

ORDINANCE No. 119011

*ME*

*Law Department*

COUNCIL BILL No. 112155

The City of Seattle

AN ORDINANCE relating to the traffic code, amending Sections 11.14.670, 11.20.347, 11.23.400, 11.27.020, 11.34.020, 11.52.100, 11.53.440, 11.55.060, 11.55.100, 11.55.120, 11.58.195 and 11.72.065 and adding sections to Chapters 11.14, 11.22, 11.31, 11.52 and 11.56 of the Seattle Municipal Code.

OK

Honorable President:

Your Committee on \_\_\_\_\_

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

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: MAY - 4 1998	By:
Referred: MAY - 4 1998	To: PODLODOWSKI
Referred:	To: Public Safety, Health, and Community Committee
Referred:	To:
Reported: 5-26-98	Second Reading:
Third Reading: 5-26-98	Signed: 5-26-98
Presented to Mayor: 5-27-98	Approved: MAY 20 1998
Returned to City Clerk: MAY 27 1998	Published: Full 10 pp.
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

*Pub St Committee*  
*5-26-98 Full Comm*

Department

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

to President:

Committee on \_\_\_\_\_

was referred the within Council Bill No. \_\_\_\_\_

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

ST Committee 5/20 3-0 DO PASS

98 Full Council Action: Passed 9-0

\_\_\_\_\_  
Committee Chair

ORDINANCE 119011

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2  
3 AN ORDINANCE relating to the traffic code, amending Sections 11.14.670, 11.20.347, 11.23.400,  
4 11.27.020, 11.34.020, 11.52.100, 11.53.440, 11.55.060, 11.55.100, 11.55.120, 11.58.195 and  
5 11.72.065 and adding sections to Chapters 11.14, 11.22, 11.31, 11.52 and 11.56 of the  
6 Seattle Municipal Code.

7 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

8 **Section 1.** Chapter 11.14 of the Seattle Municipal Code (Ordinance 108200, as amended) is  
9 further amended to add the following section:

10 **11.14.532 Roadway construction zone.**

11 "Roadway construction zone" means an area where construction, repair, or maintenance  
12 work is being conducted by public employees or private contractors on or adjacent to any public  
13 roadway. (RCW 46.61.527(1))

14 **Section 2.** Section 11.14.670 of the Seattle Municipal Code (Ordinance 108200 § 2  
15 (11.14.935)) is amended to read as follows:

16 **11.14.670 Transit coach.**

17 "Transit coach" includes every vehicle designed for carrying more than ten (10) persons and  
18 used for the transportation of persons by King County's Metro Transit, Snohomish County's  
19 Community Transit, Pierce County's Pierce Transit and the Regional Transit Authority.

20 **Section 3.** Section 11.20.347 of the Seattle Municipal Code (Ordinance 115040 § 1(part), as  
21 amended by Ordinance 115895 § 3) is further amended to read as follows:

22 **11.20.347 Scope of financial responsibility sections.**

23 The provisions of Sections 11.20.340 and 11.20.345 (~~and 11.20.347~~) shall not govern:

24 1. The operation of a motor vehicle registered under RCW 46.16.305(1) (~~46.16.310~~  
~~or 46.16.315~~), governed by RCW 46.16.020, or registered with the Washington Utilities and  
Transportation Commission as common or contract carriers; or

2. The operation of a motorcycle as defined in Section 11.14.340 (~~RCW~~  
~~46.04.330~~), a motor-driven cycle as defined in Section 11.14.345 (~~RCW 46.04.332~~), or a moped  
as defined in RCW 46.04.304. (RCW 46.30.020(3))

**Section 4.** Chapter 11.22 of the Seattle Municipal Code (Ordinance 108200, as amended) is  
further amended to add the following section:

**11.22.025 Transfer of ownership.**

Failure or neglect of a purchaser or transferee of a vehicle to make application to transfer the  
certificate of ownership and license registration of the vehicle within forty-five (45) days after the  
date of delivery of the vehicle is a misdemeanor. (RCW 46.12.101(6))

1 **Section 5.** Chapter 11.22 of the Seattle Municipal Code (Ordinance 108200, as amended) is further amended to add the following section:

2 **11.22.070 Licenses and plates required -- Penalties -- Exceptions.**

3 A. It is unlawful for a person to operate any vehicle over and along a street or alley without first obtaining and having in full force and effect a current and proper vehicle license and displaying vehicle license number plates therefor as provided by RCW Chapter 46.16. Failure to make initial registration before operation on a street or alley is a misdemeanor, and any person convicted thereof shall be punished by a fine of no less than three hundred thirty dollars (\$330.00), no part of which may be suspended or deferred. Failure to renew an expired registration before operation on a street or alley is a traffic infraction.

6 B. The licensing of a vehicle in another state by a resident of this state, as defined in RCW 46.16.028, thereby evading the payment of any tax or license fee imposed in connection with registration, is a gross misdemeanor punishable as follows:

- 8 1. For a first offense, up to one (1) year imprisonment and a fine equal to twice the amount of delinquent taxes and fees, no part of which may be suspended or deferred;
- 9 2. For a second or subsequent offense, up to one (1) year imprisonment and a fine equal to four (4) times the amount of delinquent taxes and fees, no part of which may be suspended or deferred.

11 C. This section shall not apply to vehicles exempt from RCW 46.16.010. (RCW 46.16.010)

12 **Section 6.** Chapter 11.22 of the Seattle Municipal Code (Ordinance 108200, as amended) is further amended to add the following section:

13 **11.22.090 Vehicle trip permits -- Restrictions and requirements -- Penalty.**

14 A. Each trip permit issued under RCW 46.16.160 shall authorize the operation of a single vehicle at the maximum legal weight limit for such vehicle for a period of three (3) consecutive days commencing with the day of first use. No more than three (3) such permits may be used for any one (1) vehicle in any period of thirty (30) consecutive days, except that in the case of a recreational vehicle as defined in RCW 43.22.335, no more than two (2) trip permits may be used for any one (1) vehicle in a one-year period. Every permit shall identify, as the Washington Department of Licensing may require, the vehicle for which it is issued and shall be completed in its entirety and signed by the operator before operation of the vehicle on a street or alley. Correction of data on the permit such as dates, license number, or vehicle identification number invalidates the permit. The trip permit shall be displayed on the vehicle to which it is issued as prescribed by the Washington Department of Licensing.

19 B. A violation of or a failure to comply with any provision of this section is a gross misdemeanor. (RCW 46.16.160)

21 **Section 7.** Section 11.23.400 of the Seattle Municipal Code (Ordinance 108200 § 2 (11.23.400), as last amended by Ordinance 118105 § 2) is further amended to read as follows:

22 **11.23.400 Disabled parking ((--Location)) -- Enforcement.**

23 A. Knowingly providing false information in conjunction with an application for a disabled parking permit is a gross misdemeanor. For purposes of this subsection, "knowingly" has the same meaning as in Section 12A.04.030 B.

24

1 B. Except as provided by subsection A of this section, it is a traffic infraction, with a  
2 monetary penalty of Two Hundred Fifty Dollars (\$250.00), for any person willfully to obtain a  
3 disabled parking placard, license plate, or photo identification card in a manner other than that  
4 established by RCW 46.16.381.

5 C. The unauthorized use of a disabled parking ((person's)) placard, ((or)) license plate, or  
6 photo identification card issued by the Washington State Department of Licensing under RCW  
7 46.16.381 is a traffic infraction with a monetary penalty of Two Hundred Fifty Dollars (\$250.00)  
8 ((misdemeanor)).

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

15 E. Any peace officer or parking checker finding any unauthorized use of such placard ((s))  
16 or license plate shall issue and affix a notice indicating the unauthorized uses thereof in the form  
17 and in the manner required by Section 11.31.030.

18 **Section 8.** Section 11.27.020 of the Seattle Municipal Code (Ordinance 108200 § 2  
19 (11.27.020)) is amended to read as follows:

20 **11.27.020 Collision reports.**

21 A. Unless a report is to be made by a law enforcement officer under subsection B of this  
22 section, the ((The)) operator of any vehicle involved in a collision resulting in injury to or death of  
23 any person or damage to the property of any one (1) person to an apparent extent equal to or greater  
24 than the minimum amount established by rule adopted by the chief of the Washington State Patrol  
in accordance with RCW 46.52.030 (( of Three Hundred Dollars (\$300.00) or more.)) shall, within  
four (4) days ((twenty-four (24) hours)) after such collision make a written report of such collision  
to the Chief of Police on forms furnished by him; the original of such report to be immediately  
forwarded by the Chief of Police to the Chief of the Washington State Patrol at Olympia,  
Washington, and the second copy of such report to be forwarded to the Department of Licensing at  
Olympia, Washington. The Chief of Police may require any operator of any vehicle involved in a  
collision, of which report must be made as provided in this section 11.27.020, to file supplemental  
reports whenever the original report in his opinion is insufficient and may likewise require  
witnesses of any such collision to render reports.

B. Any law enforcement officer present at the scene of a collision or in possession of any  
facts concerning a collision shall submit an investigator's report as required by RCW 46.52.070.  
(RCW 46.52.030)

**Section 9.** Chapter 11.31 of the Seattle Municipal Code (Ordinance 108200, as amended) is  
further amended to add the following section:

**11.31.115 Monetary penalty doubled for certain traffic infractions.**

A person found to have committed a traffic infraction relating to speed restrictions in a  
school or playground crosswalk zone under Section 11.52.100 or a roadway construction zone under  
Section 11.52.110 or overtaking and passing a school bus under Section 11.53.440 A shall be

assessed a monetary penalty equal to twice the penalty assessed under Section 11.31.120. This penalty may not be waived, reduced or suspended. (RCW 46.61.440(2); RCW 46.61.527(3); RCW 46.61.370(6))

**Section 10.** Section 11.34.020 of the Seattle Municipal Code (Ordinance 108200 § (11.34.020), as last amended by Ordinance 118105 § 3) is further amended to read as follows:

**11.34.020 Penalties for criminal offenses.**

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

1. Section 11.22.070 B, Licenses and plates required -- Penalties -- Exceptions;
2. Section 11.22.090, Vehicle trip permits -- Restrictions and requirements --

Penalty:

3. Section 11.23.400, Disabled parking -- Enforcement;

4. 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;

5. ~~((2.))~~ Section 11.56.120, Reckless driving;

6. Section 11.56.130, Reckless endangerment of roadway workers;

7. ~~((3.))~~ Section 11.56.320 B, Driving while license is suspended or revoked in the first degree;

8. ~~((4.))~~ Section 11.56.320 C, Driving while license is suspended or revoked in the second degree;

9. ~~((5.))~~ Section 11.56.340, Operation of motor vehicle prohibited while license is suspended or revoked;

10. ~~((6.))~~ Section 11.56.420, Hit and run (attended);

11. ~~((7.))~~ Section 11.56.445, Hit and run (by an unattended vehicle);

12. ~~((8.))~~ Section 11.56.450, Hit and run (pedestrian or person on a device propelled by human power);

13. ~~((9.))~~ Section 11.60.690, Transportation of liquefied petroleum gas;

14. ~~((10.))~~ Section 11.62.020, Flammable liquids, combustible liquids and hazardous chemicals;

15. ~~((11.))~~ Section 11.62.040, Explosives;

16. ~~((12.))~~ Section 11.80.140 B, Certain vehicles to carry flares or other warning devices (subsection B only);

17. ~~((13.))~~ Section 11.80.160 E, Display of warning devices when vehicle disabled (subsection E only);

18. ~~((14.))~~ Section 11.84.380, Fire extinguishers;

19. ~~((15.))~~ Section 11.86.080, Flammable or combustible labeling;

20. ~~((16.))~~ Section 11.86.100, Explosive cargo labeling;

21. ~~((17.))~~ Section 11.34.040, with respect to aiding and abetting the foregoing criminal offenses.

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

- 1 1. Section 11.20.010, Driver's license required -- Exception -- Penalty, unless the  
2 person cited for the violation provided the citing officer with an expired driver's license or other  
3 valid identifying documentation under RCW 46.20.035 at the time of the stop and was not in  
4 violation of Section 11.56.320 or Section 11.56.340, in which case the violation is an infraction;
- 5 2. Section 11.20.100, Display of nonvalid driver's license;
- 6 3. Section 11.20.120, Loaning driver's license;
- 7 4. Section 11.20.140, Displaying the driver's license of another;
- 8 5. Section 11.20.160, Unlawful use of driver's license;
- 9 6. Section 11.20.350 C, Providing false evidence of financial responsibility;
- 10 7. Section 11.22.025, Transfer of ownership;
- 11 8. Section 11.22.070 A, Licenses and plates required -- Penalties -- Exceptions;
- 12 9. ~~((Section 11.23.400, Unauthorized use of a disabled person's parking placard or  
13 license plate;~~
- 14 8.)) Section 11.31.090, Failure to respond -- Written and signed promise;
- 15 10. ~~((9.))~~ Section 11.31.100, Failure to respond -- Parked, stopped or standing  
16 notice;
- 17 11. ~~((10.))~~ Section 11.32.100, Failure to appear;
- 18 12. ~~((11.))~~ Section 11.40.430, Prohibited entry to no admittance area;
- 19 13. ~~((12.))~~ Section 11.56.320 D, Driving while license is suspended or revoked in  
20 the third degree;
- 21 14. ~~((13.))~~ Section 11.56.430, Hit and run (unattended vehicle) -- Duty in case of  
22 accident with unattended vehicle;
- 23 15. ~~((14.))~~ Section 11.56.440, Hit and run (property damage) -- Duty in case of  
24 accident with property;
16. ~~((15.))~~ Section 11.58.005 A, Negligent driving in the first degree;
17. ~~((16.))~~ Section 11.58.190, Leaving minor children in unattended vehicle;
18. ~~((17.))~~ Section 11.59.010, Obedience to peace officers, flaggers, and firefighters;
19. ~~((18.))~~ Section 11.59.040, Refusal to give information to or to cooperate with  
officer;
20. ~~((19.))~~ Section 11.59.060, Refusal to stop;
21. ~~((20.))~~ Section 11.59.080, Examination of equipment;
22. ~~((21.))~~ Section 11.59.090, Duty to obey peace officer -- Traffic infraction;
23. ~~((22.))~~ Section 11.34.040, Aiding and abetting with respect to the criminal  
offenses in this subsection.

20 **Section 11.** Section 11.52.100 of the Seattle Municipal Code (Ordinance 108200, § 2  
(11.52.100)) is amended to read as follows:

21 **11.52.100 Speed limit -- School or playground crosswalks.**

22 Subject to Section 11.52.020 A, and except ((Except)) in those instances where a lower  
23 maximum speed is provided by this subtitle, no person shall operate any vehicle at a speed in excess  
24 of twenty miles per hour ((the posted speed limit)) when passing any marked school or playground  
crosswalk when such marked crosswalk is fully posted with school speed limit signs or playground  
speed limit signs. The speed zone at the crosswalk shall extend three hundred feet (300') in either  
direction from the marked crosswalk. (RCW 46.61.440)

1 **Section 12.** Chapter 11.52 of the Seattle Municipal Code (Ordinance 108200, as amended)  
is further amended to add the following section:

2 **11.52.110 Speed limit in roadway construction zones.**

3 No person shall drive a vehicle in a roadway construction zone at a speed greater than that  
allowed by traffic control devices. (RCW 46.61.527(2))

4 **Section 13.** Section 11.53.440 of the Seattle Municipal Code (Ordinance 108200, § 2  
(11.53.440)) is amended to read as follows:

5 **11.53.440 Overtaking and passing school bus.**

6 A. ~~Except as provided in subsections C and D of this section, the~~ ((The)) driver of a vehicle  
upon overtaking or meeting from either direction any school bus which has stopped on a roadway  
7 ((road)) 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  
8 Section 11.82.520 ((RCW 46.37.190)) and the driver shall not proceed until such school bus  
resumes motion ~~((or is signaled by the school bus driver to proceed))~~ or the visual signals are no  
longer activated.

9 B. ~~The~~ ((visual signals shall be actuated by the)) driver of a ((the)) school bus shall actuate  
the visual signals required by Section 11.82.520 only when the school bus is stopped on a roadway  
10 ((road)) for the purpose of receiving or discharging schoolchildren ~~((, unless:~~

- 11 ~~1. The schoolchildren do not have to cross a road and the school bus is stopped~~  
~~completely off the main traveled portion of the road; or~~  
12 ~~2. The school bus is stopped at an intersection or place where traffic is controlled by~~  
~~a traffic officer or official traffic control signal; or~~  
13 ~~3. The school bus is stopped at a school for the purpose of receiving or discharging~~  
~~schoolchildren, and schoolchildren are not required to cross the road)).~~

14 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 school bus which is proceeding in the  
15 opposite direction and is stopped for the purpose of receiving or discharging schoolchildren ~~((on a~~  
~~separate roadway or when upon a limited access street, and the school bus is stopped in a bus zone~~  
16 ~~or a loading zone which is part of or adjacent to such street and where pedestrians are not permitted~~  
~~to cross the roadway)).~~

17 D. The driver of a vehicle upon a street with three 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  
18 purpose of receiving or discharging schoolchildren.

19 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  
20 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.

21 E. No school bus shall stop on an arterial street at a location other than an intersection,  
22 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  
23 receiving or discharging handicapped, impaired or disabled students may stop at the most  
advantageous location for loading and unloading.

24

1 ~~((E. For the purposes of this section and Section 11.53.460, "road" as distinguished from~~  
2 ~~"roadway," means that portion of a street improved, paved, or designed for vehicular use, exclusive~~  
3 ~~of the sidewalk or shoulders even though such sidewalk or shoulder is used by persons riding~~  
4 ~~bicycles.)) (RCW 46.61.370)~~

5 **Section 14.** Section 11.55.060 of the Seattle Municipal Code (Ordinance 108200 § 2  
6 (11.55.060)) is amended to read as follows:

7 **11.55.060 Two (2) way left-turn lane.**

8 Upon a roadway where a center lane has been provided by distinctive pavement markings  
9 for the use of vehicles turning left from both directions, no vehicles shall turn left from any other  
10 lane. A vehicle shall not be driven in this center lane for the purpose of overtaking or passing  
11 another vehicle proceeding in the same direction. No vehicle shall travel further than three hundred  
12 feet (300') within the lane. A signal, either electric or manual, for indicating a left-turn movement,  
13 shall be made at least one hundred feet (100') before the actual left-turn movement is made. ~~((Any~~  
14 ~~maneuver other than a lane change into or out of this center lane or a left turn from or into this~~  
15 ~~center lane will be deemed a violation of this section. No person shall drive a vehicle in the center~~  
16 ~~lane for a distance greater than necessary to make said maneuvers in a reasonable, prudent, and safe~~  
17 ~~manner.)) (RCW 46.61.290(3)(c))~~

18 **Section 15.** Section 11.55.100 of the Seattle Municipal Code (Ordinance 108200 § 2  
19 (11.55.100), as last amended by Ordinance 10887 § 1) is further amended to read as follows:

20 **11.55.100 Obedience to no-turn signs.**

21 Whenever ~~((authorized))~~ signs are erected indicating that no right or left or U turn is  
22 permitted, no person shall disobey the directions of any such signs; except ~~((provided))~~, that at those  
23 intersections where there are authorized signs exempting transit coaches ~~((Metro Transit vehicles))~~  
24 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 ~~((provision))~~ shall not apply to the  
intersection of Northeast 45th Street and University Way.

25 **Section 16.** Section 11.55.120 of the Seattle Municipal Code (Ordinance 108200 § 2  
26 (11.55.120)) is amended to read as follows:

27 **11.55.120 U turns -- Restrictions.**

28 ~~((No person shall make a U turn at any point other than a street intersection or street end~~  
29 ~~except where expressly permitted. No person shall make a U turn on any street in the downtown~~  
30 ~~traffic control zone as defined in this subtitle.)) No person shall make a U turn unless such~~  
31 ~~movement can be made in safety and without interfering with other traffic. No person shall make a~~  
32 ~~U turn on any curve, or on the approach to or near the crest of a grade, unless the vehicle can be~~  
33 ~~seen by the drivers of all other vehicles approaching from both directions within five hundred feet~~  
34 ~~(500'). (RCW 46.61.295 ). ~~((UVC 11-602(a)))~~~~

35 **Section 17.** Chapter 11.56 of the Seattle Municipal Code (Ordinance 108200, as amended)  
36 is further amended to add the following section:

**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))

**Section 18.** Section 11.58.195 of the Seattle Municipal Code (Ordinance 111861 § 15) is amended to read as follows:

**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 restrained either as specified in subsection A1 or with a safety belt properly 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 customer shuttle service between parking, convention, and hotel facilities, and airport terminals. (RCW 46.61.687)

~~((The parent or legal guardian of any child less than five (5) years old operating his or her own motor vehicle registered under RCW Chapter 46.16 upon any street, alley, or way open to the public in the City, in which the child is a passenger, shall:~~

~~1. Provide for each such child passenger a separate child passenger restraint device or for each such child, age one (1) through four (4) years, a properly adjusted, and fastened, seat belt approved by the appropriate agency of the United States Government; and~~

~~2. Properly secure each such child in a manner approved by the State Commission of Equipment.~~

~~B. A person who receives a notice of traffic infraction for violating subsection A of this section shall be subject to a penalty assessment of not less than Thirty Dollars (\$30.00) if the person fails to present proof of acquisition of an approved child passenger restraint system to a judge or magistrate at a hearing on the infraction.~~

1 ~~C. Failure to comply with the requirements of this section shall not constitute negligence by a parent or legal guardian; nor shall failure to use a child restraint system be admissible as evidence of negligence in any civil action.)~~

2 **Section 19.** Section 11.72.065 of the Seattle Municipal Code (Ordinance 111835 § 2) is  
3 amended to read as follows:

4 **11.72.065 Disabled parking --Violation.**

5 A. A parking space or stall for a physically disabled person shall be indicated by a ((:  
6 1. ~~A painted white line, at least six inches (6") in width on the improved surface delineating the perimeter of the parking space or stall for off-street parking, or a painted white line, at least six inches (6") in width on the curb or edge of the paved portion of the street for the full length of the designated parking stall for on-street parking; and~~

7 2. ~~a. A)) vertical sign, between thirty-six (36) and eighty-four inches (84") ((forty-eight (48) and sixty inches (60"))) 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.~~

8 ~~((b. This section shall not apply to vertical signs in use on the effective date of this act, except that within two (2) years of such date each vertical sign must display the notice "State disabled parking permit required" and a warning that vehicles without permits will be impounded.))~~

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

17 C. It is a parking infraction, with a monetary penalty of Two Hundred Fifty Dollars (\$250.00), for any person to ((No person shall)) 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 ((, card, or decal)) indicating that the vehicle is being used to transport a disabled person as defined under Chapter 46.16 RCW.

18 D. It is a parking infraction, with a monetary penalty of Two Hundred Fifty Dollars (\$250.00), for any person to make inaccessible the access aisle located next to a space reserved for physically disabled persons.

19 E. The court may not suspend more than one-half of any fine imposed under subsections C or D of this section. For a second or subsequent violation of subsections 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

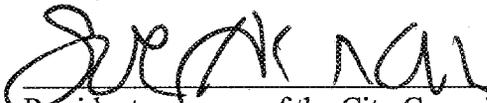
having disabling diseases or any other community service that may sensitize the violator to the needs and obstacles faced by persons who have disabilities.

1  
2 **Section 20.** It is the express intent of the City Council that, in the event another ordinance  
3 has heretofore been enacted that amended Section 11.34.020 of the Seattle Municipal Code  
4 amended or recodified herein, that earlier amendment should be effectuated with equal dignity to  
5 this ordinance if at all possible in the codification of the Seattle Municipal Code and by the courts,  
6 notwithstanding the use in this ordinance of an obsolete version of Section 11.34.020 of the Seattle  
7 Municipal Code on which to show intended amendments.

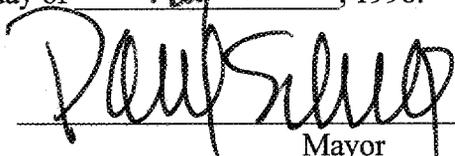
8 **Section 21.** It is the express intent of the City Council that, in the event a subsequent  
9 ordinance refers to or amends Section 11.34.020 of the Seattle Municipal Code amended or  
10 recodified herein, but the later ordinance fails to account to the change made by this ordinance, the  
11 two sets of amendments should be given effect together if at all possible.

12 **Section 22.** This ordinance shall take effect and be in force thirty (30) days from and after its  
13 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
14 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

15 Passed by the City Council the 26<sup>th</sup> day of May, 1998, and signed by me in open  
16 session in authentication of its passage this 26<sup>th</sup> day of May, 1998.

17  
18   
19 \_\_\_\_\_  
20 President \_\_\_\_\_ of the City Council

21 Approved by me this 29<sup>th</sup> day of May, 1998.

22   
23 \_\_\_\_\_  
24 Mayor

25 Filed by me this 1 day of June, 1998.

26   
27 \_\_\_\_\_  
28 City Clerk

29 (Seal)

## SUMMARY OF 1998 TRAFFIC ORDINANCE

PROVISION	LOCATION	REASON FOR CHANGE
changes references to financial responsibility ordinances	Section 3 (page 1)	to correct drafting error in previous ordinance
creates misdemeanor crime of failing to transfer ownership of vehicle within 45 days of delivery	Section 4 (page 1)	consistency
creates gross misdemeanor crime of failing to register vehicle with Washington Department of Licensing to evade license fee	Section 5 (page 2)	consistency
creates gross misdemeanor of driving vehicle after expiration of trip permit	Section 6 (page 2)	consistency
creates gross misdemeanor of providing false information on disabled parking permit application	Section 7 (page 2)	consistency
creates infraction of improperly obtaining disabled parking permit	Section 7 (pages 2-3)	consistency
changes penalty for unauthorized use of disabled parking permit from misdemeanor to infraction	Section 7 (page 3)	consistency
precludes court from suspending more than ½ fine imposed for disabled parking infraction & requires 40 hours of community service for repeat disabled parking infraction	Sections 7 and 19 (pages 3 and 9)	consistency
establishes a penalty of \$250 for the infraction of unlawful parking in disabled parking space	Section 19 (page 9)	consistency
creates infraction of blocking access to disabled parking space	Section 19 (page 9)	consistency
eliminates requirement that disabled parking space be marked on pavement	Section 19 (pages 8-9)	consistency
expands height requirement for disabled parking space sign from 4'-5' to 3'-6'	Section 19 (page 9)	consistency

changes primary responsibility for filing accident report from drivers involved to the police officers investigating or present at scene of accident	Section 8 (page 3)	required
increases amount of damage for which an accident report is not required from \$300 to \$500	Section 8 (page 3)	required
doubles fine for infractions of speeding in school or roadway construction zone and passing schoolbus	Section 9 (page 3)	consistency
establishes speed limit for school crosswalk zone at 20 mph	Section 11 (page 5)	consistency
creates infraction of speeding in roadway construction zone	Section 12 (page 5)	consistency
eliminates option for schoolbus driver to signal other drivers to proceed, despite the activation of required flashing lights, while the bus is stopped to receive or discharge children	Section 13 (page 6)	required
requires schoolbus driver to activate signals whenever receiving or discharging children, even if children do not have to cross road or bus is stopped at intersection with traffic control lights	Section 13 (page 6)	required
eliminates requirement that driver stop when meeting schoolbus going the opposite direction on street with 3 or more lanes	Section 13 (page 6)	required
precludes schoolbus from stopping off the roadway to receive or discharge children unless children do not have to cross road	Section 13 (page 6)	required
changes maximum distance a person may drive in a left-turn lane from "not greater than necessary" to 300'	Section 14 (page 7)	required
eliminates requirement that no-turn signs be "authorized"	Section 15 (page 7)	to eliminate argument that this infraction requires proof that a particular no-turn sign was approved by City Council

**SEATTLE CITY ATTORNEY**

**MARK H. SIDRAN**

April 22, 1998

Honorable Tina Podlodowski  
Public Safety Committee Chair  
1106 Municipal Building  
Seattle, Washington 98104

Dear Councilmember Podlodowski:

Enclosed for your review and Council action are ordinances concerning Seattle's Driving While Intoxicated (DWI) ordinance, the traffic code and the criminal code. Also enclosed are charts summarizing the changes proposed by each ordinance and the reason for each change.

These ordinances are primarily designed to change our ordinances to conform with recent changes to the corresponding state statutes. State law requires that our traffic ordinances be identical to state law, both in the substance of the prohibition and in the penalty for violation. We are not required to enact any particular traffic ordinance, but if we do, it must be the same as the corresponding state statute. Similarly, with respect to non-traffic criminal ordinances, the penalty must be the same as that provided for the corresponding state statute. Even without this statutory uniformity requirement, we believe that absent some policy reason to do otherwise, making our ordinances the same as corresponding state statutes is generally advisable because appellate court decisions interpreting those statutes would apply to our ordinances as well, which aids the police, prosecutors and Municipal Court judges in determining the scope and meaning of the ordinances.

The DWI ordinance is the only ordinance requiring your immediate attention. It includes changes which correspond to changes in the state DWI statutes that go into effect June 11, 1998. Our ordinance should go into effect at the same time, in order to ensure uniformity with state law, so it needs to be signed by the Mayor by May 12. This ordinance does not include the more important changes to the state DWI statute, such as lowering the breath alcohol level from 0.10 to 0.08 and mandating ignition interlock as a probation condition, because those changes do not go into effect until January 1, 1999. We will submit those changes in a separate ordinance later in the year. Finally, we will also submit later in the year a separate ordinance authorizing the impounding of vehicles driven by a suspended driver. That proposal is currently under development by an interdepartmental work group.

Thank you very much for your consideration of these ordinances. I would be happy to meet with you and the Public Safety Committee at your convenience to provide any further information.

Sincerely,



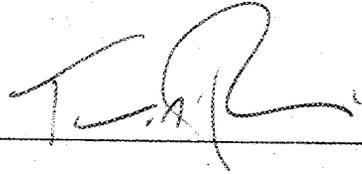
Mark H. Sidran  
Seattle City Attorney

Enclosure

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:



A handwritten signature in black ink, appearing to be 'T. R.', is written over a horizontal line.

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**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
PRESIDENT'S SIGNATURE

**STATE OF WASHINGTON - KING COUNTY**

94283  
City of Seattle, City Clerk

—ss.

No. ORD IN FULL

**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

CT:ORD 119011

was published on

06/18/98

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

Subscribed and sworn to before me on

06/18/98

Notary Public for the State of Washington,  
residing in Seattle

of sale of the Bonds, to give notice of that sale, to determine any bid requirements and criteria for determining the award of the bid, to provide for the use of an electronic bidding mechanism and to specify other matters in his or her determination necessary or appropriate to carry out the sale of the Bonds. The terms of that sale shall be consistent with this ordinance and the Bond Resolution and shall be confirmed by the Bond Resolution. The Bonds shall be delivered to the purchasers as provided in the Bond Resolution immediately upon payment to the City of the purchase price plus accrued interest to the date of closing in immediately available federal funds in Seattle, Washington, at the City's expense or at another time or place upon which the Finance Director and the purchaser may mutually agree at the purchaser's expense.

CUSIP numbers will be printed on the Bonds if requested by the purchasers, but neither failure to print CUSIP numbers on any Bond nor error with respect thereto shall constitute cause for a failure or refusal by the purchasers to accept delivery of and pay for the Bonds in accordance with the purchase offer. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid by the City, but the fee of the CUSIP Service Bureau for the assignment of those numbers shall be the responsibility of and shall be paid by the purchasers.

The City will cause the Bonds to be typed, printed, photocopied or lithographed, sealed and executed and will furnish the approving legal opinion of nationally recognized bond counsel to the City regarding the Bonds, the opinion also being printed on each Bond unless the Bond is typed or photocopied.

**SECTION 19. TEMPORARY BONDS.** Pending the printing, execution, and delivery to the purchasers of definitive Bonds, the City may cause to be executed and delivered to the purchasers a single temporary Bond for each series in the total principal amount of the Bonds of that series. Each temporary Bond shall bear the same date of issuance, interest rates, principal payment dates and terms and covenants as the definitive Bonds, shall be issued as a fully registered Bond in the name of the purchasers or their nominees, and shall be in such form as is acceptable to the purchasers. Each temporary Bond shall be exchanged for the relevant definitive Bonds as soon as they are printed, executed and available for delivery.

**SECTION 20. DEPOSIT AND USE OF PROCEEDS.** The Finance Director is authorized to create and establish the Library Construction Fund and such subfunds, account(s) and subaccount(s) as he or she may deem necessary and appropriate to carry out the purposes of this ordinance. Unless provided otherwise in the Bond Resolution, the principal proceeds and premium, if any, received from the sale and delivery of the Bonds shall be paid into or allocated to such subfunds, accounts or subaccounts of the Library Construction Fund and such other funds as the Finance Director may designate and used for the purposes set forth in Section 3 of this ordinance.

The Finance Director may establish and may transfer Bond proceeds among such subfunds, accounts and subaccounts in the Library Construction Fund or other funds, or make interfund loans from other City accounts or funds and is authorized to make such transfer or deposit on terms he or she may deem necessary and appropriate to carry out the purposes of this ordinance and consistent with the Bond Resolution.

There previously has been created and established in the City Treasury the Bond Fund. Accrued interest on the Bonds, if any, received from the sale and delivery of the Bonds shall be paid or allocated into

### INTERPRETATIONS

Issues concerning the proper application of any development regulation in the Land Use and Zoning Code (Title 23) or regulations for Environmentally Critical Areas (Chapter 25.09) cannot be raised as part of this appeal. These issues can be considered in an interpretation, which may be appealed to the Hearing Examiner. Interpretations may be requested by any interested person. Requests for interpretations must be filed in writing prior to 5:00 P. M. on the appeal deadline indicated below and be accompanied by a \$880.00 fee payable to the City of Seattle. Requests must be submitted in the Department of Construction and Land Use, Code Interpretation and Implementation Section, 720 Second Avenue. Questions regarding how to apply for a formal interpretation may be asked by phone by calling (206) 684-8467.

### SHORELINE DECISIONS

An appeal from a shoreline decision is made to the State Shorelines Hearing Board. It is NOT made to the City Hearing Examiner. The appeal must be in writing and filed within 21 days of the date the DCLU decision is received by the State Department of Ecology (DOE). The DCLU decision will be sent to DOE by the close of business on the Friday of this week. If the Shoreline decision involves a Shoreline Variance or Shoreline Conditional Use, the appeal must be filed within 21 days after DOE has made their decision. The information necessary for DOE to make their decision will be sent to them by the close of business on the Friday of this week. The beginning of the appeal period may also be provided to you by calling (206) 684-8467. The minimum requirements for the content of a Shoreline Appeal and all the parties who must be served within the appeal period cannot be summarized here but written instructions are available at the Department of Construction and Land Use (Client Assistance Memo 232), 710 Second Avenue, Suite 200, Seattle, WA 98104-1703, (206) 684-8467 or contact the Shorelines Hearing Board at (206) 459-6327. Failure to properly file an appeal within the required time period will result in dismissal of the appeal. In cases where a shoreline and environmental decision are the only components, the appeal for both shall be filed with the State Shorelines Hearing Board. When a decision has been made on a Shoreline application with environmental review and other appealable land use components, the appeal of the environmental review must be filed with both the State Shorelines Hearing Board and the City of Seattle Hearing Examiner.

### COMMENTS

When specified below written comments will be accepted. Comments should be addressed to: Department of Construction and Land Use, 710 Second Avenue, Suite 200, Seattle, WA 98104-1703.

### INFORMATION

For additional information, to obtain a copy of the decision or to learn if a decision has been appealed, contact the Master Use Information and Notification Center, 710 Second Avenue, Suite 200 (206) 684-8467. A copy fee will be charged. The Information and Notification Center is open 8:00 a. m. to 5:00 p. m. on Monday, Wednesday, Thursday, Friday and 10:00 a. m. to 5:00 p. m. on Tuesday.

### NORTHEAST

• 1015 NE 113th St. Zone NC3 40, SF7200. Project #9700114.

Applicant Contact: Stephen Hammer — Phone: (425) 774-4701.

DCLU Land Use Planner: Onum Esoun — Phone: (206) 233-7196.

Master Use Permit for future change of use of an existing unoccupied 3,876 sq. ft.

Applicant Contact: Bonnie Carlson — Phone: (206) 365-7885.

DCLU Land Use Planner: Michael Read

Master Use Permit to demolish two existing structures and construct two three-story multifamily buildings surrounding an auto-courtyard consisting of seven townhouse units with parking for 13 cars located in individual garages at-grade.

The following appealable decisions have been made based on submitted plans.

Conditionally Grant — Design Review.

Conditions: Numerous — please see report in project file.

Declaration of Non-Significance with conditions (no environmental impact statement required). Environmental review completed and project conditioned as applicable.

Conditions: Limit the hours of construction.

Appeals of this decision must be received by the Hearing Examiner no later than July 2, 1998.

• 4250 Aurora Av N. Zone C1 40. Project #9802854.

Applicant Contact: Darrell Swanson — Phone: (425) 392-0616.

DCLU Land Use Planner: Art Ward — Phone: (206) 233-7199.

Master Use Permit to install nine antennas (six new and three future) and unassigned equipment cabinets on rooftop of existing four-story apartment building to establish use as minor communication utility (US West).

The following appealable decisions have been made based on submitted plans.

Declaration of Non-Significance with conditions (no environmental impact statement required). Environmental review completed and no conditions imposed.

Appeals of this decision must be received by the Hearing Examiner no later than July 2, 1998.

### MAGNOLIA/QUEEN ANNE

• 325 W Prospect St. Zone SF5000. Project #9803003.

Applicant Contact: Patrick Pearson — Phone: (206) 443-8400.

DCLU Land Use Planning Consultant: Rick Sepler — Phone: (206) 297-2430.

Note: This project has been assigned to one of DCLU's Planning Consultants. If you would like more information about the project, please call the assigned consultant identified above. If you would like to review the file and plans, please come to the Master Use Information and Notification Counter.

Master Use Permit for future construction of an additional 10 ft. wide curbcut to an existing duplex, located approximately 3 ft. from the west property line along West Prospect St., and to provide additional off street parking.

The following appealable decisions have

Office of Hearing Examiner, Room 1320, Alaska Building, 618 Second Avenue, Seattle, Washington 98104. Phone: (206) 684-0521. Fax: (206) 684-0536.

Date of Notice: June 10, 1998.

Date of publication in the Seattle Daily Journal of Commerce, June 11 and 18 1998. (9/18/94258)

## City of Seattle

### Empowerment Zone Program

Submittal Date, June 30

### CITY OF SEATTLE

Office of Economic Development  
Seattle (OED)  
REQUEST FOR QUALIFICATIONS  
(RFQ)

### CONSULTANT

### INTRODUCTION

The City of Seattle Office of Economic Development's mission is to use the powers of City Government to support a healthy diversified economic base and to bring economic opportunities to all Seattle's citizens. To carry out this mission, the Office focuses on the following goals: 1) strengthen the economic base and the business climate; 2) increase employment opportunities for low-income residents; and 3) support community-based economic development.

In order to accomplish this mission, the OED is seeking a consultant or consultant firm ("consultant") to assist in preparing an application for the federal Empowerment Zone designation. The Empowerment Zone program is a multi-department program which provides 10 years of federal funding. The application requires a ten year Strategic Plan with specific details regarding programs, financial leveraging and proposed performance outcomes.

The consultant will staff internal and external advisory teams to develop the application in addition to working with OED and the City in program development. The consultant will also be expected to utilize consulting expertise from the University of Washington's Northwest Policy Center and the Keeselaerville Institute which are already under contract to provide economic development and performance based consulting services for OED.

The term for the consultant contract will be from July 1998 to mid-October 1998. The federal application is due on October 9, 1998. OED has reserved funding for the services of between \$80,000 to \$75,000. Additional program adjustments and fees for services may be considered as needed on a case by case basis.

### SCOPE OF WORK

This contracting process is intended to be non-specific with OED negotiating specific consultant services based on the qualifications, expertise and time availability of the selected consultant.

The consultant selected under this process will:

- Assist OED in developing the out-