



Legislation Details (With Text)

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File created:	8/22/2016	In control:	Committee of the Whole
On agenda:		Final action:	2/1/2018
Enactment date:		Enactment #:	
Title:	<p>AN ORDINANCE relating to the Traffic Code of King County; amending Ordinance 10278, Section 5, and K.C.C. 46.08.050, Ordinance 17668, Section 3, and K.C.C. 46.08.055, Ordinance 10278, Section 7, as amended, and K.C.C. 46.08.070, Ordinance 17093, Section 3, as amended, and K.C.C. 4A.700.700, Ordinance 16553, Section 4, and K.C.C. 7.09.030, Ordinance 16553, Section 11, and K.C.C. 7.09.100 and Ordinance 11426, Section 1, and K.C.C. 14.16.010, adding a new section to K.C.C. chapter 4A.680, adding new chapters to K.C.C. Title 46, recodifying K.C.C. 46.08.050, K.C.C. 46.08.055, K.C.C. 46.08.060 and K.C.C. 46.08.070 and repealing Ordinance 5292, Section 2, as amended, and K.C.C. 46.04.010, Ordinance 5292, Section 3, and K.C.C. 46.04.020, Ordinance 5292, Section 4, and K.C.C. 46.04.030, Ordinance 5292, Section 5, as amended, and K.C.C. 46.04.040, Ordinance 5292, Section 6, and K.C.C. 46.04.050, Ordinance 5292, Section 7, as amended, and K.C.C. 46.04.060, Ordinance 17234, Section 2, and K.C.C. 46.04.062, Ordinance 11396, Section 2, and K.C.C. 46.04.065, Ordinance 16294, Section 1, and K.C.C. 46.04.080, Ordinance 15050, Section 3, and K.C.C. 46.06.010, Ordinance 15050, Section 4, and K.C.C. 46.06.020, Ordinance 15050, Section 5, and K.C.C. 46.06.030, Ordinance 15050, Section 6, and K.C.C. 46.06.040, Ordinance 15050, Section 7, and K.C.C. 46.06.050, Ordinance 15050, Section 8, and K.C.C. 46.06.060, Ordinance 15050, Section 9, and K.C.C. 46.06.070, Ordinance 15050, Section 10, and K.C.C. 46.06.080, Ordinance 10278, Section 1, as amended, and K.C.C. 46.08.010, Ordinance 5846, Section 4, as amended, and K.C.C. 46.08.040, Ordinance 10278, Section 9, as amended, and K.C.C. 46.08.080, Ordinance 10278, Section 10, as amended, and K.C.C. 46.08.100, Ordinance 10278, Section 11, as amended, and K.C.C. 46.08.110, Ordinance 5846, Section 12, as amended, and K.C.C. 46.08.120, Ordinance 10278, Section 12, as amended, and K.C.C. 46.08.130, Ordinance 10278, Section 13, and K.C.C. 46.08.132, Ordinance 10278, Section 14, as amended, and K.C.C. 46.08.134, Ordinance 9078, Section 1, and K.C.C. 46.10.010, Ordinance 9078, Section 2 and K.C.C. 46.10.020, Ordinance 9078, Section 3, and K.C.C. 46.10.030, Ordinance 9078, Section 4, as amended, and K.C.C. 46.10.040, Ordinance 9078, Section 5, and K.C.C. 46.10.050, Ordinance 9078, Section 6, and K.C.C. 46.10.060 and Ordinance 9288, Section 1, and K.C.C. 46.10.080 and prescribing penalties.</p>		
Sponsors:	Kathy Lambert		
Indexes:	Roads, Traffic		
Code sections:	14.16.010 - *, 46 -, 46.04.010 - ., 46.04.020 - ., 46.04.030 - ., 46.04.040 -, 46.04.040 - ., 46.04.050 - ., 46.04.060 - ., 46.04.062 - *, 46.04.065 - ., 46.04.080 - *, 46.06.020 - ., 46.06.030 - ., 46.06.040 - *, 46.06.050 - *, 46.06.060 - *, 46.06.070 - ., 46.06.080 - *, 46.08.010 -, 46.08.040 -, 46.08.050 - ., 46.08.055 - *, 46.08.060 - ., 46.08.070 - ., 46.08.080 - ., 46.08.100 - ., 46.08.110 - ., 46.08.120 - ., 46.08.130 - ., 46.08.132 - ., 46.08.134 - ., 46.10.010 - ., 46.10.020 - ., 46.10.030 - ., 46.10.040 - ., 46.10.050 - ., 46.10.060 - *, 46.10.080 - ., 4A.680 - *, 4A.700.700 - ., 7.09.030 - ., 7.09.100 - *		
Attachments:	1. 2016-0402 legislative review form.pdf, 2. 2016-0402 Transmittal Letter-Title 14 and 46 Amendments-Final 070116.docx, 3. 2016-0402 draft hearing notice.doc, 4. 2016-0402 2 - Fiscal-note_Title46.xls, 5. 2016-0402_SR_Title 46 Update.docx, 6. 2016-0402-ATT1_Proposed_Ordinance.pdf, 7. Title 46 updates - council 11-3-16.pptx, 8. 2016-0402_SR_Title 46 FINAL v2.docx, 9. ATT 2_2016-0402_Striking Amendment S1 FINAL.docx, 10. ATT 3_2016-0402 Title Amendment FINAL.docx, 11. 2016-0402_ATT4_2016-0402_Redline showing S1 over PO 2016-0402.pdf		

Date	Ver.	Action By	Action	Result
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2/1/2017	1	Committee of the Whole	Deferred
1/17/2017	1	Metropolitan King County Council	Reintroduced
11/7/2016	1	Committee of the Whole	Deferred
8/22/2016	1	Metropolitan King County Council	Introduced and Referred

Clerk 02/01/2017

AN ORDINANCE relating to the Traffic Code of King County; amending Ordinance 10278, Section 5, and K.C.C. 46.08.050, Ordinance 17668, Section 3, and K.C.C. 46.08.055, Ordinance 10278, Section 7, as amended, and K.C.C. 46.08.070, Ordinance 17093, Section 3, as amended, and K.C.C. 4A.700.700, Ordinance 16553, Section 4, and K.C.C. 7.09.030, Ordinance 16553, Section 11, and K.C.C. 7.09.100 and Ordinance 11426, Section 1, and K.C.C. 14.16.010, adding a new section to K.C.C. chapter 4A.680, adding new chapters to K.C.C. Title 46, recodifying K.C.C. 46.08.050, K.C.C. 46.08.055, K.C.C. 46.08.060 and K.C.C. 46.08.070 and repealing Ordinance 5292, Section 2, as amended, and K.C.C. 46.04.010, Ordinance 5292, Section 3, and K.C.C. 46.04.020, Ordinance 5292, Section 4, and K.C.C. 46.04.030, Ordinance 5292, Section 5, as amended, and K.C.C. 46.04.040, Ordinance 5292, Section 6, and K.C.C. 46.04.050, Ordinance 5292, Section 7, as amended, and K.C.C. 46.04.060, Ordinance 17234, Section 2, and K.C.C. 46.04.062, Ordinance 11396, Section 2, and K.C.C. 46.04.065, Ordinance 16294, Section 1, and K.C.C. 46.04.080, Ordinance 15050, Section 3, and K.C.C. 46.06.010, Ordinance 15050, Section 4, and K.C.C. 46.06.020, Ordinance 15050, Section 5, and K.C.C. 46.06.030, Ordinance 15050, Section 6, and K.C.C. 46.06.040, Ordinance 15050, Section 7, and K.C.C. 46.06.050, Ordinance 15050, Section 8, and K.C.C. 46.06.060, Ordinance 15050, Section 9, and K.C.C. 46.06.070, Ordinance 15050, Section 10, and K.C.C. 46.06.080, Ordinance 10278, Section 1, as amended, and K.C.C. 46.08.010,

Ordinance 5846, Section 4, as amended, and K.C.C 46.08.040, Ordinance 10278, Section 9, as amended, and K.C.C. 46.08.080, Ordinance 10278, Section 10, as amended, and K.C.C. 46.08.100, Ordinance 10278, Section 11, as amended, and K.C.C. 46.08.110, Ordinance 5846, Section 12, as amended, and K.C.C. 46.08.120, Ordinance 10278, Section 12, as amended, and K.C.C. 46.08.130, Ordinance 10278, Section 13, and K.C.C. 46.08.132, Ordinance 10278, Section 14, as amended, and K.C.C. 46.08.134, Ordinance 9078, Section 1, and K.C.C. 46.10.010, Ordinance 9078, Section 2 and K.C.C. 46.10.020, Ordinance 9078, Section 3, and K.C.C. 46.10.030, Ordinance 9078, Section 4, as amended, and K.C.C. 46.10.040, Ordinance 9078, Section 5, and K.C.C. 46.10.050, Ordinance 9078, Section 6, and K.C.C. 46.10.060 and Ordinance 9288, Section 1, and K.C.C. 46.10.080 and prescribing penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Sections 2 through 21 of this ordinance should constitute a new chapter in K.C.C. Title 46.

NEW SECTION. SECTION 2. The definitions in this chapter apply throughout this title unless the context clearly requires otherwise.

NEW SECTION. SECTION 3. "Angle parking" means the direction of parking as follows:

A. "Back-in" angle parking means the parking of a vehicle with the front of the vehicle facing towards the main traveled portion of the road; and

B. "Front-in" angle parking means the parking of a vehicle with the rear of the vehicle facing toward the main traveled portion of the roadway.

NEW SECTION. SECTION 4. "Bus" means every motor vehicle designed for carrying more than ten passengers and used for transportation of persons, and every motor vehicle, other than a taxicab or

transportation network company, designed and used for the transportation of persons for compensation.

NEW SECTION. SECTION 5. "Bus stop" means a fixed portion of the county road parallel and adjacent to the curb to be reserved exclusively for buses for layover in operating schedules or while waiting for, loading, or unloading passengers: Provided, That such bus provides regularly scheduled service within the jurisdiction of King County.

NEW SECTION. SECTION 6. "Deputy" means a sheriff's deputy.

NEW SECTION. SECTION 7. "Director" means the director of the King County department of transportation.

NEW SECTION. SECTION 8. "Holidays" include the first day of January, commonly called New Year's Day; the third Monday in January, commonly called Martin Luther King Jr. day; the third Monday of February, commonly called Presidents' Day; the last Monday of May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the fourth Thursday in November, to be known as Thanksgiving Day; the twenty-fifth day of December, commonly called Christmas Day; and any other day specified by ordinance to be a holiday. Whenever any holiday falls upon a Sunday, the following Monday shall be a holiday.

NEW SECTION. SECTION 9. "Impoundment" means the removal of a vehicle or watercraft to a storage facility either by a deputy or authorized agent of the sheriff or by a towing contractor in response to a request from a deputy or authorized agent of the sheriff.

NEW SECTION. SECTION 10. "Loading zone" means a space reserved for the exclusive use of vehicles during the loading or unloading of property or passengers.

NEW SECTION. SECTION 11. "Passenger loading zone" means a place reserved for the exclusive use of vehicles while receiving or discharging passengers.

NEW SECTION. SECTION 12. "Public place" means an area, whether publicly or privately owned, generally open to the public and includes, but is not limited to, the doorways and entrances to buildings or

dwelling and the grounds enclosing them, streets, sidewalks, bridges, alleys, plazas, parks, driveways and parking lots.

NEW SECTION. SECTION 13. "School bus zone" means a designated portion of the county road along the curb reserved for loading and unloading school buses during designated hours.

NEW SECTION. SECTION 14. "Taxicab" means a motor vehicle for hire used for the transportation of persons for compensation, and not operated exclusively over a fixed route or between fixed termini.

NEW SECTION. SECTION 15. "Towing contractor" means any firm, partnership, tow operator, association or corporation duly licensed by the state of Washington to perform towing and storage services that enters into a contract with the sheriff, or the sheriff's designee, to perform towing and storage services under the provisions of this chapter.

NEW SECTION. SECTION 16. "Unlawful race event" means an event in which persons willfully compare or contest relative speeds by operation of one or more motor vehicles.

NEW SECTION. SECTION 17. "U-turn" means turning a vehicle so as to proceed in the opposite direction on the same roadway.

NEW SECTION. SECTION 18. "Vehicle" shall have the same definition as in RCW 46.04.670, and shall also include any junk vehicle as defined in RCW 46.55.010 and watercraft as defined in this chapter.

NEW SECTION. SECTION 19. "Watercraft" means a vessel used to transport persons on water.

NEW SECTION. SECTION 20. "Workday" means Monday through Friday, not including Saturday and Sunday or holidays.

NEW SECTION. SECTION 21. "Wrecked, dismantled or inoperative vehicle" means a motor vehicle or the remains or remnant parts of a motor vehicle, or an extensively damaged recreational vehicle or boat, that is clearly inoperative and either cannot be made operative without the addition of vital parts or mechanisms or is damaged to the extent that it prevents normal operation of the vehicle, or both.

SECTION 22. Sections 23 through 37 of this ordinance should constitute a new chapter in K.C.C. Title

46.

NEW SECTION. SECTION 23. This chapter applies to all public roads within unincorporated King County.

NEW SECTION. SECTION 24. Except as otherwise provided in this chapter, the maximum speed limit that a person may operate a vehicle of any character upon any county road is thirty-five miles per hour except where a different speed limit has been posted.

NEW SECTION. SECTION 25. The maximum speed limit that a person may drive a vehicle of any type on a county road in a residential district is twenty-five miles per hour except where a different speed limit has been posted.

NEW SECTION. SECTION 26. In addition to the duties of drivers of vehicles entering intersections in RCW 46.61.190, every driver of a vehicle approaching a stop sign shall stop at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the roadway, even if that necessitates a secondary stop beyond the stop line or crosswalk.

NEW SECTION. SECTION 27. It shall be the general duty of the traffic engineer to determine the installation of traffic control devices, to conduct engineering analysis of traffic accidents and devise remedial measures, to conduct engineering investigations of traffic conditions, to plan the operation of traffic on county roads, to cooperate with other officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by any county ordinances.

NEW SECTION. SECTION 28. The traffic engineer may:

A. Place and maintain traffic control devices when and as required under federal or state law or this title, and may place and maintain such additional traffic control devices as the traffic engineer deems necessary to regulate, warn or guide traffic.

B. Place and maintain such traffic control devices as the traffic engineer deems necessary to regulate, warn or guide traffic of construction, detours, emergencies and special conditions;

C. Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where the traffic engineer deems necessary;

D. Establish safety zones of such a kind and character and at such places as the traffic engineer deems necessary for the protection of pedestrians;

E. Mark traffic lanes upon the roadway of any highway where a regular alignment of traffic is necessary;

F. Regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner;

G. Place and maintain traffic control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at the intersections;

H. Determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and place and maintain proper signs at those intersections. The making of the turns may be prohibited between certain hours of any day and permitted at other hours, but the prohibitions shall be plainly indicated on the signs or the signs may be removed when the turns are permitted;

I. Erect and maintain stop signs, yield signs or other traffic control devices to designate arterial highways or to designate intersection or other roadway junctions at which vehicular traffic on one or more of the roadways shall yield or stop and yield before entering the intersection or junction, except as provided in RCW 46.61.195;

J. Issue special permits to authorize the backing of a vehicle to the curb for the purpose of loading or unloading property subject to the terms and conditions of the permits. The permits may be issued either to the owner or lessee of real property alongside the curb or to the owner of the vehicle and shall grant to the person the privilege as therein stated and authorized by this section;

K. Erect and maintain signs indicating no parking upon both sides of a highway when the width of the improved roadway does not exceed twenty feet, or erect and maintain signs upon one side of a highway when

the width of the improved roadway is between twenty and twenty-eight feet;

L. Determine when standing or parking may be permitted upon the left-hand side of any roadway when the highway includes two or more separate roadways and traffic is restricted to one direction upon any such roadway and erect and maintain signs giving notice of the permission;

M. Determine and designate by proper signs places in which the stopping, standing or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic;

N. Determine the location of loading zones, passenger loading zones and tow-away zones, and shall place and maintain appropriate signs or curb markings supplemented with the appropriate words stenciled on the curb indicating the same and stating the hours during which the provisions of this chapter are applicable;

O. Establish bus stops, bus stands, taxicab stands and stands for other for-hire vehicles on such highways, in such places and in such a number as the traffic engineer determines to be of the greatest benefit and convenience to the public, and every such a bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs or by curb markings supplemented with the appropriate words stenciled on the curb;

P. Erect and maintain traffic control devices on any highway or part thereof to impose gross weight limits on the basis of an engineering and traffic investigation;

Q. Erect and maintain traffic control devices on any highway or part thereof to prohibit the operation of trucks exceeding ten thousand pounds gross vehicle weight on the basis of an engineering and traffic investigation, but the devices shall not prohibit necessary local operation on such highways for the purpose of making a pickup or delivery;

R. Erect and maintain traffic control devices on any highway or part thereof to impose vehicle size restrictions on the basis of an engineering and traffic investigation;

S. Determine and designate those heavily traveled highways upon which are prohibited any class or kind of traffic that the traffic engineer deems to be incompatible with the normal and safe movement of traffic

on the basis of an engineering and traffic investigation, and shall erect appropriate traffic control devices giving notice thereof;

T. Install parking meters in the established parking meter zones upon the curb adjacent to each designated parking space;

U. Designate the parking space adjacent to each parking meter for which the meter is to be used by appropriate markings upon the curb and/or the pavement of the highway;

V. Designating certain locations as unlawful for pedestrians to use when crossing highways, when the crossing would endanger either pedestrian or vehicular traffic using the highway, and posting appropriate signs at those locations;

W. Test new or proposed traffic control devices under actual conditions of traffic;

X. Designate parking meter zones upon those highways or parts thereof where the installation of parking meters is necessary to regulate parking.

NEW SECTION. SECTION 29. A. The King County traffic engineer may propose revised speed limits on county roads, only if the speed limit revision does not differ more than ten miles per hour from the existing speed limit and only if the proposed change in speed limit is based upon the factors:

1. Road surface characteristics, shoulder conditions, grade, alignment and sight distance;
2. The eighty-fifth percentile speed and pace speed;
3. Roadside development and land use;
4. Safe speed for curves within the speed zone;
5. Parking practices and pedestrian activity; and
6. Most-recently reported collision history for the preceding thirty-six months.

B. The traffic engineer may perform an engineering and traffic investigation to determine if the existing maximum speed limit permitted is appropriate and safe under the conditions found to exist upon a roadway.

The investigation may be initiated by a county road engineer or by a citizen request.

C. If the traffic engineer, after consideration of the findings of the engineering and traffic investigations, determines that a change in the existing speed limit is appropriate, based on current engineering standards and guidelines, the traffic engineer shall provide a public comment period of at least fourteen calendar days and may hold a public meeting to solicit public input on the proposed change. The public may submit its testimony to the traffic engineer by letter or email during the comment period. The traffic engineer shall publish notice of the public comment period in a newspaper of general circulation in the area where the change in the existing speed limit is proposed.

D. If the traffic engineer concludes that there should be a change in the speed limit, based on the engineering and traffic investigations results and public comments, the traffic engineer may propose the speed limit revision to the King County road engineer. If the road engineer concurs, then the speed limit amendment takes effect when signed by the road engineer. The road engineer shall then prepare and distribute copies of the speed limit amendment to the clerk of the council. The clerk of the council shall distribute copies of the amendment to councilmembers, the sheriff's office and the records and licensing services division. The office of the traffic engineer shall also maintain a copy of the speed limit amendment and make the amendment available to the public during regular business hours.

E. An appeal of a speed limit revision may be submitted to the clerk of the council within thirty business days from the date the road engineer signs the amendment authorizing the revised speed limit. The appeal must be submitted to the clerk of the council in the form of one paper copy and one electronic copy, and the clerk shall then forward copies of the appeal to all councilmembers and to the lead staff of the transportation, economy and environment committee, or its successor. When an appeal is received, the council, with administrative support from the department of transportation, shall review the issues raised in the appeal, and, if appropriate based on new or corrected information raised by the appellant, may modify the road engineer's decision by ordinance.

NEW SECTION. SECTION 30. The office of the traffic engineer shall maintain a list of all county

roads with a designation of maximum speed limits. The department of transportation shall make copies of the list available to the public during regular business hours.

NEW SECTION. SECTION 31. The traffic engineer may designate school speed zones in accordance with RCW 46.61.440(2).

NEW SECTION. SECTION 32. The King County road engineer, in addition to those duties in 36.80 RCW, may:

- A. Determine and declare parking meter zones upon those county roads or parts thereof where the installation of parking meters will be necessary to regulate parking;
- B. Close any county road or parts thereof temporarily to any or all traffic;
- C. Determine and declare one-way highways as authorized by RCW 46.61.135;
- D. Determine and declare arterial highways as authorized by RCW 46.61.195 and 46.61.435; and
- E. Revise speed limits on county roads after performing an engineering and traffic investigation to determine if the existing maximum speed limit permitted is appropriate and safe under the conditions found to exist upon a roadway.

NEW SECTION. SECTION 33. The road engineer may set reduced temporary speed limits for special conditions, such as where there is construction on or near a county road, if the locations are posted with signs in accordance with the Manual on Uniform Traffic Control Devices adopted in the King County Road Standards. The temporary speed limits may reduce the posted speed limit by more than ten miles per hour.

NEW SECTION. SECTION 34. With the exception of funeral processions and parades of the armed forces of the United States, the military forces of this state and the forces of the sheriff and fire departments, processions or parades shall not be conducted on county roads except in accordance with a Special Use permit issued by the county.

NEW SECTION. SECTION 35. A person shall not interfere with a parade or procession. A person shall not operate a vehicle that is not part of a parade or procession between the vehicles of a parade or

procession. This subsection does not apply at intersections where traffic is controlled by traffic control devices unless a deputy is present at the intersections to direct traffic so as to preserve the continuity of the parade or procession.

NEW SECTION. SECTION 36. A person shall not ride upon any portion of a vehicle not designed or intended for the use of passengers.

NEW SECTION. SECTION 37. A violation of this chapter is a traffic infraction punishable in accordance with chapter 46.63 RCW.

SECTION 38. Sections 39 through 49 of this ordinance should constitute a new chapter in K.C.C. Title 46.

NEW SECTION. SECTION 39. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to park a vehicle upon any streets or parts of the streets outside the allowed time period when signs are erected giving notice when parking is allowed.

NEW SECTION. SECTION 40. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to park a vehicle upon streets that have been marked or signed for either back-in or front-in angle parking, at an angle in relation to the curb or margin of the shoulder, other than is consistent with the markings or signs.

NEW SECTION. SECTION 41. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to park a commercial vehicle that is more than eighty inches wide overall on any county road or portion of county road between midnight and 6:00 a.m.

NEW SECTION. SECTION 42. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to park a trailer, either attached to or detached from a motor vehicle at any time, upon any county road or

portion of the county road when signs are erected giving notice that trailer parking is prohibited.

NEW SECTION. SECTION 43. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to park directly adjacent to a curbside, next to clearly visible residential mail boxes between 10:00 a.m. and 5:00 p.m. on any day of scheduled mail delivery by the United States Postal Service.

NEW SECTION. SECTION 44. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to park a vehicle upon a highway in a manner or under conditions that leave less than ten feet of the width of the roadway available for free movement of vehicular traffic. A person shall not stop, stand or park a vehicle within an alley in a position that blocks the driveway entrance to any abutting property.

NEW SECTION. SECTION 45. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to stop, stand or park a vehicle for any purpose or period other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during hours when the provisions applicable to the loading zone are effective, and then only for a maximum of three minutes.

NEW SECTION. SECTION 46. A. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for an operator of a bus to stop, stand or park the bus upon any highway at any place other than a designated bus stop. This subsection does not prevent the operator of a bus from temporarily stopping in accordance with other stopping, standing or parking provisions at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers or their baggage.

B. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for the operator of a bus to enter a bus stop or passenger loading zone on a highway in such a manner that the bus, when stopped to load or unload passengers

or baggage, is in a position with the right front wheel of the bus at most eighteen inches from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.

C. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for the operator of a taxicab or a vehicle for hire or transportation network company to stop, stand or park the taxicab or vehicle for hire upon any highway at any place other than in a designated taxicab stand. This subsection does not prevent the operator of a taxicab or vehicle for hire from temporarily stopping in accordance with other stopping, standing or parking provisions at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

NEW SECTION. SECTION 47. Except when necessary to avoid conflict with traffic or in compliance with the law or at the direction of a police officer or official traffic-control device, it is unlawful for any person to stop, stand or park a vehicle in a bus stop or a taxicab stand, other than a bus in a bus stop or a taxicab or vehicle for hire in a taxicab stand, when the stop or stand has been designated and signed. However, the driver of a passenger vehicle may temporarily stop in a bus stop or a taxicab stand for the purpose of, or while actually engaged in, loading or unloading passengers when the stopping does not interfere with any bus, taxicab or vehicle for hire waiting to enter or about to enter the stop or stand.

NEW SECTION. SECTION 48. A person violating this chapter commits a traffic infraction and is subject to the monetary penalty authorized by RCW 46.63.110 as set forth in the Infraction Rules for Courts of Limited Jurisdiction in effect on the effective date of the infraction and any additional monetary penalty or administrative costs related to the infraction.

NEW SECTION. SECTION 49. Monetary penalties related to traffic infractions authorized by RCW 46.63.110 shall be the penalties in Section 6.2 of the Infraction Rules for Courts of Limited Jurisdiction except violations of the provisions of RCW 46.61.560 through 46.61.575 and this chapter shall be subject to a penalty of one hundred dollars.

SECTION 50. Sections 51 through 53 of this ordinance should constitute a new chapter in K.C.C. Title 46.

NEW SECTION. SECTION 51. A. A person operating a motorized foot scooter shall ensure that the scooter is equipped with a brake that enables the operator to make the braked wheels skid on dry, level, clean pavement.

B. A person shall not use a motorized foot scooter at any time from one half hour before sunset to one half hour after sunrise.

C. A person shall not operate a motorized foot scooter on county roads, alleys and sidewalks and county recreational trails and park property unless the operator is at least sixteen years old.

D. A person operating a motorized foot scooter or riding as a passenger on a motorized foot scooter upon any county road, alley, sidewalk, recreational trail or park property shall comply with all laws related to the use of bicycle helmets, including wearing a protective helmet designed for bicycle safety that meets or exceeds the safety standards adopted by the United States Consumer Product Safety Commission or set by the American National Standards Institute in effect on the effective date of this ordinance, or such subsequent nationally recognized standard for bicycle helmet performance as the county may adopt by ordinance. The helmet must be equipped with either a neck strap or chinstrap that shall be fastened securely while the motorized foot scooter is in motion.

E. A person operating a motorized foot scooter has the same rights and duties applicable to bicycles when on a highway, except when traveling upon a crosswalk or in a pedestrian zone, and shall follow the instructions of traffic-control signals, signs and other control devices applicable to vehicles and pedestrians, unless otherwise directed by a deputy.

F. A person shall not operate a motorized foot scooter on a sidewalk.

G. A person shall not operate a motorized foot scooter on:

1. A county road with a posted maximum speed limit greater than twenty-five miles per hour; or

2. County parks facilities, including parks, recreational trails, open space or other property, under the jurisdiction of the parks and recreation division of the department of natural resources and parks, unless the facility has been specifically designated and posted for that use in accordance with K.C.C. chapter 7.12.

NEW SECTION. SECTION 52. A person shall not violate this chapter or fail to perform any act required by RCW 46.61.710. The parent of a child or the guardian of a ward shall not authorize or knowingly permit the child or ward to violate this chapter.

NEW SECTION. SECTION 53. A person violating this chapter commits a traffic infraction and is subject to a monetary penalty in accordance with the Infraction Rules for Courts of Limited Jurisdiction in effect on the effective date of the infraction and any additional monetary penalty or administrative costs related to the infraction.

SECTION 54. Sections 55, 56 and 58 of this ordinance, K.C.C. 46.08.050, as recodified by this ordinance, K.C.C. 46.08.055, as recodified by this ordinance, K.C.C. 46.08.060, as recodified by this ordinance, K.C.C. 46.08.070, as recodified by this ordinance, and sections 66 through 74 of this ordinance should constitute a new chapter in K.C.C. Title 46.

NEW SECTION. SECTION 55. As authorized in RCW 46.55.113, whenever the driver of a vehicle is arrested for violation of RCW 46.20.342 or 46.20.420, the vehicle is subject to summary impoundment, at the discretion of the deputy, at the business location of a registered tow truck operator at the direction of the sheriff or a deputy. The sheriff's office shall negotiate and contract with one or more licensed and authorized tow truck operators to tow, store and release vehicles impounded under this chapter. At minimum, this contract for services shall include a provision that indemnifies the county, and its officials, from liability for any damages caused to the impounded vehicle during its tow or storage.

NEW SECTION. SECTION 56. A.1. When a vehicle is impounded because the operator is in violation of RCW 46.20.342(1) (a) or (b), the vehicle will be held, at the written direction of the sheriff, a deputy or a Washington State Patrol officer, in impound for thirty days before it may be redeemed.

2. A vehicle impounded because the operator is arrested for a violation of RCW 46.20.342 may be released only pursuant to a written order to release from the sheriff, a deputy or the Washington State Patrol Officer that ordered the vehicle impounded or from the court having jurisdiction. The sheriff, deputy or Washington State Patrol Officer shall only issue a written order to release upon a showing by the person or entity seeking redemption that the requirements of RCW 46.55.120 have been satisfied and upon payment of a fee in the amount specified in section 57 of this ordinance.

B. When a vehicle is impounded because the operator is in violation of RCW 46.20.342 (1)(c), the vehicle shall be held at the written direction of the sheriff, a deputy or a Washington State Patrol officer, in impound before it may be redeemed as follows:

1. The sheriff's office shall issue a written order of release of the vehicle from impound from any precinct, during business hours; and
2. The release is subject to the owner providing proof of ownership, proof of valid insurance as required under RCW 46.30.020, proof of valid operator's license and upon payment of a fee in the amount as specified in section 57 of this ordinance.

NEW SECTION. SECTION 57. There is hereby added to K.C.C. chapter 4A.680 a new section to read as follows:

A. In order to offset the costs associated with processing impoundments, all impounded vehicle will be subject to an administrative impound fee.

B. The administrative impound fee for release of a vehicle from impound under section 56.A. of this ordinance is one hundred dollars.

C. The administrative impound fee for release of a vehicle from impound under section 56.B. of this ordinance is one hundred dollars.

NEW SECTION. SECTION 58. A vehicle may be impounded as provided in chapter 46.55 RCW. This section shall not be construed to authorize seizure of a vehicle without a warrant where a warrant would

otherwise be required. This section shall not derogate from the powers of the sheriff or deputies under the common law or other statute or ordinance.

SECTION 59. K.C.C. 46.08.050, as amended by this ordinance, is hereby recodified in the new chapter created in section 54 of this ordinance.

SECTION 60. Ordinance 10278, Section 5, and K.C.C. 46.08.050 are each hereby amended to read as follows:

A vehicle not subject to impoundment under ~~((K.C.C. 46.08.040 hereof))~~ section 55 and section 58 of this ordinance may be impounded after notice of ~~((such))~~ the proposed impoundment has been securely attached to and conspicuously displayed on the vehicle for ~~((a period of))~~ twenty-four hours ~~((prior to such))~~ before the impoundment if ~~((such))~~ the vehicle is either parked ~~((and/))~~ or used, or both, in violation of any law, ordinance or regulation~~((; provided, that))~~. ~~((i))~~ If the vehicle has current Washington registration plates, the ~~((officer or the King County department of public safety))~~ sheriff's office shall check the records to learn the identity of the last owner of record and shall make a reasonable effort to contact the owner by telephone in order to give the owner the information on the notice of proposed impoundment.

SECTION 61. K.C.C. 46.08.055, as amended by this ordinance, is hereby recodified in the new chapter created in section 54 of this ordinance.

SECTION 62. Ordinance 17668, Section 3, and K.C.C. 46.08.055 are each hereby amended to read as follows:

Whenever it appears reasonably necessary to protect persons or property, the sheriff or a deputy may order the impoundment of a watercraft when the watercraft cannot be otherwise secured or released. The sheriff or the deputy in lieu of impound may release the watercraft to a person who, in the sheriff's or the deputy's opinion, can safely operate the watercraft or secure the watercraft to a moorage facility when the moorage facility has been approved for that purpose. A person to whom the sheriff or the deputy releases the watercraft must be legally able operate a watercraft under RCW 79A.60.640. If the owner or operator of the

watercraft is present, the person's signature on a waiver of impound is required before the ~~((officer))~~ sheriff or the deputy may release the watercraft to a person in lieu of impoundment.

SECTION 63. K.C.C. 46.08.060 is hereby recodified in the new chapter created in section 54 of this ordinance.

SECTION 64. K.C.C. 46.08.070, as amended by this ordinance, is hereby recodified in the new chapter created in section 54 of this ordinance.

SECTION 65. Ordinance 10278, Section 7, as amended, and K.C.C. 46.08.070 are each hereby amended to read as follows:

A. When a vehicle or watercraft is impounded, the impounding towing contractor shall notify the legal and registered owner or owners of the impoundment of the vehicle or watercraft. The notification shall be in writing and sent within twenty-four hours after the impound by first-class mail to the last known registered and legal owner or owners of the vehicle or watercraft, as identified by the ~~((department of public safety))~~ sheriff's office, and shall inform the owner or owners of the identity of the person or agency authorizing the impound. The notification shall include the name of the impounding tow firm, its address and telephone number, the location and time of the impound and by whose authority the vehicle or watercraft was impounded. The notice shall also include the notice of the right of redemption and opportunity for a hearing to contest the validity of the impoundment under ~~((K.C.C. 46.08.100))~~ section 67 of this ordinance, as set forth on a form to be provided by the ~~((department of public safety))~~ sheriff's office.

B. In the case of an abandoned vehicle, as defined in RCW 46.55.010(1), within twenty-four hours after receiving information on the vehicle owner or owners from the state Department of Licensing through the abandoned vehicle report, the towing contractor shall send by certified mail, with return receipt requested, a notice of custody and sale to the legal and registered owner or owners.

C. A notice does not need be sent to the legal or registered owner or owners of an impounded vehicle or watercraft if the vehicle or has been redeemed.

D. When a person seeks to redeem an impounded vehicle or watercraft, as provided in either chapter 46.55 RCW or this chapter, the towing contractor shall give the person a copy of the towing and storage receipt as well as written notice of the right of redemption and opportunity for a hearing, as set forth on a form provided by the ~~((department of public safety))~~ sheriff's office. The towing contractor shall maintain a record evidenced by the redeeming person's signature that such notification was provided.

E. Similar written notice and record of notification for redemption and opportunity for a hearing, as set forth on a form provided by the ~~((department of public safety))~~ sheriff's office, shall be given by the towing contractor at the time of releasing a vehicle or watercraft impounded for investigatory purposes ~~((in accordance with K.C.C. 46.08.040.E))~~, following authorization by the ~~((department of public safety))~~ sheriff's office to release the vehicle or watercraft.

NEW SECTION. SECTION 66. All vehicles impounded by the sheriff shall utilize a written authorization to impound form, approved by the sheriff, or the sheriff's designee. The form shall denote the sheriff's authority to impound in chapter 46.55 RCW.

NEW SECTION. SECTION 67. A. In accordance with RCW 46.55.240(1)(d), the sheriff shall appoint one or more administrative hearing officers to conduct the hearings specified in and requested under RCW 46.55.120(2). Persons whose watercraft are impounded may also request a hearing, which shall be carried out in accordance with the processes for impound hearings specified in RCW 46.55.120(2).

B. In accordance with RCW 46.55.240(1)(d), a decision made by an administrative hearing officer may be appealed to the district court for final judgment.

NEW SECTION. SECTION 68. A. An impounded watercraft not redeemed within fifteen days of mailing of the notice required by RCW 46.55.110, and not listed as a stolen watercraft, shall be deemed unclaimed and shall be sold at a public auction in accordance with the provisions and subject to all conditions of RCW 46.55.130. However, in the case of a watercraft impounded and held under order of the sheriff or a deputy, the fifteen days shall not begin until forty-eight hours after the sheriff's office hold has been satisfied.

Also, when a timely request for a hearing has been made under RCW 46.55.120(2)(b), the sale of the watercraft at public auction shall not take place until after the hearing has been conducted and the hearing officer has entered an order. Before sale at public auction, the towing contractor shall confirm with the sheriff's office that a hearing or hearing appeal, is not pending.

B. When an unclaimed watercraft is sold at public auction under subsection A. of this section, the towing contractor may recover its towing and storage charges from the proceeds of the sale. The towing and storage charges shall be limited to the contract rates established under section 71 of this ordinance.

NEW SECTION. SECTION 69. Vehicles or watercraft impounded by the county shall be redeemed under the following circumstances:

A. Only those persons authorized by chapter 46.55 RCW may redeem an impounded vehicle.

B. A person authorized by chapter 46.55 RCW to redeem an impounded vehicle must pay the towing contractor for the reasonable costs of towing and storage resulting from the impoundment before the vehicle or watercraft may be released from impound.

C. A person seeking to redeem an impounded vehicle or watercraft has a right to a hearing under section 67 of this ordinance before an administrative hearing officer to contest the validity of the impoundment or the amount of towing and storage costs. A request for a hearing shall be made in writing on a form provided for that purpose by the sheriff's office.

NEW SECTION. SECTION 70. The sheriff shall keep a record of all vehicles or watercraft impounded under this chapter. The record shall include at least the following:

A. Vehicle or watercraft make, year and model;

B. Vehicle or watercraft license number and state of registration;

C. Vehicle or watercraft identification number, if ascertainable;

D. Such other descriptive information as the sheriff deems useful for purposes of vehicle or watercraft identification;

E. Name of impounding officer and serial number; and

F. Reason for impoundment, and the time, date and location the approved towing company took custody.

NEW SECTION. SECTION 71. The sheriff, or the sheriff's designee, may enter into contracts with towing contractors to provide towing and storage services on request of the sheriff's office, in accordance with this chapter. The contracts shall be at no cost to the county and shall provide that the towing contractor may recover the costs of towing and storage only from the person seeking to redeem the impounded vehicle or watercraft, or from the proceeds of sale of an unclaimed vehicle or watercraft as authorized by RCW 46.55 or under section 68 of this ordinance, and that the county shall not be responsible for payment of the costs except upon order of the administration hearing officer under section 68 of this ordinance. The sheriff may specify that towing services shall be on a rotational or other basis in specific geographic areas in the county. The sheriff may specify the rates towing contractors may charge persons seeking to redeem impounded vehicles for towing and storage services provided in accordance with this chapter.

NEW SECTION. SECTION 72. Each towing contractor, in addition to fully complying with the standards set by the sheriff's office, must:

A. File its towing and storage rates with the sheriff;

B. Maintain all vehicle transaction files for three years.

NEW SECTION. SECTION 73. A. The abandonment of any vehicle or automobile hulk shall constitute a prima facie presumption that the last owner of record is responsible for such abandonment and thus liable for any costs incurred in removing, storing, and disposing of any abandoned vehicle.

B. A registered owner transferring a vehicle shall be relieved from personal liability under this section if within five days of the transfer the owner transmits to the department a seller's report of sale on a form prescribed by the director.

NEW SECTION. SECTION 74. The sheriff shall report to the chief of the Washington State Patrol all

motor vehicles reported to them as stolen or recovered, upon forms to be provided by the chief of the Washington state patrol. The sheriff shall report to the chief of the Washington State Patrol all vehicles or automobile hulks found abandoned on a highway or at any other place in the county and the vehicles or automobile hulks shall, at the direction of a sheriff or deputy, be placed in the custody of a tow truck operator registered under chapter 46.55 RCW.

SECTION 75. Section 76 and 77 of this ordinance should constitute a new chapter in K.C.C. Title 46.

NEW SECTION. SECTION 76. A. A person shall not:

1. Have actual or constructive knowledge that the person is in attendance of an unlawful race event;
2. Have actual or constructive knowledge that the unlawful race event is occurring, has occurred or is about to occur; and
3. Be present with the intent to observe, support or encourage the unlawful race event.

B. The circumstances that may be considered in determining whether a violation of subsection A. of this section has occurred include, but are not be limited to:

1. The unlawful race event occurred in a public place;
2. The person is associating with persons racing in an unlawful race event;
3. The person, by the person's own statement, demonstrates that the person is in attendance of an unlawful race event with the intent to observe or support or encourage the unlawful race event;
4. Statements of other persons, who are shown to be in attendance of an unlawful race event, that provide evidence that the person intends to observe or support or encourage an unlawful race event;
5. The person either operates or is a passenger in a vehicle that shares the attributes of other vehicles that are in attendance of the unlawful race event or that are engaging in, that are about to engage in or that have engaged in an unlawful race event;
6. The person either operates or is a passenger in a vehicle that is driven in such a manner as to show evidence of an attempt to flee or escape detection when a police officer arrives on the scene of an unlawful race

event; and

7. The person has no reasonable alternative purpose for being in the area in which the unlawful race event is occurring, is about to occur or has occurred.

NEW SECTION. SECTION 77. A person violating this chapter commits a traffic infraction, and is subject to a monetary penalty in accordance with the Rules for Courts of Limited Jurisdiction in effect on the effective date of the infraction and any additional monetary penalty or administrative costs related to the infraction.

SECTION 78. The following are each hereby repealed:

- A. Ordinance 5292, Section 2, as amended, and K.C.C. 46.04.010;
- B. Ordinance 5292, Section 3, and K.C.C.46.04.020;
- C. Ordinance 5292, Section 4, and K.C.C. 46.04.030;
- D. Ordinance 5292, Section 5, as amended, and K.C.C. 46.04.040;
- E. Ordinance 5292, Section 6, and K.C.C. 46.04.050;
- F. Ordinance 5292, Section 7, as amended, and K.C.C. 46.04.060;
- G. Ordinance 17234, Section 2, and K.C.C. 46.04.062;
- H. Ordinance 11396, Section 2, and K.C.C. 46.04.065;
- I. Ordinance 16294, Section 1, and K.C.C. 46.04.080;
- J. Ordinance 15050, Section 3, and K.C.C. 46.06.010;
- K. Ordinance 15050, Section 4, and K.C.C. 46.06.020;
- L. Ordinance 15050, Section 5, and K.C.C. 46.06.030;
- M. Ordinance 15050, Section 6, and K.C.C. 46.06.040;
- N. Ordinance 15050, Section 7, and K.C.C. 46.06.050;
- O. Ordinance 15050, Section 8, and K.C.C. 46.06.060;
- P. Ordinance 15050, Section 9, and K.C.C. 46.06.070;

- Q. Ordinance 15050, Section 10, and K.C.C. 46.060.080;
- R. Ordinance 10278, Section 1, as amended, and K.C.C. 46.08.010;
- S. Ordinance 5846, Section 4, as amended, and K.C.C. 46.08.040;
- T. Ordinance 10278, Section 9, as amended, and K.C.C. 46.08.080;
- U. Ordinance 10278, Section 10, as amended, and K.C.C. 46.08.100;
- V. Ordinance 10278, Section 11, as amended, and K.C.C. 46.08.110;
- W. Ordinance 5846, Section 12, as amended, and K.C.C. 46.08.120;
- X. Ordinance 10278, Section 12, as amended, and K.C.C. 46.08.130;
- Y. Ordinance 10278, Section 13, and K.C.C. 46.08.132;
- Z. Ordinance 10278, Section 14, as amended, and K.C.C. 46.08.134;
- AA. Ordinance 9078, Section 1, and K.C.C. 46.10.010;
- BB. Ordinance 9078, Section 2 and K.C.C. 46.10.020;
- CC. Ordinance 9078, Section 3, and K.C.C. 46.10.030;
- DD. Ordinance 9078, Section 4, as amended, and K.C.C. 46.10.040;
- EE. Ordinance 9078, Section 5, and K.C.C. 46.10.050;
- FF. Ordinance 9078, Section 6, and K.C.C. 46.10.060; and
- GG. Ordinance 9288, Section 1, and K.C.C. 46.10.080.

SECTION 79. 17093, Section 3, as amended, and K.C.C. 4A.700.700 are each hereby amended to read as follows:

- A. User fees are established for public use of electric vehicle charging station stalls located on property owned or leased by King County.
- B. The department of transportation shall set the user fees for the use of electric vehicle charging stations stalls in accordance with this section.
- C. The user fees shall not exceed five dollars per use. The user fees shall be calculated as single, per-

use fees intended to cover the county's cost of operations related to public use.

1. The county's cost of operations includes, but is not limited to, planning, outreach and administration, maintenance, charging station vendor costs, utility costs related to the charging stations and facility enforcement costs.

2. Differing user fees may be established at particular locations and for uses other than typical daytime parking, such as overnight parking, monthly reservations, special event rates and other specific circumstances.

D. The department of transportation shall review all user fees twice each year and adjust the fees based on consideration for the costs established in subsections A., B. and C. of this section.

E. All user fees and civil penalties authorized in this section shall be deposited into the public transportation operating account of the public transportation fund and used to support the electric vehicle charging station program.

F. The department of transportation shall post user fees, rules for using the electric vehicle charging station stalls and the penalties for improper use of electric vehicle charging station stall at or near the stalls either via the electronic screen on the charging device or by signage affixed on or near the charging device. The department also shall post the fees, rules and penalties in an appropriate location on the department of transportation website.

G. Failure to pay the applicable user fee or remaining in an electric vehicle charging station stall longer than entitled as a result of the user fee paid, is a violation of this section.

H. The penalty for a violation under subsection G. of this section may result in a civil penalty in an amount established by the department by rule, in accordance with K.C.C. chapter 2.98, not to exceed two hundred dollars. Notice and appeal of the civil penalty shall be as follows:

1. The department shall issue a notice and order and serve it as provided for in this section when the department determines that a violation described in subsection H. of this section has occurred. The notice and order shall contain:

- a. a description of the vehicle parked in violation of this section, including make, model, color and license plate number;
 - b. date and time the notice and order was issued;
 - c. a description sufficient to identify the area where the vehicle was parked when the violation was discovered;
 - d. a statement that the vehicle is parked in violation of subsection G. of this section, with a brief and concise description of the conditions that established the violation;
 - e. a statement that the department is assessing a civil penalty, the amount of the penalty and a time certain by which the penalty shall be paid from the date of the order; and
 - f. statements advising that:
 - (1) the director of transportation may review and reconsider the notice and order, but only if a request for review and reconsideration is made in writing as provided in this section and filed with the director within ten days from the date of service of the notice and order;
 - (2) the address to which the request for review and reconsideration must be sent;
 - (3) failure to timely request director's review and reconsideration will constitute a waiver of all rights to any administrative hearing and determination of the matter;
2. The notice and order, and any amended or supplemental notice and order, shall be served by affixing the notice and order to the vehicle for which is the subject of the violation, in a conspicuous location on the vehicle;
 3. Proof of service of the notice and order shall be made at the time of service by a written declaration under penalty of perjury, executed by the person effecting service and declaring the time, date and manner in which service was made. A copy of the notice and order shall be kept on file by the department of transportation;
 4. A person served with a notice and order under this section may request in writing, within ten days

of being served with a notice and order, that the director review and reconsider the notice and order;

5. The review shall be performed without a hearing and be based solely on written information provided by the person requesting review and by county personnel or agents;

6. Upon review, the director may uphold the notice and order or waive or reduce the fine or any other penalty contained in the notice and order;

7. The director shall mail the written decision to the person requesting review;

8. The decision shall notify the person requesting review of the right to appeal the director's decision in accordance with K.C.C. 20.22.080;

9. The King County office of the hearing examiner shall hear appeals of the director's decisions under this section;

10. Any person having received a director's decision under this section may appeal that decision in accordance with K.C.C. 20.22.080;

11. The procedures for initiating and conducting the appeal shall be governed by K.C.C. chapter 20.22;

12. Enforcement of any notice and order of the department shall be stayed during the pendency of a director's review or an appeal therefrom that is properly and timely filed in accordance with K.C.C. chapter 20.22;

13. The registered owner of a vehicle is liable to pay any civil penalty imposed for a violation under this section. However, the registered owner of a vehicle may avoid liability if the owner proves that the vehicle was reported to the police as a stolen vehicle before the notice and order was issued, and the vehicle had not been recovered;

14. Except as otherwise provided in subsection H.13. of this section, a civil penalty imposed for failure to pay a user fee at a King County department of transportation facility is a personal obligation of the registered owner of the vehicle involved; and

15. If the penalties assessed by the department are not paid to King County within thirty days from the service of the notice, the mailing of the director's decision, or the mailing of the hearing examiner's decision, whichever occurs last, then the department may send a final warning letter to the registered owner of the vehicle to the address on file with the state Department of Licensing. If the civil penalties are not paid within ten days after the final warning letter is sent, then the department may pursue other applicable legal remedies. In pursuing payment of civil penalties that remain delinquent after the final warning letter is sent, and to cover administrative expenses associated with the pursuit of the penalties, the department may charge the registered owner of the vehicle an additional fee not to exceed fifty percent of the total delinquent civil penalties.

I. In addition or as an alternative to the civil penalty authorized in subsection I. of this section, the department may impound the vehicle without giving prior notice in accordance with the process provided in K.C.C. chapter ((46.08)) 46.xx (the new chapter created in section 54 of this ordinance). When impoundment is authorized by this section, a vehicle may be impounded by a towing contractor acting at the request of the director or the director's designee. The director or the director's designee shall provide to the towing contractor a signed authorization for the tow and the impound before the towing contractor may proceed with the impound.

SECTION 80. Ordinance 16553, Section 4, and K.C.C. 7.09.030 are each hereby amended to read as follows:

A. The director shall issue a notice and order when the director determines that an applicable parking fee has not been paid. The notice and order shall contain:

1. A description of the vehicle parked in violation of this title, including make, model, color and license plate number;
2. Date and time issued;
3. A description sufficient to identify the area where the vehicle was parked when the violation was discovered such as lot identification letter;

4. A statement that the director has found the vehicle parked in violation of parking fee requirements, with a brief and concise description of the conditions that establish the violation;

5. A statement that the director is assessing a civil penalty, the amount of the penalty and a time certain by which the penalty shall be paid from the date of the order; and

6. Statements advising:

a. the director may review and reconsider the notice and order, provided that a request for review and reconsideration is made in writing as provided in this chapter and filed with the director within ten days from the date of service of the notice and order;

b. the address to which the request for review and reconsideration should be sent;

c. the director's decision may be appealed in accordance with K.C.C. 20.22.080;

d. failure to timely request director's review and reconsideration will constitute a waiver of all rights to any administrative hearing and determination of the matter;

e. a vehicle with three or more unpaid notice and orders may be immobilized in accordance with any applicable legal requirements and a vehicle with five or more unpaid notice and orders or a vehicle that has been immobilized for more than twenty-four hours may be towed and impounded without prior notice and at the owner's expense, under this chapter and K.C.C. chapter ((46-08)) 46.xx (the new chapter created in section 54 of this ordinance); and

f. if, in accordance with K.C.C. 7.09.040, the director chooses to provide a uniform automatic civil penalty reduction for prompt payment of a notice and order, then the notice and order shall also include a statement advising how to qualify for that reduction.

B. The notice and order, and any amended or supplemental notice and order, shall be served by affixing the notice and order to the vehicle for which the parking fee was not paid, in a conspicuous location, usually the windshield.

C. Proof of service of the notice and order shall be made at the time of service by a written declaration

under penalty of perjury, executed by the person effecting service and declaring the time, date, and manner in which service was made. A copy of the notice and order shall be kept on file by the department of natural resources and parks.

SECTION 81. Ordinance 16553, Section 11, and K.C.C. 7.09.100 are each hereby amended to read as follows:

A. In addition to the remedies provided elsewhere in this chapter and in K.C.C. Title 23, the director may impound a vehicle without giving prior notice to its owner, but only if:

1. The vehicle to be towed has received five or more notice and orders under this chapter for which appeals have been waived or been completed; and
2. All or a portion of the amount owed pursuant to those notices and orders remains an outstanding debt to King County.

B. Before impounding any vehicle under this section, the director shall cause signs to be posted in King County parks and recreation facilities to clearly communicate that parked vehicles may be towed and impounded for failure to pay parking fees.

C. When impoundment is authorized by this chapter, a vehicle may be impounded by a towing contractor acting at the request of an employee or other authorized agent of the King County department of natural resources and parks. The employee or authorized agent shall provide to the towing contractor a signed authorization for the tow and the impound before the towing contractor may proceed with the impound.

D. Notice to the owner of an impounded vehicle, redemption of impounded vehicles and post impoundment procedures shall occur in accordance with K.C.C. ((46.08.070, 46.08.080, 46.08.100, 46.08.110, 46.08.120, 46.08.130, 46.08.132 and 46.08.134)) chapter 46.xx (the new chapter created in section 54 of this ordinance).

E. Nothing in this section shall be construed to authorize seizure of a vehicle without a warrant where a warrant would otherwise be required. ((Nothing in t))This section does not limit((s K.C.C. 46.08.040, or))

section 58 of this ordinance and does not derogate((s)) from the power of police officers under the common law or other statute or ordinance.

SECTION 82. Ordinance 11426, Section 1, and K.C.C. 14.16.010 are each hereby amended to read as follows:

A. It is unlawful for any person to operate a vehicle over any King County bridge when ((such)) the vehicle has a gross weight that is greater than the posted maximum weight for that bridge, unless the driver is in possession of a limited special permit issued by the county road engineer or designee for the safe use of ((such)) the bridge.

B. Notice of closing of individual bridges to certain classes or weights of vehicles shall be:

((A-)) 1. Published in a local newspaper of general circulation((s)); and

((B-)) 2. Posted on signs at each end of subject bridge, on or ((prior to)) before the date of publication.

All signs shall be erected and maintained in accordance with RCW 36.86.040, RCW 46.61.450 and RCW 47.36.030.

C. Maximum gross weights for vehicles operating over King County bridges shall be established by ordinance in accordance with RCW 36.75.270 and RCW 46.44.080.

D. The county road engineer shall have the authority by administrative determination to immediately impose temporary gross weight limits on bridges based on the results of an engineering and traffic investigation. The traffic engineer shall have the authority to immediately erect and maintain ((official)) traffic control devices for temporary gross weight limits on bridges as directed by the county road engineer and in accordance with ((C))chapter 46.90 RCW((s)) and WAC 308-330-265 ((and K.C.C. 46.04.010)). The temporary gross weight limits on bridges shall be in effect for not longer than one year from the date of posting or until the weight limits are established by ordinance.