

Amendment 2 to CB 120806 – Emergency Illegal Racing ORD

Sponsor: Councilmember Saka

Penalizing attendees at unlawful race events

Effect: This amendment adds unlawful race attendance as a prohibited activity punishable by civil infraction.

Amend the title of CB 120806 as follows:

AN ORDINANCE relating to street racing; adding the crime of racing; adding the traffic infraction of vehicle participation in unlawful racing; adding the civil infraction of attendance at an unlawful race event; adding a new Section 11.58.440 to the Seattle Municipal Code; adding a new Section 12A.12.050 to, and amending Sections 11.20.230, 11.31.020, 11.31.121, 11.56.120, and 12A.09.020 of, the Seattle Municipal Code; declaring an emergency; and establishing an immediate effective date; all by a 3/4 vote of the City Council.

Amend the recitals to CB 120806 as follows:

WHEREAS, racing of motor vehicles in an illegal and unsanctioned manner on public streets endangers the safety of pedestrians, cyclists, and other motorists; and

WHEREAS, expanding civilian enforcement authority for non-criminal infractions, including those related to illegal racing, to city departments beyond the Seattle Police Department could provide additional deterrence for harmful behavior, improve community outcomes, and increase the effectiveness of these prohibitions; and

WHEREAS, effective enforcement of laws against dangerous and illegal motor vehicle racing is necessary to address the permissive environment that allows crime to occur in Seattle;

NOW, THEREFORE,

Add a new Section 7 to CB 120806 as follows, and renumber subsequent sections as needed:

Section 7. A new Section 12A.12.050 is added to the Seattle Municipal Code as follows:

12A.12.050 Attendance at an unlawful race event

A. No person shall attend an unlawful race event. Attendance at an unlawful race event consists of:

1. Actual or constructive knowledge of being in attendance of an unlawful race event;
2. Actual or constructive knowledge that an unlawful race event is occurring;
3. Intent to observe or support or encourage the unlawful race event; and,
4. Failure to leave the area of an unlawful race event, if instructed to do so by peace officer.

B. As used in this Section 12A.12.050, “unlawful race event” shall have the same meaning as defined in Seattle Municipal Code Section 11.58.440.

C. Violation of this Section 12A.12.050 is a civil infraction, which shall be assessed a penalty of \$100. The \$100 penalty may not be waived or remitted.