



Legislation Text

File #: CB 118899, Version: 1

RGrG

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the City’s traffic code; amending Sections 11.14.660, 11.50.570, 11.56.025, 11.60.240, 11.60.370, 11.60.420, 11.82.180, 11.84.020 and 11.84.400 of the Seattle Municipal Code, adding Sections 11.14.083 and 11.56.050 to the Seattle Municipal Code and repealing Sections 11.86.020 and 11.86.040 of the Seattle Municipal Code to conform the Seattle Municipal Code with changes in state law and make technical corrections.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Section 11.14.083 is added to the Seattle Municipal Code as follows:

11.14.083 Cargo extension

“Cargo extension” means a device that connects to the left and right side of a motor home or travel trailer frame and becomes part of the frame, does not pivot on a hitch, and has an axle with two wheels, acting as a tag axle, to safely carry the weight of the cargo.

Section 2. Section 11.14.660 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.14.660 Trailer((-))

“Trailer” means any vehicle without motive power designed to be drawn by or used in conjunction with a motor vehicle constructed so that no appreciable part of its weight rests upon or is carried by such motor vehicle, but does not include a municipal transit vehicle, or any portion thereof. “Trailer” does not include a cargo extension. ~~((RCW 46.04.620))~~

Section 3. Subsection 11.50.570.B of the Seattle Municipal Code, which section was last amended by

Ordinance 124133, is amended as follows:

11.50.570 Automated traffic safety cameras((-))

* * *

B. ~~((Until June 30, 2013, automated))~~ Automated traffic safety cameras may be used to detect ~~((speed violations for the purposes of Washington Laws of 2011, chapter 367, section 201(2)))~~ other violations as authorized by and subject to the restrictions imposed by the Washington State Legislature.

* * *

Section 4. Section 11.56.025 of the Seattle Municipal Code, last amended by Ordinance 124950, is amended as follows:

11.56.025 Penalty for persons under the influence of intoxicating liquor or any drug

A.

1. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has no prior offense within seven ~~((7))~~ years and whose alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration, shall be punished by imprisonment for not less than ~~((twenty-four (-)) 24 ((-)))~~ consecutive hours nor more than ~~((three hundred sixty-four (-)) 364 ((-)))~~ days and by a fine of not less than ~~((Three Hundred Fifty Dollars (-)) \$350 ((-)))~~ and not more than ~~((Five Thousand Dollars (-)) \$5,000 ((-)))~~. In lieu of the mandatory minimum term of imprisonment required under this subsection 11.56.025A.1, the court may order not less than ~~((fifteen (-)) 15 ((-)))~~ days of electronic home monitoring or a 90-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing.

2. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has no prior offense within seven ~~((7))~~ years and whose alcohol

concentration was 0.15 or more, or who refused to take a test offered pursuant to RCW 46.20.308, shall be punished by imprisonment for not less than two ~~((2))~~ consecutive days nor more than ~~((three hundred sixty-four))~~ 364 ~~(())~~ days and a fine of not less than ~~((Five Hundred Dollars))~~ \$500 ~~(())~~ nor more than ~~((Five Thousand Dollars))~~ \$5,000 ~~(())~~. In lieu of the mandatory minimum term of imprisonment required under this subsection 11.56.025.A.2, the court may order not less than ~~((thirty))~~ 30 ~~(())~~ days of electronic home monitoring or a 120-day period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing.

B.

1. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has one ~~((1))~~ prior offense within seven ~~((7))~~ years and whose alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration, shall be punished by imprisonment for not less than ~~((thirty))~~ 30 ~~(())~~ consecutive days nor more than ~~((three hundred sixty-four))~~ 364 ~~(())~~ days, ~~((sixty))~~ 60 ~~(())~~ days of electronic home monitoring, and a fine of not less than ~~((Five Hundred Dollars))~~ \$500 ~~(())~~ nor more than ~~((Five Thousand Dollars))~~ \$5,000 ~~(())~~. In lieu of the mandatory minimum term of ~~((sixty))~~ 60 ~~(())~~ days of electronic home monitoring, the court may order at least an additional four ~~((4))~~ days in jail or, if available in Seattle, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 ~~((Laws of 2013, 2nd Sp. Sess., chapter 35, sections 23 through 32))~~, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment.

2. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has one ~~((1))~~ prior offense within seven ~~((7))~~ years and whose alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to RCW 46.20.308, shall be

punished by imprisonment for not less than ~~((forty-five-))~~ 45 ~~(())~~ consecutive days nor more than ~~((three hundred sixty-four-))~~ 364 ~~(())~~ days, ~~((ninety-))~~ 90 ~~(())~~ days of electronic home monitoring, and a fine of not less than ~~((Seven Hundred Fifty Dollars-))~~ \$750 ~~(())~~ nor more than ~~((Five Thousand Dollars-))~~ \$5,000 ~~(())~~. In lieu of the mandatory minimum term of ~~((ninety-))~~ 90 ~~(())~~ days of electronic home monitoring, the court may order at least an additional six ~~((6))~~ days in jail or, if available in Seattle, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 ~~((Laws of 2013, 2nd Sp. Sess., chapter 35, sections 23 through 32))~~, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment.

C.

1. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has two ~~((2))~~ or more prior offenses within seven ~~((7))~~ years and whose alcohol concentration was less than 0.15, or for any reason other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration, shall be punished by imprisonment for not less than ~~((ninety-))~~ 90 ~~(())~~ consecutive days nor more than ~~((three hundred sixty-four-))~~ 364 ~~(())~~ days, if available in Seattle, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 ~~((Laws of 2013, 2nd Sp. Sess., chapter 35, sections 23 through 32))~~, ~~((one hundred twenty-))~~ 120 ~~(())~~ days of electronic home monitoring, and a fine of not less than ~~((One Thousand Dollars-))~~ \$1,000 ~~(())~~ nor more than ~~((Five Thousand Dollars-))~~ \$5,000 ~~(())~~. In lieu of the mandatory minimum term of ~~((one hundred twenty-))~~ 120 ~~(())~~ days of electronic home monitoring, the court may order at least an additional eight ~~((8))~~ days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment.

2. A person who is convicted of a violation of ~~((Subsection 11.56.020 A or B))~~ subsection 11.56.020.A or 11.56.020.B who has two ~~((2))~~ or more prior offenses within seven ~~((7))~~ years and whose alcohol concentration was 0.15 or more, or who refused to take a test offered pursuant to RCW 46.20.308, shall

be punished by imprisonment for not less than (~~(one hundred twenty-)~~) 120 ((~~)~~) consecutive days nor more than (~~(three hundred sixty-four-)~~) 364 ((~~)~~) days, if available in Seattle, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390 (~~(Laws of 2013, 2nd Sp. Sess., chapter 35, sections 23 through 32)~~), (~~(one hundred fifty-)~~) 150 ((~~)~~) days of electronic home monitoring, and a fine of not less than (~~(One Thousand Five Hundred Dollars-)~~) \$1,500 ((~~)~~) nor more than (~~(Five Thousand Dollars-)~~) \$5,000 ((~~)~~). In lieu of the mandatory minimum term of (~~(one hundred fifty-)~~) 150 ((~~)~~) days of electronic home monitoring, the court may order at least an additional (~~(ten-)~~) 10 ((~~)~~) days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment.

* * *

Section 5. A new Section 11.56.050 is added to the Seattle Municipal Code as follows:

11.56.050 Emergency response caused by person's intoxication-Recovery of costs from convicted person

A. A person whose intoxication causes an incident resulting in an appropriate emergency response, and who, in connection with the incident, has been found guilty of or has had their prosecution deferred for driving while under the influence of intoxicating liquor or any drug under Section 11.56.020 or operating a vessel while under the influence of alcohol or drugs under Section 16.20.110 is liable for the expense of an emergency response by a public agency to the incident.

B. The expense of an emergency response is a charge against the person liable for expenses under this Section 11.56.050. The charge constitutes a debt of that person and is collectible by the public agency incurring those costs in the same manner as in the case of an obligation under a contract, expressed or implied.

Following a conviction of an offense listed in subsection 11.56.050.A, and prior to sentencing, the prosecution may present to the court information setting forth the expenses incurred by the public agency for its emergency response to the incident. Upon a finding by the court that the expenses are reasonable, the court shall order the defendant to reimburse the public agency. The cost reimbursement shall be included in the sentencing order as an additional monetary obligation of the defendant and may not be substituted for any other fine or cost

required or allowed by ordinance or statute. The court may establish a payment schedule for the payment of the cost reimbursement, separate from any payment schedule imposed for other fines and costs.

C. In no event shall a person's liability under this Section 11.56.050 for the expense of an emergency response exceed \$2,500 for a particular incident.

D. If more than one public agency makes a claim for payment from an individual for an emergency response to a single incident under the provisions of this Section 11.56.050, and the sum of the claims exceeds the amount recovered, the division of the amount recovered shall be determined by an interlocal agreement consistent with the requirements of chapter 39.34 RCW.

Section 6. Section 11.60.240 of the Seattle Municipal Code, as last amended by Ordinance 123361, is further amended as follows:

11.60.240 Combination of units-Lawful operations-Special permits ((;))

Notwithstanding the provisions of Section 11.60.220 and subject to such rules and regulations governing their operation as may be determined by the Seattle Department of Transportation, operation of the following combinations shall be lawful:

A. A combination consisting of a truck tractor, a semitrailer, and a full trailer. In this connection a converter gear used to convert a semitrailer into a full trailer shall be considered to be a part of the full trailer and not a separate vehicle. A converter gear being pulled without load and not used to convert a semitrailer into a full trailer may be substituted in lieu of a full trailer or a semitrailer in any lawful combination ((;)) .

B. A combination consisting of ~~((three trucks or truck tractors used in driveaway service where two of the vehicles are towed by the third in double saddle mount position (RCW 46.44.037)))~~ a truck tractor carrying a freight compartment no longer than eight feet, a semitrailer, and another semitrailer or full trailer that meets the legal length requirement for a truck and trailer combination set forth in Section 11.60.130.

C. A motor home or travel trailer with a cargo extension, provided that there are no trailers or secondary cargo extensions or units attached to the cargo extension.

Section 7. Section 11.60.370 of the Seattle Municipal Code, enacted by Ordinance 112092, is amended as follows:

11.60.370 Maximum gross weights-Wheelbase and axle factors ((-))

A. No vehicle or combination of vehicles shall operate upon the streets and alleys with a gross load on any single axle in excess of ~~((twenty thousand (-))~~ 20,000 ~~((-))~~ pounds, or upon any group of axles in excess of that set forth in the following table, except that two ~~((2))~~ consecutive sets of tandem axles may carry a gross load of ~~((thirty-four thousand (-))~~ 34,000 ~~((-))~~ pounds each, if the overall distance between the first and last axles of such consecutive sets of tandem axles is ~~((thirty-six feet (-))~~ 36 feet ~~((-))~~ or more.

Table A for 11.60.370 is based on the following formula: $W = 500 ((LN/N-1) + 12N+36)$. W is the maximum weight in pounds (to the nearest 500 pounds) carried on any group of two or more consecutive axles. L is the distance in feet between the extremes of any group of two or more consecutive axles. N is the number of axles under consideration. ((See Table A for 11.60.370 A))

B. When inches are involved: Under six inches, take lower, ~~((6")), disregard the additional inches, when))~~ six inches ~~((6"))~~ or over, take higher ~~((calculate to the next highest figure (in feet)))~~. The maximum load on any axle in any group of axles ~~((shall not exceed 1.2 times the load given in the above table divided by the number of axles in that group, and))~~ shall not exceed the single axle or tandem axle allowance as set forth in Table A for 11.60.370 ~~((elsewhere. For considering the number of axles in a group, the front axle of a unit supplying motive power need not be included in the axle group.))~~

C. The maximum axle and gross weights specified in this ~~((section))~~ Section 11.60.370 are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law.

D. It shall be a violation to operate upon the streets and alleys, any single unit vehicle, supported upon three ~~((3))~~ axles or more with a gross weight including load in excess of ~~((forty thousand (-))~~ 40,000 ~~((-))~~ pounds or any combination of vehicles having a gross weight in excess of ~~((eighty thousand (-))~~ 80,000 ~~((-))~~

pounds without first obtaining an additional tonnage permit as provided for in Section 11.23.290.

E. It shall be a violation to operate any vehicle upon the streets and alleys equipped with two ((2)) axles spaced less than ((seven-)) 7 ((7)) feet apart, unless the two ((2)) axles are so constructed and mounted in such a manner as to provide oscillation between the two ((2)) axles and that either one ((1)) of the two ((2)) axles will not at any one time carry more than the maximum gross weight allowed for one ((1)) axle specified in this ((section)) Section 11.60.370. ((RCW 46.44.041))

Distance in feet between the extremes of any group of 2 or more consecutive axles	Table ((for Section 11.60.370A)) A for 11.60.370 Size, Weight, Load Maximum load in pounds carried on any group of 2 or more consecutive axles ((*(Maximum load in pounds carried on any group of 2 consecutive tandem axle))							
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles	8 axles	9 axles
4	34,000							
5	34,000							
6	34,000							
7	34,000							
More than 7 and up to 8	34,000	34,000 ((36,500))						
More than 8 and less than 9	38,000	42,000						
9	39,000	42,500 ((38,000))						
10	40,000	43,500 ((39,500))						
11		44,000 ((41,000))	49,000					
12		45,000 ((42,500))	50,000 ((42,500))					
13		45,500 ((44,000))	50,500 ((44,000))					
14		46,500 ((45,500))	51,500 ((45,500))	56,500				
15		47,000	52,000 ((47,000))	57,000				
16		48,000	52,500 ((48,000))	58,000 ((48,000))				
17		48,500	53,500 ((48,500))	58,500 ((49,000))				

18		49,500	54,000 ((49,500))	59,000 ((50,000))	64,500			
19		50,000	54,500 ((50,000))	60,000 ((51,000))	65,000			
20		51,000	55,500 ((51,000 (55,000)*))	60,500 ((52,000))	66,000 ((52,000))			
21		51,500 ((51,000))	56,000 ((51,500 (56,000)*))	61,000 ((53,000))	66,500 ((53,000))	72,000		
22		52,500	56,500 ((52,500 (56,500)*))	61,500 ((54,000))	67,000 ((54,000))	72,500		
23		53,000	57,500 ((53,000 (57,500)*))	62,500 ((55,000))	68,000 ((55,000))	73,000		
24		54,000	58,000 ((54,000 (58,000)*))	63,000 ((55,500))	68,500 ((56,000))	74,000 ((56,000))		
25		54,500	58,500 ((55,000 (58,500)*))	63,500 ((56,500))	69,000 ((57,000))	74,500 ((57,000))	80,000	
26		55,500	59,500 ((56,000 (59,500)*))	64,000 ((57,500))	69,500 ((58,000))	75,000 ((58,000))	80,500	
27		56,000	60,000 ((57,000 (60,000)*))	65,000 ((58,500))	70,000 ((59,000))	75,500 ((59,000))	81,000	
28		57,000	60,500 ((58,000 (60,500)*))	65,500 ((60,000))	71,000 ((60,000))	76,500 ((60,000))	82,000 ((60,000))	87,500
29		57,500	61,500 ((59,000 (61,500)*))	66,000 ((60,500))	71,500 ((61,000))	77,000 ((61,000))	82,500 ((61,000))	88,000
30		58,500	62,000 ((59,000 (62,000)*))	66,500 ((61,500))	72,000 ((62,000))	77,500 ((62,000))	83,000 ((62,000))	88,500
31		59,000	62,500 ((60,500 (62,500)*))	67,500 ((62,500))	72,500 ((63,000))	78,000 ((63,000))	83,500 ((63,000))	89,000
32		60,000	63,500 ((61,500 (63,500)*))	68,000 ((63,500))	73,000 ((64,000))	78,500 ((64,000))	84,500 ((64,000))	90,000 ((64,000))
33			64,000 ((62,500 (64,000)*))	68,500 ((64,500))	74,000 ((65,000))	79,000 ((65,000))	85,000 ((65,000))	90,500 ((65,000))
34			64,500 ((63,500 (64,500)*))	69,000 ((65,000))	74,500 ((66,500))	80,000 ((66,500))	85,500 ((66,500))	91,000 ((66,500))
35			65,500 ((64,500 (65,000)*))	70,000 ((66,500))	75,000 ((67,500))	80,500 ((67,500))	86,000 ((67,500))	91,500 ((67,500))

36			66,000 ((65,500 (68,000)*))	70,500 ((67,500))	75,500 ((68,500))	81,000 ((68,500))	86,500 ((68,500))	92,000 ((68,500))
37			66,500	71,000 ((68,500))	76,000 ((69,500))	81,500 ((69,500))	87,000 ((69,500))	93,000 ((69,500))
38			67,500	71,500 ((69,000))	77,000 ((70,500))	82,000 ((70,500))	87,500 ((70,500))	93,500 ((70,500))
39			68,000	72,500 ((70,000))	77,500 ((71,500))	82,500 ((71,500))	88,500 ((71,500))	94,000 ((71,500))
40			68,500	73,000 ((71,000))	78,000 ((72,500))	83,500 ((72,500))	89,000 ((72,500))	94,500 ((72,500))
41			69,500	73,500 ((72,000))	78,500 ((73,500))	84,000 ((73,500))	89,500 ((73,500))	95,000 ((73,500))
42			70,000	74,000 ((73,000))	79,000 ((74,500))	84,500 ((74,500))	90,000 ((74,500))	95,500 ((74,500))
43			70,500	75,000 ((74,000))	80,000 ((75,500))	85,000 ((75,500))	90,500 ((75,500))	96,000 ((75,500))
44			71,500	75,500 ((75,000))	80,500 ((76,500))	85,500 ((76,500))	91,000 ((76,500))	96,500 ((76,500))
45			72,000	76,000	81,000 ((78,000))	86,000 ((78,000))	91,500 ((78,000))	97,500 ((78,000))
46			72,500	76,500	81,500 ((79,000))	87,000 ((79,000))	92,500 ((79,000))	98,000 ((79,000))
47			73,500	77,500	82,000 ((80,000))	87,500 ((80,000))	93,000 ((80,000))	98,500 ((80,000))
48			74,000	78,000	83,000 ((81,000))	88,000 ((81,000))	93,500 ((81,000))	99,000 ((81,000))
49			74,500	78,500	83,500 ((82,000))	88,500 ((82,000))	94,000 ((82,000))	99,500 ((82,000))
50			75,500	79,000	84,000 ((83,000))	89,000 ((83,000))	94,500 ((83,000))	100,000 ((83,000))
51			76,000	80,000	84,500 ((84,000))	89,500 ((84,000))	95,000 ((84,000))	100,500 ((84,000))
52			76,500	80,500	85,000	90,500 ((85,000))	95,500 ((85,000))	101,000 ((85,000))
53			77,500	81,000	86,000	91,000 ((86,000))	96,500 ((87,000))	102,000 ((87,000))
54			78,000	81,500	86,500	91,500 ((87,500))	97,000 ((89,000))	102,500 ((89,000))
55			78,500	82,500	87,000	92,000 ((88,000))	97,500 ((91,000))	103,000 ((91,000))
56			79,500	83,000	87,500	92,500 ((90,000))	98,000 ((93,000))	103,500 ((93,000))
57			80,000	83,500	88,000	93,000 ((91,000))	98,500 ((95,000))	104,000 ((95,000))
58				84,000	89,000	94,000 ((92,500))	99,000 ((97,000))	104,500 ((97,000))
59				85,000	89,500	94,500 ((93,500))	99,500 ((99,000))	105,500 ((99,000))
60				85,500	90,000	95,000	100,500	105,500 ((100,500))

61				86,000	90,500	95,500	101,000	105,500 ((102,500))
62				86,500	91,000	97,000	101,500	105,500 ((104,000))
63				87,500	92,000	96,500	102,000	105,500
64				88,000	92,500	97,000	102,500	105,500
65				88,500	93,000	98,000	103,000	105,500
66				89,000	93,500	98,500	103,500	105,500
67				90,000	94,000	99,000	104,500 ((104,000))	105,500
68				90,500	95,000 ((94,500))	99,500	105,000 ((104,500))	105,500
69				91,000	95,500	100,000	105,500	105,500
70				91,500	96,000	101,000	105,500	105,500
71				92,500	96,500	101,500	105,500	105,500
72				93,000	97,000	102,000	105,500	105,500
73				93,500	98,000	102,500	105,500	105,500
74				94,000	98,500	103,000	105,500	105,500
75				95,000	99,000	103,500	105,500	105,500
76				95,500	99,500	104,500	105,500	105,500
77				96,000	100,000	105,000	105,500	105,500
78				96,500	101,000	105,500	105,500	105,500
79				97,500	101,500	105,500	105,500	105,500
80				98,000	102,000	105,500	105,500	105,500
81				98,500	102,500	105,500	105,500	105,500
82				99,000	103,000	105,500	105,500	105,500
83				100,000	104,000	105,500	105,500	105,500
84					104,500	105,500	105,500	105,500
85					105,000	105,500	105,500	105,500
86 or more					105,500	105,500	105,500	105,500

Section 8. Section 11.60.420 of the Seattle Municipal Code, last amended by Ordinance 112092, is amended as follows:

11.60.420 Maximum gross weight-Tire factor ((-))

A. Subject to the maximum gross weights specified in Section 11.60.370, no person shall operate any vehicle upon a street or alley with a gross weight, including load, upon any tire concentrated upon the surface

of a street or alley in excess of 600 (~~(five hundred fifty (550))~~) pounds per inch width of such tire (~~(, up to a maximum width of twelve inches (12"), and for a tire having a width of twelve inches (12") or more there shall be allowed a twenty percent (20%) tolerance above five hundred fifty (550) pounds per inch width of such tire~~)). An axle manufactured after July 31, 1993, carrying more than 10,000 pounds gross weight must be equipped with four or more tires. An axle carrying more than 10,000 pounds gross weight must have four or more tires, regardless of date of manufacture. Instead of the four or more tires per axle requirements of this Section 11.60.420, an axle may be equipped with two tires limited to 500 pounds per inch width of tire. This Section 11.60.420 does not apply to vehicles operating under oversize or overweight permits, or both, issued under Section 11.23.220 or RCW 46.44.090, while carrying a nonreducible load.

B. The following equipment may operate at 600 pounds per inch width of tire: (1) A nonliftable steering axle or axles on the power unit; (2) a tiller axle on firefighting apparatus; (3) a rear booster trailing axle equipped with two tires on a ready-mix concrete transit truck; and (4) a straddle trailer manufactured before January 1, 1996, equipped with single-tire axles or a single axle using a walking beam supported by two in-line single tires and used exclusively for the transport of fruit bins between field, storage, and processing. A straddle trailer manufactured after January 1, 1996, meeting this use criteria may carry 515 pounds per inch width of tire on 16.5 inch wide tires.

C. For the purpose of this (~~(section))~~ Section 11.60.420, the width of tire in case of solid rubber or hollow-center cushion tires, so long as the use thereof may be permitted by the law, shall be measured between the flanges of the rim. For the purpose of this (~~(section))~~ Section 11.60.420, the width of tires in case of pneumatic tires shall be the maximum overall normal inflated width as stipulated by the manufacturer when inflated to the pressure specified and without load thereon. (~~((RCW 46.44.042))~~)

Section 9. Section 11.82.180 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.82.180 Taillamps (~~(-)~~)

Every motor vehicle, trailer, cargo extension, semitrailer, and pole trailer, and any other vehicle which is being drawn at the end of a combination of vehicles, shall be equipped with at least two ~~((2))~~ taillamps mounted on the rear, which when lighted as required in Section 11.82.040 shall emit a red light plainly visible from a distance of ~~((one thousand feet (-)))~~ 1,000 feet ~~((1))~~ to the rear, except that passenger cars manufactured or assembled prior to January 1, 1939, and motorcycles and motor-driven cycles, shall have at least one ~~((1))~~ taillamp. On a combination of vehicles only the taillamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles equipped with more than one ~~((1))~~ taillamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable. ~~((RCW 46.37.050(1)))~~

Section 10. Subsection 11.84.020.C of the Seattle Municipal Code, which section was last amended by Ordinance 112421, is amended as follows:

11.84.020 Braking equipment required ~~((-))~~

* * *

C. Brakes on ~~((All Wheels))~~ all wheels. Every vehicle shall be equipped with brakes acting on all wheels except:

1. Trailers, cargo extensions, semitrailers, or pole trailers of a gross weight not exceeding ~~((three thousand (-)))~~ 3,000 ~~((3))~~ pounds, provided that:

a. The total weight on and including the wheels of the trailer or trailers or cargo extension shall not exceed ~~((forty percent (-)))~~ 40 percent ~~((%)~~) of the gross weight of the towing vehicle when connected to the trailer or trailers; and

b. The combination of vehicles consisting of the towing vehicle and its total towed load ~~((-~~)) is capable of complying with the performance requirements of Section 11.84.040.

2. Trailers, semitrailers, or pole trailers manufactured and assembled prior to July 1, 1965, shall not be required to be equipped with brakes when the total weight on and including the wheels of the trailer or trailers does not exceed ~~((two thousand (-)))~~ 2,000 ~~((2))~~ pounds.

3. Any vehicle being towed in drive-away or tow-away operations, provided the combination of vehicles is capable of complying with the performance requirements of Section 11.84.040.

4. Trucks and truck-tractors having three (~~(3)~~) or more axles need not have brakes on the front wheels, except that when such vehicles are equipped with at least two (~~(2)~~) steerable axles, the wheels of one (~~(1)~~) steerable axle need not have brakes. However, such trucks and truck-tractors must be capable of complying with the performance requirements of Section 11.84.040.

5. Special mobile equipment as defined in Section 11.14.840.

6. The wheel of a sidecar attached to a motorcycle or to a motor-driven cycle, or the front wheel of a motor-driven cycle need not be equipped with brakes, provided that such motorcycle or motor-driven cycle is capable of complying with the performance requirements of Section 11.84.040.

* * *

Section 11. Section 11.84.400 of the Seattle Municipal Code, enacted by Ordinance 108200, is amended as follows:

11.84.400 Fenders or splash aprons (~~(-)~~)

A. Except as authorized under subsection 11.84.400.B, no (~~(Nø)~~) person shall operate any motor vehicle, trailer, cargo extension, or semitrailer that is not equipped with fenders, covers, flaps, or splash aprons adequate for minimizing the spray or splash of water or mud from the roadway to the rear of the vehicle. All such devices shall be as wide as the tires behind which they are mounted and extend downward at least to the center of the axle.

B. A motor vehicle that is not less than 40 years old or a street rod vehicle that is owned and operated primarily as a collector's item need not be equipped with fenders when the vehicle is used and driven during fair weather on well-maintained, hard-surfaced roads.

Section 12. Section 11.86.020 of the Seattle Municipal Code, enacted by Ordinance 108200, is repealed:

~~((11.86.020 Gross weight figures.~~

~~Every motor truck or truck-licensed vehicle, trailer, and semitrailer shall have painted or stenciled upon the outside thereof in a conspicuous place, in letters not less than two inches (2") high, the maximum gross weight for which it is licensed. (RCW 46.16.170))~~

Section 13. Section 11.86.040 of the Seattle Municipal Code, enacted by Ordinance 108200, is repealed:

~~((11.86.040 Improper gross weight figures.~~

~~No owner or operator of any vehicle shall display a maximum gross weight for which such vehicle is licensed other than that shown on the certificate of license registration of the vehicle. (RCW 46.16.170))~~

Section 14. 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 _____, 2017, and signed by me in open session in authentication of its passage this ____ day of _____, 2017.

President _____ of the City Council

Approved by me this ____ day of _____, 2017.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)