



KING COUNTY

ATTACHMENT 1

Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

November 3, 2016

Ordinance

Proposed No. 2016-0402.1

Sponsors Lambert

1 AN ORDINANCE relating to the Traffic Code of King
2 County; amending Ordinance 10278, Section 5, and K.C.C.,
3 46.08.050, Ordinance 17668, Section 3, and K.C.C.
4 46.08.055, Ordinance 10278, Section 7, as amended, and
5 K.C.C. 46.08.070, Ordinance 17093, Section 3, as
6 amended, and K.C.C. 4A.700.700, Ordinance 16553,
7 Section 4, and K.C.C. 7.09.030, Ordinance 16553, Section
8 11, and K.C.C. 7.09.100 and Ordinance 11426, Section 1,
9 and K.C.C. 14.16.010, adding a new section to K.C.C.
10 chapter 4A.680, adding new chapters to K.C.C. Title 46,
11 recodifying K.C.C. 46.08.050, K.C.C. 46.08.055, K.C.C.
12 46.08.060 and K.C.C. 46.08.070 and repealing Ordinance
13 5292, Section 2, as amended, and K.C.C. 46.04.010,
14 Ordinance 5292, Section 3, and K.C.C.46.04.020,
15 Ordinance 5292, Section 4, and K.C.C. 46.04.030,
16 Ordinance 5292, Section 5, as amended, and K.C.C.
17 46.04.040, Ordinance 5292, Section 6, and K.C.C.
18 46.04.050, Ordinance 5292, Section 7, as amended, and
19 K.C.C. 46.04.060, Ordinance 17234, Section 2, and K.C.C.

20 46.04.062, Ordinance 11396, Section 2, and K.C.C.
21 46.04.065, Ordinance 16294, Section 1, and K.C.C.
22 46.04.080, Ordinance 15050, Section 3, and K.C.C.
23 46.06.010, Ordinance 15050, Section 4, and K.C.C.
24 46.06.020, Ordinance 15050, Section 5, and K.C.C.
25 46.06.030, Ordinance 15050, Section 6, and K.C.C.
26 46.06.040, Ordinance 15050, Section 7, and K.C.C.
27 46.06.050, Ordinance 15050, Section 8, and K.C.C.
28 46.06.060, Ordinance 15050, Section 9, and K.C.C.
29 46.06.070, Ordinance 15050, Section 10, and K.C.C.
30 46.060.080, Ordinance 10278, Section 1, as amended, and
31 K.C.C. 46.08.010, Ordinance 5846, Section 4, as amended,
32 and K.C.C. 46.08.040, Ordinance 10278, Section 9, as
33 amended, and K.C.C. 46.08.080, Ordinance 10278, Section
34 10, as amended, and K.C.C. 46.08.100, Ordinance 10278,
35 Section 11, as amended, and K.C.C. 46.08.110, Ordinance
36 5846, Section 12, as amended, and K.C.C. 46.08.120,
37 Ordinance 10278, Section 12, as amended, and K.C.C.
38 46.08.130, Ordinance 10278, Section 13, and K.C.C.
39 46.08.132, Ordinance 10278, Section 14, as amended, and
40 K.C.C. 46.08.134, Ordinance 9078, Section 1, and K.C.C.
41 46.10.010, Ordinance 9078, Section 2 and K.C.C.
42 46.10.020, Ordinance 9078, Section 3, and K.C.C.

43 46.10.030, Ordinance 9078, Section 4, as amended, and
44 K.C.C. 46.10.040, Ordinance 9078, Section 5, and K.C.C.
45 46.10.050, Ordinance 9078, Section 6, and K.C.C.
46 46.10.060 and Ordinance 9288, Section 1, and K.C.C.
47 46.10.080 and prescribing penalties.

48 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

49 SECTION 1. Sections 2 through 21 of this ordinance should constitute a new
50 chapter in K.C.C. Title 46.

51 NEW SECTION. SECTION 2. The definitions in this chapter apply throughout
52 this title unless the context clearly requires otherwise.

53 NEW SECTION. SECTION 3. "Angle parking" means the direction of parking
54 as follows:

55 A. "Back-in" angle parking means the parking of a vehicle with the front of the
56 vehicle facing towards the main traveled portion of the road; and

57 B. "Front-in" angle parking means the parking of a vehicle with the rear of the
58 vehicle facing toward the main traveled portion of the roadway.

59 NEW SECTION. SECTION 4. "Bus" means every motor vehicle designed for
60 carrying more than ten passengers and used for transportation of persons, and every
61 motor vehicle, other than a taxicab or transportation network company, designed and
62 used for the transportation of persons for compensation.

63 NEW SECTION. SECTION 5. "Bus stop" means a fixed portion of the county
64 road parallel and adjacent to the curb to be reserved exclusively for buses for layover in
65 operating schedules or while waiting for, loading, or unloading passengers: Provided,

66 That such bus provides regularly scheduled service within the jurisdiction of King
67 County.

68 NEW SECTION. SECTION 6. "Deputy" means a sheriff's deputy.

69 NEW SECTION. SECTION 7. "Director" means the director of the King
70 County department of transportation.

71 NEW SECTION. SECTION 8. "Holidays" include the first day of January,
72 commonly called New Year's Day; the third Monday in January, commonly called Martin
73 Luther King Jr. day; the third Monday of February, commonly called Presidents' Day; the
74 last Monday of May, commonly known as Memorial Day; the fourth day of July, being
75 the anniversary of the Declaration of Independence; the first Monday in September, to be
76 known as Labor Day; the fourth Thursday in November, to be known as Thanksgiving
77 Day; the twenty-fifth day of December, commonly called Christmas Day; and any other
78 day specified by ordinance to be a holiday. Whenever any holiday falls upon a Sunday,
79 the following Monday shall be a holiday.

80 NEW SECTION. SECTION 9. "Impoundment" means the removal of a vehicle
81 or watercraft to a storage facility either by a deputy or authorized agent of the sheriff or
82 by a towing contractor in response to a request from a deputy or authorized agent of the
83 sheriff.

84 NEW SECTION. SECTION 10. "Loading zone" means a space reserved for the
85 exclusive use of vehicles during the loading or unloading of property or passengers.

86 NEW SECTION. SECTION 11. "Passenger loading zone" means a place
87 reserved for the exclusive use of vehicles while receiving or discharging passengers.

88 NEW SECTION. SECTION 12. "Public place" means an area, whether publicly
89 or privately owned, generally open to the public and includes, but is not limited to, the
90 doorways and entrances to buildings or dwellings and the grounds enclosing them,
91 streets, sidewalks, bridges, alleys, plazas, parks, driveways and parking lots.

92 NEW SECTION. SECTION 13. "School bus zone" means a designated portion
93 of the county road along the curb reserved for loading and unloading school buses during
94 designated hours.

95 NEW SECTION. SECTION 14. "Taxicab" means a motor vehicle for hire used
96 for the transportation of persons for compensation, and not operated exclusively over a
97 fixed route or between fixed termini.

98 NEW SECTION. SECTION 15. "Towing contractor" means any firm,
99 partnership, tow operator, association or corporation duly licensed by the state of
100 Washington to perform towing and storage services that enters into a contract with the
101 sheriff, or the sheriff's designee, to perform towing and storage services under the
102 provisions of this chapter.

103 NEW SECTION. SECTION 16. "Unlawful race event" means an event in which
104 persons willfully compare or contest relative speeds by operation of one or more motor
105 vehicles.

106 NEW SECTION. SECTION 17. "U-turn" means turning a vehicle so as to
107 proceed in the opposite direction on the same roadway.

108 NEW SECTION. SECTION 18. "Vehicle" shall have the same definition as in
109 RCW 46.04.670, and shall also include any junk vehicle as defined in RCW 46.55.010
110 and watercraft as defined in this chapter.

111 NEW SECTION. SECTION 19. "Watercraft" means a vessel used to transport
112 persons on water.

113 NEW SECTION. SECTION 20. "Workday" means Monday through Friday, not
114 including Saturday and Sunday or holidays.

115 NEW SECTION. SECTION 21. "Wrecked, dismantled or inoperative vehicle"
116 means a motor vehicle or the remains or remnant parts of a motor vehicle, or an
117 extensively damaged recreational vehicle or boat, that is clearly inoperative and either
118 cannot be made operative without the addition of vital parts or mechanisms or is damaged
119 to the extent that it prevents normal operation of the vehicle, or both.

120 SECTION 22. Sections 23 through 37 of this ordinance should constitute a new
121 chapter in K.C.C. Title 46.

122 NEW SECTION. SECTION 23. This chapter applies to all public roads within
123 unincorporated King County.

124 NEW SECTION. SECTION 24. Except as otherwise provided in this chapter,
125 the maximum speed limit that a person may operate a vehicle of any character upon any
126 county road is thirty-five miles per hour except where a different speed limit has been
127 posted.

128 NEW SECTION. SECTION 25. The maximum speed limit that a person may
129 drive a vehicle of any type on a county road in a residential district is twenty-five miles
130 per hour except where a different speed limit has been posted.

131 NEW SECTION. SECTION 26. In addition to the duties of drivers of vehicles
132 entering intersections in RCW 46.61.190, every driver of a vehicle approaching a stop
133 sign shall stop at the point nearest the intersecting roadway where the driver has a view of

134 approaching traffic on the intersecting roadway before entering the roadway, even if that
135 necessitates a secondary stop beyond the stop line or crosswalk.

136 NEW SECTION. SECTION 27. It shall be the general duty of the traffic
137 engineer to determine the installation of traffic control devices, to conduct engineering
138 analysis of traffic accidents and devise remedial measures, to conduct engineering
139 investigations of traffic conditions, to plan the operation of traffic on county roads, to
140 cooperate with other officials in the development of ways and means to improve traffic
141 conditions, and to carry out the additional powers and duties imposed by any county
142 ordinances.

143 NEW SECTION. SECTION 28. The traffic engineer may:

144 A. Place and maintain traffic control devices when and as required under federal
145 or state law or this title, and may place and maintain such additional traffic control
146 devices as the traffic engineer deems necessary to regulate, warn or guide traffic.

147 B. Place and maintain such traffic control devices as the traffic engineer deems
148 necessary to regulate, warn or guide traffic of construction, detours, emergencies and
149 special conditions;

150 C. Designate and maintain, by appropriate devices, marks or lines upon the
151 surface of the roadway, crosswalks at intersections where the traffic engineer deems
152 necessary;

153 D. Establish safety zones of such a kind and character and at such places as the
154 traffic engineer deems necessary for the protection of pedestrians;

155 E. Mark traffic lanes upon the roadway of any highway where a regular
156 alignment of traffic is necessary;

157 F. Regulate the timing of traffic signals so as to permit the movement of traffic in
158 an orderly and safe manner;

159 G. Place and maintain traffic control devices within or adjacent to intersections
160 indicating the course to be traveled by vehicles turning at the intersections;

161 H. Determine those intersections at which drivers of vehicles shall not make a
162 right, left or U-turn, and place and maintain proper signs at those intersections. The
163 making of the turns may be prohibited between certain hours of any day and permitted at
164 other hours, but the prohibitions shall be plainly indicated on the signs or the signs may
165 be removed when the turns are permitted;

166 I. Erect and maintain stop signs, yield signs or other traffic control devices to
167 designate arterial highways or to designate intersection or other roadway junctions at
168 which vehicular traffic on one or more of the roadways shall yield or stop and yield
169 before entering the intersection or junction, except as provided in RCW 46.61.195;

170 J. Issue special permits to authorize the backing of a vehicle to the curb for the
171 purpose of loading or unloading property subject to the terms and conditions of the
172 permits. The permits may be issued either to the owner or lessee of real property
173 alongside the curb or to the owner of the vehicle and shall grant to the person the
174 privilege as therein stated and authorized by this section;

175 K. Erect and maintain signs indicating no parking upon both sides of a highway
176 when the width of the improved roadway does not exceed twenty feet, or erect and
177 maintain signs upon one side of a highway when the width of the improved roadway is
178 between twenty and twenty-eight feet;

179 L. Determine when standing or parking may be permitted upon the left-hand side
180 of any roadway when the highway includes two or more separate roadways and traffic is
181 restricted to one direction upon any such a roadway and erect and maintain signs giving
182 notice of the permission;

183 M. Determine and designate by proper signs places in which the stopping,
184 standing or parking of vehicles would create an especially hazardous condition or would
185 cause unusual delay to traffic;

186 N. Determine the location of loading zones, passenger loading zones and tow-
187 away zones, and shall place and maintain appropriate signs or curb markings
188 supplemented with the appropriate words stenciled on the curb indicating the same and
189 stating the hours during which the provisions of this chapter are applicable;

190 O. Establish bus stops, bus stands, taxicab stands and stands for other for-hire
191 vehicles on such highways, in such places and in such a number as the traffic engineer
192 determines to be of the greatest benefit and convenience to the public, and every such a
193 bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs
194 or by curb markings supplemented with the appropriate words stenciled on the curb;

195 P. Erect and maintain traffic control devices on any highway or part thereof to
196 impose gross weight limits on the basis of an engineering and traffic investigation;

197 Q. Erect and maintain traffic control devices on any highway or part thereof to
198 prohibit the operation of trucks exceeding ten thousand pounds gross vehicle weight on
199 the basis of an engineering and traffic investigation, but the devices shall not prohibit
200 necessary local operation on such highways for the purpose of making a pickup or
201 delivery;

202 R. Erect and maintain traffic control devices on any highway or part thereof to
203 impose vehicle size restrictions on the basis of an engineering and traffic investigation;

204 S. Determine and designate those heavily traveled highways upon which are
205 prohibited any class or kind of traffic that the traffic engineer deems to be incompatible
206 with the normal and safe movement of traffic on the basis of an engineering and traffic
207 investigation, and shall erect appropriate traffic control devices giving notice thereof;

208 T. Install parking meters in the established parking meter zones upon the curb
209 adjacent to each designated parking space;

210 U. Designate the parking space adjacent to each parking meter for which the
211 meter is to be used by appropriate markings upon the curb and/or the pavement of the
212 highway;

213 V. Designating certain locations as unlawful for pedestrians to use when crossing
214 highways, when the crossing would endanger either pedestrian or vehicular traffic using
215 the highway, and posting appropriate signs at those locations;

216 W. Test new or proposed traffic control devices under actual conditions of traffic;

217 X. Designate parking meter zones upon those highways or parts thereof where
218 the installation of parking meters is necessary to regulate parking.

219 NEW SECTION. SECTION 29. A. The King County traffic engineer may
220 propose revised speed limits on county roads, only if the speed limit revision does not
221 differ more than ten miles per hour from the existing speed limit and only if the proposed
222 change in speed limit is based upon the factors:

223 1. Road surface characteristics, shoulder conditions, grade, alignment and sight
224 distance;

- 225 2. The eighty-fifth percentile speed and pace speed;
226 3. Roadside development and land use;
227 4. Safe speed for curves within the speed zone;
228 5. Parking practices and pedestrian activity; and
229 6. Most-recently reported collision history for the preceding thirty-six months.

230 B. The traffic engineer may perform an engineering and traffic investigation to
231 determine if the existing maximum speed limit permitted is appropriate and safe under
232 the conditions found to exist upon a roadway. The investigation may be initiated by a
233 county road engineer or by a citizen request.

234 C. If the traffic engineer, after consideration of the findings of the engineering
235 and traffic investigations, determines that a change in the existing speed limit is
236 appropriate, based on current engineering standards and guidelines, the traffic engineer
237 shall provide a public comment period of at least fourteen calendar days and may hold a
238 public meeting to solicit public input on the proposed change. The public may submit its
239 testimony to the traffic engineer by letter or email during the comment period. The
240 traffic engineer shall publish notice of the public comment period in a newspaper of
241 general circulation in the area where the change in the existing speed limit is proposed.

242 D. If the traffic engineer concludes that there should be a change in the speed
243 limit, based on the engineering and traffic investigations results and public comments, the
244 traffic engineer may propose the speed limit revision to the King County road engineer.
245 If the road engineer concurs, then the speed limit amendment takes effect when signed by
246 the road engineer. The road engineer shall then prepare and distribute copies of the speed
247 limit amendment to the clerk of the council. The clerk of the council shall distribute

248 copies of the amendment to councilmembers, the sheriff's office and the records and
249 licensing services division. The office of the traffic engineer shall also maintain a copy
250 of the speed limit amendment and make the amendment available to the public during
251 regular business hours.

252 E. An appeal of a speed limit revision may be submitted to the clerk of the
253 council within thirty business days from the date the road engineer signs the amendment
254 authorizing the revised speed limit. The appeal must be submitted to the clerk of the
255 council in the form of one paper copy and one electronic copy, and the clerk shall then
256 forward copies of the appeal to all councilmembers and to the lead staff of the
257 transportation, economy and environment committee, or its successor. When an appeal is
258 received, the council, with administrative support from the department of transportation,
259 shall review the issues raised in the appeal, and, if appropriate based on new or corrected
260 information raised by the appellant, may modify the road engineer's decision by
261 ordinance.

262 NEW SECTION. SECTION 30. The office of the traffic engineer shall maintain
263 a list of all county roads with a designation of maximum speed limits. The department of
264 transportation shall make copies of the list available to the public during regular business
265 hours.

266 NEW SECTION. SECTION 31. The traffic engineer may designate school
267 speed zones in accordance with RCW 46.61.440(2).

268 NEW SECTION. SECTION 32. The King County road engineer, in addition to
269 those duties in 36.80 RCW, may:

270 A. Determine and declare parking meter zones upon those county roads or parts
271 thereof where the installation of parking meters will be necessary to regulate parking;

272 B. Close any county road or parts thereof temporarily to any or all traffic;

273 C. Determine and declare one-way highways as authorized by RCW 46.61.135;

274 D. Determine and declare arterial highways as authorized by RCW 46.61.195 and
275 46.61.435; and

276 E. Revise speed limits on county roads after performing an engineering and
277 traffic investigation to determine if the existing maximum speed limit permitted is
278 appropriate and safe under the conditions found to exist upon a roadway.

279 NEW SECTION. SECTION 33. The road engineer may set reduced temporary
280 speed limits for special conditions, such as where there is construction on or near a
281 county road, if the locations are posted with signs in accordance with the Manual on
282 Uniform Traffic Control Devices adopted in the King County Road Standards. The
283 temporary speed limits may reduce the posted speed limit by more than ten miles per
284 hour.

285 NEW SECTION. SECTION 34. With the exception of funeral processions and
286 parades of the armed forces of the United States, the military forces of this state and the
287 forces of the sheriff and fire departments, processions or parades shall not be conducted
288 on county roads except in accordance with a Special Use permit issued by the county.

289 NEW SECTION. SECTION 35. A person shall not interfere with a parade or
290 procession. A person shall not operate a vehicle that is not part of a parade or procession
291 between the vehicles of a parade or procession. This subsection does not apply at
292 intersections where traffic is controlled by traffic control devices unless a deputy is

293 present at the intersections to direct traffic so as to preserve the continuity of the parade
294 or procession.

295 NEW SECTION. SECTION 36. A person shall not ride upon any portion of a
296 vehicle not designed or intended for the use of passengers.

297 NEW SECTION. SECTION 37. A violation of this chapter is a traffic infraction
298 punishable in accordance with chapter 46.63 RCW.

299 SECTION 38. Sections 39 through 49 of this ordinance should constitute a new
300 chapter in K.C.C. Title 46.

301 NEW SECTION. SECTION 39. Except when necessary to avoid conflict with
302 traffic or in compliance with the law or at the direction of a police officer or official
303 traffic-control device, it is unlawful for any person to park a vehicle upon any streets or
304 parts of the streets outside the allowed time period when signs are erected giving notice
305 when parking is allowed.

306 NEW SECTION. SECTION 40. Except when necessary to avoid conflict with
307 traffic or in compliance with the law or at the direction of a police officer or official
308 traffic-control device, it is unlawful for any person to park a vehicle upon streets that
309 have been marked or signed for either back-in or front-in angle parking, at an angle in
310 relation to the curb or margin of the shoulder, other than is consistent with the markings
311 or signs.

312 NEW SECTION. SECTION 41. Except when necessary to avoid conflict with
313 traffic or in compliance with the law or at the direction of a police officer or official
314 traffic-control device, it is unlawful for any person to park a commercial vehicle that is

315 more than eighty inches wide overall on any county road or portion of county road
316 between midnight and 6:00 a.m.

317 NEW SECTION. SECTION 42. Except when necessary to avoid conflict with
318 traffic or in compliance with the law or at the direction of a police officer or official
319 traffic-control device, it is unlawful for any person to park a trailer, either attached to or
320 detached from a motor vehicle at any time, upon any county road or portion of the county
321 road when signs are erected giving notice that trailer parking is prohibited.

322 NEW SECTION. SECTION 43. Except when necessary to avoid conflict with
323 traffic or in compliance with the law or at the direction of a police officer or official
324 traffic-control device, it is unlawful for any person to park directly adjacent to a curbside,
325 next to clearly visible residential mail boxes between 10:00 a.m. and 5:00 p.m. on any
326 day of scheduled mail delivery by the United States Postal Service.

327 NEW SECTION. SECTION 44. Except when necessary to avoid conflict with
328 traffic or in compliance with the law or at the direction of a police officer or official
329 traffic-control device, it is unlawful for any person to park a vehicle upon a highway in a
330 manner or under conditions that leave less than ten feet of the width of the roadway
331 available for free movement of vehicular traffic. A person shall not stop, stand or park a
332 vehicle within an alley in a position that blocks the driveway entrance to any abutting
333 property.

334 NEW SECTION. SECTION 45. Except when necessary to avoid conflict with
335 traffic or in compliance with the law or at the direction of a police officer or official
336 traffic-control device, it is unlawful for any person to stop, stand or park a vehicle for any
337 purpose or period other than for the expeditious loading or unloading of passengers in

338 any place marked as a passenger loading zone during hours when the provisions
339 applicable to the loading zone are effective, and then only for a maximum of three
340 minutes.

341 NEW SECTION. SECTION 46. A. Except when necessary to avoid conflict
342 with traffic or in compliance with the law or at the direction of a police officer or official
343 traffic-control device, it is unlawful for an operator of a bus to stop, stand or park the bus
344 upon any highway at any place other than a designated bus stop. This subsection does
345 not prevent the operator of a bus from temporarily stopping in accordance with other
346 stopping, standing or parking provisions at any place for the purpose of and while
347 actually engaged in the expeditious loading or unloading of passengers or their baggage.

348 B. Except when necessary to avoid conflict with traffic or in compliance with the
349 law or at the direction of a police officer or official traffic-control device, it is unlawful
350 for the operator of a bus to enter a bus stop or passenger loading zone on a highway in
351 such a manner that the bus, when stopped to load or unload passengers or baggage, is in a
352 position with the right front wheel of the bus at most eighteen inches from the curb and
353 the bus approximately parallel to the curb so as not to unduly impede the movement of
354 other vehicular traffic.

355 C. Except when necessary to avoid conflict with traffic or in compliance with the
356 law or at the direction of a police officer or official traffic-control device, it is unlawful
357 for the operator of a taxicab or a vehicle for hire or transportation network company to
358 stop, stand or park the taxicab or vehicle for hire upon any highway at any place other
359 than in a designated taxicab stand. This subsection does not prevent the operator of a
360 taxicab or vehicle for hire from temporarily stopping in accordance with other stopping,

361 standing or parking provisions at any place for the purpose of and while actually engaged
362 in the expeditious loading or unloading of passengers.

363 NEW SECTION. SECTION 47. Except when necessary to avoid conflict with
364 traffic or in compliance with the law or at the direction of a police officer or official
365 traffic-control device, it is unlawful for any person to stop, stand or park a vehicle in a
366 bus stop or a taxicab stand, other than a bus in a bus stop or a taxicab or vehicle for hire
367 in a taxicab stand, when the stop or stand has been designated and signed. However, the
368 driver of a passenger vehicle may temporarily stop in a bus stop or a taxicab stand for the
369 purpose of, or while actually engaged in, loading or unloading passengers when the
370 stopping does not interfere with any bus, taxicab or vehicle for hire waiting to enter or
371 about to enter the stop or stand.

372 NEW SECTION. SECTION 48. A person violating this chapter commits a
373 traffic infraction and is subject to the monetary penalty authorized by RCW 46.63.110 as
374 set forth in the Infraction Rules for Courts of Limited Jurisdiction in effect on the
375 effective date of the infraction and any additional monetary penalty or administrative
376 costs related to the infraction.

377 NEW SECTION. SECTION 49. Monetary penalties related to traffic infractions
378 authorized by RCW 46.63.110 shall be the penalties in Section 6.2 of the Infraction Rules
379 for Courts of Limited Jurisdiction except violations of the provisions of RCW 46.61.560
380 through 46.61.575 and this chapter shall be subject to a penalty of one hundred dollars.

381 SECTION 50. Sections 51 through 53 of this ordinance should constitute a new
382 chapter in K.C.C. Title 46.

383 NEW SECTION. SECTION 51. A. A person operating a motorized foot scooter
384 shall ensure that the scooter is equipped with a brake that enables the operator to make
385 the braked wheels skid on dry, level, clean pavement.

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

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

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

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

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

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

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

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

413 NEW SECTION. SECTION 52. A person shall not violate this chapter or fail to
414 perform any act required by RCW 46.61.710. The parent of a child or the guardian of a
415 ward shall not authorize or knowingly permit the child or ward to violate this chapter.

416 NEW SECTION. SECTION 53. A person violating this chapter commits a
417 traffic infraction and is subject to a monetary penalty in accordance with the Infraction
418 Rules for Courts of Limited Jurisdiction in effect on the effective date of the infraction
419 and any additional monetary penalty or administrative costs related to the infraction. SECTION 54. Sec
420 recodified by this ordinance, and sections 66 through 74 of this ordinance should
421 constitute a new chapter in K.C.C. Title 46.

422 NEW SECTION. SECTION 55. As authorized in RCW 46.55.113, whenever the
423 driver of a vehicle is arrested for violation of RCW 46.20.342 or 46.20.420, the vehicle is
424 subject to summary impoundment, at the discretion of the deputy, at the business location
425 of a registered tow truck operator at the direction of the sheriff or a deputy. The sheriff's
426 office shall negotiate and contract with one or more licensed and authorized tow truck
427 operators to tow, store and release vehicles impounded under this chapter. At minimum,
428 this contract for services shall include a provision that indemnifies the county, and its

429 officials, from liability for any damages caused to the impounded vehicle during its tow
430 or storage.

431 NEW SECTION. SECTION 56. A.1. When a vehicle is impounded because the
432 operator is in violation of RCW 46.20.342(1) (a) or (b), the vehicle will be held, at the
433 written direction of the sheriff, a deputy or a Washington State Patrol officer, in impound
434 for thirty days before it may be redeemed.

435 2. A vehicle impounded because the operator is arrested for a violation of RCW
436 46.20.342 may be released only pursuant to a written order to release from the sheriff, a
437 deputy or the Washington State Patrol Officer that ordered the vehicle impounded or
438 from the court having jurisdiction. The sheriff, deputy or Washington State Patrol Officer
439 shall only issue a written order to release upon a showing by the person or entity seeking
440 redemption that the requirements of RCW 46.55.120 have been satisfied and upon
441 payment of a fee in the amount specified in section 57 of this ordinance.

442 B. When a vehicle is impounded because the operator is in violation of RCW
443 46.20.342 (1)(c), the vehicle shall be held at the written direction of the sheriff, a deputy
444 or a Washington State Patrol officer, in impound before it may be redeemed as follows:

445 1. The sheriff's office shall issue a written order of release of the vehicle from
446 impound from any precinct, during business hours; and

447 2. The release is subject to the owner providing proof of ownership, proof of
448 valid insurance as required under RCW 46.30.020, proof of valid operator's license and
449 upon payment of a fee in the amount as specified in section 57 of this ordinance.

450 NEW SECTION. SECTION 57. There is hereby added to K.C.C. chapter
451 4A.680 a new section to read as follows:

452 A. In order to offset the costs associated with processing impoundments, all
453 impounded vehicle will be subject to an administrative impound fee.

454 B. The administrative impound fee for release of a vehicle from impound under
455 section 56.A. of this ordinance is one hundred dollars.

456 C. The administrative impound fee for release of a vehicle from impound under
457 section 56.B. of this ordinance is one hundred dollars.

458 NEW SECTION. SECTION 58. A vehicle may be impounded as provided in
459 chapter 46.55 RCW. This section shall not be construed to authorize seizure of a vehicle
460 without a warrant where a warrant would otherwise be required. This section shall not
461 derogate from the powers of the sheriff or deputies under the common law or other
462 statute or ordinance.

463 SECTION 59. K.C.C. 46.08.050, as amended by this ordinance, is hereby
464 recodified in the new chapter created in section 54 of this ordinance.

465 SECTION 60. Ordinance 10278, Section 5, and K.C.C. 46.08.050 are each
466 hereby amended to read as follows:

467 A vehicle not subject to impoundment under ~~((K.C.C. 46.08.040 hereof))~~ section
468 55 and section 58 of this ordinance may be impounded after notice of ~~((such))~~ the
469 proposed impoundment has been securely attached to and conspicuously displayed on the
470 vehicle for ~~((a period of))~~ twenty-four hours ~~((prior to such))~~ before the impoundment if
471 ~~((such))~~ the vehicle is either parked ~~((and/))~~ or used, or both, in violation of any law,
472 ordinance or regulation~~((; provided, that))~~. ~~((i))~~ If the vehicle has current Washington
473 registration plates, the ~~((officer or the King County department of public safety))~~ sheriff's
474 office shall check the records to learn the identity of the last owner of record and shall

475 make a reasonable effort to contact the owner by telephone in order to give the owner the
476 information on the notice of proposed impoundment.

477 SECTION 61. K.C.C. 46.08.055, as amended by this ordinance, is hereby
478 recodified in the new chapter created in section 54 of this ordinance.

479 SECTION 62. Ordinance 17668, Section 3, and K.C.C. 46.08.055 are each
480 hereby amended to read as follows:

481 Whenever it appears reasonably necessary to protect persons or property, the
482 sheriff or a deputy may order the impoundment of a watercraft when the watercraft
483 cannot be otherwise secured or released. The sheriff or the deputy in lieu of impound
484 may release the watercraft to a person who, in the sheriff's or the deputy's opinion, can
485 safely operate the watercraft or secure the watercraft to a moorage facility when the
486 moorage facility has been approved for that purpose. A person to whom the sheriff or the
487 deputy releases the watercraft must be legally able operate a watercraft under RCW
488 79A.60.640. If the owner or operator of the watercraft is present, the person's signature
489 on a waiver of impound is required before the (~~officer~~) sheriff or the deputy may release
490 the watercraft to a person in lieu of impoundment.

491 SECTION 63. K.C.C. 46.08.060 is hereby recodified in the new chapter created
492 in section 54 of this ordinance.

493 SECTION 64. K.C.C. 46.08.070, as amended by this ordinance, is hereby
494 recodified in the new chapter created in section 54 of this ordinance.

495 SECTION 65. Ordinance 10278, Section 7, as amended, and K.C.C. 46.08.070
496 are each hereby amended to read as follows:

497 A. When a vehicle or watercraft is impounded, the impounding towing contractor
498 shall notify the legal and registered owner or owners of the impoundment of the vehicle
499 or watercraft. The notification shall be in writing and sent within twenty-four hours after
500 the impound by first-class mail to the last known registered and legal owner or owners of
501 the vehicle or watercraft, as identified by the ~~((department of public safety))~~ sheriff's
502 office, and shall inform the owner or owners of the identity of the person or agency
503 authorizing the impound. The notification shall include the name of the impounding tow
504 firm, its address and telephone number, the location and time of the impound and by
505 whose authority the vehicle or watercraft was impounded. The notice shall also include
506 the notice of the right of redemption and opportunity for a hearing to contest the validity
507 of the impoundment under ~~((K.C.C. 46.08.100))~~ section 67 of this ordinance, as set forth
508 on a form to be provided by the ~~((department of public safety))~~ sheriff's office.

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

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

516 D. When a person seeks to redeem an impounded vehicle or watercraft, as
517 provided in either chapter 46.55 RCW or this chapter, the towing contractor shall give the
518 person a copy of the towing and storage receipt as well as written notice of the right of
519 redemption and opportunity for a hearing, as set forth on a form provided by the

520 ~~((department of public safety))~~ sheriff's office. The towing contractor shall maintain a
521 record evidenced by the redeeming person's signature that such notification was
522 provided.

523 E. Similar written notice and record of notification for redemption and
524 opportunity for a hearing, as set forth on a form provided by the ~~((department of public
525 safety))~~ sheriff's office, shall be given by the towing contractor at the time of releasing a
526 vehicle or watercraft impounded for investigatory purposes ~~((in accordance with K.C.C.
527 46.08.040.E))~~, following authorization by the ~~((department of public safety))~~ sheriff's
528 office to release the vehicle or watercraft.

529 NEW SECTION. SECTION 66. All vehicles impounded by the sheriff shall
530 utilize a written authorization to impound form, approved by the sheriff, or the sheriff's
531 designee. The form shall denote the sheriff's authority to impound in chapter 46.55
532 RCW.

533 NEW SECTION. SECTION 67. A. In accordance with RCW 46.55.240(1)(d),
534 the sheriff shall appoint one or more administrative hearing officers to conduct the
535 hearings specified in and requested under RCW 46.55.120(2). Persons whose watercraft
536 are impounded may also request a hearing, which shall be carried out in accordance with
537 the processes for impound hearings specified in RCW 46.55.120(2).

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

540 NEW SECTION. SECTION 68. A. An impounded watercraft not redeemed
541 within fifteen days of mailing of the notice required by RCW 46.55.110, and not listed as
542 a stolen watercraft, shall be deemed unclaimed and shall be sold at a public auction in

543 accordance with the provisions and subject to all conditions of RCW 46.55.130.
544 However, in the case of a watercraft impounded and held under order of the sheriff or a
545 deputy, the fifteen days shall not begin until forty-eight hours after the sheriff's office
546 hold has been satisfied. Also, when a timely request for a hearing has been made under
547 RCW 46.55.120(2)(b), the sale of the watercraft at public auction shall not take place
548 until after the hearing has been conducted and the hearing officer has entered an order.
549 Before sale at public auction, the towing contractor shall confirm with the sheriff's office
550 that a hearing or hearing appeal, is not pending.

551 B. When an unclaimed watercraft is sold at public auction under subsection A. of
552 this section, the towing contractor may recover its towing and storage charges from the
553 proceeds of the sale. The towing and storage charges shall be limited to the contract rates
554 established under section 71 of this ordinance.

555 NEW SECTION. SECTION 69. Vehicles or watercraft impounded by the
556 county shall be redeemed under the following circumstances:

557 A. Only those persons authorized by chapter 46.55 RCW may redeem an
558 impounded vehicle.

559 B. A person authorized by chapter 46.55 RCW to redeem an impounded vehicle
560 must pay the towing contractor for the reasonable costs of towing and storage resulting
561 from the impoundment before the vehicle or watercraft may be released from impound.

562 C. A person seeking to redeem an impounded vehicle or watercraft has a right to
563 a hearing under section 67 of this ordinance before an administrative hearing officer to
564 contest the validity of the impoundment or the amount of towing and storage costs. A

565 request for a hearing shall be made in writing on a form provided for that purpose by the
566 sheriff's office.

567 NEW SECTION. SECTION 70. The sheriff shall keep a record of all vehicles or
568 watercraft impounded under this chapter. The record shall include at least the following:

- 569 A. Vehicle or watercraft make, year and model;
- 570 B. Vehicle or watercraft license number and state of registration;
- 571 C. Vehicle or watercraft identification number, if ascertainable;
- 572 D. Such other descriptive information as the sheriff deems useful for purposes of
573 vehicle or watercraft identification;
- 574 E. Name of impounding officer and serial number; and
- 575 F. Reason for impoundment, and the time, date and location the approved towing
576 company took custody.

577 NEW SECTION. SECTION 71. The sheriff, or the sheriff's designee, may enter
578 into contracts with towing contractors to provide towing and storage services on request
579 of the sheriff's office, in accordance with this chapter. The contracts shall be at no cost to
580 the county and shall provide that the towing contractor may recover the costs of towing
581 and storage only from the person seeking to redeem the impounded vehicle or watercraft,
582 or from the proceeds of sale of an unclaimed vehicle or watercraft as authorized by RCW
583 46.55 or under section 68 of this ordinance, and that the county shall not be responsible
584 for payment of the costs except upon order of the administration hearing officer under
585 section 68 of this ordinance. The sheriff may specify that towing services shall be on a
586 rotational or other basis in specific geographic areas in the county. The sheriff may

587 specify the rates towing contractors may charge persons seeking to redeem impounded
588 vehicles for towing and storage services provided in accordance with this chapter.

589 NEW SECTION. SECTION 72. Each towing contractor, in addition to fully
590 complying with the standards set by the sheriff's office, must:

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

592 B. Maintain all vehicle transaction files for three years.

593 NEW SECTION. SECTION 73. A. The abandonment of any vehicle or
594 automobile hulk shall constitute a prima facie presumption that the last owner of record is
595 responsible for such abandonment and thus liable for any costs incurred in removing,
596 storing, and disposing of any abandoned vehicle.

597 B. A registered owner transferring a vehicle shall be relieved from personal
598 liability under this section if within five days of the transfer the owner transmits to the
599 department a seller's report of sale on a form prescribed by the director.

600 NEW SECTION. SECTION 74. The sheriff shall report to the chief of the
601 Washington State Patrol all motor vehicles reported to them as stolen or recovered, upon
602 forms to be provided by the chief of the Washington state patrol. The sheriff shall report
603 to the chief of the Washington State Patrol all vehicles or automobile hulks found
604 abandoned on a highway or at any other place in the county and the vehicles or
605 automobile hulks shall, at the direction of a sheriff or deputy, be placed in the custody of
606 a tow truck operator registered under chapter 46.55 RCW.

607 SECTION 75. Section 76 and 77 of this ordinance should constitute a new
608 chapter in K.C.C. Title 46.

609 NEW SECTION. SECTION 76. A. A person shall not:

610 1. Have actual or constructive knowledge that the person is in attendance of an
611 unlawful race event;

612 2. Have actual or constructive knowledge that the unlawful race event is
613 occurring, has occurred or is about to occur; and

614 3. Be present with the intent to observe, support or encourage the unlawful race
615 event.

616 B. The circumstances that may be considered in determining whether a violation
617 of subsection A. of this section has occurred include, but are not be limited to:

618 1. The unlawful race event occurred in a public place;

619 2. The person is associating with persons racing in an unlawful race event;

620 3. The person, by the person's own statement, demonstrates that the person is in
621 attendance of an unlawful race event with the intent to observe or support or encourage
622 the unlawful race event;

623 4. Statements of other persons, who are shown to be in attendance of an
624 unlawful race event, that provide evidence that the person intends to observe or support
625 or encourage an unlawful race event;

626 5. The person either operates or is a passenger in a vehicle that shares the
627 attributes of other vehicles that are in attendance of the unlawful race event or that are
628 engaging in, that are about to engage in or that have engaged in an unlawful race event;

629 6. The person either operates or is a passenger in a vehicle that is driven in such
630 a manner as to show evidence of an attempt to flee or escape detection when a police
631 officer arrives on the scene of an unlawful race event; and

632 7. The person has no reasonable alternative purpose for being in the area in
633 which the unlawful race event is occurring, is about to occur or has occurred.

634 NEW SECTION. SECTION 77. A person violating this chapter commits a
635 traffic infraction, and is subject to a monetary penalty in accordance with the Rules for
636 Courts of Limited Jurisdiction in effect on the effective date of the infraction and any
637 additional monetary penalty or administrative costs related to the infraction.

638 SECTION 78. The following are each hereby repealed:

639 A. Ordinance 5292, Section 2, as amended, and K.C.C. 46.04.010;

640 B. Ordinance 5292, Section 3, and K.C.C.46.04.020;

641 C. Ordinance 5292, Section 4, and K.C.C. 46.04.030;

642 D. Ordinance 5292, Section 5, as amended, and K.C.C. 46.04.040;

643 E. Ordinance 5292, Section 6, and K.C.C. 46.04.050;

644 F. Ordinance 5292, Section 7, as amended, and K.C.C. 46.04.060;

645 G. Ordinance 17234, Section 2, and K.C.C. 46.04.062;

646 H. Ordinance 11396, Section 2, and K.C.C. 46.04.065;

647 I. Ordinance 16294, Section 1, and K.C.C. 46.04.080;

648 J. Ordinance 15050, Section 3, and K.C.C. 46.06.010;

649 K. Ordinance 15050, Section 4, and K.C.C. 46.06.020;

650 L. Ordinance 15050, Section 5, and K.C.C. 46.06.030;

651 M. Ordinance 15050, Section 6, and K.C.C. 46.06.040;

652 N. Ordinance 15050, Section 7, and K.C.C. 46.06.050;

653 O. Ordinance 15050, Section 8, and K.C.C. 46.06.060;

654 P. Ordinance 15050, Section 9, and K.C.C. 46.06.070;

- 655 Q. Ordinance 15050, Section 10, and K.C.C. 46.060.080;
- 656 R. Ordinance 10278, Section 1, as amended, and K.C.C. 46.08.010;
- 657 S. Ordinance 5846, Section 4, as amended, and K.C.C. 46.08.040;
- 658 T. Ordinance 10278, Section 9, as amended, and K.C.C. 46.08.080;
- 659 U. Ordinance 10278, Section 10, as amended, and K.C.C. 46.08.100;
- 660 V. Ordinance 10278, Section 11, as amended, and K.C.C. 46.08.110;
- 661 W. Ordinance 5846, Section 12, as amended, and K.C.C. 46.08.120;
- 662 X. Ordinance 10278, Section 12, as amended, and K.C.C. 46.08.130;
- 663 Y. Ordinance 10278, Section 13, and K.C.C. 46.08.132;
- 664 Z. Ordinance 10278, Section 14, as amended, and K.C.C. 46.08.134;
- 665 AA. Ordinance 9078, Section 1, and K.C.C. 46.10.010;
- 666 BB. Ordinance 9078, Section 2 and K.C.C. 46.10.020;
- 667 CC. Ordinance 9078, Section 3, and K.C.C. 46.10.030;
- 668 DD. Ordinance 9078, Section 4, as amended, and K.C.C. 46.10.040;
- 669 EE. Ordinance 9078, Section 5, and K.C.C. 46.10.050;
- 670 FF. Ordinance 9078, Section 6, and K.C.C. 46.10.060; and
- 671 GG. Ordinance 9288, Section 1, and K.C.C. 46.10.080.
- 672 SECTION 79. 17093, Section 3, as amended, and K.C.C. 4A.700.700 are each
- 673 hereby amended to read as follows:
- 674 A. User fees are established for public use of electric vehicle charging station
- 675 stalls located on property owned or leased by King County.
- 676 B. The department of transportation shall set the user fees for the use of electric
- 677 vehicle charging stations stalls in accordance with this section.

678 C. The user fees shall not exceed five dollars per use. The user fees shall be
679 calculated as single, per-use fees intended to cover the county's cost of operations related
680 to public use.

681 1. The county's cost of operations includes, but is not limited to, planning,
682 outreach and administration, maintenance, charging station vendor costs, utility costs
683 related to the charging stations and facility enforcement costs.

684 2. Differing user fees may be established at particular locations and for uses
685 other than typical daytime parking, such as overnight parking, monthly reservations,
686 special event rates and other specific circumstances.

687 D. The department of transportation shall review all user fees twice each year and
688 adjust the fees based on consideration for the costs established in subsections A., B. and
689 C. of this section.

690 E. All user fees and civil penalties authorized in this section shall be deposited
691 into the public transportation operating account of the public transportation fund and used
692 to support the electric vehicle charging station program.

693 F. The department of transportation shall post user fees, rules for using the
694 electric vehicle charging station stalls and the penalties for improper use of electric
695 vehicle charging station stall at or near the stalls either via the electronic screen on the
696 charging device or by signage affixed on or near the charging device. The department
697 also shall post the fees, rules and penalties in an appropriate location on the department of
698 transportation website.

699 G. Failure to pay the applicable user fee or remaining in an electric vehicle
700 charging station stall longer than entitled as a result of the user fee paid, is a violation of
701 this section.

702 H. The penalty for a violation under subsection G. of this section may result in a
703 civil penalty in an amount established by the department by rule, in accordance with
704 K.C.C. chapter 2.98, not to exceed two hundred dollars. Notice and appeal of the civil
705 penalty shall be as follows:

706 1. The department shall issue a notice and order and serve it as provided for in
707 this section when the department determines that a violation described in subsection H. of
708 this section has occurred. The notice and order shall contain:

709 a. a description of the vehicle parked in violation of this section, including
710 make, model, color and license plate number;

711 b. date and time the notice and order was issued;

712 c. a description sufficient to identify the area where the vehicle was parked
713 when the violation was discovered;

714 d. a statement that the vehicle is parked in violation of subsection G. of this
715 section, with a brief and concise description of the conditions that established the
716 violation;

717 e. a statement that the department is assessing a civil penalty, the amount of
718 the penalty and a time certain by which the penalty shall be paid from the date of the
719 order; and

720 f. statements advising that:

721 (1) the director of transportation may review and reconsider the notice and
722 order, but only if a request for review and reconsideration is made in writing as provided
723 in this section and filed with the director within ten days from the date of service of the
724 notice and order;

725 (2) the address to which the request for review and reconsideration must be
726 sent;

727 (3) failure to timely request director's review and reconsideration will
728 constitute a waiver of all rights to any administrative hearing and determination of the
729 matter;

730 2. The notice and order, and any amended or supplemental notice and order,
731 shall be served by affixing the notice and order to the vehicle for which is the subject of
732 the violation, in a conspicuous location on the vehicle;

733 3. Proof of service of the notice and order shall be made at the time of service
734 by a written declaration under penalty of perjury, executed by the person effecting service
735 and declaring the time, date and manner in which service was made. A copy of the notice
736 and order shall be kept on file by the department of transportation;

737 4. A person served with a notice and order under this section may request in
738 writing, within ten days of being served with a notice and order, that the director review
739 and reconsider the notice and order;

740 5. The review shall be performed without a hearing and be based solely on
741 written information provided by the person requesting review and by county personnel or
742 agents;

743 6. Upon review, the director may uphold the notice and order or waive or
744 reduce the fine or any other penalty contained in the notice and order;

745 7. The director shall mail the written decision to the person requesting review;

746 8. The decision shall notify the person requesting review of the right to appeal
747 the director's decision in accordance with K.C.C. 20.22.080;

748 9. The King County office of the hearing examiner shall hear appeals of the
749 director's decisions under this section;

750 10. Any person having received a director's decision under this section may
751 appeal that decision in accordance with K.C.C. 20.22.080;

752 11. The procedures for initiating and conducting the appeal shall be governed by
753 K.C.C. chapter 20.22;

754 12. Enforcement of any notice and order of the department shall be stayed
755 during the pendency of a director's review or an appeal therefrom that is properly and
756 timely filed in accordance with K.C.C. chapter 20.22;

757 13. The registered owner of a vehicle is liable to pay any civil penalty imposed
758 for a violation under this section. However, the registered owner of a vehicle may avoid
759 liability if the owner proves that the vehicle was reported to the police as a stolen vehicle
760 before the notice and order was issued, and the vehicle had not been recovered;

761 14. Except as otherwise provided in subsection H.13. of this section, a civil
762 penalty imposed for failure to pay a user fee at a King County department of
763 transportation facility is a personal obligation of the registered owner of the vehicle
764 involved; and

765 15. If the penalties assessed by the department are not paid to King County
766 within thirty days from the service of the notice, the mailing of the director's decision, or
767 the mailing of the hearing examiner's decision, whichever occurs last, then the
768 department may send a final warning letter to the registered owner of the vehicle to the
769 address on file with the state Department of Licensing. If the civil penalties are not paid
770 within ten days after the final warning letter is sent, then the department may pursue other
771 applicable legal remedies. In pursuing payment of civil penalties that remain delinquent
772 after the final warning letter is sent, and to cover administrative expenses associated with
773 the pursuit of the penalties, the department may charge the registered owner of the
774 vehicle an additional fee not to exceed fifty percent of the total delinquent civil penalties.

775 I. In addition or as an alternative to the civil penalty authorized in subsection I. of
776 this section, the department may impound the vehicle without giving prior notice in
777 accordance with the process provided in K.C.C. chapter ~~((46-08))~~ 46.xx (the new chapter
778 created in section 54 of this ordinance). When impoundment is authorized by this
779 section, a vehicle may be impounded by a towing contractor acting at the request of the
780 director or the director's designee. The director or the director's designee shall provide to
781 the towing contractor a signed authorization for the tow and the impound before the
782 towing contractor may proceed with the impound.

783 SECTION 80. Ordinance 16553, Section 4, and K.C.C. 7.09.030 are each hereby
784 amended to read as follows:

785 A. The director shall issue a notice and order when the director determines that
786 an applicable parking fee has not been paid. The notice and order shall contain:

- 787 1. A description of the vehicle parked in violation of this title, including make,
788 model, color and license plate number;
- 789 2. Date and time issued;
- 790 3. A description sufficient to identify the area where the vehicle was parked
791 when the violation was discovered such as lot identification letter;
- 792 4. A statement that the director has found the vehicle parked in violation of
793 parking fee requirements, with a brief and concise description of the conditions that
794 establish the violation;
- 795 5. A statement that the director is assessing a civil penalty, the amount of the
796 penalty and a time certain by which the penalty shall be paid from the date of the order;
797 and
- 798 6. Statements advising:
- 799 a. the director may review and reconsider the notice and order, provided that a
800 request for review and reconsideration is made in writing as provided in this chapter and
801 filed with the director within ten days from the date of service of the notice and order;
- 802 b. the address to which the request for review and reconsideration should be
803 sent;
- 804 c. the director's decision may be appealed in accordance with K.C.C.
805 20.22.080;
- 806 d. failure to timely request director's review and reconsideration will constitute
807 a waiver of all rights to any administrative hearing and determination of the matter;
- 808 e. a vehicle with three or more unpaid notice and orders may be immobilized
809 in accordance with any applicable legal requirements and a vehicle with five or more

810 unpaid notice and orders or a vehicle that has been immobilized for more than twenty-
811 four hours may be towed and impounded without prior notice and at the owner's expense,
812 under this chapter and K.C.C. chapter ~~((46.08))~~ 46.xx (the new chapter created in section
813 54 of this ordinance); and

814 f. if, in accordance with K.C.C. 7.09.040, the director chooses to provide a
815 uniform automatic civil penalty reduction for prompt payment of a notice and order, then
816 the notice and order shall also include a statement advising how to qualify for that
817 reduction.

818 B. The notice and order, and any amended or supplemental notice and order,
819 shall be served by affixing the notice and order to the vehicle for which the parking fee
820 was not paid, in a conspicuous location, usually the windshield.

821 C. Proof of service of the notice and order shall be made at the time of service by
822 a written declaration under penalty of perjury, executed by the person effecting service
823 and declaring the time, date, and manner in which service was made. A copy of the
824 notice and order shall be kept on file by the department of natural resources and parks.

825 SECTION 81. Ordinance 16553, Section 11, and K.C.C. 7.09.100 are each
826 hereby amended to read as follows:

827 A. In addition to the remedies provided elsewhere in this chapter and in K.C.C.
828 Title 23, the director may impound a vehicle without giving prior notice to its owner, but
829 only if:

830 1. The vehicle to be towed has received five or more notice and orders under
831 this chapter for which appeals have been waived or been completed; and

832 2. All or a portion of the amount owed pursuant to those notices and orders
833 remains an outstanding debt to King County.

834 B. Before impounding any vehicle under this section, the director shall cause
835 signs to be posted in King County parks and recreation facilities to clearly communicate
836 that parked vehicles may be towed and impounded for failure to pay parking fees.

837 C. When impoundment is authorized by this chapter, a vehicle may be
838 impounded by a towing contractor acting at the request of an employee or other
839 authorized agent of the King County department of natural resources and parks. The
840 employee or authorized agent shall provide to the towing contractor a signed
841 authorization for the tow and the impound before the towing contractor may proceed with
842 the impound.

843 D. Notice to the owner of an impounded vehicle, redemption of impounded
844 vehicles and post impoundment procedures shall occur in accordance with K.C.C.
845 ~~((46.08.070, 46.08.080, 46.08.100, 46.08.110, 46.08.120, 46.08.130, 46.08.132 and~~
846 ~~46.08.134)) chapter 46.xx (the new chapter created in section 54 of this ordinance).~~

847 E. Nothing in this section shall be construed to authorize seizure of a vehicle
848 without a warrant where a warrant would otherwise be required. ~~((Nothing in t))~~This
849 section does not limit((s K.C.C. 46.08.040, or)) section 58 of this ordinance and does not
850 derogate((s)) from the power of police officers under the common law or other statute or
851 ordinance.

852 SECTION 82. Ordinance 11426, Section 1, and K.C.C. 14.16.010 are each
853 hereby amended to read as follows:

854 A. It is unlawful for any person to operate a vehicle over any King County bridge
855 when ~~((such))~~ the vehicle has a gross weight that is greater than the posted maximum
856 weight for that bridge, unless the driver is in possession of a limited special permit issued
857 by the county road engineer or designee for the safe use of ~~((such))~~ the bridge.

858 B. Notice of closing of individual bridges to certain classes or weights of vehicles
859 shall be:

860 ~~((A-))~~ 1. Published in a local newspaper of general circulation~~((;))~~; and

861 ~~((B-))~~ 2. Posted on signs at each end of subject bridge, on or ~~((prior to))~~ before
862 the date of publication. All signs shall be erected and maintained in accordance with
863 RCW 36.86.040, RCW 46.61.450 and RCW 47.36.030.

864 C. Maximum gross weights for vehicles operating over King County bridges
865 shall be established by ordinance in accordance with RCW 36.75.270 and RCW
866 46.44.080.

867 D. The county road engineer shall have the authority by administrative
868 determination to immediately impose temporary gross weight limits on bridges based on
869 the results of an engineering and traffic investigation. The traffic engineer shall have the
870 authority to immediately erect and maintain ~~((official))~~ traffic control devices for
871 temporary gross weight limits on bridges as directed by the county road engineer and in
872 accordance with ~~((C))~~chapter 46.90 RCW~~((;))~~ and WAC 308-330-265 ~~((and K.C.C.~~
873 ~~46.04.010))~~). The temporary gross weight limits on bridges shall be in effect for not

874 longer than one year from the date of posting or until the weight limits are established by
875 ordinance.
876

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Melani Pedroza, Acting Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None