

SUMMARY and FISCAL NOTE*

Department:	Contact Person/Phone:	Executive Contact/Phone:
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 11.14.055, 11.14.184, 11.23.380, 11.23.400, 11.31.020, 11.34.020, 11.56.020, 11.56.025, 11.56.320, 11.56.350, 11.56.355, 11.57.310, 11.72.065, and 11.84.380 of the Seattle Municipal Code, adding Section 11.58.435 to the Seattle Municipal Code, and repealing Section 11.14.185 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. It adds a definition of electric-assisted bicycle and modifies the definition of an electric personal assistive mobility device. With respect to disabled parking, it defines "unauthorized use" of a disabled parking placard, increases the classification of improper obtaining of disabled parking placard from an infraction to a crime, creates the infraction of improper display of disabled parking placard, creates the crime of selling disabled parking placard and authorizes a judge to forfeit the disabled parking placard of person who commits a disabled parking violation. With respect to the crime of Driving Under the Influence, this legislation expands the "safely off the roadway" defense to Physical Control to the crime of Minor Physical Control, authorizes a court to order a defendant to pay for the cost of pretrial electronic home monitoring, requires a court imposing an ignition interlock device (IID) as a condition of release to notify the Washington Department of Licensing and adds a mandatory condition of probation of not driving without a required IID. It also expands the crime of Driving While License Suspended 3rd degree to include driving after being suspended for failing to pay child support, expands the crime of Circumventing IID to include requesting another person to start the car, requires that a sentence for Circumventing IID run consecutively with a sentence for DUI, creates the traffic infraction of keeping, smoking or secreting marijuana in passenger compartment of car and allows bicycle or moped to disregard a traffic control light that fails to activate because of weight of the bicycle or moped.

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.)

Project Name: **Project I.D.:** **Project Location:** **Start Date:** **End Date:** **Total Cost:**

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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.)

☒ **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.)

Budget program(s) affected:				
Estimated \$ Appropriation change:	General Fund \$		Other \$	
	2015	2016	2015	2016
Estimated \$ Revenue change:	Revenue to General Fund		Revenue to Other Funds	
	2015	2016	2015	2016
Positions affected:	No. of Positions		Total FTE Change	
	2015	2016	2015	2016
Other departments affected:				

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)

Fund Name and number	Dept	Budget Control Level Name/##	2015 Appropriation Change	2016 Estimated Appropriation Change
TOTAL				

**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 complete 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:

Fund Name and Number	Dept	Revenue Source	2015 Revenue	2016 Estimated Revenue
TOTAL				

(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 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	2015 Positions	2015 FTE	Does it sunset? (If yes, explain below in Position Notes)
TOTAL							

* 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 new crimes and infractions are crimes and infractions under 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 would be enforcing these new crimes and infractions, and Municipal Court, which will be adjudicating the infractions and the charges filed by the City Attorney for these new crimes. As the number of such violations likely will be small, the impact on these other departments should be minimal.

d) Is a public hearing required for this legislation? No.

e) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No.

f) Does this legislation affect a piece of property? No.

g) 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.

h) 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.

i) Other Issues:

List attachments/exhibits below: