



Legislation Details (With Text)

File #:	2017-0180	Version:	1
Type:	Ordinance	Status:	Lapsed
File created:	5/1/2017	In control:	Transportation, Economy, and Environment Committee
On agenda:		Final action:	2/1/2018
Enactment date:		Enactment #:	
Title:	AN ORDINANCE relating to vehicular traffic control; amending Ordinance 17668, Section 3, and K.C.C. 46.08.055, Ordinance 17668, Section 3, and K.C.C. 46.08.060, Ordinance 10278, Section 7, as amended, and K.C.C. 46.08.070, Ordinance 17455, Section 2, as amended, and K.C.C. 46.20.010 adding new chapters to K.C.C. Title 14A creating K.C.C. Title 14A recodifying K.C.C. 46.08.055, K.C.C. 46.08.060, K.C.C. 46.08.070, K.C.C. 46.14.010, K.C.C. 46.14.020 and K.C.C. 46.20.010, repealing Ordinance 5292, Section 2, as amended, and K.C.C. 46.04.010, Ordinance 5292, Section 3, and K.C.C. 46.04.020, Ordinance 5292, Section 4, and K.C.C. 46.04.030, Ordinance 5292, Section 5, as amended, and K.C.C. 46.04.040, Ordinance 5292, Section 6, and K.C.C. 46.04.050, Ordinance 5292, Section 7, as amended, and K.C.C. 46.04.060, Ordinance 17234, Section 2, and K.C.C. 46.04.062, Ordinance 11396, Section 2, and K.C.C. 46.04.065, Ordinance 16294, Section 1, and K.C.C. 46.04.080, Ordinance 15050, Section 3, and K.C.C. 46.06.010, Ordinance 15050, Section 4, and K.C.C. 46.06.020, Ordinance 15050, Section 5, and K.C.C. 46.06.030, Ordinance 15050, Section 6, and K.C.C. 46.06.040, Ordinance 15050, Section 7, and K.C.C. 46.06.050, Ordinance 15050, Section 8, and K.C.C. 46.06.060, Ordinance 15050, Section 9, and K.C.C. 46.06.070, Ordinance 15050, Section 10, and K.C.C. 46.06.080, Ordinance 10278, Section 1, as amended, and K.C.C. 46.08.010, Ordinance 5846, Section 4, as amended, and K.C.C. 46.08.040, Ordinance 10278, Section 5, and K.C.C. 46.08.050, Ordinance 10278, Section 9, as amended, and K.C.C. 46.08.080, Ordinance 10278, Section 10, as amended, and K.C.C. 46.08.100, Ordinance 10278, Section 11, as amended, and K.C.C. 46.08.110, Ordinance 5846, Section 12, as amended, and K.C.C. 46.08.120, Ordinance 10278, Section 12, as amended, and K.C.C. 46.08.130, Ordinance 10278, Section 13, and K.C.C. 46.08.132, Ordinance 10278, Section 14, as amended, and K.C.C. 46.08.134, Ordinance 9078, Section 1, and K.C.C. 46.10.010, Ordinance 9078, Section 2 and K.C.C. 46.10.020, Ordinance 9078, Section 3, and K.C.C. 46.10.030, Ordinance 9078, Section 4, as amended, and K.C.C. 46.10.040, Ordinance 9078, Section 5, and K.C.C. 46.10.050, Ordinance 9078, Section 6, and K.C.C. 46.10.060, Ordinance 9288, Section 1, and K.C.C. 46.10.080, Ordinance 12887, Section 1, and K.C.C. 46.12.010, Ordinance 12887, Section 2, and K.C.C. 46.12.020, Ordinance 12887, Section 3, and K.C.C. 46.12.030 and Ordinance 12887, Section 4, and K.C.C. 46.12.040 and prescribing penalties.		
Sponsors:	Kathy Lambert		
Indexes:	Traffic		
Code sections:	46.04.010 - ., 46.04.020 - ., 46.04.030 - ., 46.04.040 - ., 46.04.050 - ., 46.04.060 - ., 46.04.062 - *, 46.04.065 - ., 46.06.010 - *, 46.06.020 - ., 46.06.030 - ., 46.06.040 - *, 46.06.050 - *, 46.06.060 - *, 46.06.070 - *, 46.06.070 - ., 46.06.080 - *, 46.06.080 - *, 46.08.010 - ., 46.08.040 - ., 46.08.050 - ., 46.08.055 - *, 46.08.055 - *, 46.08.060 - ., 46.08.070 - ., 46.08.080 - ., 46.08.100 - ., 46.08.130 - ., 46.08.132 - ., 46.10.010 - ., 46.10.020 - ., 46.10.030 - ., 46.10.040 - ., 46.10.050 - ., 46.10.060 - *, 46.10.080 - ., 46.12.010 - *, 46.12.020 - *, 46.12.030 - ., 46.14.010 - *, 46.14.020 - *, 46.20.010 - *, 46.20.010 - *		
Attachments:	1. 2017-0180 legislative review form, 2. 2017-0180 Transmittal Letter.docx, 3. 2017-0180 Fiscal Note.xlsx, 4. 2017-0180 advertisement-notice.docx, 5. 2017-0180_SR_Title 46 to Title 14A.docx, 6. ATT2. IRLJ Schedule 6.2 .pdf, 7. ATT3. Comparison Current Code and PO 2017-0180.docx, 8. ATT4. ESJ Analysis of parking penalty changes final 6-12-17.docx		

Date	Ver.	Action By	Action	Result
6/20/2017	1	Transportation, Economy, and	Deferred	

5/1/2017 1 Environment Committee
Metropolitan King County Council Introduced and Referred
Clerk 04/20/2017

AN ORDINANCE relating to vehicular traffic control; amending Ordinance 17668, Section 3, and K.C.C. 46.08.055, Ordinance 17668, Section 3, and K.C.C. 46.08.060, Ordinance 10278, Section 7, as amended, and K.C.C. 46.08.070, Ordinance 17455, Section 2, as amended, and K.C.C. 46.20.010 adding new chapters to K.C.C. Title 14A creating K.C.C. Title 14A recodifying K.C.C. 46.08.055, K.C.C. 46.08.060, K.C.C. 46.08.070, K.C.C. 46.14.010, K.C.C. 46.14.020 and K.C.C. 46.20.010, repealing Ordinance 5292, Section 2, as amended, and K.C.C. 46.04.010, Ordinance 5292, Section 3, and K.C.C. 46.04.020, Ordinance 5292, Section 4, and K.C.C. 46.04.030, Ordinance 5292, Section 5, as amended, and K.C.C. 46.04.040, Ordinance 5292, Section 6, and K.C.C. 46.04.050, Ordinance 5292, Section 7, as amended, and K.C.C. 46.04.060, Ordinance 17234, Section 2, and K.C.C. 46.04.062, Ordinance 11396, Section 2, and K.C.C. 46.04.065, Ordinance 16294, Section 1, and K.C.C. 46.04.080, Ordinance 15050, Section 3, and K.C.C. 46.06.010, Ordinance 15050, Section 4, and K.C.C. 46.06.020, Ordinance 15050, Section 5, and K.C.C. 46.06.030, Ordinance 15050, Section 6, and K.C.C. 46.06.040, Ordinance 15050, Section 7, and K.C.C. 46.06.050, Ordinance 15050, Section 8, and K.C.C. 46.06.060, Ordinance 15050, Section 9, and K.C.C. 46.06.070, Ordinance 15050, Section 10, and K.C.C. 46.06.080, Ordinance 10278, Section 1, as amended, and K.C.C. 46.08.010, Ordinance 5846, Section 4, as amended, and K.C.C. 46.08.040, Ordinance 10278, Section 5, and K.C.C. 46.08.050, Ordinance 10278, Section 9, as amended, and K.C.C. 46.08.080, Ordinance 10278, Section 10, as amended,

and K.C.C. 46.08.100, Ordinance 10278, Section 11, as amended, and K.C.C. 46.08.110, Ordinance 5846, Section 12, as amended, and K.C.C. 46.08.120, Ordinance 10278, Section 12, as amended, and K.C.C. 46.08.130, Ordinance 10278, Section 13, and K.C.C. 46.08.132, Ordinance 10278, Section 14, as amended, and K.C.C. 46.08.134, Ordinance 9078, Section 1, and K.C.C. 46.10.010, Ordinance 9078, Section 2 and K.C.C. 46.10.020, Ordinance 9078, Section 3, and K.C.C. 46.10.030, Ordinance 9078, Section 4, as amended, and K.C.C. 46.10.040, Ordinance 9078, Section 5, and K.C.C. 46.10.050, Ordinance 9078, Section 6, and K.C.C. 46.10.060, Ordinance 9288, Section 1, and K.C.C. 46.10.080, Ordinance 12887, Section 1, and K.C.C. 46.12.010, Ordinance 12887, Section 2, and K.C.C. 46.12.020, Ordinance 12887, Section 3, and K.C.C. 46.12.030 and Ordinance 12887, Section 4, and K.C.C. 46.12.040 and prescribing penalties.

STATEMENT OF FACTS: The council determines that K.C.C. Title 46 should be recodified as K.C.C. Title 14A to avoid confusion with chapter 46 RCW and that provisions related to the traffic code be codified in that title, and all other provisions previously included in K.C.C. Title 46 that are not appropriate to be codified K.C.C. Title 14A should be codified in the appropriate titles.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. In accordance with Section 880 of the King County Charter, there is adopted Title 14A of the King County Code.

SECTION 2. Section 3 of this ordinance should constitute a new chapter in K.C.C. Title 14A.

NEW SECTION. SECTION 3. The definitions in K.C.C. chapter 14.01 apply throughout this title unless the context clearly requires otherwise.

SECTION 4. Sections 5 through 7 of this ordinance should constitute a new chapter in K.C.C. Title 14A.

NEW SECTION. SECTION 5. This title applies to all public roads within unincorporated King County.

NEW SECTION. SECTION 6. Except as otherwise provided in this chapter, the maximum speed limit that a person may drive a vehicle upon any county road is thirty-five miles per hour except where a different speed limit has been posted.

NEW SECTION. SECTION 7. The maximum speed limit that a person may drive a vehicle on a county road in a designated urban area or rural town is twenty-five miles per hour except where a different speed limit has been posted.

SECTION 8. Section 9 of this ordinance should constitute a new chapter in K.C.C. Title 14A.

NEW SECTION. SECTION 9. In addition to the duties of drivers of vehicles entering intersections in RCW 46.61.190, every driver of a vehicle approaching a stop sign shall stop at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway, even if that necessitates a secondary stop beyond the stop line or crosswalk.

SECTION 10. Sections 11 and 12 of this ordinance should constitute a new chapter in K.C.C. Title 14A.

NEW SECTION. SECTION 11. Processions or parades shall not be conducted on county roads except in accordance with a special use permit issued by the county.

NEW SECTION. SECTION 12. A person shall not interfere with a parade or procession. A person shall not drive a vehicle that is not part of a parade or procession between the vehicles of a parade or procession. This section does not apply at intersections where traffic is controlled by traffic control devices unless a deputy is present at the intersections to direct traffic so as to preserve the continuity of the parade or procession.

NEW SECTION 13. Sections 14 through 16 of this ordinance should constitute a new chapter in K.C.C. Title 14A.

NEW SECTION. SECTION 14. A. A person operating a motorized foot scooter shall ensure that the scooter is equipped with a brake that enables the operator to make the braked wheels skid on dry, level, clean pavement.

B. A person shall not use a motorized foot scooter at any time from one half hour before sunset to one half hour after sunrise.

C. A person shall not operate a motorized foot scooter on county roads, alleys and sidewalks and county recreational trails and park property unless the operator is at least sixteen years old.

D. A person operating a motorized foot scooter or riding as a passenger on a motorized foot scooter upon any county road, alley, sidewalk, recreational trail or park property shall comply with all laws related to the use of bicycle helmets, including wearing a protective helmet designed for bicycle safety that meets or exceeds the safety standards adopted by the United States Consumer Product Safety Commission or set by the American National Standards Institute in effect on the effective date of this ordinance, or such subsequent nationally recognized standard for bicycle helmet performance as the county may adopt by ordinance. The helmet must be equipped with either a neck strap or chinstrap that shall be fastened securely while the motorized foot scooter is in motion.

E. A person operating a motorized foot scooter has the same rights and duties applicable to bicycles when on a county road, except when traveling upon a crosswalk or in a pedestrian zone, and shall follow the instructions of traffic control signals, signs and other control devices applicable to vehicles and pedestrians, unless otherwise directed by a deputy.

F. A person shall not operate a motorized foot scooter on a sidewalk.

G. A person shall not operate a motorized foot scooter on:

1. A county road with a posted maximum speed limit greater than twenty-five miles per hour; or

2. County parks facilities, including parks, recreational trails, open space or other property, under the jurisdiction of the parks and recreation division of the department of natural resources and parks, unless the facility has been specifically designated and posted for that use in accordance with K.C.C. chapter 7.12.

NEW SECTION. SECTION 15. The parent of a child or the guardian of a ward shall not authorize or knowingly permit the child or ward to violate section 14 of this ordinance.

NEW SECTION. SECTION 16. A person violating this chapter commits a traffic infraction and is subject to a monetary penalty of forty-eight dollars.

SECTION 17. Sections 18 through 28 of this ordinance should constitute a new chapter in K.C.C. Title 14A.

NEW SECTION. SECTION 18. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for any person to park a vehicle upon any streets or parts of the streets outside the allowed time period when signs are erected giving notice when parking is allowed.

NEW SECTION. SECTION 19. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for any person to park a vehicle upon streets that have been marked or signed for either back-in or front-in angle parking, at an angle in relation to the curb or margin of the shoulder, other than is consistent with the markings or signs.

NEW SECTION. SECTION 20. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for any person to park a commercial vehicle that is more than eighty inches wide overall on any county road or portion of county road between midnight and 6:00 a.m.

NEW SECTION. SECTION 21. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for any person to park a trailer, either attached to or detached from a motor vehicle at any time, upon any county road or portion of the

county road when signs are erected giving notice that trailer parking is prohibited.

NEW SECTION. SECTION 22. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for any person to park directly adjacent to a curbside, next to clearly visible residential mailboxes between 9:00 a.m. and 5:00 p.m. on any day of scheduled mail delivery by the United States Postal Service.

NEW SECTION. SECTION 23. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for any person to park a vehicle upon a county road in a manner or under conditions that leave less than ten feet of the width of the roadway available for free movement of vehicular traffic.

NEW SECTION. SECTION 24. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for any person to stop, stand or park a vehicle within an alley in a position that blocks the driveway entrance to any abutting property.

NEW SECTION. SECTION 25. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of deputy or official traffic control device, it is unlawful for any person to stop, stand or park a vehicle for any purpose or period other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during hours when the provisions applicable to the loading zone are effective, and then only for a maximum of three minutes.

NEW SECTION. SECTION 26. A. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for an operator of a bus to stop, stand or park the bus upon any county road at any place other than a designated bus stop. This subsection does not prevent the operator of a bus from temporarily stopping in accordance with other stopping, standing or parking provisions at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers or their baggage.

B. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for the operator of a bus to enter a bus stop or passenger loading zone on a county road in such a manner that, when stopped to load or unload passengers or baggage, the right front wheel of the bus is more than eighteen inches from the curb and the bus is not aligned parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

C. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a deputy or official traffic control device, it is unlawful for the operator of a taxicab or a vehicle for hire or transportation network company to stop, stand or park the taxicab or vehicle for hire upon any county road at any place other than in a designated taxicab stand. This subsection does not prevent the operator of a taxicab or vehicle for hire from temporarily stopping in accordance with other stopping, standing or parking provisions at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

NEW SECTION. SECTION 27. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of deputy or official traffic control device, it is unlawful for any person to stop, stand or park a vehicle in a bus stop or a taxicab stand, other than a bus in a bus stop or a taxicab or vehicle for hire in a taxicab stand, when the stop or stand has been designated and signed. However, the driver of a passenger vehicle may temporarily stop in a bus stop or a taxicab stand for the purpose of, or while actually engaged in, loading or unloading passengers when the stopping does not interfere with any bus, taxicab or vehicle for hire waiting to enter or about to enter the stop or stand.

NEW SECTION. SECTION 28. A person violating this chapter commits a traffic infraction and is subject to the base monetary penalty listed in the following table. A person violating this chapter within one half mile of a King County park or trailhead for a recreational trail maintained by a federal, state, county or local recreational agency shall be assessed a monetary penalty equal to twice the base monetary penalty listed in the table.

Section	Base Penalty
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Section 18 of this ordinance:	\$48
Section 19 of this ordinance:	\$20
Section 20 of this ordinance:	\$48
Section 21 of this ordinance:	\$48
Section 22 of this ordinance:	\$20
Section 23 of this ordinance:	\$48
Section 24 of this ordinance:	\$48
Section 25 of this ordinance:	\$20
Section 26 of this ordinance:	\$20
Section 27 of this ordinance:	\$20

SECTION 29. Sections 30 and 31 of this ordinance, K.C.C. 46.08.055, as recodified by this ordinance, K.C.C. 46.08.060, as recodified by this ordinance, K.C.C. 46.08.070, as recodified by this ordinance, and sections 38 through 46 of this ordinance should constitute a new chapter in K.C.C. Title 14A.

NEW SECTION. SECTION 30. As authorized in RCW 46.55.113, whenever the driver of a vehicle is arrested for violation of RCW 46.20.342 or 46.20.345, the vehicle is subject to summary impoundment, at the discretion of the deputy, at the business location of a registered tow truck operator approved by the sheriff.

NEW SECTION. SECTION 31. A vehicle may be impounded as provided by law. This section shall not be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. This section shall not derogate from the powers of the sheriff or deputies under the common law or other statute or ordinance.

SECTION 32. K.C.C. 46.08.055, as amended by this ordinance, is hereby recodified in the new chapter created in section 1 of this ordinance.

SECTION 33. Ordinance 17668, Section 3, and K.C.C. 46.08.055 are each hereby amended to read as follows:

Whenever it appears reasonably necessary to protect persons or property, the sheriff or a deputy may order the impoundment of a watercraft when the watercraft cannot be otherwise secured or released. The sheriff or the deputy in lieu of impound may release the watercraft to a person who, in the sheriff's or the deputy's opinion, can safely operate the watercraft or secure the watercraft to a moorage facility when the moorage facility has been approved for that purpose. A person to whom the sheriff or the deputy releases the watercraft must be legally able operate a watercraft under RCW 79A.60.640. If the owner or operator of the watercraft is present, the person's signature on a waiver of impound is required before the ~~((officer))~~ sheriff or the deputy may release the watercraft to a person in lieu of impoundment.

SECTION 34. K.C.C. 46.08.060, as amended by this ordinance, is hereby recodified in the new chapter created in section 1 of this ordinance.

SECTION 35. Ordinance 17668, Section 3, and K.C.C. 46.08.060 are each hereby amended to read as follows:

When ~~((a))~~ the sheriff or the deputy orders an impoundment that is authorized by this chapter, a towing contractor acting at the request of the sheriff, the deputy or an authorized agent of the ~~((department of public safety))~~ sheriff may impound the vehicle or watercraft. The sheriff, the deputy or the authorized agent must provide to the towing contractor a signed authorization for the tow and the impound before the towing contractor may proceed with the impound.

SECTION 36. K.C.C. 46.08.070, as amended by this ordinance, is hereby recodified in the new chapter created in section 1 of this ordinance.

SECTION 37. Ordinance 10278, Section 7, as amended, and K.C.C. 46.08.070 are each hereby amended to read as follows:

A. When a ~~((vehicle or))~~ watercraft is impounded, the impounding towing contractor shall notify the legal and registered owner or owners of the impoundment of the ~~((vehicle or))~~ watercraft. The notification shall be in writing and sent within twenty-four hours after the impound by first-class mail to the last known

registered and legal owner or owners of the ~~((vehicle or))~~ watercraft, as identified by the ~~((department of public safety))~~ sheriff, and shall inform the owner or owners of the identity of the person or agency authorizing the impound. The notification shall include the name of the impounding tow firm, its address and telephone number, the location and time of the impound and by whose authority the ~~((vehicle or))~~ watercraft was impounded. The notice shall also include the notice of the right of redemption and opportunity for a hearing to contest the validity of the impoundment under ~~((K.C.C. 46.08.100))~~ section 39 of this ordinance, as set forth on a form to be provided by the ~~((department of public safety))~~ sheriff.

B. In the case of an abandoned ~~((vehicle, as defined in RCW 46.55.010(1)))~~ watercraft, within twenty-four hours after receiving information on the watercraft ~~((vehicle))~~ owner or owners from the state Department of Licensing ~~((through the abandoned vehicle report))~~, the towing contractor shall send by certified mail, with return receipt requested, a notice of custody and sale to the legal and registered owner or owners.

C. A notice does not need be sent to the legal or registered owner or owners of an impounded ~~((vehicle or))~~ watercraft if the ~~((vehicle or))~~ watercraft has been redeemed.

D. When a person seeks to redeem an impounded ~~((vehicle or))~~ watercraft, as provided for in this chapter or by other law, the towing contractor shall give the person a copy of the towing and storage receipt as well as written notice of the right of redemption and opportunity for a hearing, as set forth on a form provided by the ~~((department of public safety))~~ sheriff. The towing contractor shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

E. ~~((Similar written notice and record of notification for redemption and opportunity for a hearing, as set forth on a form provided by the department of public safety shall be given by the towing contractor at the time of releasing a vehicle or watercraft impounded for investigatory purposes in accordance with K.C.C. 46.08.040.E, following authorization by the department of public safety to release the vehicle or watercraft.))~~
When the sheriff authorizes the release of a watercraft that was impounded for investigatory purposes, the towing contractor shall give the person a copy of the towing and storage receipt as well as written notice of the

right of redemption and opportunity for a hearing, as set forth on a form provided by the sheriff. The towing contractor shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

NEW SECTION. SECTION 38. All vehicles and watercraft impounded by the sheriff shall utilize a written authorization to impound form, approved by the sheriff. The form shall denote the sheriff's authority to impound in chapter 46.55 RCW.

NEW SECTION. SECTION 39. A. In accordance with RCW 46.55.240(1)(d), the sheriff shall appoint one or more administrative hearing officers to conduct the hearings specified in and requested under RCW 46.55.120(2). Persons whose watercraft are impounded may also request a hearing, which shall be carried out in accordance with the processes for impound hearings specified in RCW 46.55.120(2).

B. In accordance with RCW 46.55.240(1)(d), a decision made by an administrative hearing officer may be appealed to the district court for final judgment.

NEW SECTION. SECTION 40. A. An impounded vehicle or watercraft not redeemed within fifteen days of mailing of the notice required by RCW 46.55.110 or K.C.C. 46.08.070, as recodified by this ordinance, and not listed as stolen, shall be deemed unclaimed and shall be sold at a public auction in accordance with the provisions and subject to all conditions of RCW 46.55.130. When a timely request for a hearing has been made under RCW 46.55.120(2)(b), the sale of the watercraft at public auction shall not take place until after the hearing has been conducted and the hearing officer has entered an order. Before sale at public auction, the towing contractor shall confirm with the sheriff that a hearing or hearing appeal, is not pending.

B. When an unclaimed watercraft is sold at public auction under subsection A. of this section, the towing contractor may recover its towing and storage charges from the proceeds of the sale. The towing and storage charges shall be limited to the contract rates established under section 24 of this ordinance.

NEW SECTION. SECTION 41. Watercraft impounded by the county shall be redeemed under the following circumstances:

A. Only those persons authorized by RCW 46.55.120(1)(a) may redeem an impounded watercraft.

B. A person redeeming an impounded watercraft must pay the towing contractor for the reasonable costs of towing and storage resulting from the impoundment before the watercraft may be released from impound.

NEW SECTION. SECTION 42. The sheriff shall keep a record of all vehicles or watercraft impounded under chapter 46.55 RCW and this chapter. The record shall include at least the following:

A. Vehicle or watercraft make, year and model;

B. Vehicle or watercraft license number and state of registration;

C. Vehicle or watercraft identification number, if ascertainable;

D. Such other descriptive information as the sheriff deems useful for purposes of vehicle or watercraft identification;

E. Name of impounding officer and serial number; and

F. Reason for impoundment, and the time, date and location the approved towing company took custody.

NEW SECTION. SECTION 43. The sheriff shall negotiate and contract with one or more licensed and authorized tow truck operators to tow, store and release vehicles and watercraft impounded under this chapter or chapter 46.55 RCW. At minimum, this contract for services shall include a provision that indemnifies the county, and its officials, from liability for any damages caused to the impounded vehicle or watercraft during its tow or storage. The contracts shall be at no cost to the county and shall provide that the towing contractor may recover the costs of towing and storage only from the person seeking to redeem the impounded vehicle or watercraft, or from the proceeds of sale of an unclaimed vehicle or watercraft as authorized by chapter 46.55 RCW or under section 39 of this ordinance, and that the county shall not be responsible for payment of the costs except upon order of the administration hearing officer under section 39 of this ordinance. The sheriff may specify that towing services shall be on a rotational or other basis in specific geographic areas in the

county. The sheriff may specify the rates towing contractors may charge persons seeking to redeem impounded vehicles or watercraft for towing and storage services provided in accordance with this chapter.

NEW SECTION. SECTION 44. Each towing contractor, in addition to fully complying with the standards set by the sheriff, must:

A. File its towing and storage rates with the sheriff;

B. For impoundments authorized under K.C.C. chapter 14A.XX (the new chapter created in section 29 of this ordinance), maintain all vehicle and watercraft impound files for three years.

NEW SECTION. SECTION 45. A. The abandonment of any vehicle or automobile hulk shall constitute a prima facie presumption that the last owner of record is responsible for such abandonment and thus liable for any costs incurred in removing, storing, and disposing of any abandoned vehicle.

B. A registered owner transferring a vehicle shall be relieved from personal liability under this section if the owner complies with the requirements of RCW 46.12.650.

NEW SECTION. SECTION 46. The sheriff shall report to the chief of the Washington State Patrol all motor vehicles reported to them as stolen or recovered, upon forms to be provided by the chief of the Washington state patrol. The sheriff shall report to the chief of the Washington State Patrol all vehicles or automobile hulks found abandoned on a county road or at any other place in the county and the vehicles or automobile hulks shall, at the direction of a sheriff or deputy, be placed in the custody of a tow truck operator registered under chapter 46.55 RCW.

SECTION 47. K.C.C. 46.14.010, as recodified by this ordinance, and K.C.C. 46.14.020, as recodified by this ordinance should constitute a new chapter in K.C.C. Title 14A.

SECTION 48. K.C.C. 46.14.010 and K.C.C. 46.14.020 are each hereby recodified in the new chapter created in section 47 of this ordinance.

SECTION 49. K.C.C. 46.20.010, as recodified by this ordinance, should constitute a new chapter in K.C.C. Title 14A.

SECTION 50. K.C.C. 46.20.010, as amended by this ordinance, is hereby recodified in the new chapter created in section 49 of this ordinance.

SECTION 51. Ordinance 17455, Section 2, as amended, and K.C.C. 46.20.010 are each hereby amended to read as follows:

A. It is unlawful for any person to operate a motor vehicle in an inattentive manner.

B. For the purposes of this section "inattentive manner" means ~~((with a negligent lack of attentiveness to conditions, circumstances, and one's duties required to safely operate a motor vehicle. "Conditions" include, but are not limited to, the nature and condition of the roadway, presence of other traffic, presence of pedestrians and weather conditions))~~ the operation of a vehicle in a manner that evidences a lack of attentiveness required to safely operate a vehicle under prevailing conditions, including the nature and condition of the roadway, presence of other traffic, presence of pedestrians and weather conditions.

C. A violation of subsection A. of this section is a civil infraction. The offense of inattentive driving shall be considered to be a lesser offense than, but included in, the offense of operating a motor vehicle in a negligent manner under RCW 46.61.525. A person convicted of inattentive driving shall be guilty of an infraction, and shall be subject to a fine of one hundred twenty-four dollars, plus any statutory costs and assessments.

~~((D. A citation for a violation of subsection A. of this section shall not be issued unless the officer issuing the citation has cause to stop or arrest the driver of the motor vehicle for the violation of some other provision of the King County Code relating to the operation, ownership, or maintenance of a motor vehicle or any criminal statute.))~~

SECTION 52. The following are each hereby repealed:

- A. Ordinance 5292, Section 2, as amended, and K.C.C. 46.04.010;
- B. Ordinance 5292, Section 3, and K.C.C. 46.04.020;
- C. Ordinance 5292, Section 4, and K.C.C. 46.04.030;

- D. Ordinance 5292, Section 5, as amended, and K.C.C. 46.04.040;
- E. Ordinance 5292, Section 6, and K.C.C. 46.04.050;
- F. Ordinance 5292, Section 7, as amended, and K.C.C. 46.04.060;
- G. Ordinance 17234, Section 2, and K.C.C. 46.04.062;
- H. Ordinance 11396, Section 2, and K.C.C. 46.04.065;
- I. Ordinance 16294, Section 1, and K.C.C. 46.04.080;
- J. Ordinance 15050, Section 3, and K.C.C. 46.06.010;
- K. Ordinance 15050, Section 4, and K.C.C. 46.06.020;
- L. Ordinance 15050, Section 5, and K.C.C. 46.06.030;
- M. Ordinance 15050, Section 6, and K.C.C. 46.06.040;
- N. Ordinance 15050, Section 7, and K.C.C. 46.06.050;
- O. Ordinance 15050, Section 8, and K.C.C. 46.06.060;
- P. Ordinance 15050, Section 9, and K.C.C. 46.06.070;
- Q. Ordinance 15050, Section 10, and K.C.C. 46.06.080;
- R. Ordinance 10278, Section 1, as amended, and K.C.C. 46.08.010;
- S. Ordinance 5846, Section 4, as amended, and K.C.C. 46.08.040;
- T. Ordinance 10278, Section 5, and K.C.C. 46.08.050;
- U. Ordinance 10278, Section 9, as amended, and K.C.C. 46.08.080;
- V. Ordinance 10278, Section 10, as amended, and K.C.C. 46.08.100;
- W. Ordinance 10278, Section 11, as amended, and K.C.C. 46.08.110;
- X. Ordinance 5846, Section 12, as amended, and K.C.C. 46.08.120;
- Y. Ordinance 10278, Section 12, as amended, and K.C.C. 46.08.130;
- Z. Ordinance 10278, Section 13, and K.C.C. 46.08.132;
- AA. Ordinance 10278, Section 14, as amended, and K.C.C. 46.08.134;

- BB. Ordinance 9078, Section 1, and K.C.C. 46.10.010;
- CC. Ordinance 9078, Section 2 and K.C.C. 46.10.020;
- DD. Ordinance 9078, Section 3, and K.C.C. 46.10.030;
- EE. Ordinance 9078, Section 4, as amended, and K.C.C. 46.10.040;
- FF. Ordinance 9078, Section 5, and K.C.C. 46.10.050;
- GG. Ordinance 9078, Section 6, and K.C.C. 46.10.060;
- HH. Ordinance 9288, Section 1, and K.C.C. 46.10.080;
- II. Ordinance 12887, Section 1, and K.C.C. 46.12.010;
- JJ. Ordinance 12887, Section 2, and K.C.C. 46.12.020;
- KK. Ordinance 12887, Section 3, and K.C.C. 46.12.030; and
- LL. Ordinance 12887, Section 4, and K.C.C. 46.12.040.