



# SEATTLE CITY COUNCIL

## Legislative Summary

CB 118899

Record No.: CB 118899

Type: Ordinance (Ord)

Status: Passed

Version: 1

Ord. no: Ord 125253

In Control: City Clerk

File Created: 09/14/2016

Final Action: 02/02/2017

**Title:** AN ORDINANCE relating to the City's traffic code; amending Sections 11.14.660, 11.50.570, 11.56.025, 11.60.240, 11.60.370, 11.60.420, 11.82.180, 11.84.020 and 11.84.400 of the Seattle Municipal Code, adding Sections 11.14.083 and 11.56.050 to the Seattle Municipal Code and repealing Sections 11.86.020 and 11.86.040 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

### Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: González

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: Emilia.Sanchez@seattle.gov

Filing Requirements/Dept Action:

### History of Legislative File

Legal Notice Published:

☐ Yes

☐ No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	09/20/2016	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	09/26/2016	sent for review	Gender Equity, Safe Communities, and New Americans Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Gender Equity, Safe Communities, and New Americans Committee						
	Notes:						

1	Full Council	01/23/2017	referred	Gender Equity, Safe Communities, and New Americans Committee	
1	Gender Equity, Safe Communities, and New Americans Committee	01/25/2017	pass		Pass
	<b>Action Text:</b> The Committee recommends that Full Council pass the Council Bill (CB).				
	<b>Notes:</b>				
			In Favor: 3	Chair González , Vice Chair Burgess, Member Bagshaw	
			Opposed: 0		
1	Full Council	01/30/2017	passed		Pass
	<b>Action Text:</b> The Council Bill (CB) was passed by the following vote, and the President signed the Bill:				
			In Favor: 8	Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember O'Brien, Councilmember Sawant	
			Opposed: 0		
			Absent(NV): 1	Councilmember Juarez	
1	City Clerk	02/01/2017	submitted for Mayor's signature	Mayor	
1	Mayor	02/02/2017	Signed		
1	Mayor	02/02/2017	returned	City Clerk	
1	City Clerk	02/02/2017	attested by City Clerk		
	<b>Action Text:</b> The Ordinance (Ord) was attested by City Clerk.				
	<b>Notes:</b>				

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CITY OF SEATTLE

ORDINANCE 125253

COUNCIL BILL 118899

AN ORDINANCE relating to the City's traffic code; amending Sections 11.14.660, 11.50.570, 11.56.025, 11.60.240, 11.60.370, 11.60.420, 11.82.180, 11.84.020 and 11.84.400 of the Seattle Municipal Code, adding Sections 11.14.083 and 11.56.050 to the Seattle Municipal Code and repealing Sections 11.86.020 and 11.86.040 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

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

Section 1. A new Section 11.14.083 is added to the Seattle Municipal Code as follows:

**11.14.083 Cargo extension**

"Cargo extension" means a device that connects to the left and right side of a motor home or travel trailer frame and becomes part of the frame, does not pivot on a hitch, and has an axle with two wheels, acting as a tag axle, to safely carry the weight of the cargo.

Section 2. Section 11.14.660 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

**11.14.660 Trailer((:))**

"Trailer" means any vehicle without motive power designed to be drawn by or used in conjunction with a motor vehicle constructed so that no appreciable part of its weight rests upon or is carried by such motor vehicle, but does not include a municipal transit vehicle, or any portion thereof.

"Trailer" does not include a cargo extension. (((RCW 46.04.620)))

Section 3. Subsection 11.50.570.B of the Seattle Municipal Code, which section was last amended by Ordinance 124133, is amended as follows:

**11.50.570 Automated traffic safety cameras((:))**

\* \* \*

1 B. (~~Until June 30, 2013, automated~~) Automated traffic safety cameras may be used to detect  
2 (~~speed violations for the purposes of Washington Laws of 2011, chapter 367, section 201(2))~~) other  
3 violations as authorized by and subject to the restrictions imposed by the Washington State Legislature.

\* \* \*

5 Section 4. Section 11.56.025 of the Seattle Municipal Code, last amended by Ordinance 124950,  
6 is amended as follows:

7 **11.56.025 Penalty for persons under the influence of intoxicating liquor or any drug**

8 A.

9  
10 1. A person who is convicted of a violation of (~~Subsection 11.56.020 A or B~~)  
11 subsection 11.56.020.A or 11.56.020.B who has no prior offense within seven (~~((7))~~) years and whose  
12 alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test  
13 offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration,  
14 shall be punished by imprisonment for not less than (~~((twenty-four-))~~) 24 (~~(( ))~~) consecutive hours nor  
15 more than (~~((three hundred sixty-four-))~~) 364 (~~(( ))~~) days and by a fine of not less than (~~((Three Hundred~~  
16 ~~Fifty Dollars-))~~) \$350 (~~(( ))~~) and not more than (~~((Five Thousand Dollars-))~~) \$5,000 (~~(( ))~~). In lieu of the  
17 mandatory minimum term of imprisonment required under this subsection 11.56.025A.1, the court may  
18 order not less than (~~((fifteen-))~~) 15 (~~(( ))~~) days of electronic home monitoring or a 90-day period of 24/7  
19 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. The court may  
20 consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial  
21 sentencing.

22 2. A person who is convicted of a violation of (~~Subsection 11.56.020 A or B~~)  
23 subsection 11.56.020.A or 11.56.020.B who has no prior offense within seven (~~((7))~~) years and whose  
24

alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to RCW 46.20.308, shall be punished by imprisonment for not less than two ~~((2))~~ consecutive days nor more than ~~((three hundred sixty four-))~~ 364 ~~(( ))~~ days and a fine of not less than ~~((Five Hundred Dollars-))~~ \$500 ~~(( ))~~ nor more than ~~((Five Thousand Dollars-))~~ \$5,000 ~~(( ))~~. In lieu of the mandatory minimum term of imprisonment required under this subsection 11.56.025.A.2, the court may order not less than ~~((thirty-))~~ 30 ~~(( ))~~ days of electronic home monitoring or a 120-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing.

B.

1. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has one ~~((1))~~ prior offense within seven ~~((7))~~ years and whose alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration, shall be punished by imprisonment for not less than ~~((thirty-))~~ 30 ~~(( ))~~ consecutive days nor more than ~~((three hundred sixty four-))~~ 364 ~~(( ))~~ days, ~~((sixty-))~~ 60 ~~(( ))~~ days of electronic home monitoring, and a fine of not less than ~~((Five Hundred Dollars-))~~ \$500 ~~(( ))~~ nor more than ~~((Five Thousand Dollars-))~~ \$5,000 ~~(( ))~~. In lieu of the mandatory minimum term of ~~((sixty-))~~ 60 ~~(( ))~~ days of electronic home monitoring, the court may order at least an additional four ~~((4))~~ days in jail or, if available in Seattle, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 ~~((Laws of 2013, 2<sup>nd</sup> Sp. Sess., chapter 35, sections 23 through 32))~~, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment.

2. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~  
subsection 11.56.020.A or 11.56.020.B who has one ~~((1))~~ prior offense within seven ~~((7))~~ years and  
whose alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to RCW  
46.20.308, shall be punished by imprisonment for not less than ~~((forty-five-))~~ 45 ~~(( ))~~ consecutive days  
nor more than ~~((three hundred sixty-four-))~~ 364 ~~(( ))~~ days, ~~((ninety-))~~ 90 ~~(( ))~~ days of electronic home  
monitoring, and a fine of not less than ~~((Seven Hundred Fifty Dollars-))~~ \$750 ~~(( ))~~ nor more than ~~((Five  
Thousand Dollars-))~~ \$5,000 ~~(( ))~~. In lieu of the mandatory minimum term of ~~((ninety-))~~ 90 ~~(( ))~~ days  
of electronic home monitoring, the court may order at least an additional six ~~((6))~~ days in jail or, if  
available in Seattle, a six-month period of 24/7 sobriety program monitoring pursuant to RCW  
36.28A.300 through 36.28A.390 ~~((Laws of 2013, 2<sup>nd</sup> Sp. Sess., chapter 35, sections 23 through 32))~~, and  
the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the  
assessment.

C.

1. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~  
subsection 11.56.020.A or 11.56.020.B who has two ~~((2))~~ or more prior offenses within seven ~~((7))~~  
years and whose alcohol concentration was less than 0.15, or for any reason other than the person's  
refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's  
alcohol concentration, shall be punished by imprisonment for not less than ~~((ninety-))~~ 90 ~~(( ))~~  
consecutive days nor more than ~~((three hundred sixty-four-))~~ 364 ~~(( ))~~ days, if available in Seattle, a six-  
month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390  
~~((Laws of 2013, 2<sup>nd</sup> Sp. Sess., chapter 35, sections 23 through 32))~~, ~~((one hundred twenty-))~~ 120 ~~(( ))~~  
days of electronic home monitoring, and a fine of not less than ~~((One Thousand Dollars-))~~ \$1,000 ~~(( ))~~  
nor more than ~~((Five Thousand Dollars-))~~ \$5,000 ~~(( ))~~. In lieu of the mandatory minimum term of ~~((one~~

hundred twenty-~~( )~~ 120 ~~(( ))~~ days of electronic home monitoring, the court may order at least an additional eight ~~((8))~~ days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment.

2. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has two ~~((2))~~ or more prior offenses within seven ~~((7))~~ years and whose alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to RCW 46.20.308, shall be punished by imprisonment for not less than ~~((one hundred twenty- )~~ 120 ~~(( ))~~ consecutive days nor more than ~~((three hundred sixty-four- )~~ 364 ~~(( ))~~ days, if available in Seattle, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 ~~((Laws of 2013, 2<sup>nd</sup> Sp. Sess., chapter 35, sections 23 through 32))~~, ~~((one hundred fifty- )~~ 150 ~~(( ))~~ days of electronic home monitoring, and a fine of not less than ~~((One Thousand Five Hundred Dollars- )~~ \$1,500 ~~(( ))~~ nor more than ~~((Five Thousand Dollars- )~~ \$5,000 ~~(( ))~~. In lieu of the mandatory minimum term of ~~((one hundred fifty- )~~ 150 ~~(( ))~~ days of electronic home monitoring, the court may order at least an additional ~~((ten- )~~ 10 ~~(( ))~~ days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment.

\* \* \*

Section 5. A new Section 11.56.050 is added to the Seattle Municipal Code as follows:

**11.56.050 Emergency response caused by person's intoxication—Recovery of costs from convicted person**

A. A person whose intoxication causes an incident resulting in an appropriate emergency response, and who, in connection with the incident, has been found guilty of or has had their prosecution deferred for driving while under the influence of intoxicating liquor or any drug under Section 11.56.020 or operating a vessel while under the influence of alcohol or drugs under Section 16.20.110 is liable for the expense of an emergency response by a public agency to the incident.

B. The expense of an emergency response is a charge against the person liable for expenses under this Section 11.56.050. The charge constitutes a debt of that person and is collectible by the public agency incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied. Following a conviction of an offense listed in subsection 11.56.050.A, and prior to sentencing, the prosecution may present to the court information setting forth the expenses incurred by the public agency for its emergency response to the incident. Upon a finding by the court that the expenses are reasonable, the court shall order the defendant to reimburse the public agency. The cost reimbursement shall be included in the sentencing order as an additional monetary obligation of the defendant and may not be substituted for any other fine or cost required or allowed by ordinance or statute. The court may establish a payment schedule for the payment of the cost reimbursement, separate from any payment schedule imposed for other fines and costs.

C. In no event shall a person's liability under this Section 11.56.050 for the expense of an emergency response exceed \$2,500 for a particular incident.

D. If more than one public agency makes a claim for payment from an individual for an emergency response to a single incident under the provisions of this Section 11.56.050, and the sum of the claims exceeds the amount recovered, the division of the amount recovered shall be determined by an interlocal agreement consistent with the requirements of chapter 39.34 RCW.

Section 6. Section 11.60.240 of the Seattle Municipal Code, as last amended by Ordinance 123361, is further amended as follows:

**11.60.240 Combination of units—Lawful operations—Special permits ((-))**

Notwithstanding the provisions of Section 11.60.220 and subject to such rules and regulations governing their operation as may be determined by the Seattle Department of Transportation, operation of the following combinations shall be lawful:



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

B. A combination consisting of ~~((three trucks or truck tractors used in driveaway service where two of the vehicles are towed by the third in double saddle mount position (RCW 46.44.037)))~~ a truck tractor carrying a freight compartment no longer than eight feet, a semitrailer, and another semitrailer or full trailer that meets the legal length requirement for a truck and trailer combination set forth in Section 11.60.130.

C. A motor home or travel trailer with a cargo extension, provided that there are no trailers or secondary cargo extensions or units attached to the cargo extension.

Section 7. Section 11.60.370 of the Seattle Municipal Code, enacted by Ordinance 112092, is amended as follows:

**11.60.370 Maximum gross weights—Wheelbase and axle factors ((:))**

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

Table A for 11.60.370 is based on the following formula:  $W = 500 ((LN/N-1) + 12N+36)$ . W is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two or more

consecutive axles. L is the distance in feet between the extremes of any group of two or more

consecutive axles. N is the number of axles under consideration. ((See Table A for 11.60.370 A)))

B. When inches are involved: Under six inches, take lower, ~~((6")), disregard the additional inches, when))~~ six inches ~~((6"))~~ or over, take higher ~~((calculate to the next highest figure (in feet)))~~.

The maximum load on any axle in any group of axles ~~((shall not exceed 1.2 times the load given in the above table divided by the number of axles in that group, and))~~ shall not exceed the single axle or tandem axle allowance as set forth in Table A for 11.60.370 ~~((elsewhere. For considering the number of axles in a group, the front axle of a unit supplying motive power need not be included in the axle group.))~~

C. The maximum axle and gross weights specified in this ~~((section))~~ Section 11.60.370 are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law.

D. It shall be a violation to operate upon the streets and alleys, any single unit vehicle, supported upon three ~~((3))~~ axles or more with a gross weight including load in excess of ~~((forty thousand (40,000 (4)) pounds or any combination of vehicles having a gross weight in excess of ((eighty thousand (80,000 (8)) pounds without first obtaining an additional tonnage permit as provided for in Section 11.23.290.~~

E. It shall be a violation to operate any vehicle upon the streets and alleys equipped with two ~~((2))~~ axles spaced less than ~~((seven (7 (7)) feet apart, unless the two ((2)) axles are so constructed and mounted in such a manner as to provide oscillation between the two ((2)) axles and that either one ((1)) of the two ((2)) axles will not at any one time carry more than the maximum gross weight allowed for one ((1)) axle specified in this ((section))~~ Section 11.60.370. ~~((RCW 46.44.041)))~~

Distance in feet	Table <del>((for Section 11.60.370A))</del> <u>A for 11.60.370</u> Size, Weight, Load
------------------	--

between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles ((*(Maximum load in pounds carried on any group of 2 consecutive tandem axles)))							
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles
4	34,000							
5	34,000							
6	34,000							
7	34,000							
More than 7 and up to 8	34,000	<u>34,000</u> ((36,500))						
More than 8 and less than 9	<u>38,000</u>	<u>42,000</u>						
9	39,000	<u>42,500</u> ((38,000))						
10	40,000	<u>43,500</u> ((39,500))						
11		<u>44,000</u> ((41,000))	<u>49,000</u>					
12		<u>45,000</u> ((42,500))	<u>50,000</u> ((42,500))					
13		<u>45,500</u> ((44,000))	<u>50,500</u> ((44,000))					
14		<u>46,500</u> ((45,500))	<u>51,500</u> ((45,500))	<u>56,500</u>				
15		<u>47,000</u>	<u>52,000</u> ((47,000))	<u>57,000</u>				
16		<u>48,000</u>	<u>52,500</u> ((48,000))	<u>58,000</u> ((48,000))				
17		<u>48,500</u>	<u>53,500</u> ((48,500))	<u>58,500</u> ((49,000))				
18		<u>49,500</u>	<u>54,000</u> ((49,500))	<u>59,000</u> ((50,000))	<u>64,500</u>			
19		<u>50,000</u>	<u>54,500</u> ((50,000))	<u>60,000</u> ((51,000))	<u>65,000</u>			
20		<u>51,000</u>	<u>55,500</u> ((51,000 (55,000)*))	<u>60,500</u> ((52,000))	<u>66,000</u> ((52,000))			
21		<u>51,500</u> ((51,000))	<u>56,000</u> ((51,500 (56,000)*))	<u>61,000</u> ((53,000))	<u>66,500</u> ((53,000))	<u>72,000</u>		
22		<u>52,500</u>	<u>56,500</u> ((52,500 (56,500)*))	<u>61,500</u> ((54,000))	<u>67,000</u> ((54,000))	<u>72,500</u>		
23		<u>53,000</u>	<u>57,500</u> ((53,000 (57,500)*))	<u>62,500</u> ((55,000))	<u>68,000</u> ((55,000))	<u>73,000</u>		

24		54,000	58,000 ((54,000 (58,000)*))	63,000 ((55,500))	68,500 ((56,000))	74,000 ((56,000))		
25		54,500	58,500 ((55,000 (58,500)*))	63,500 ((56,500))	69,000 ((57,000))	74,500 ((57,000))	80,000	
26		55,500	59,500 ((56,000 (59,500)*))	64,000 ((57,500))	69,500 ((58,000))	75,000 ((58,000))	80,500	
27		56,000	60,000 ((57,000 (60,000)*))	65,000 ((58,500))	70,000 ((59,000))	75,500 ((59,000))	81,000	
28		57,000	60,500 ((58,000 (60,500)*))	65,500 ((60,000))	71,000 ((60,000))	76,500 ((60,000))	82,000 ((60,000))	87,500
29		57,500	61,500 ((59,000 (61,500)*))	66,000 ((60,500))	71,500 ((61,000))	77,000 ((61,000))	82,500 ((61,000))	88,000
30		58,500	62,000 ((59,000 (62,000)*))	66,500 ((61,500))	72,000 ((62,000))	77,500 ((62,000))	83,000 ((62,000))	88,500
31		59,000	62,500 ((60,500 (62,500)*))	67,500 ((62,500))	72,500 ((63,000))	78,000 ((63,000))	83,500 ((63,000))	89,000
32		60,000	63,500 ((61,500 (63,500)*))	68,000 ((63,500))	73,000 ((64,000))	78,500 ((64,000))	84,500 ((64,000))	90,000 ((64,000))
33			64,000 ((62,500 (64,000)*))	68,500 ((64,500))	74,000 ((65,000))	79,000 ((65,000))	85,000 ((65,000))	90,500 ((65,000))
34			64,500 ((63,500 (64,500)*))	69,000 ((65,000))	74,500 ((66,500))	80,000 ((66,500))	85,500 ((66,500))	91,000 ((66,500))
35			65,500 ((64,500 (65,000)*))	70,000 ((66,500))	75,000 ((67,500))	80,500 ((67,500))	86,000 ((67,500))	91,500 ((67,500))
36			66,000 ((65,500 (68,000)*))	70,500 ((67,500))	75,500 ((68,500))	81,000 ((68,500))	86,500 ((68,500))	92,000 ((68,500))
37			66,500	71,000 ((68,500))	76,000 ((69,500))	81,500 ((69,500))	87,000 ((69,500))	93,000 ((69,500))
38			67,500	71,500 ((69,000))	77,000 ((70,500))	82,000 ((70,500))	87,500 ((70,500))	93,500 ((70,500))
39			68,000	72,500 ((70,000))	77,500 ((71,500))	82,500 ((71,500))	88,500 ((71,500))	94,000 ((71,500))
40			68,500	73,000 ((71,000))	78,000 ((72,500))	83,500 ((72,500))	89,000 ((72,500))	94,500 ((72,500))
41			69,500	73,500 ((72,000))	78,500 ((73,500))	84,000 ((73,500))	89,500 ((73,500))	95,000 ((73,500))
42			70,000	74,000 ((73,000))	79,000 ((74,500))	84,500 ((74,500))	90,000 ((74,500))	95,500 ((74,500))
43			70,500	75,000 ((74,000))	80,000 ((75,500))	85,000 ((75,500))	90,500 ((75,500))	96,000 ((75,500))
44			71,500	75,500 ((75,000))	80,500 ((76,500))	85,500 ((76,500))	91,000 ((76,500))	96,500 ((76,500))

45			72,000	76,000	81,000 ((78,000))	86,000 ((78,000))	91,500 ((78,000))	97,500 ((78,000))
46			72,500	76,500	81,500 ((79,000))	87,000 ((79,000))	92,500 ((79,000))	98,000 ((79,000))
47			73,500	77,500	82,000 ((80,000))	87,500 ((80,000))	93,000 ((80,000))	98,500 ((80,000))
48			74,000	78,000	83,000 ((81,000))	88,000 ((81,000))	93,500 ((81,000))	99,000 ((81,000))
49			74,500	78,500	83,500 ((82,000))	88,500 ((82,000))	94,000 ((82,000))	99,500 ((82,000))
50			75,500	79,000	84,000 ((83,000))	89,000 ((83,000))	94,500 ((83,000))	100,000 ((83,000))
51			76,000	80,000	84,500 ((84,000))	89,500 ((84,000))	95,000 ((84,000))	100,500 ((84,000))
52			76,500	80,500	85,000	90,500 ((85,000))	95,500 ((85,000))	101,000 ((85,000))
53			77,500	81,000	86,000	91,000 ((86,000))	96,500 ((87,000))	102,000 ((87,000))
54			78,000	81,500	86,500	91,500 ((87,500))	97,000 ((89,000))	102,500 ((89,000))
55			78,500	82,500	87,000	92,000 ((88,000))	97,500 ((91,000))	103,000 ((91,000))
56			79,500	83,000	87,500	92,500 ((90,000))	98,000 ((93,000))	103,500 ((93,000))
57			80,000	83,500	88,000	93,000 ((91,000))	98,500 ((95,000))	104,000 ((95,000))
58				84,000	89,000	94,000 ((92,500))	99,000 ((97,000))	104,500 ((97,000))
59				85,000	89,500	94,500 ((93,500))	99,500 ((99,000))	105,500 ((99,000))
60				85,500	90,000	95,000	100,500	105,500 ((100,500))
61				86,000	90,500	95,500	101,000	105,500 ((102,500))
62				86,500	91,000	97,000	101,500	105,500 ((104,000))
63				87,500	92,000	96,500	102,000	105,500
64				88,000	92,500	97,000	102,500	105,500
65				88,500	93,000	98,000	103,000	105,500
66				89,000	93,500	98,500	103,500	105,500
67				90,000	94,000	99,000	104,500 ((104,000))	105,500
68				90,500	95,000 ((94,500))	99,500	105,000 ((104,500))	105,500
69				91,000	95,500	100,000	105,500	105,500
70				91,500	96,000	101,000	105,500	105,500
71				92,500	96,500	101,500	105,500	105,500
72				93,000	97,000	102,000	105,500	105,500
73				93,500	98,000	102,500	105,500	105,500
74				94,000	98,500	103,000	105,500	105,500
75				95,000	99,000	103,500	105,500	105,500
76				95,500	99,500	104,500	105,500	105,500
77				96,000	100,000	105,000	105,500	105,500
78				96,500	101,000	105,500	105,500	105,500

79				97,500	101,500	105,500	105,500	105,500
80				98,000	102,000	105,500	105,500	105,500
81				98,500	102,500	105,500	105,500	105,500
82				99,000	103,000	105,500	105,500	105,500
83				100,000	104,000	105,500	105,500	105,500
84					104,500	105,500	105,500	105,500
85					105,000	105,500	105,500	105,500
86 or more					105,500	105,500	105,500	105,500

Section 8. Section 11.60.420 of the Seattle Municipal Code, last amended by Ordinance 112092, is amended as follows:

**11.60.420 Maximum gross weight—Tire factor ((÷))**

A. Subject to the maximum gross weights specified in Section 11.60.370, no person shall operate any vehicle upon a street or alley with a gross weight, including load, upon any tire concentrated upon the surface of a street or alley in excess of 600 ((five hundred fifty (550))) pounds per inch width of such tire ((, up to a maximum width of twelve inches (12")), and for a tire having a width of twelve inches (12") or more there shall be allowed a twenty percent (20%) tolerance above five hundred fifty (550) pounds per inch width of such tire)). An axle manufactured after July 31, 1993, carrying more than 10,000 pounds gross weight must be equipped with four or more tires. An axle carrying more than 10,000 pounds gross weight must have four or more tires, regardless of date of manufacture. Instead of the four or more tires per axle requirements of this Section 11.60.420, an axle may be equipped with two tires limited to 500 pounds per inch width of tire. This Section 11.60.420 does not apply to vehicles operating under oversize or overweight permits, or both, issued under Section 11.23.220 or RCW 46.44.090, while carrying a nonreducible load.

B. The following equipment may operate at 600 pounds per inch width of tire: (1) A nonliftable steering axle or axles on the power unit; (2) a tiller axle on firefighting apparatus; (3) a rear booster trailing axle equipped with two tires on a ready-mix concrete transit truck; and (4) a straddle trailer manufactured before January 1, 1996, equipped with single-tire axles or a single axle using a walking

beam supported by two in-line single tires and used exclusively for the transport of fruit bins between field, storage, and processing. A straddle trailer manufactured after January 1, 1996, meeting this use criteria may carry 515 pounds per inch width of tire on 16.5 inch wide tires.

C. For the purpose of this ~~((section))~~ Section 11.60.420, the width of tire in case of solid rubber or hollow-center cushion tires, so long as the use thereof may be permitted by the law, shall be measured between the flanges of the rim. For the purpose of this ~~((section))~~ Section 11.60.420, the width of tires in case of pneumatic tires shall be the maximum overall normal inflated width as stipulated by the manufacturer when inflated to the pressure specified and without load thereon. ~~((RCW 46.44.042))~~

Section 9. Section 11.82.180 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

**11.82.180 Taillamps ~~((§))~~**

Every motor vehicle, trailer, cargo extension, semitrailer, and pole trailer, and any other vehicle which is being drawn at the end of a combination of vehicles, shall be equipped with at least two ~~((2))~~ taillamps mounted on the rear, which when lighted as required in Section 11.82.040 shall emit a red light plainly visible from a distance of ~~((one thousand feet-))~~ 1,000 feet ~~((9))~~ to the rear, except that passenger cars manufactured or assembled prior to January 1, 1939, and motorcycles and motor-driven cycles, shall have at least one ~~((1))~~ taillamp. On a combination of vehicles only the taillamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles equipped with more than one ~~((1))~~ taillamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable. ~~((RCW 46.37.050(1)))~~

Section 10. Subsection 11.84.020.C of the Seattle Municipal Code, which section was last amended by Ordinance 112421, is amended as follows:

**11.84.020 Braking equipment required ~~((§))~~**

\* \* \*

C. Brakes on ~~((All Wheels))~~ all wheels. Every vehicle shall be equipped with brakes acting on all wheels except:

1. Trailers, cargo extensions, semitrailers, or pole trailers of a gross weight not exceeding ~~((three thousand-))~~ 3,000 ~~(( ))~~ pounds, provided that:

a. The total weight on and including the wheels of the trailer or trailers or cargo extension shall not exceed ~~((forty percent-))~~ 40 percent ~~((%))~~ of the gross weight of the towing vehicle when connected to the trailer or trailers; and

b. The combination of vehicles consisting of the towing vehicle and its total towed load~~((,))~~ is capable of complying with the performance requirements of Section 11.84.040.

2. Trailers, semitrailers, or pole trailers manufactured and assembled prior to July 1, 1965, shall not be required to be equipped with brakes when the total weight on and including the wheels of the trailer or trailers does not exceed ~~((two thousand-))~~ 2,000 ~~(( ))~~ pounds.

3. Any vehicle being towed in drive-away or tow-away operations, provided the combination of vehicles is capable of complying with the performance requirements of Section 11.84.040.

4. Trucks and truck-tractors having three ~~((3))~~ or more axles need not have brakes on the front wheels, except that when such vehicles are equipped with at least two ~~((2))~~ steerable axles, the wheels of one ~~((1))~~ steerable axle need not have brakes. However, such trucks and truck-tractors must be capable of complying with the performance requirements of Section 11.84.040.

5. Special mobile equipment as defined in Section 11.14.840.



6. The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, or the front wheel of a motor-driven cycle need not be equipped with brakes, provided that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of Section 11.84.040.

\* \* \*

Section 11. Section 11.84.400 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

**11.84.400 Fenders or splash aprons ((-))**

A. Except as authorized under subsection 11.84.400.B, no ((No)) person shall operate any motor vehicle, trailer, cargo extension, or semitrailer that is not equipped with fenders, covers, flaps, or splash aprons adequate for minimizing the spray or splash of water or mud from the roadway to the rear of the vehicle. All such devices shall be as wide as the tires behind which they are mounted and extend downward at least to the center of the axle.

B. A motor vehicle that is not less than 40 years old or a street rod vehicle that is owned and operated primarily as a collector's item need not be equipped with fenders when the vehicle is used and driven during fair weather on well-maintained, hard-surfaced roads.

Section 12. Section 11.86.020 of the Seattle Municipal Code, enacted by Ordinance 108200, is repealed:

~~((11.86.020 Gross weight figures.~~

~~Every motor truck or truck-licensed vehicle, trailer, and semitrailer shall have painted or stenciled upon the outside thereof in a conspicuous place, in letters not less than two inches (2") high, the maximum gross weight for which it is licensed. (RCW 46.16.170)))~~

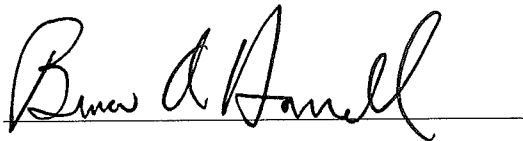
Section 13. Section 11.86.040 of the Seattle Municipal Code, enacted by Ordinance 108200, is repealed:

**~~((11.86.040 Improper gross weight figures.~~**

~~No owner or operator of any vehicle shall display a maximum gross weight for which such  
vehicle is licensed other than that shown on the certificate of license registration of the vehicle. (RCW  
46.16.170)))~~

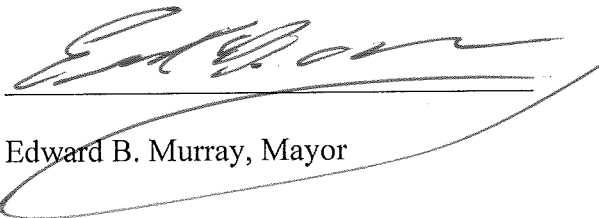
Section 14. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 30<sup>th</sup> day of January, 2017, and signed by me in open session in authentication of its passage this 30<sup>th</sup> day of January, 2017.



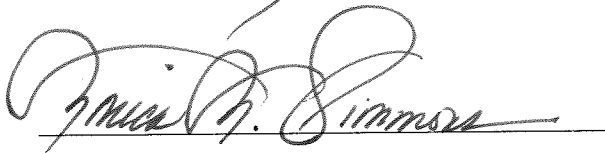
President \_\_\_\_\_ of the City Council

Approved by me this 7<sup>th</sup> day of February, 2017.



Edward B. Murray, Mayor

Filed by me this 2<sup>nd</sup> day of February, 2017.



Monica Martinez Simmons, City Clerk

(Seal)

**SUMMARY and FISCAL NOTE\***

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>Executive Contact/Phone:</b>
Law – Criminal	Richard Greene 684-8538	

*\* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

**1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to the City’s traffic code; amending Sections 11.14.660, 11.50.570, 11.56.025, 11.60.240, 11.60.370, 11.60.420, 11.82.180, 11.84.020, and 11.84.400 of the Seattle Municipal Code; adding Sections 11.14.083 and 11.56.050 to the Seattle Municipal Code; and repealing Sections 11.86.020 and 11.86.040 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

**Summary and background of the Legislation:** This legislation changes Seattle’s traffic code to reflect changes made to identical state statutes by the 2015 Legislature and to correct other inconsistencies between state traffic statutes and our traffic code and incorrect references. The legislation adds a definition of cargo extension, modifies the definition of trailer and specifies how cargo extensions are regulated. The legislation increases the maximum permissible weight of trucks and repeals provisions concerning labeling of vehicles with the maximum weight. The legislation also clarifies the use of automated traffic safety cameras to detect violations other than stoplight, railroad crossing and school speed zone violations, allows a judge to convert a mandatory jail sentence for a defendant convicted of Driving Under the Influence or Physical Control to a period of sobriety program monitoring and authorizes a judge sentencing such a defendant to make him or her reimburse the City for the costs of any emergency response involved in the incident.

**2. CAPITAL IMPROVEMENT PROGRAM****\_\_\_\_\_ This legislation creates, funds, or amends a CIP Project.**

(If box is checked, please attach a new (if creating a project) or marked-up (if amending) CIP Page to the Council Bill. Please include the spending plan as part of the attached CIP Page.)

<b>Project Name:</b>	<b>Project I.D.:</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date:</b>	<b>Total Cost:</b>

**3. SUMMARY OF FINANCIAL IMPLICATIONS**

Please check one:

**\_\_\_\_\_ This legislation has direct financial implications.** (If the legislation has direct fiscal impacts (appropriations, revenue, positions), fill out the relevant sections below. If the financial implications are indirect or longer-term, describe them in narrative in the “Other Implications” section.)

**X This legislation does not have direct financial implications.**

(Please skip to "Other Implications" section at the end of the document and answer questions a-i.)

<b>Budget program(s) affected:</b>				
<b>Estimated \$ Appropriation change:</b>	<b>General Fund \$</b>		<b>Other \$</b>	
	<b>2016</b>	<b>2017</b>	<b>2016</b>	<b>2017</b>
<b>Estimated \$ Revenue change:</b>	<b>Revenue to General Fund</b>		<b>Revenue to Other Funds</b>	
	<b>2016</b>	<b>2017</b>	<b>2016</b>	<b>2017</b>
<b>Positions affected:</b>	<b>No. of Positions</b>		<b>Total FTE Change</b>	
	<b>2016</b>	<b>2017</b>	<b>2016</b>	<b>2017</b>
<b>Other departments affected:</b>				

**3.a. Appropriations****This legislation adds, changes, or deletes appropriations.**

(If this box is checked, please complete this section. If this box is not checked, please proceed to Revenues/Reimbursements.)

<b>Fund Name and number</b>	<b>Dept</b>	<b>Budget Control Level Name/##</b>	<b>2016 Appropriation Change</b>	<b>2017 Estimated Appropriation Change</b>
<b>TOTAL</b>				

*\*See budget book to obtain the appropriate Budget Control Level for your department.*

(This table should reflect appropriations that are a direct result of this legislation. In the event that the project/programs associated with this ordinance had, or will have, appropriations in other legislation please provide details in the Appropriation Notes section below. If the appropriation is not completely supported by revenue/reimbursements listed below, please identify the funding source (e.g. available fund balance) to cover this appropriation in the notes section. Also indicate if the legislation changes appropriations one-time, ongoing, or both.)

Appropriations Notes:**3.b. Revenues/Reimbursements****This legislation adds, changes, or deletes revenues or reimbursements.**

(If this box is checked, please complete this section. If this box is not checked, please proceed to Positions.)

**Anticipated Revenue/Reimbursement Resulting from this Legislation:**

<b>Fund Name and Number</b>	<b>Dept</b>	<b>Revenue Source</b>	<b>2016 Revenue</b>	<b>2017 Estimated Revenue</b>
<b>TOTAL</b>				

(This table should reflect revenues/reimbursements that are a direct result of this legislation. In the event that the issues/projects associated with this ordinance/resolution have revenues or reimbursements that were, or will be, received because of previous or future legislation or budget

Richard Greene  
LAW 2016 Traffic ORD  
D1a

actions, please provide details in the Notes section below. Do the revenue sources have match requirements? If so, what are they?)

### Revenue/Reimbursement Notes:

#### **3.c. Positions**

       **This legislation adds, changes, or deletes positions.**  
(If this box is checked, please complete this section. If this box is not checked, please proceed to Other Implications.)

### **Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:**

Position # for Existing Positions	Position Title & Department*	Fund Name & #	Program & BCL	PT/FT	2016 Positions	2016 FTE	Does it sunset? (If yes, explain below in Position Notes)
<b>TOTAL</b>							

\* List each position separately

(This table should only reflect the actual number of positions created by this legislation. In the event that positions have been, or will be, created as a result of previous or future legislation or budget actions, please provide details in the Notes section below.)

### Position Notes:

#### **4. OTHER IMPLICATIONS**

- a) **Does the legislation have indirect or long-term financial impacts to the City of Seattle that are not reflected in the above?** No.
- b) **Is there financial cost or other impacts of not implementing the legislation?**  
Inasmuch as these traffic regulations are identical to state law, which would be enforced in Seattle regardless of the legislation, no cost or impact seems likely.
- c) **Does this legislation affect any departments besides the originating department?**  
This legislation would affect the Police Department, as officers enforce the traffic code. The changes to sentencing a defendant convicted of Driving Under the Influence or Physical Control would affect the City Attorney's office, which prosecutes these crimes, and Municipal Court, which adjudicates and sentences such a defendant.

- d) **Is a public hearing required for this legislation?** No.
- e) **Does this legislation require landlords or sellers of real property to provide information regarding the property to a buyer or tenant?** No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?** No.
- g) **Does this legislation affect a piece of property?** No.  
)
- h) **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities?** None seems apparent.
- i) **If this legislation includes a new initiative or a major programmatic expansion: What are the long-term and measurable goals of the program? Please describe how this legislation would help achieve the program's desired goals.** This legislation does not include any new initiatives or major programmatic expansions.
- j) **Other Issues:**

**List attachments/exhibits below:**

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STATE OF WASHINGTON -- KING COUNTY

--SS.

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346287

No. 125249,20,51,52,53,54,55

CITY OF SEATTLE, CLERKS OFFICE

**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 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

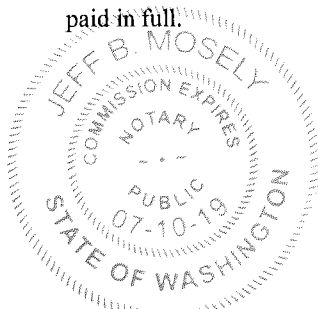
The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:TITLE ONLY ORIDNANCE

was published on

02/14/17

The amount of the fee charged for the foregoing publication is the sum of \$208.65 which amount has been paid in full.



A handwritten signature in black ink, appearing to be "M. B. Mosely", written over a horizontal line.

Subscribed and sworn to before me on

02/14/2017

A handwritten signature in black ink, appearing to be "Jeff B. Mosely", written over a horizontal line.

Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication



# State of Washington, King County

## City of Seattle

The full text of the following legislation, passed by the City Council on January 30, 2017, and published below by title only, will be mailed upon request, or can be accessed at <https://seattle.legistar.com/Legislation.aspx>. For information on upcoming meetings of the Seattle City Council, please visit <http://www.seattle.gov/council/calendar>.

Contact: Office of the City Clerk at (206) 684-8344.

### Ordinance 125249

AN ORDINANCE amending Ordinance 124874; modifying the use of the open space improvements over and across Utah Avenue South between South Stacy Street and South Lander Street for First and Utah Street Associates, LLC; and ratifying and confirming certain prior acts.

### Ordinance 125250

AN ORDINANCE relating to Seattle Public Utilities; harmonizing the City Position List and the Seattle Municipal Code; amending Sections 3.32.010, 3.32.020 and 3.32.030 of the Seattle Municipal Code, and adding a new Section 3.32.011 to the Seattle Municipal Code.

### Ordinance 125251

AN ORDINANCE amending Section 15.04.100 of the Seattle Municipal Code to allow the Director of Transportation the authority to credit certain use fees in exchange for voluntary transportation improvements of equal value in the public right-of-way.

### Ordinance 125252

AN ORDINANCE accepting various deeds for street or alley purposes and a limited purpose easement for public access, use, and maintenance; laying off, opening, widening, extending, and establishing portions of rights of way; placing the real property conveyed by said deeds and easement under the jurisdiction of the Seattle Department of Transportation; and ratifying and confirming certain prior acts. (This ordinance concerns the following rights of way: the alley in Block 21, North Seattle; University Way Northeast, Northeast 50th Street, and Brooklyn Avenue Northeast abutting Block 6, University Heights; the alley in Block 24, Addition to the Town of Seattle, as laid out by A. A. Denny (Commonly known as A. A. Denny's 3rd Addition to the City of Seattle); the alley in Block 23 and Block 51, Second Addition to the Town of Seattle as laid off by the Heirs of Sara A. Bell, (deceased) (Commonly known as Heirs of Sarah A. Bell's 2nd Addition to the City of Seattle); the alley in Block 4, University Heights; the alley in Block 12, North Seattle; the alley in Block 91, Woodlawn Addition to Green Lake; the alley in Block

18, University Park Addition to the City of Seattle; the alley in Section 5, Township 24 North, Range 4 East, W. M.; the alley in Block 50, Boston Co's Plat of West Seattle; the alley in Block 15, Hillman City Addition to the City of Seattle, Division Number 6; the alley in Block 2, Harvard Heights; the alley in Block 46, Central Seattle; South Holgate Street abutting Block 46, Central Seattle; the alley in Block 82, D. T. Denny's Home Addition to the City of Seattle; the alley in Block 5, Supplemental Plat of Blocks 5-8 & 17 of Eastern Addition; the alley in Block 25, Brooklyn Addition to Seattle; the alley in Block 2, Capitol Hill Addition to the City of Seattle, Division No. 1; the alley in Block 107, David T. Denny's First Addition to North Seattle; Mercer Street abutting Block 107, David T. Denny's First Addition to North Seattle; and public access to public benefit areas in the Yesler Terrace Community Platt as set forth in King County Recording Number 20141209001425.)

### Ordinance 125253

AN ORDINANCE relating to the City's traffic code; amending Sections 11.14.660, 11.60.570, 11.66.025, 11.60.240, 11.60.370,

11.60.420, 11.82.180, 11.84.020 and 11.84.400 of the Seattle Municipal Code, adding Sections 11.14.083 and 11.66.060 to the Seattle Municipal Code and repealing Sections 11.86.020 and 11.86.040 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

### Ordinance 125254

AN ORDINANCE relating to the City's criminal code; amending Sections 3.33.030, 12A.08.140, 12A.08.170, 12A.10.150, 12A.14.010, 12A.14.160, and 12A.16.040 of the Seattle Municipal Code; adding Sections 12A.08.165, 12A.08.180, 12A.08.190, and 12A.10.160 to the Seattle Municipal Code; and repealing Sections 6.36.010, 6.36.020, 6.36.030, 6.36.040, 6.36.050, 6.36.060, 6.36.070, and 6.36.080 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

### Ordinance 125255

AN ORDINANCE relating to the City Light Department; accepting statutory warranty deeds to the Swan property in King County, Washington, the Bettys Family Trust, Bettys Trust, Crossman, Farm and Fowl, LLC, Frol, James, Jones, Learned's Little Houses, LLC, Nelson, Trowbridge, and Weatherburn properties in Skagit County, Washington, and the Watkins et al. property in Snohomish County, Washington; accepting a quit claim deed to Skagit Land Trust properties in Skagit County, for salmon habitat protection purposes; declaring certain real property rights surplus and no longer required for providing public utility service or other municipal purposes; ratifying the grants of Deeds of Right to the State of Washington on the Bettys Family Trust, Bettys Trust, Crossman, Frol, Jones, Nelson, and Watkins et al. properties for salmon recovery and conservation purposes; placing said lands under the jurisdiction of the City Light Department; and ratifying and confirming certain prior acts.

Date of publication in the Seattle Daily Journal of Commerce, February 14, 2017.  
2/14(346287)