430, Hit and run (unattended
2 vehicle)--Duty in case of accident with unattended vehicle;

3 ((10))12. Section 11.56.440, Hit and run (property
4 damage)--Duty in case of accident with property;

5 ((11))13. Section 11.58.190, Leaving minor children
6 in unattended vehicle;

7 ((12))14. Section 11.59.010, Obedience to peace
8 officers, flaggers, and firefighters;

9 ((13))15. Section 11.59.040, Refusal to give
10 information to or to cooperate with officer;

11 ((14))16. Section 11.59.060, Refusal to stop;

12 ((15))17. Section 11.59.080, Examination of
13 equipment;

14 ((16))18. Section 11.59.090, Duty to obey peace
15 officer--Traffic infraction.

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

18 Section 6. Section 11.31.010 of the Seattle Municipal
19 Code (Ordinance 108200 § 2 (11.31.010) as last amended by
20 Ordinance 112975 § 1 is further amended as follows:

21 11.31.010 Violations as traffic infractions(--
22 Exceptions)).

23 Except as otherwise provided in ((this)) section
24 11.34.020 or elsewhere in this ((sub))title, failure to
25 perform any act required or the performance of any act
26 prohibited by this title is designated as a traffic infraction
27 and may not be classified as a criminal offense((7)). ((except
28 for-an-offense-contained-in-the-following-provision-of-this
title:

1:--Section-11-20-010-Driver's-license-required--
Exception:

1 2.---Section-11-20-100-Display-of-nonvalid-driver's
2 license-of-another;

3 3.---Section-11-20-120-Loaning-driver's-license;

4 4.---Section-11-20-140-Displaying-the-driver's-license-of
5 another;

6 5.---Section-11-20-160-Unlawful-use-of-driver's-license;

7 6.---Section-11-31-090-Failure-to-respond--Written-and
8 signed-promise;

9 7.---Section-11-31-100-Failure-to-respond--Parked,-stopped
10 or-standing-notice;

11 8.---Section-11-32-100-Failure-to-appear;

12 9.---Section-11-34-040-Aiding-and-abetting-violation;

13 ----10.---Section-11-55-340-Vehicles-carrying-explosives,
14 flammable-liquids-and-poison-gas,-liquefied-petroleum-gas
15 (LPG)-and-cryogenics-must-stop-at-all-railroad-grade
16 crossings;

17 ----11.---Offenses-contained-in-Chapter-11-56--SMC;

18 ----12.---Section-11-58-005-Operating-motor-vehicle-in-a
19 negligent-manner;

20 ----13.---Section-11-58-190-Leaving-minor-children-in
21 unattended-vehicle;

22 ----14.---Section-11-59-010-Obedience-to-peace-officers,
23 flaggers,-and-firefighters;

24 ----15.---Section-11-59-040-Refusal-to-give-information-to-or
25 to-cooperate-with-officer;

26 ----16.---Section-11-59-060-Refusal-to-stop;

27 ----17.---Section-11-59-080-Examination-of-equipment;

28 ----18.---Section-11-59-090-Duty-to-obey-peace-officer--Traffic
infractio;

----19.---Section-11-60-690-Transportation-of-liquefied
petroleum-gas;

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- 20.---Section-11.62.020-Flammable-liquids,-combustible liquids-and-hazardous-chemicals;
- 21.---Section-11.62.040-Explosives;
- 22.---Section-11.80.140(B)-Certain-vehicles-to-carry-flares or-other-warning-devices-(subsection-2-only);
- 23.---Section-11.80.160(E)-Display-of-warning-devices-when vehicle-disabled-(subsection-E-only);
- 24.---Section-11.84.380-Fire-extinguishers;
- 25.---Section-11.86.080-Flammable-or-combustible-labeling;
- 26.---Section-11.86.100-Explosive-cargo-labeling.))

traffic.ord]

(To be used for all Ordinances except Emergency.)

Section 7. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 16th day of April, 1990, and signed by me in open session in authentication of its passage this 16th day of April, 1990.

[Signature]
President of the City Council.

Approved by me this 20th day of April, 1990.

[Signature]
Mayor.

Filed by me this 20th day of April, 1990.

[Signature]
Attest: City Comptroller and City Clerk.

(SEAL)

Published _____

By *[Signature]*
Deputy Clerk.

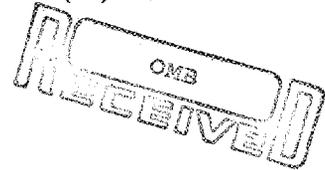
SEATTLE CITY ATTORNEY
MARK H. SIDRAN

CRIMINAL DIVISION
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UTILITIES DIVISION
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SEATTLE, WA 98104
(206) 684-3361

January 29, 1990



The Honorable Paul Kraabel
Seattle City Council
11th Floor
Seattle Municipal Building
Seattle, WA 98104

SAFETY

JAN 29 1990

Re: Amendments to Traffic Code adopting state financial
responsibility requirements

Dear Councilmember Kraabel,

Enclosed is a proposed ordinance amending Seattle Traffic Code to incorporate recent changes in state law. The ordinance requires that motorists carry liability insurance. Violation of this requirement is a traffic infraction. Providing false evidence of insurance is a crime.

In addition to the insurance provisions, I have rewritten our traffic offense penalty ordinances to make them easier to understand. No penalties were changed.

The State Patrol will begin enforcing the insurance law on April 1, 1990, so early adoption of this ordinance is recommended.

Very truly yours,
Douglas B. Whalley
DOUGLAS B. WHALLEY
Director
Criminal Division

DBW:sr
VII:LET123.

- cc: Mayor Norm Rice
- cc: Jorgen Bader
Law Department
- cc: Leo Poort
Seattle Police Department

(2) Information communicated to a practitioner in an effort unlawfully to procure a legend drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

(3) No person shall willfully make a false statement in any prescription, order, report, or record, required by this chapter.

(4) No person shall, for the purpose of obtaining a legend drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, or any practitioner.

(5) No person shall make or utter any false or forged prescription or other written order for legend drugs.

(6) No person shall affix any false or forged label to a package or receptacle containing legend drugs.

(7) No person shall willfully fail to maintain the records required by section 5 of this act.

Passed the House April 22, 1989.

Passed the Senate April 22, 1989.

Approved by the Governor May 12, 1989.

Filed in Office of Secretary of State May 12, 1989.

CHAPTER 353

[Substitute Senate Bill No. 5499]

MOTOR VEHICLE LIABILITY INSURANCE—REQUIRED COVERAGE

AN ACT Relating to uninsured motorists; amending RCW 46.52.030, 46.61.020, and 46.61.021; reenacting and amending RCW 46.63.020; adding a new chapter to Title 46 RCW; creating new sections; prescribing penalties; and providing an effective date.

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

NEW SECTION. Sec. 1. It is a privilege granted by the state to operate a motor vehicle upon the highways of this state. The legislature recognizes the threat that uninsured drivers are to the people of the state. In order to alleviate the threat posed by uninsured drivers it is the intent of the legislature to require that all persons driving vehicles registered in this state satisfy the financial responsibility requirements of this chapter. By enactment of this chapter it is not the intent of the legislature to modify, amend, or invalidate existing insurance contract terms, conditions, limitations, or exclusions or to preclude insurance companies from using similar terms, conditions, limitations, or exclusions in future contracts.

NEW SECTION. Sec. 2. (1) No person may operate a motor vehicle subject to registration under chapter 46.16 RCW in this state unless the person is insured under a motor vehicle liability policy with liability limits

of at least the amounts provided in RCW 46.29.090, is self-insured as provided in RCW 46.29.630, is covered by a certificate of deposit in conformance with RCW 46.29.550, or is covered by a liability bond of at least the amounts provided in RCW 46.29.090.

(2) A violation of this section constitutes a traffic infraction punishable by a fine of two hundred and fifty dollars unless a court determines that in the interest of justice the fine should be reduced. In lieu of the fine, a court may permit the defendant to perform community service designated by the court.

(3) If a person cited for a violation of this section appears in person before the court and provides written evidence that at the time the person was cited, he or she was in compliance with this section, the citation shall be dismissed. In lieu of personal appearance, a person cited for a violation of this section may, before the date scheduled for the person's appearance before the court, submit by mail to the court written evidence that at the time the person was cited, he or she was in compliance with this section, in which case the citation shall be dismissed.

(4) The provisions of this chapter shall not govern:

(a) The operation of a motor vehicle registered under RCW 46.16.310 or 46.16.315, governed by RCW 46.16.020, registered with the Washington utilities and transportation commission as common or contract carriers; or

(b) The operation of a motorcycle as defined in RCW 46.04.330, a motor-driven cycle as defined in RCW 46.04.332, or a moped as defined in RCW 46.04.304.

(5) RCW 46.29.490 shall not be deemed to govern all motor vehicle liability policies required by this chapter but only those certified for the purposes stated in chapter 46.29 RCW.

NEW SECTION. Sec. 3. (1) Whenever an insurance company issues or renews a motor vehicle liability insurance policy, the company shall provide the policyholder with an identification card as specified by the department of licensing. At the policyholder's request, the insurer shall provide the policyholder a card for each vehicle covered under the policy.

(2) The department of licensing shall adopt rules specifying the type, style, and content of insurance identification cards to be used for proof of compliance with section 2 of this act, including the method for issuance of such identification cards by persons or organizations providing proof of compliance through self-insurance, certificate of deposit, or bond. In adopting such rules the department shall consider the guidelines for insurance identification cards developed by the insurance industry committee on motor vehicle administration.

NEW SECTION. Sec. 4. (1) Whenever a person operates a motor vehicle subject to registration under chapter 46.16 RCW, the person shall have in his or her possession an identification card of the type specified in

section 3 of this act and shall display the card upon demand to a law enforcement officer.

(2) Every person who drives a motor vehicle required to be registered in another state that requires drivers and owners of vehicles in that state to maintain insurance or financial responsibility shall, when requested by a law enforcement officer, provide evidence of financial responsibility or insurance as is required by the laws of the state in which the vehicle is registered.

(3) Any person who knowingly provides false evidence of financial responsibility to a law enforcement officer or to a court, including an expired or canceled insurance policy, bond, or certificate of deposit is guilty of a misdemeanor.

Sec. 5. Section 2, chapter 11, Laws of 1979 as last amended by sections 2, chapter 463, Laws of 1987 and RCW 46.52.030 are each amended to read as follows:

(1) The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to the property of any one person to an apparent extent equal to or greater than the minimum amount established by rule adopted by the chief of the Washington state patrol in accordance with subsection (5) of this section, shall, within twenty-four hours after such accident, make a written report of such accident to the chief of police of the city or town if such accident occurred within an incorporated city or town or the county sheriff or state patrol if such accident occurred outside incorporated cities and towns. Nothing in this subsection prohibits accident reports from being filed by drivers where damage to property is less than the minimum amount.

(2) The original of such report shall be immediately forwarded by the authority receiving such report to the chief of the Washington state patrol at Olympia, Washington, and the second copy of such report to be forwarded to the department of licensing at Olympia, Washington.

(3) Any law enforcement officer who investigates an accident for which a driver's report is required under subsection (1) of this section shall submit an investigator's report as required by RCW 46.52.070.

(4) The chief of the Washington state patrol may require any driver of any vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report in his opinion is insufficient, and may likewise require witnesses of any such accident to render reports. For this purpose, the chief of the Washington state patrol shall prepare and, upon request, supply to any police department, coroner, sheriff, and any other suitable agency or individual, sample forms of accident reports required hereunder, which reports shall be upon a form devised by the chief of the Washington state patrol and shall call for sufficiently detailed information to disclose all material facts with reference to the accident to be reported thereon, including the location,

the cause, the conditions then existing, ((and)) the persons and vehicles involved, the insurance information required under section 3 of this act, personal injury or death, if any, the amounts of property damage claimed, the total number of vehicles involved, whether the vehicles were legally parked, legally standing, or moving, and whether such vehicles were occupied at the time of the accident. Every required accident report shall be made on a form prescribed by the chief of the Washington state patrol and each authority charged with the duty of receiving such reports shall provide sufficient report forms in compliance with the form devised. The report forms shall be designated so as to provide that a copy may be retained by the reporting person.

(5) The chief of the Washington state patrol shall adopt rules establishing the accident-reporting threshold for property damage accidents. Beginning October 1, 1987, the accident-reporting threshold for property damage accidents shall be five hundred dollars. The accident-reporting threshold for property damage accidents shall be revised when necessary, but not more frequently than every two years. The revisions shall only be for the purpose of recognizing economic changes as reflected by an inflationary index recommended by the office of financial management. The revisions shall be guided by the change in the index for the time period since the last revision.

Sec. 6. Section 46.56.190, chapter 12, Laws of 1961 as amended by section 65, chapter 32, Laws of 1967 and RCW 46.61.020 are each amended to read as follows:

It ((shall-be)) is unlawful for any person while operating or in charge of any vehicle to refuse when requested by a police officer to give his name and address and the name and address of the owner of such vehicle, or for such person to give a false name and address, and it ((shall)) is likewise ((be)) unlawful for any such person to refuse or neglect to stop when signaled to stop by any police officer or to refuse upon demand of such police officer to produce his certificate of license registration of such vehicle, his insurance identification card, or his vehicle driver's license or to refuse to permit such officer to take any such license, card, or certificate for the purpose of examination thereof or to refuse to permit the examination of any equipment of such vehicle or the weighing of such vehicle or to refuse or neglect to produce the certificate of license registration of such vehicle, insurance card, or his vehicle driver's license when requested by any court. Any police officer shall on request produce evidence of his authorization as such.

Sec. 7. Section 4, chapter 136, Laws of 1979 ex. sess. and RCW 46.61.021 are each amended to read as follows:

(1) Any person requested or signaled to stop by a law enforcement officer for a traffic infraction has a duty to stop.

steps as are necessary to ensure that this act is implemented on its effective date.

Passed the Senate April 17, 1989.
 Passed the House April 12, 1989.
 Approved by the Governor May 12, 1989.
 Filed in Office of Secretary of State May 12, 1989.

CHAPTER 354
 [Substitute Senate Bill No. 5686]
AGRICULTURE STATUTES—REVISIONS

AN ACT Relating to agriculture; amending RCW 15.32.010, 15.32.051, 15.32.080, 15.32.100, 15.32.140, 15.32.220, 15.32.420, 15.32.500, 15.32.510, 15.32.520, 15.32.530, 15.32.570, 15.36.011, 15.36.020, 15.36.060, 15.36.080, 15.36.110, 15.36.115, 15.36.300, 15.36.425, 15.36.460, 15.36.470, 15.36.520, 15.36.540, 15.36.550, 15.36.580, 15.28.010, 15.28.160, 15.65.510, 15.86.030, 15.86.020, 15.86.070, 16.36.110, 19.94.190, 20.01.010, 20.01.030, 20.01.040, 20.01.330, 20.01.370, 20.01.380, 20.01.460, 22.09.011, 22.09.020, 22.09.290, 22.09.720, 22.09.730, 22.09.740, 22.09.750, 22.09.780, 22.09.830, 15.24.010, 15.24.020, 15.24.030, 15.24.040, and 15.14.010; adding new sections to chapter 15.86 RCW; adding a new section to chapter 15.38 RCW; adding new sections to chapter 1.20 RCW; adding new sections to chapter 15.60 RCW; adding new sections to chapter 15.49 RCW; adding a new section to chapter 15.04 RCW; creating new sections; repealing RCW 15.32.170, 15.32.180, 15.32.190, 15.32.200, 15.32.230, 15.32.240, 15.32.270, 15.32.280, 15.32.300, 15.32.310, 15.32.390, 15.32.400, 15.32.470, 15.32.480, 15.32.690, 15.32.692, 15.32.694, 15.32.698, 15.36.130, 15.36.290, 15.36.310, 15.36.450, 15.36.560, 15.36.570, 15.86.040, 20.01.600, 22.09.700, 15.49.010, 15.49.020, 15.49.030, 15.49.035, 15.49.040, 15.49.050, 15.49.060, 15.49.070, 15.49.080, 15.49.090, 15.49.100, 15.49.110, 15.49.120, 15.49.130, 15.49.140, 15.49.150, 15.49.160, 15.49.170, 15.49.180, 15.49.190, 15.49.200, 15.49.210, 15.49.220, 15.49.230, 15.49.240, 15.49.250, 15.49.260, 15.49.270, 15.49.280, 15.49.290, 15.49.300, 15.49.320, 15.49.340, 15.49.430, 15.49.440, and 15.49.450; making an appropriation; providing effective dates; and prescribing penalties.

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

Sec. 1. Section 15.32.010, chapter 11, Laws of 1961 and RCW 15.32.010 are each amended to read as follows:

For the purpose of chapter 15.32 RCW:

"Supervisor" means the supervisor of the dairy and ((livestock)) food division;

"Dairy" means a place where milk from one or more cows or goats is produced for sale;

"Creamery" means a structure wherein milk or cream is manufactured into butter for sale;

"Milk plant" means a structure wherein milk is bottled, pasteurized, clarified, or otherwise processed;

"Cheese factory" means a structure where milk is manufactured into cheese;

"Factory of milk products" means a structure, other than a creamery, milk plant, cheese factory, milk condensing plant or ice cream factory, where milk or any of its products is manufactured, changed, or compounded into another article, or where butter is cut or wrapped; except freezing of

(((34))) (35) RCW 46.61.525 relating to negligent driving;

(((35))) (36) RCW 46.61.530 relating to racing of vehicles on highways;

(((36))) (37) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;

(((37))) (38) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;

(((38))) (39) RCW 46.64.020 relating to nonappearance after a written promise;

(((39))) (40) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;

(((40))) (41) Chapter 46.65 RCW relating to habitual traffic offenders;

(((41))) (42) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;

(((42))) (43) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;

(((43))) (44) Chapter 46.80 RCW relating to motor vehicle wreckers;

(((44))) (45) Chapter 46.82 RCW relating to driver's training schools;

(((45))) (46) RCW 46.87.260 relating to alteration or forgery of a card, letter of authority, or other temporary authority issued under chapter 46.87 RCW;

(((46))) (47) RCW 46.87.290 relating to operation of an unregistered or unlicensed vehicle under chapter 46.87 RCW.

NEW SECTION. Sec. 9. The director of licensing shall compile records on uninsured motorists and file a report with the legislature after accumulating data for twelve months after the effective date of this act.

NEW SECTION. Sec. 10. The department of licensing shall notify the public of the requirements of sections 2 through 4 of this act at the time of new vehicle registration and when the department sends a registration renewal notice.

NEW SECTION. Sec. 11. Sections 1 through 4 of this act shall constitute a new chapter in Title 46 RCW.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 13. This act shall take effect January 1, 1990. The director of the department of licensing may immediately take such

(2) 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, 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.

(3) Any person requested to identify himself to a law enforcement officer pursuant to an investigation of a traffic infraction has a duty to identify himself, give his current address, and sign an acknowledgment of receipt of the notice of infraction.

Sec. 8. Section 3, chapter 186, Laws of 1986 as amended by section 2, chapter 181, Laws of 1987, by section 55, chapter 244, Laws of 1987, by section 6, chapter 247, Laws of 1987 and by section 11, chapter 388, Laws of 1987 and RCW 46.63.020 are each reenacted and amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

- (1) RCW 46.09.120(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;
- (2) RCW 46.09.130 relating to operation of nonhighway vehicles;
- (3) RCW 46.10.090(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;
- (4) RCW 46.10.130 relating to the operation of snowmobiles;
- (5) Chapter 46.12 RCW relating to certificates of ownership and registration;
- (6) RCW 46.16.010 relating to initial registration of motor vehicles;
- (7) RCW 46.16.011 relating to permitting unauthorized persons to drive;
- (8) RCW 46.16.160 relating to vehicle trip permits;
- ~~((8)) RCW 46.16.011 relating to permitting unauthorized persons to drive;~~
- (9) RCW 46.16.381(8) relating to unauthorized acquisition of a special decal, license plate, or card for disabled persons' parking;
- (10) RCW 46.20.021 relating to driving without a valid driver's license;
- (11) RCW 46.20.336 relating to the unlawful possession and use of a driver's license;

(12) RCW 46.20.342 relating to driving with a suspended or revoked license;

(13) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license;

(14) RCW 46.20.416 relating to driving while in a suspended or revoked status;

(15) RCW 46.20.420 relating to the operation of a motor vehicle with a suspended or revoked license;

(16) RCW 46.20.750 relating to assisting another person to start a vehicle equipped with an ignition interlock device;

(17) Chapter 46.29 RCW relating to financial responsibility;

(18) Section 4 of this act relating to providing false evidence of financial responsibility;

(19) RCW 46.44.180 relating to operation of mobile home pilot vehicles;

~~((19))~~ (20) RCW 46.48.175 relating to the transportation of dangerous articles;

~~((20))~~ (21) RCW 46.52.010 relating to duty on striking an unattended car or other property;

~~((21))~~ (22) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;

~~((22))~~ (23) RCW 46.52.090 relating to reports by repairmen, storagemen, and appraisers;

~~((23))~~ (24) RCW 46.52.100 relating to driving under the influence of liquor or drugs;

~~((24))~~ (25) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company, an employer, and an alcohol/drug assessment or treatment agency;

~~((25))~~ (26) RCW 46.55.020 relating to engaging in the activities of a registered tow truck operator without a registration certificate;

~~((26))~~ (27) RCW 46.61.015 relating to obedience to police officers, sergeants, or fire fighters;

~~((27))~~ (28) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;

~~((28))~~ (29) RCW 46.61.022 relating to failure to stop and give identification to an officer;

~~((29))~~ (30) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;

~~((30))~~ (31) RCW 46.61.500 relating to reckless driving;

~~((31))~~ (32) RCW 46.61.502 and 46.61.504 relating to persons under influence of intoxicating liquor or drugs;

~~((32))~~ (33) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

~~((33))~~ (34) RCW 46.61.522 relating to vehicular assault;

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO:

PRESIDENT'S SIGNATURE

STATE OF WASHINGTON - KING COUNTY

25866
City of Seattle

—ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Order 115040

was published on

05/01/90

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

C. Powell

Subscribed and sworn to before me on

MAY 1 1990

Blair Ray

Notary Public for the State of Washington,
residing in Seattle

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

City of Seattle

ORDINANCE 113010

AN ORDINANCE relating to the Traffic Code, adding new sections 11.20.340 and 11.20.350 to Seattle Municipal Code Chapter 11.20 relating to the operation of a motor vehicle by a person who is not financially responsible and proof of financial responsibility, respectively, and setting penalties for violations; amending sections 11.59.040 and 11.59.090 to refer to insurance identification cards; and amending sections 11.34.020 and 11.31.010 to clarify penalties for traffic offenses.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 11.20 of the Seattle Municipal Code is amended by adding a new section as follows:

11.20.340 Financial Responsibility required.

A. No person may operate a motor vehicle subject to registration under chapter 46.16 RCW in this City unless the person is insured under a motor vehicle liability policy with liability limits of at least the amounts provided in RCW 46.29.090, is self-insured as provided in RCW 46.29.630, is covered by a certificate of deposit in conformance with RCW 46.29.550, or is covered by a liability bond of at least the amounts provided in RCW 46.29.090.

B. A violation of this section constitutes a traffic infraction punishable by a fine of Two Hundred Fifty Dollars (\$250.00) unless a court determines that in the interest of justice the fine should be reduced. In lieu of the fine, a court may permit the defendant to perform community service designated by the court.

C. If a person cited for a violation of this section appears in person before the court and provides written evidence that at the time the person was cited, he or she was in compliance with this section, the citation shall be dismissed. In lieu of personal appearance, a person cited for a violation of this section may, before the date scheduled for the person's appearance before the court, submit by mail to the court written evidence that at the time the person was cited, he or she was in compliance with this section, in which

Ordinance 112975 § 1 is further amended as follows:

11.31.010 Violations as traffic infractions (--- Exceptions).

Except as otherwise provided in ((this)) section Ordinance 112975 § 2) is further amended as follows:

11.34.020 Penalties for criminal offenses.

~~A. Except as otherwise provided in this section or elsewhere in this subtitle, a~~ Any person convicted of any of the following offenses a violation of this subtitle not designated a traffic infraction by Section 11.31.010 may be punished by a fine in any sum not to exceed Five Thousand Dollars (\$5,000.00) or by imprisonment in the City Jail for a term not to exceed one (1) year, or by both such fine and imprisonment:

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

2. ~~Section 11.56.420. Hit and run (attended):~~

3. ~~Section 11.56.450. Hit and run (pedestrian or person on a device propelled by human power):~~

4. ~~Section 11.60.630. Transportation of liquefied petroleum gas:~~

5. ~~Section 11.62.020. Flammable liquids, combustible liquids and hazardous chemicals:~~

6. ~~Section 11.62.040. Explosives:~~

7. ~~Section 11.80.140(B). Certain vehicles to carry flares or other warning devices (subsection B only):~~

8. ~~Section 11.80.150(E). Display of warning devices when vehicle disabled (subsection E only):~~

9. ~~Section 11.84.380. Fire extinguishers:~~

10. ~~Section 11.85.080. Flammable or combustible labeling:~~

11. ~~Section 11.86.100. Explosive cargo labeling:~~

12. ~~Section 11.34.040 with respect to aiding and abetting the foregoing criminal offenses.~~

B. Any person convicted of any of the following offenses may be punished by a fine in any sum not to exceed One Thousand Dollars (\$1,000.00) or by imprisonment ((in the city