

September 15, 2025

MEMORANDUM

To: Public Safety Committee
From: Tamaso Johnson, Analyst
Subject: Council Bill 121080 – 2025 Criminal ORD; Council Bill 121081 – 2025 Traffic ORD;
Council Bill 121079 – 2025 Infraction ORD

On September 23, 2025, the Public Safety Committee will discuss and potentially vote on [Council Bill \(CB\) 121080](#), [CB 121081](#), and [CB 121079](#). These bills, which were transmitted directly from the City Attorney's Office (CAO), would make conforming changes to the Seattle Municipal Code (SMC) to align the City's criminal, traffic, and civil infraction codes, respectively, with recent changes to state law, and make technical corrections. Conforming legislation of this sort is routinely requested by CAO on an annual or semi-annual basis to bring SMC in line with state law and give CAO and the Seattle Municipal Court the statutory basis to implement relevant changes.

This memorandum describes the bills and outlines next steps.

CB 121080 – 2025 Criminal ORD

As detailed immediately below, this legislation would make a number of substantive changes to the SMC, in addition to some technical revisions. While the Seattle Police Department has jurisdiction to investigate and enforce RCW crimes, adoption of state law crimes into SMC can further clarify this authority and more importantly enable CAO to prosecute these crimes in Seattle Municipal Court.

Substantive Code Changes

Hazing

This bill would add the crime of hazing to SMC. Hazing is defined, in sum, as an act affiliated with initiation into a student group "that causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm" in a postsecondary educational context. Hazing would be a gross misdemeanor. The crime of hazing, originally created in RCW in 1993, was amended by the state legislature during the 2022 session and this bill would add the crime as amended to SMC.

Firearm & Weapon Restrictions

This bill would adopt various changes made to state law in recent years concerning firearms and other weapons. Generally, firearms regulation is an area of law where cities and other local government entities are preempted from enacting their own unique restrictions, but may choose to adopt changes made by the Washington State Legislature. This bill would adopt RCW 9.41.010 and 9.41.390 which, taken together, prohibit with limited exceptions the manufacture,

import, distribution, and sale of a category of firearms known as “assault weapons” defined by reference to a list of specific firearms in combination with a descriptive schema based on certain firearm features. Violations of these assault weapon provisions would be a gross misdemeanor. This bill would also create a civil infraction in the amount of \$1,000 for failing to report the theft of a firearm within 24 hours to the Seattle Police Department. Finally, the bill would also add libraries, zoos and aquariums, and transit stations and facilities to the existing list of places where weapons are prohibited. Violations of City place-based weapons restrictions would be punishable as a gross misdemeanor. Statutory changes related to firearms and other weapons described above were made to RCW by the state legislature during the 2023 and 2024 sessions.

Vehicle Prowl 2

This bill would adopt the RCW crime of vehicle prowling in the second degree into SMC. Vehicle prowling 2, unlawful entry into a vehicle (other than a motor home or boat) with the intent to commit a crime, would be a gross misdemeanor, elevated to a class C felony upon third and subsequent such offenses. This bill would also repeal the current City crime of vehicle prowling in conjunction with the above RCW adoption.

Catalytic Converters

This bill would adopt 2024 RCW changes requiring detached catalytic converters to be marked with partial vehicle identification numbers and create new gross misdemeanors for the removal of such markings as well as the possession or sale of unmarked catalytic converters, with exceptions.

Disorderly Conduct on Ferries

This bill would also adopt 2025 RCW changes adding Washington State ferries to the scope of the existing “disorderly conduct on buses” misdemeanor, a crime that encompasses a range of undesirable behavior if occurring on a public transit vehicle or at a station.

Impersonation – Forged Digital Likenesses

In addition, this bill would adopt 2025 RCW changes expanding the existing crime of criminal impersonation to cover distribution of a forged visual or audio digital likeness of another person with illegal intent. This change would repeal the existing SMC crime of criminal impersonation and replace it with adoption of the RCW crime of criminal impersonation in the second degree, which would retain the other elements of criminal impersonation beyond the new forged digital likeness provisions.

Technical Changes

This bill would also make the following technical changes and corrections to City criminal code:

- Update a citation in Section 3.33.020, describing the jurisdiction of the Court, relating to domestic violence offenses to a current reference;
- Repeal the City crime of Cyberstalking to account for the consolidation of Stalking and Cyberstalking crimes in RCW and subsequent City adoption of this change;
- Update the crime of Interfering with the Reporting of Domestic Violence to incorporate an updated code reference; and,
- Update Section 12A.06.195 concerning weapon surrender to include corrected references to current SMC and RCW.

CB 121081 – 2025 Traffic ORD

Substantive Code Changes

Covered License Plates

This bill would update vehicle license plate requirements to prohibit the use of license plate covers. Existing SMC prohibits plate frames, holders, or other materials that “change, alter, or make a license plate [illegible],” but does not explicitly ban plate covers (e.g. tinted plastic covers commonly in use). This change would mirror a state law change adopted by the legislature in 2024 which was intended to address an increase in the use of plate covers which obscure license plate legibility by law enforcement officers and automated tolling cameras.

Infraction Response Time

Current SMC requires a person issued a traffic infraction notice to respond within 15 days. This bill would extend that response time requirement to 30 days from the date of notice. This change would mirror a state law change adopted by the legislature in 2021.

Negligent Driving with Vulnerable User Victim

This bill would establish new offenses of negligent driving with a vulnerable user victim in the first and second degrees. “Vulnerable user of a public way” would be defined to mean, in sum: a pedestrian; person riding an animal; or, a person operating a wheeled vehicle other than an automobile. The new first degree offense would be triggered by negligent driving that is likely to endanger a person or property, and results in the death of a vulnerable user. The second degree offense would be triggered by similar conduct that results in great or substantial bodily harm to a vulnerable user, rather than death. The new first degree offense would be a gross misdemeanor with a \$1,000 mandatory minimum fine and a 90 day license suspension. The new second degree offense would be a traffic infraction. These changes would mirror state law changes adopted by the legislature in 2023.

CB 121079 – 2025 Infraction ORD

Substantive Code Changes

Harbor Code Violations

The City harbor code (SMC Title 16) contains various requirements and prohibitions related to waterways in Seattle. This bill would set default penalty amounts for harbor code violations to \$125 by designating such violations as class 2 civil infractions under RCW 7.80.120. This proposal is intended to address a gap in current SMC penalty provisions which do not clearly specify a base penalty amount for harbor code violations.

Littering

The City litter code (SMC Chapter 21.36, Subchapter V) prohibits littering (improper disposal of one cubic foot or less of non-hazardous material) and defines civil penalties for such conduct (Subchapter VI). This bill would increase the default penalty amount for littering from \$50 to \$125 by designating such violations as class 2 civil infractions under RCW 7.80.120. This proposed change would conform SMC to RCW changes made by the state legislature in 2025.

Next Steps

Council Bills 121080, 121081, and 121079 are intended to be heard for the first time and potentially voted on during a single meeting of the Public Safety Committee on September 23, 2025.

cc: Ben Noble, Director