



Legislation Text

File #: CB 119653, Version: 1

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City’s traffic code; conforming the Seattle Municipal Code with changes in state law; amending Sections 11.14.055, 11.14.184, 11.14.333, 11.14.360, 11.14.710, 11.20.347, 11.22.070, 11.22.160, 11.22.200, 11.30.040, 11.31.050, 11.31.115, 11.40.220, 11.44.120, 11.53.020, 11.53.230, 11.56.140, 11.58.198, 11.58.272, 11.60.130, 11.72.040, 11.80.080, 11.82.360, and 11.82.560 of the Seattle Municipal Code; and adding new Sections 11.14.321 and 11.14.378 to the Seattle Municipal Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 11.14.055 of the Seattle Municipal Code, last amended by Ordinance 124950, is amended as follows:

11.14.055 Bicycle and ~~((Electric-assisted))~~ electric-assisted bicycle

A. “Bicycle” means every device propelled solely by human power, or an electric-assisted bicycle, upon which a person or persons may ride, having two tandem wheels either of which is 16 inches or more in diameter, or three wheels, any one of which is more than 20 inches in diameter.

B. “Electric-assisted bicycle” means a bicycle with two or three wheels, a saddle, fully operative pedals for human propulsion, and an electric motor. The electric-assisted bicycle’s electric motor must have a power output of no more than ~~((1000))~~ 750 watts ~~((, be incapable of propelling the device at a speed of more than 20 miles per hour on level ground, and be incapable of further increasing the speed of the device when human power alone is used to propel the device beyond 20 miles per hour))~~. The electric-assisted bicycle must meet the requirements of one of the following three classifications:

1. “Class 1 electric-assisted bicycle” means an electric-assisted bicycle in which the motor

provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour;

2. “Class 2 electric-assisted bicycle” means an electric-assisted bicycle in which the motor may be used exclusively to propel the bicycle and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour; or

3. “Class 3 electric-assisted bicycle” means an electric-assisted bicycle in which the motor provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour and is equipped with a speedometer.

Section 2. Section 11.14.184 of the Seattle Municipal Code, enacted by Ordinance 123420, is amended as follows:

11.14.184 Emergency or work zone ((-))

"Emergency or work zone" means the adjacent lanes of the roadway ~~((two hundred feet (-))~~ 200 ~~(('))~~ feet before and after a stationary authorized emergency vehicle that is making use of audible and/or visual signals meeting the requirements of Section 11.82.520, a tow truck that is making use of visual red lights meeting the requirements of Section 11.82.530, other vehicles providing roadside assistance that are making use of warning lights with ~~((three hundred sixty degree (-))~~ 360 ~~((degrees -)))~~ degree visibility, ~~((or))~~ a police vehicle properly and lawfully displaying a flashing, blinking, or alternating emergency light or lights, or a stationary or slow moving highway construction vehicle, highway maintenance vehicle, solid waste vehicle, or utility service vehicle making use of flashing lights meeting the requirements of Section 11.82.560 or warning lights with 360 degree visibility. ~~((RCW 46.61.212)))~~

Section 3. A new Section 11.14.321 is added to the Seattle Municipal Code as follows:

11.14.321 Medium-speed electric vehicle

"Medium-speed electric vehicle" means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles

per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Sec. 571.500.

Section 4. Section 11.14.333 of the Seattle Municipal Code, last amended by Ordinance 123190, is amended as follows:

11.14.333 Motorized foot scooter ((-))

"Motorized foot scooter" means a device with ~~((no more than))~~ two ~~((2) ten-inch (10") or smaller diameter))~~ or three wheels that has ~~((handlebars, is designed to))~~ a floorboard that can be stood or sat upon ~~((by the operator))~~ while riding, and is powered by an internal combustion engine or electric motor that ~~((is capable of propelling the device with or without human propulsion at a speed of no more))~~ has a maximum speed of no greater than ~~((twenty (-)) 20 ((-)))~~ 20 ~~((-))~~ miles per hour on level ground. A motor-driven cycle, a moped, an electric-assisted bicycle, or a motorcycle is not a motorized foot scooter. A "gas motorized foot scooter" is a motorized foot scooter powered in whole or in part by an internal combustion engine. An "electric motorized foot scooter" is a motorized foot scooter powered solely by an electric motor. ~~((RCW 46.04.336)))~~

Section 5. Section 11.14.360 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.14.360 Motor vehicle ((-))

A. "Motor vehicle" means ~~((every))~~ a vehicle which is self-propelled ~~((and every))~~ or a vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. ~~((RCW 46.04.320)))~~

B. "Motor vehicle" includes:

1. A neighborhood electric vehicle;
2. A medium-speed electric vehicle; and
3. A golf cart for the purposes of chapter 46.61 RCW.

C. "Motor vehicle" excludes:

1. An electric personal assistive mobility device;
2. A power wheelchair; and
3. A golf cart, except as provided in subsection 11.14.360.B.

Section 6. A new Section 11.14.378 is added to the Seattle Municipal Code as follows:

11.14.378 Neighborhood electric vehicle

"Neighborhood electric vehicle" means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500.

Section 7. Section 11.14.710 of the Seattle Municipal Code, last amended by Ordinance 123632, is amended as follows:

11.14.710 Vehicle ((-))

"Vehicle" means ~~((every))~~ a device capable of being moved upon a street or alley and in, upon, or by which any person or property is or may be transported or drawn upon a street or alley~~((, including bicycles))~~. ~~((The term does not include))~~ "Vehicle" excludes:

A. A power ~~((wheelchairs))~~ wheelchair or ~~((devices))~~ device other than ~~((bicycles))~~ a bicycle moved by human or animal power or used exclusively upon stationary rails or tracks~~((--A))~~ ;

B. A bicycle ~~((shall not be considered a vehicle))~~ and a motorized foot scooter for purposes of Chapter 11.22~~((--An))~~ ;

C. An electric personal assistive mobility device ~~((shall not be considered a vehicle))~~ and a motorized foot scooter for the purposes of Chapter 11.22 or Part 8 of this Title 11; and ~~((--A))~~

D. A golf cart ~~((shall not be considered a vehicle))~~ , except for purposes of Parts 5 and 7 of this Title 11. ~~((--(RCW 46.04.670)))~~

Section 8. Section 11.20.347 of the Seattle Municipal Code, last amended by Ordinance 124302, is amended as follows:

11.20.347 Scope of financial responsibility sections ((-))

The provisions of Sections 11.20.340 and 11.20.345 shall not govern:

* * *

B. The operation of ~~((a motorcycle as defined in Section 11.14.340,))~~ a motor-driven cycle as defined in Section 11.14.345, or a moped as defined in ~~((RCW 46.04.304))~~ Section 11.14.332. ~~((RCW 46.30.020(3)))~~

Section 9. Section 11.22.070 of the Seattle Municipal Code, last amended by Ordinance 123632, is amended as follows:

11.22.070 Licenses and plates required-Penalties-Exceptions ((-))

A. It is unlawful for a person to operate any vehicle over and along a street or alley without first obtaining and having in full force and effect a current and proper vehicle license and displaying vehicle license number plates as provided by chapter 46.16A RCW ~~((Chapter 46.16A))~~. Failure to make initial registration before operation on a street or alley is a traffic infraction, and any person committing this infraction must pay a fine of ~~((Five Hundred Twenty Nine dollars-))~~ \$529~~((+))~~, subject to applicable assessments, no part of which may be suspended or ~~((deferred))~~ reduced plus any delinquent taxes and fees, which must be deposited according to RCW 46.16A.030. This fine is in addition to any delinquent taxes and fees. Failure to renew an expired registration before operation on a street or alley is a traffic infraction.

B. The licensing of a vehicle in another state by a resident of this state, as defined in RCW 46.16A.140, thereby evading the payment of any tax or license fee imposed in connection with registration, is a gross misdemeanor punishable, in lieu of the fine in subsection 11.22.070.A ~~((of this section))~~, as follows:

1. For a first offense, up to ~~((three hundred sixty four-))~~ 364~~((+))~~ days imprisonment and a fine of ~~((Five Hundred Twenty Nine dollars-))~~ \$529~~((+))~~ plus any applicable assessments, plus a fine of ~~((One Thousand dollars-))~~ \$1000~~((+))~~ plus any delinquent taxes and fees, no part of any of which may be suspended or ~~((deferred))~~ reduced and which must be deposited according to RCW 46.16A.030;

2. For a second or subsequent offense, up to ~~((three hundred sixty four-))~~ 364~~((+))~~ days

imprisonment and a fine of ~~((Five Hundred Twenty Nine dollars ()))~~ \$529~~((+))~~ plus any applicable assessments, which may not be suspended, deferred, or reduced, except as provided in RCW 10.05.180, plus a fine of ~~((Five Thousand dollars ()))~~ \$5000~~((+))~~ plus any delinquent taxes and fees, no part of ~~((any of))~~ which may be suspended or ~~((deferred))~~ reduced and which must be deposited according to RCW 46.16A.030.

C. This section shall not apply to vehicles exempt from registration under RCW 46.16A.080. ~~((RCW 46.16A.030)))~~

Section 10. Section 11.22.160 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.22.160 License plates-Wrecker~~((+))~~

Every motor vehicle wrecker shall obtain a special set of license plates or an indicator tab pursuant to RCW 46.55.065 in addition to the regular licenses and plates required for the operation of such vehicles as provided in RCW 46.80.060. ~~((RCW 46.80.060)))~~

Section 11. Section 11.22.200 of the Seattle Municipal Code, enacted by Ordinance 109698, is amended as follows:

11.22.200 Special license plates-Hulk hauler ~~((+))~~

Every hulk hauler or scrap processor shall obtain a special set of license plates or an indicator tab pursuant to RCW 46.55.065 in addition to the regular licenses and plates required for the operation of vehicles owned and/or operated by him or her and used in the conduct of his or her business as provided in RCW 46.79.060. ~~((RCW 46.79.060)))~~

Section 12. Section 11.30.040 of the Seattle Municipal Code, last amended by Ordinance 123632, is amended as follows:

11.30.040 When a vehicle may be impounded without prior notice ~~((+))~~

A. A vehicle may be impounded with or without citation and without giving prior notice to its owner as required in Section 11.30.060 ~~((hereof))~~ only under the following circumstances:

1. When the vehicle is impeding or is likely to impede the normal flow of vehicular or pedestrian traffic~~((;or))~~ .

2. When the vehicle is illegally occupying a truck, commercial load zone, restricted parking zone, bus, loading, hooded-meter, taxi, street construction or maintenance, or other similar zone where, by order of the Director of Transportation or Chiefs of Police or Fire or their designees, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, if the zone has been established with signage for at least ~~((twenty-four (24)))~~ 24 hours giving notice that a vehicle will be removed if illegally parked in the zone and where such vehicle is interfering with the proper and intended use of such zones~~((;or))~~ .

3. When a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person as defined under ~~((Chapter 46.16))~~ chapter 46.16A RCW, as now or hereafter amended, is parked in a stall or space clearly and conspicuously marked as provided in ~~((Section))~~ subsection 11.72.065.A, as now or hereafter amended, whether the space is provided on private property without charge or on public property~~((;or))~~ .

4. When the vehicle poses an immediate danger to the public safety~~((;or))~~ .

5. When a police officer has probable cause to believe that the vehicle is stolen~~((;or))~~ .

6. When a police officer has probable cause to believe that the vehicle constitutes evidence of a crime or contains evidence of a crime, if impoundment is reasonably necessary in such instance to obtain or preserve such evidence~~((;or))~~ .

7. When a vehicle is parked in a public right-of-way or on other publicly owned or controlled property and there are four or more parking infractions issued against the vehicle for each of which a person has failed to respond, failed to appear at a requested hearing, or failed to pay a parking infraction for at least 45 days from the date of the filing of the notice of infraction~~((;))~~ .

8. When the vehicle is a "junk motor vehicle" as defined in ~~((SMC))~~ Section 11.14.268, and is

parked on a street, alley, or way open to the public, or on municipal or other public property.

9. When the vehicle is impounded pursuant to ~~((Section))~~ subsection 11.30.105.A, but if the vehicle is a commercial vehicle and the driver is not the registered owner of the vehicle, then the police officer shall attempt in a reasonable and timely manner to contact the registered owner before impounding the vehicle and may release the vehicle to the registered owner if the registered owner is reasonably available, was not in the vehicle at the time it was stopped and the driver arrested, and has not received a prior release under this ~~((Subsection))~~ subsection 11.30.040.A.9 or ~~((Subsection))~~ subsection 11.30.120.C.2.

10. When a vehicle with an expired registration of more than ~~((forty-five))~~ 45 days is parked on a public street.

11. When the vehicle is impounded pursuant to Section 12A.10.115.

12. When the vehicle is impounded pursuant to ~~((Washington Laws of 2011, chapter 167, section 3))~~ RCW 46.55.360.

13. When the vehicle is impounded pursuant to subsection 18.12.235.B.

* * *

Section 13. Section 11.31.050 of the Seattle Municipal Code, last amended by Ordinance 123946, is amended as follows:

11.31.050 Response to notice of traffic infraction-Contesting determination-Hearing-Failure to appear (~~(~~))

* * *

E. In any hearing conducted pursuant to subsections 11.31.050.C or 11.31.050.D ~~((of this section))~~, the court may defer findings, or in a hearing to explain mitigating circumstances may defer entry of its order, for up to one ~~((1))~~ year and impose conditions upon the defendant the court deems appropriate. Upon deferring findings, the court may assess costs as the court deems appropriate for administrative processing. If at the end of the deferral period the defendant has met all conditions and has not been determined to have committed

another traffic infraction, the court may dismiss the infraction. A person may not receive more than one ~~((4))~~ deferral within a seven ~~((7))~~ year period for traffic infractions for moving violations and more than one ~~((4))~~ deferral within a seven ~~((7))~~ year period for traffic infractions for nonmoving violations. A person who is the holder of a commercial driver's license or who was operating a commercial motor vehicle at the time of the violation may not receive a deferral under this subsection 11.31.050.E. A person who commits negligent driving in the second degree with a vulnerable user victim may not receive a deferral for this infraction under this ~~((section))~~ subsection 11.31.050.E.

* * *

Section 14. Section 11.31.115 of the Seattle Municipal Code, last amended by Ordinance 123420, is amended as follows:

11.31.115 Monetary penalty doubled for certain traffic infractions ~~((:))~~

A person found to have committed a traffic infraction relating to right of way, speed restrictions, overtaking and passing or regard for pedestrians in a school or playground crosswalk zone under Sections 11.40.040, 11.44.120, 11.52.100, 11.53.400, 11.58.230₂ or 11.58.310, speed restrictions in a roadway construction zone under Section 11.52.110 or an emergency or work zone under Section 11.58.272₂ or overtaking and passing a school bus under ~~((Section))~~ subsection 11.53.440.A shall be assessed a monetary penalty equal to twice the penalty assessed under Section 11.31.120. This penalty may not be waived, reduced₂ or suspended. ~~((RCW 46.61.212(3); RCW 46.61.235(5); RCW 46.61.245(2); RCW 46.61.261(2); RCW 46.61.440(3); RCW 46.61.527(3); RCW 46.61.370(6))))~~

Section 15. Section 11.40.220 of the Seattle Municipal Code, last amended by Ordinance 115323, is amended as follows:

11.40.220 Walking on sidewalk ~~((:))~~

Where ~~((there are))~~ sidewalks are provided and are accessible, no pedestrian shall move along and upon an adjacent roadway. Where sidewalks are provided but wheelchair access is not available, disabled persons

may move along and upon an adjacent roadway until they reach an access point in the sidewalk.

Section 16. Section 11.44.120 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.44.120 Riding on sidewalk or public path ((-))

Every person operating a bicycle upon any sidewalk or public path shall operate the same in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of pedestrian traffic, grade and width of sidewalk or public path, and condition of surface, and shall obey all traffic-control devices. Every person operating a bicycle upon a sidewalk or public path shall yield the right-of-way to any pedestrian thereon, and shall give an audible signal before overtaking and passing any pedestrian. Operation of a class 3 electric-assisted bicycle on a sidewalk is unlawful, unless there is no alternative to travel over a sidewalk as part of a bicycle or pedestrian path.

Section 17. Section 11.53.020 of the Seattle Municipal Code, last amended by Ordinance 122742, is amended as follows:

11.53.020 Driving on right side of roadway-Exceptions ((-))

A. Upon all roadways of sufficient width(~~((, but less))~~) with fewer than four ~~((4))~~ lanes, a vehicle shall be driven upon the right half of the roadway, except as follows:

1. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;

2. When an obstruction exists making it necessary to drive to the left of the centerline of the roadway(~~((: Provided, that))~~) provided, any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the roadway within such distance as to constitute an immediate hazard;

3. Upon a roadway divided into three ~~((3))~~ marked lanes for traffic under the rules applicable

thereon; ~~((or))~~

4. Upon a roadway restricted to one ~~((1))~~ way traffic; or

5. Upon a roadway having three ~~((3))~~ lanes or fewer, when approaching, in a manner described under subsection 11.58.272.A, a stationary authorized emergency vehicle, tow truck or other vehicle providing roadside assistance while operating warning lights with ~~((three hundred sixty degree))~~ 360 ~~((degrees))~~ degree visibility, ~~((or))~~ police vehicle ~~((as described under Section 11.58.272B))~~ , or a stationary or slow moving highway construction vehicle, highway maintenance vehicle, solid waste vehicle, or utility service vehicle that meets the lighting requirements identified in Section 11.14.184.

B. Upon any roadway having four ~~((4))~~ or more lanes for moving traffic and providing for two ~~((2))~~ way movement of traffic, no vehicle shall be driven to the left of the centerline of the roadway except when authorized by official traffic control devices designating certain lanes to the left side of the center of the roadway for use by traffic not otherwise permitted to use such lanes, or except as permitted under subsection ~~((A2))~~ 11.53.020.A.2 hereof. However, this subsection 11.53.020.B shall not be construed as prohibiting the crossing of the centerline in making a left turn into or from an alley, private road, or driveway. ~~((RCW 46.61.100(1) and (5)))~~

Section 18. Section 11.53.230 of the Seattle Municipal Code, enacted by Ordinance 121525, is amended as follows:

11.53.230 High-occupancy vehicle lanes ~~((:))~~

A. No person shall operate a vehicle in violation of a designation by the Washington Department of Transportation, the Director of Transportation, or the Traffic Engineer reserving all or any portion of a street or highway, including any lane or ramp, for the exclusive or preferential use of transit coaches or other public transportation vehicles or carpools. ~~((RCW 46.61.165))~~

B. A person who commits a traffic infraction under Section 11.53.230 is also subject to the following additional monetary penalties, which are separate from the base penalty, fees, and assessments issued for the

traffic infraction: \$50 or, if the person has already committed a violation under Section 11.53.230 within two years of committing the current violation, then \$150; and if the person commits a violation under Section 11.53.230 and is using a dummy, doll, or other human facsimile to make it appear that an additional person is in the vehicle, then \$200.

C. The additional penalties collected under subsection 11.53.230.B shall be collected by the clerk of the court and transmitted to the state for deposit and distribution as provided by RCW 46.61.165.

Section 19. Section 11.56.140 of the Seattle Municipal Code, enacted by Ordinance 123420, is amended as follows:

11.56.140 Reckless endangerment of emergency or work zone workers ((:))

A. A person is guilty of reckless endangerment of emergency or work zone workers if he or she drives a vehicle in an emergency or work zone in such a manner as to endanger or be likely to endanger any emergency or work zone worker or property.

B. Reckless endangerment of emergency zone workers is a gross misdemeanor. (((RCW 46.61.212(4)))
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Section 20. Subsection 11.58.198.F of the Seattle Municipal Code, which section was last amended by Ordinance 123190, is amended as follows:

11.58.198 Safety belts required ((:))

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F. This ((~~section~~)) Section 11.58.198 does not apply to an operator or passenger, except for an operator or passenger operating a commercial motor vehicle as defined in RCW 46.32.005, who possesses written verification from a licensed physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons. (((RCW 46.61.688)))

Section 21. Section 11.58.272 of the Seattle Municipal Code, last amended by Ordinance 123420, is amended as follows:

11.58.272 Operation of vehicle approaching an emergency or work zone ((-))

A. The driver of any motor vehicle, upon approaching an emergency or work zone, shall:

1. On a street having four ~~((4))~~ or more lanes, at least two ~~((2))~~ of which are intended for traffic proceeding in the same direction as the approaching vehicle, proceed with caution and, if ~~((reasonable))~~ the opportunity exists, with due regard for safety and traffic conditions, yield the right-of-way by making a lane change or moving away from the lane or shoulder occupied by a ~~((the stationary authorized emergency))~~ vehicle ~~((or police vehicle))~~ identified in Section 11.14.184; or

2. On a street having fewer than four ~~((4))~~ lanes, proceed with caution, reduce the speed of the vehicle, and, if ~~((reasonable))~~ the opportunity exists, with due regard for safety and traffic conditions, and under the rules of this chapter, yield the right-of-way by passing to the left at a safe distance and simultaneously yield the right-of-way to all vehicles traveling in the proper direction upon the street; or

3. If changing lanes or moving away would be ~~((unreasonable or))~~ unsafe, proceed with due caution and reduce the speed of the vehicle to at least 10 miles per hour below the posted speed limit.

B. A person may not drive a vehicle in an emergency or work zone at a speed greater than the posted speed limit or greater than what is permitted under subsection 11.58.272.A.3. ~~((RCW 46.61.212))~~

Section 22. Subsection 11.60.130.B of the Seattle Municipal Code, last amended by Ordinance 125344, is amended as follows:

11.60.130 Maximum lengths

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B.

1. It shall be a violation for any person to operate upon the streets and alleys any combination consisting of a tractor and semitrailer that has a semitrailer length in excess of 53 feet or a combination consisting of a tractor and two trailers in which the combined length of the trailers exceeds 61 feet, with or without load.

2. The restriction under this subsection 11.60.130.B does not apply to two trailers or semitrailers with a total weight that does not exceed 26,000 pounds and when the two trailers or semitrailers do not carry property but constitute inventory property of a manufacturer, distributor, or dealer of such trailers. The total combination under this subsection 11.60.130.B.2 may not exceed 82 feet of overall length.

* * *

Section 23. Section 11.72.040 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.72.040 Blocking or obstructing traffic (~~(-Occupied vehicle.)~~)

A. No person shall stop, stand, or park a vehicle (~~(and remain therein upon or along any street when traffic will be unreasonably obstructed. Violation of this section constitutes a moving traffic violation rather than a parking violation. (RCW 46.61.560))~~), whether attended or unattended, upon the roadway.

B. This Chapter 11.72 and Chapter 11.74 do not apply to the driver of any vehicle that is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position. The driver shall nonetheless arrange for the prompt removal of the vehicle.

C. Subsection 11.72.040.A does not apply to the driver of a public transit vehicle who temporarily stops the vehicle upon the roadway for the purpose of and while actually engaged in receiving or discharging passengers at a marked transit vehicle stop zone approved by the state department of transportation. However, public transportation service providers, including private, nonprofit transportation providers regulated under chapter 81.66 RCW, may allow the driver of a transit vehicle to stop upon the roadway momentarily to receive or discharge passengers at an unmarked stop zone only if the driver stops the vehicle in a safe and practicable position, activates four-way flashing lights, and stops at a portion of the roadway with an unobstructed view, for an adequate distance so as to not create a hazard, for other drivers.

D. This Chapter 11.72 and Chapter 11.74 do not apply to the driver of a solid waste collection company or recycling company vehicle who temporarily stops the vehicle as close as practical to the right edge of the

right-hand shoulder of the roadway or right edge of the roadway if no shoulder exists for the purpose of and while actually engaged in the collection of solid waste or recyclables, or both.

Section 24. Section 11.80.080 of the Seattle Municipal Code, last amended by Ordinance 120885, is amended as follows:

11.80.080 Color of clearance lamps, side marker lamps, back-up lamps, and reflectors ((-))

* * *

C. All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stop lamp or other signal device, which may be red, amber, or yellow, and except on any vehicle ~~((forty-))~~ 40 ~~((-))~~ or more years old, or on any motorcycle regardless of age, the taillight may also contain a blue or purple insert not more than one ~~((+))~~ inch in diameter, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp shall be white or amber. ~~((RCW 46.37.100))~~ However, for commercial motor vehicles defined in RCW 46.32.005, stop lamps must be red and other signal devices must be red or amber.

Section 25. Section 11.82.360 of the Seattle Municipal Code, last amended by Ordinance 122742, is amended as follows:

11.82.360 Stop lamps ((-))

A. Any vehicle may be equipped and when required under this ~~((chapter))~~ Chapter 11.82 shall be equipped with a stop lamp or lamps on the rear of the vehicle ~~((which))~~ that shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than ~~((one hundred))~~ 100 feet ~~((+))~~ and, on any vehicle manufactured or assembled after January 1, 1964, ~~((three hundred))~~ 300 feet ~~((+))~~ to the rear in normal sunlight, and ~~((which))~~ that shall be actuated upon application of a service brake, and ~~((which))~~ that may but need not be incorporated with one ~~((+))~~ or more other rear lamps. However, for commercial motor vehicles defined in RCW 46.32.005, stop lamps must be red.

B. Any vehicle may be equipped and when required under this ~~((chapter))~~ Chapter 11.82 shall be

equipped with a center high-mounted stop lamp mounted on the center line of the rear of the vehicle. This stop lamp shall display a red light visible from a distance of not less than ~~((three hundred))~~ 300 feet ~~((300'))~~ to the rear in normal sunlight, shall be activated upon application of a service brake and may not be incorporated with any other rear lamps. ~~((RCW 46.37.200))~~

Section 26. Section 11.82.560 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.82.560 Maintenance equipment lamps ((-))

No person shall operate any snow-removal and other street maintenance and service equipment on any street or alley unless the lamps thereon comply with and are lighted when and as required by the standards and specifications adopted by the ~~((State Commission on Equipment))~~ Washington State Patrol. ~~((RCW 46.37.300 (-)))~~

Section 27. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2019, and signed by me in open session in authentication of its passage this _____ day of _____, 2019.

President _____ of the City Council

Approved by me this _____ day of _____, 2019.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2019.

Monica Martinez Simmons, City Clerk

(Seal)