



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

November 6, 2012

Ordinance 17455

Proposed No. 2012-0396.1

Sponsors McDermott

1 AN ORDINANCE establishing inattentive driving as a
2 traffic infraction; adding a new chapter to K.C.C. Title 46
3 and prescribing penalties.

4 STATEMENT OF FACTS:

5 1. According to the Washington Traffic Safety Commission, Traffic
6 Research and Data Center, distracted driving resulted in one hundred
7 twenty-two deaths in King County between 2004 and 2008.

8 2. There are increasing incidents of drivers operating motor vehicles
9 while they are distracted.

10 3. RCW 46.61.525 defines negligent driving in the second degree to be
11 when driving in a manner that is both negligent and endangers or is likely
12 to endanger persons or property.

13 4. A lesser included infraction to negligent driving in the second degree is
14 not provided for in the Washington Model Traffic Ordinance and RCW
15 46.61.525 or other state statute;

16 5. Several other jurisdictions have adopted ordinances to create a lesser
17 included infraction of inattentive driving, to be used when a driver is
18 careless and demonstrates a clear lack of attention that places persons and
19 property at risk;

20 6. This ordinance will expand the tools available to law enforcement to
21 effectively educate and correct bad driver behavior and will assist to
22 protect the health, safety, and welfare of the citizens of King County;

23 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

24 SECTION 1. Section 2 of this ordinance should constitute a new chapter to
25 K.C.C. Title 46.

26 NEW SECTION. SECTION 2. A. It is unlawful for any person to operate a
27 motor vehicle in an inattentive manner.

28 B. For the purposes of this section "inattentive" means with a negligent lack of
29 attentiveness to conditions, circumstances, and one's duties required to safely operate a
30 motor vehicle. "Conditions" include, but are not limited to, the nature and condition of
31 the roadway, presence of other traffic, presence of pedestrians and weather conditions.

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

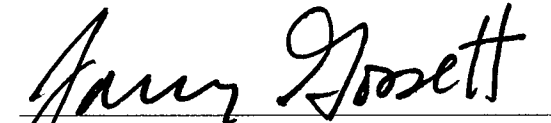
38 D. A citation for a violation of subsection A. of this section shall not be issued
39 unless the officer issuing the citation has cause to stop or arrest the driver of the motor

40 vehicle for the violation of some other provision of the King County Code relating to the
41 operation, ownership, or maintenance of a motor vehicle or any criminal statute.
42

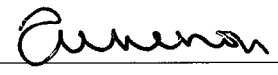
Ordinance 17455 was introduced on 10/1/2012 and passed by the Metropolitan King County Council on 11/5/2012, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

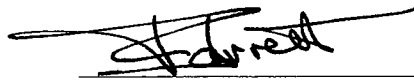
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 9 day of November, 2012.


Dow Constantine, County Executive

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Attachments: None