

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate May 19, 1975.

Passed the House May 16, 1975.

Approved by the Governor May 20, 1975.

Filed in Office of Secretary of State May 20, 1975.

CHAPTER 54

[Substitute Senate Bill No. 2110] MODEL TRAFFIC ORDINANCE FOR CITIES, TOWNS, AND COUNTIES

AN ACT Relating to a model traffic ordinance for cities, towns, and counties; prescribing options for local adoption; creating a new chapter in Title 46 RCW; creating new sections; and providing penalties.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. **PURPOSE OF THIS CHAPTER.** The purpose of this chapter is to encourage highway safety and uniform traffic laws by providing a comprehensive compilation of sound, uniform traffic laws to serve as a guide which local authorities may adopt by reference or any part thereof, including all future amendments or additions thereto. Any local authority which adopts this chapter by reference may at any time exclude any section or sections from this chapter which it does not desire to include in its local traffic ordinance. This chapter is not intended to deny any local authority its legislative power, but rather to enhance safe and efficient movement of traffic throughout the state by having current, uniform traffic laws available.

NEW SECTION. Sec. 2. **AMENDMENTS TO THIS ORDINANCE AUTOMATICALLY INCLUDED.** The addition of any new section to, or amendment or repeal of any section in, this chapter by the legislature shall be deemed to amend any city, town, or county, ordinance which has adopted by reference this chapter or any part thereof, and it shall not be necessary for the legislative authority of any city, town, or county to take any action with respect to such addition, amendment, or repeal notwithstanding the provisions of RCW 35.21.180, 35A.12.140, 35A.13.180, and 36.32.120 (7).

NEW SECTION. Sec. 3. All sections of chapter 46.04 RCW as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full.

NEW SECTION. Sec. 4. **ABANDONED VEHICLE.** "Abandoned vehicle" means any vehicle or automobile hulk left within the right of way of any highway or on the property of another without the consent of the owner of such property for a period of twenty-four hours, or longer: **PROVIDED,** That a vehicle or hulk shall not be considered abandoned if it is lawfully parked for a period not exceeding seventy-two hours: **PROVIDED FURTHER,** That a vehicle or hulk shall not be considered abandoned if its owner or operator is unable to remove it from

the place where it is located and so notifies law enforcement officials and requests assistance.

NEW SECTION. Sec. 5. AUTOMOBILE HULK. "Automobile hulk" means any portion or portions of a motor vehicle which is inoperative and cannot be made mechanically operative without additional vital parts and a substantial amount of labor.

NEW SECTION. Sec. 6. BUS. "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, designed and used for the transportation of persons for compensation.

NEW SECTION. Sec. 7. BUS STOP. "Bus stop" means a fixed portion of the highway 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 the local authority.

NEW SECTION. Sec. 8. CITY. "City" means every incorporated city and town.

NEW SECTION. Sec. 9. DEMOLISH. "Demolish" means to destroy completely by use of a hydraulic baler and shears, or a shredder.

NEW SECTION. Sec. 10. DEPARTMENT. "Department" means the department of motor vehicles unless otherwise specified in this chapter.

NEW SECTION. Sec. 11. GARAGE KEEPER. "Garage keeper" means a person, firm, partnership, association, or corporation whose business it is to store vehicles for compensation.

NEW SECTION. Sec. 12. HOLIDAYS. "Holidays" include the first day of January, commonly called New Year's Day; the third Monday of February, being celebrated as the anniversary of the birth of George Washington; the thirtieth day 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 by the local authority to be a holiday.

Whenever any holiday falls upon a Sunday, the following Monday shall be a holiday.

NEW SECTION. Sec. 13. HULK HAULER. "Hulk hauler" means any person who deals in vehicles for the sole purpose of transporting and/or selling them to a licensed motor vehicle wrecker or scrap processor in substantially the same form in which they are obtained and who may not sell second-hand motor vehicle parts to anyone other than a licensed scrap processor or licensed wrecker.

NEW SECTION. Sec. 14. LOADING ZONE. "Loading zone" means a space reserved for the exclusive use of vehicles during the loading or unloading of property or passengers.

NEW SECTION. Sec. 15. OFFICIAL TIME STANDARD. "Official time standard" means, whenever certain hours are named, standard time or daylight saving time as may be in current use within the jurisdiction of the local authority.

NEW SECTION. Sec. 16. ORDINANCE. "Ordinance" means a city or town ordinance or a county ordinance or resolution.

NEW SECTION. Sec. 17. PARKING METER. "Parking meter" means any mechanical device or meter placed or erected adjacent to a parking meter space, for the purpose of regulating or controlling the period of time of occupancy of such parking meter space by any vehicle. Each parking meter installed shall indicate by proper legend the legal parking time and when operated shall at all times indicate the balance of legal parking time, and at the expiration of such period shall indicate illegal or overtime parking. Each meter shall bear a legend indicating the days and hours when the requirement to deposit coins therein shall apply, the value of the coins to be deposited, and the limited period of time for which parking is lawfully permitted in the parking meter space in which such meter is located.

NEW SECTION. Sec. 18. PARKING METER SPACE. "Parking meter space" means any space within a parking meter zone, adjacent to a parking meter and which is duly designated for the parking of a single vehicle by appropriate markings on the pavement and/or the curb.

NEW SECTION. Sec. 19. PARKING METER ZONE. "Parking meter zone" means any highway or part thereof or any off-street parking lot on which parking meters are installed and in operation.

NEW SECTION. Sec. 20. PASSENGER LOADING ZONE. "Passenger loading zone" means a place reserved for the exclusive use of vehicles while receiving or discharging passengers.

NEW SECTION. Sec. 21. PLANTING STRIP. "Planting strip" means that portion of a highway lying between the constructed curb, or edge of the roadway, and the property line exclusive of the sidewalk area.

NEW SECTION. Sec. 22. POLICE OR POLICE OFFICER. "Police or police officer" includes the police officers of a city, a town marshal, or the sheriff and his deputies of a county whichever is applicable, but when the term sheriff is used in this chapter, it shall only mean the sheriff.

NEW SECTION. Sec. 23. POLICE CHIEF OR CHIEF OF POLICE. "Police chief or chief of police" includes the police chief or chief police officer of a city, a town marshal, or the sheriff of a county, whichever is applicable, but when the term sheriff is used in this chapter, it shall only mean the sheriff.

NEW SECTION. Sec. 24. POLICE DEPARTMENT. "Police department" includes the police department of a city or town or the sheriff's office of a county whichever is applicable, but when the term sheriff is used in this chapter, it shall only mean the sheriff.

NEW SECTION. Sec. 25. REGISTERED DISPOSER. "Registered disposer" means any tow truck operator or garage keeper properly registered pursuant to RCW 46.52.108, who has and who displays at all times in a place conspicuous to

the public a valid certificate of registration evidencing his authorization from the department to dispose of abandoned vehicles.

NEW SECTION. Sec. 26. SCHOOL BUS ZONE. "School bus zone" means a designated portion of the highway along the curb reserved for loading and unloading school buses during designated hours.

NEW SECTION. Sec. 27. SERVICE PARKING. "Service parking" means the use of a parking meter space while rendering service in cleaning, painting, adjusting, or making minor repairs or replacements in or to buildings or building equipment or to public utilities.

NEW SECTION. Sec. 28. STREET. "Street" means a "city street".

NEW SECTION. Sec. 29. TAXICAB. "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. Sec. 30. TAXICAB STAND. "Taxicab stand" means a fixed portion of a highway set aside for taxicabs to stand or wait for passengers.

NEW SECTION. Sec. 31. TOW TRUCK OPERATOR. "Tow truck operator" means a person, firm, partnership, association, or corporation which, in its course of business, provides towing services for vehicles and automobile hulks.

NEW SECTION. Sec. 32. TRAFFIC DIVISION. "Traffic division" means the traffic division of the police department of the local authority, or in the event a traffic division is not established, then said term whenever used in this chapter shall be deemed to refer to the police department of the local authority.

NEW SECTION. Sec. 33. U TURN. "U turn" means turning a vehicle so as to proceed in the opposite direction on the same roadway.

NEW SECTION. Sec. 34. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 16.24.065, 16.24.070, 46.08.030, and 46.08.060.

NEW SECTION. Sec. 35. PUBLIC EMPLOYEES TO OBEY TRAFFIC REGULATIONS. The provisions of this chapter shall apply to the drivers of all vehicles owned or operated by the United States, the state, or any county, city, town, district, or any other political subdivision of the state, subject to such specific exceptions as are set forth in this chapter.

NEW SECTION. Sec. 36. POLICE ADMINISTRATION. There is established in the police department of the local authority a traffic division to be under the control of a police officer appointed by, and directly responsible to, the chief of police.

NEW SECTION. Sec. 37. DUTY OF TRAFFIC DIVISION. It shall be the duty of the traffic division with such aid as may be rendered by other members of the police department to enforce the traffic regulations of the local authority, to make arrests for traffic violations, to investigate accidents and to cooperate with the traffic engineer and other officers of the local authority in the administration

of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon the said division by this chapter and the traffic ordinances of the local authority.

NEW SECTION. Sec. 38. AUTHORITY OF POLICE AND FIRE DEPARTMENT OFFICIALS. (1) Officers of the police department or such officers as are assigned by the chief of police are authorized to direct all traffic by voice, hand, or signal in conformance with law: PROVIDED, That in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of law.

(2) Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

NEW SECTION. Sec. 39. RECORDS OF TRAFFIC VIOLATIONS. (1) The police department or the traffic division thereof shall keep a record of all violations of the traffic ordinances of the local authority or of the state motor vehicle laws of which any person has been charged, with the exception of illegal parking or standing violations, together with a record of the final disposition of all such alleged offenses. Such records shall be so maintained as to show all types of violations and the total of each. Such records shall accumulate during at least a five year period, and from that time on the records shall be maintained complete for at least the most recent five year period.

(2) All forms for records of violations and notices of violations shall be serially numbered. For each month and year a written record of all such forms shall be kept.

(3) Records and reports concerning a person shall be available upon request only to that particular person requesting such record or report concerning himself, or the legal guardian thereof, the parent of a minor, or any authorized representative of such interested party, or the attorney or insurer thereof.

NEW SECTION. Sec. 40. TRAFFIC DIVISION TO INVESTIGATE ACCIDENTS. It shall be the duty of the traffic division, assisted by other members of the police department, to investigate traffic accidents, to arrest, and to assist in the prosecution of those persons charged with violations of law causing or contributing to such accidents.

NEW SECTION. Sec. 41. TRAFFIC ACCIDENT STUDIES. Whenever the accidents at any particular location become numerous, the traffic division shall cooperate with the traffic engineer in conducting studies of such accidents and in determining remedial measures.

NEW SECTION. Sec. 42. TRAFFIC ACCIDENT REPORTS. The traffic division shall maintain a suitable system of filing traffic accident reports. Accident reports or cards referring to them shall be filed alphabetically by location. Such reports shall be available for the use and the information of the traffic engineer.

NEW SECTION. Sec. 43. TRAFFIC DIVISION TO SUBMIT ANNUAL TRAFFIC SAFETY REPORT. The traffic division shall annually prepare a traffic report which shall be filed with the appointing authority of the local authority. Such report shall contain information on traffic matters in the local authority as follows:

- (1) The number of traffic accidents, the number of persons killed, the number of persons injured, and other pertinent traffic accident data;
- (2) The number of traffic accidents investigated and other pertinent data on the safety activities of the police;
- (3) The plans and recommendations of the division for future traffic safety activities.

NEW SECTION. Sec. 44. POLICE DEPARTMENT TO ADMINISTER BICYCLE LICENSES. The police department or some other office or department designated by the local authority shall administer the bicycle license regulations required by this chapter.

NEW SECTION. Sec. 45. POLICE DEPARTMENT TO REGULATE PARKING METERS. The police department shall be responsible for the regulation, control, operation, and use of parking meters installed in all parking meter zones.

NEW SECTION. Sec. 46. TRAFFIC ENGINEER. (1) The office of traffic engineer is established: **PROVIDED**, That if there is no traffic engineer, then the engineer of the local authority shall serve as traffic engineer in addition to his other functions, and shall exercise the powers and duties with respect to traffic as provided in this chapter: **PROVIDED FURTHER**, That if there is no engineer in the local authority, then the appointing authority shall designate a person to exercise such powers and duties.

(2) It shall be the general duty of the traffic engineer to determine the installation and maintenance of traffic control devices, to conduct engineering analysis of traffic accidents and to devise remedial measures, to conduct engineering investigations of traffic conditions, to plan the operation of traffic on the highways of the local authority, 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 ordinances of the local authority.

NEW SECTION. Sec. 47. TRAFFIC ENGINEER—AUTHORITY. The traffic engineer is authorized:

(1) To place and maintain official traffic control devices when and as required under the traffic ordinances or resolutions of the local authority to make effective the provisions of said ordinances or resolutions, and may place and maintain such additional official traffic control devices as he may deem necessary to regulate, warn, or guide traffic under the traffic ordinances or resolutions of the local authority;

(2) To place and maintain official traffic control devices as he may deem necessary to regulate, warn, or guide traffic for construction, detours, emergencies, and special conditions;

(3) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and in such other places as he may deem necessary;

(4) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians;

(5) To mark traffic lanes upon the roadway of any highway where a regular alignment of traffic is necessary;

(6) To regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner;

(7) To place official traffic control devices within or adjacent to intersections indicating the course to be traveled by vehicles turning at such intersections, in accordance with the provisions of this chapter, and such course to be traveled as so indicated may conform to or be other than as prescribed by law;

(8) To determine those intersections at which drivers of vehicles shall not make a right, left, or U turn, and shall place proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs or they may be removed when such turns are permitted;

(9) To erect and maintain stop signs, yield signs, or other official traffic control devices to designate arterial highways or to designate intersections 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;

(10) To 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 such permit. Such 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 such person the privilege as therein stated and authorized by this section;

(11) To erect signs indicating no parking upon both sides of a highway when the width of the improved roadway does not exceed twenty feet, or upon one side of a highway as indicated by such signs when the width of the improved roadway is between twenty and twenty-eight feet;

(12) To 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 to erect signs giving notice thereof;

(13) To determine and designate by proper signs places not exceeding one hundred feet in length in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic;

(14) To 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;

(15) To establish bus stops, bus stands, taxicab stands, and stands for other for hire vehicles on such highways in such places and in such number as he shall determine to be of the greatest benefit and convenience to the public, and every such 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;

(16) To erect and maintain official traffic control devices on any highway or part thereof to impose gross weight limits on the basis of an engineering and traffic investigation;

(17) To erect and maintain official traffic control devices on any highway or part thereof to prohibit the operation of trucks exceeding ten thousand pounds gross weight on the basis of an engineering and traffic investigation: PROVIDED, That such devices shall not prohibit necessary local operation on such highways for the purpose of making a pickup or delivery;

(18) To erect and maintain official traffic control devices on any highway or part thereof to impose vehicle size restrictions on the basis of an engineering and traffic investigation;

(19) To determine and designate those heavily traveled highways upon which shall be prohibited any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic on the basis of an engineering and traffic investigation and shall erect appropriate official traffic control devices giving notice thereof;

(20) To install parking meters in the established parking meter zones upon the curb adjacent to each designated parking space;

(21) To designate the parking space adjacent to each parking meter for which such meter is to be used by appropriate markings upon the curb and/or the pavement of the highway;

(22) To post appropriate signs making it unlawful for pedestrians to cross highways in certain crosswalks when such crossing would endanger either pedestrian or vehicular traffic using the highway;

(23) To test new or proposed traffic control devices under actual conditions of traffic.

NEW SECTION. Sec. 48. LOCAL AUTHORITY—AUTHORITY. After an engineering and traffic investigation by the traffic engineer, the local authority may be [by] resolution:

(1) Decrease maximum speed limits pursuant to RCW 46.61.415;

(2) Increase maximum speed limits pursuant to RCW 46.61.415;

(3) Determine and declare the maximum speed limits on arterial highways pursuant to RCW 46.61.415;

(4) Determine and declare upon what highways angle parking shall be permitted pursuant to RCW 46.61.575 (3);

(5) Prohibit, regulate, or limit, stopping, standing, or parking of vehicles on any highway at all times or during such times as shall be indicated by official traffic control devices;

(6) Determine and declare parking meter zones upon those highways or parts thereof where the installation of parking meters will be necessary to regulate parking;

(7) Close any highway or part thereof temporarily to any or all traffic;

(8) Determine and declare one-way highways pursuant to RCW 46.61.135;

(9) Determine and declare arterial highways pursuant to RCW 46.61.195 and 46.61.435.

NEW SECTION. Sec. 49. TRAFFIC SAFETY COMMISSION—POWERS AND DUTIES. (1) There is established a traffic safety commission to serve without compensation, consisting of the traffic engineer, the chief of police, or, in his discretion as his representative, the chief of the traffic division or other cognizant member of the police department, one representative each from the engineer's office and the attorney's office, and such number of other officers of the local authority and representatives of unofficial bodies as may be determined and appointed by the appointing authority of the local authority. The chairman of the commission shall be appointed by such appointing authority and may be removed by such authority.

(2) It shall be the duty of the traffic safety commission, and to this end it shall have authority within the limits of the funds at its disposal, to coordinate traffic activities, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the legislative body of the local authority and to the traffic engineer, the chief of the traffic division, and other officials, ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.

NEW SECTION. Sec. 50. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.12.070, 46.12.080, 46.12.090, 46.12.101, 46.12.260, 46.16.010, 46.16.025, 46.16.030, 46.16.106, 46.16.135, 46.16.137, 46.16.138, 46.16.140, 46.16.145, 46.16.170, 46.16.180, 46.16.240, 46.16.260, 46.16.290, 46.16.380, 46.16.500, 46.16.505, 46.20.011, 46.20.021, 46.20.025, 46.20.027, 46.20.031, 46.20.041, 46.20.045, 46.20.190, 46.20.220, 46.20.308, 46.20.336, 46.20.342, 46.20.343, 46.20.344, 46.20.391, 46.20.410, 46.20.420, 46.20.430, 46.20.440, 46.20.500, 46.32.060, 46.32.070, 46.37.010, 46.37.020, 46.37.030, 46.37.040, 46.37.050, 46.37.060, 46.37.070, 46.37.080, 46.37.090, 46.37.100, 46.37.110, 46.37.120, 46.37.130, 46.37.140, 46.37.150, 46.37.160, 46.37.170, 46.37.180, 46.37.184, 46.37.185, 46.37.186, 46.37.187, 46.37.188, 46.37.190, 46.37.200, 46.37.210, 46.37.220, 46.37.230, 46.37.240, 46.37.250, 46.37.260, 46.37.270, 46.37.280, 46.37.290, 46.37.300, 46.37.310, 46.37.340, 46.37.351, 46.37.360, 46.37.365, 46.37.370, 46.37.380, 46.37.390, 46.37.400, 46.37.410, 46.37.420, 46.37.425, 46.37.430, 46.37.440, 46.37.450, 46.37.460, 46.37.480, 46.37.490, 46.37.500, 46.37.510, 46.37.520, 46.37.530, 46.37.535, 46.37.540, 46.37.550, 46.37.560, 46.37.570, 46.37.580, 46.37.590, 46.37.600, 46.44.010, 46.44.020, 46.44.030, 46.44.034, 46.44.036, 46.44.037, 46.44.040, 46.44.042, 46.44.044, 46.44.045, 46.44.046, 46.44.047, 46.44.050, 46.44.060, 46.44.070, 46.44.090, 46.44.091, 46.44.092, 46.44.093, 46.44.095, 46.44.096, 46.44.097, 46.44.100, 46.44.120, 46.44.130, 46.44.140, 46.48.170, 46.52.010, 46.52.020, 46.52.030, 46.52.040, 46.52.070, 46.52.080, 46.52.090, 46.52.100, 46.52.119, 46.52.145, and 46.80.010.

NEW SECTION. Sec. 51. AUTHORITY TO REMOVE AND IMPOUND VEHICLES ON PUBLIC PROPERTY. (1) Members of the police department are authorized to remove and impound vehicles by means of towing or otherwise to the nearest garage or other place of safety or to a garage designated or maintained by the police department or otherwise maintained by the local authority, under any of the following circumstances:

(a) When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tunnel where such vehicle constitutes an obstruction to traffic;

(b) When any vehicle upon a highway, including tunnels, bridges, or approaches, is so disabled as to constitute an obstruction to traffic or when the person or persons in charge of the vehicle are incapacitated to such an extent as to be unable to provide for its custody or removal and there is no other person present who may properly act as agent for such operator in the care of his vehicle;

(c) When any vehicle is left unattended upon a highway and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic;

(d) When any vehicle is found in a tow-away zone;

(e) When any vehicle operating on a highway is found to be defective in equipment in such manner that it may be considered unsafe;

(f) When the operator of any vehicle is arrested and placed in custody and is not in condition to drive and the vehicle is not in a place of safety and there is no other person present who may properly act as agent for such operator to drive the vehicle to a place of safety.

(2) Members of the police department are authorized to remove and impound any abandoned vehicle, or abandoned junk motor vehicle found on a highway by means of towing or otherwise to the nearest garage or other place of safety or to a garage designated or maintained by the police department or otherwise maintained by the local authority.

(3) Whenever an officer removes and impounds a vehicle from a highway as authorized in subsection (1) of this section, he shall as soon as practicable give or cause personal notice to be given in writing to the owner of such vehicle, if any record exists of the registered or legal owner in the records of the authority last licensing such vehicle, of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.

(4) Whenever an officer removes and impounds a vehicle from a highway under subsection (1) of this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event, the officer shall immediately send or cause to be sent written report of such removal by mail to the department and shall file a copy of such notice with the proprietor of any garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and name of the garage or place where the vehicle is stored.

(5) Any costs incurred in the removal and storage of an impounded vehicle shall be a lien upon the vehicle. All towing and storage charges on each vehicle impounded shall be paid by the owner or his agent if the vehicle is redeemed. In the case of abandoned vehicles, all costs of removal and storage shall be paid by the owner or his agent if the vehicle is redeemed, but if not redeemed, such costs shall be received from the proceeds of sale.

(6) The impounding of a vehicle shall not preclude charging the violator with any violation of the law on account of which such vehicle was impounded.

(7) Either a registered or legal owner may claim an impounded vehicle by payment of all charges that have accrued to the time of reclamation. If the vehicle was impounded at the direction of a law enforcement agency, the person in possession of the vehicle prior to the time of reclamation shall notify such agency of the fact that the vehicle has been claimed, and by whom.

NEW SECTION. Sec. 52. OWNER OF RECORD PRESUMED LIABLE FOR COSTS WHEN VEHICLE ABANDONED—EXCEPTION. (1) 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.

(2) A registered owner transferring a vehicle shall be relieved from personal liability under this section and under sections 55, 56, and 59 of this act if within five days of the transfer he transmits to the department a seller's report of sale on a form prescribed by the director.

NEW SECTION. Sec. 53. CONTRACT WITH REGISTERED DISPOSER TO DISPOSE OF VEHICLES AND HULKS—COMPLIANCE REQUIRED.

(1) The local authority may contract with any tow truck operator who is engaged in removing and storing of vehicles and who is registered as a registered disposer by the department for the purpose of disposing of certain automobile hulks, abandoned junk motor vehicles, and abandoned vehicles.

(2) Any registered disposer under contract to the local authority for the removing and storing of vehicles or hulks shall comply with the administrative regulations relative to the handling and disposing of vehicles or hulks as may be promulgated by the local authority or the director.

NEW SECTION. Sec. 54. STOLEN AND ABANDONED VEHICLES—REPORTS OF NOTICE—DISPOSITION. It shall be the duty of the chief of police to report immediately 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.

In the event that any motor vehicle reported as stolen has been recovered, the person so reporting the same as stolen shall be guilty of a misdemeanor unless he shall report the recovery thereof to the chief of police to whom such motor vehicle was reported as stolen.

It shall be the duty of the chief of police to report to the chief of the Washington state patrol all vehicles or automobile hulks found abandoned on a highway or at any other place and the same shall, at the direction of a law enforcement officer, be placed in the custody of a registered disposer.

NEW SECTION. Sec. 55. REMOVAL AND STORAGE OF VEHICLE OR HULK—LIEN—NOTICES—CONTENTS. (1) A registered disposer taking custody of any abandoned vehicle shall remove it to his established place of business where it shall be stored, and such registered disposer shall have a lien upon the abandoned vehicle but not upon any items of personal property therein or upon for services provided in towing and storage of it, and shall also have a claim

against the last registered owner of the abandoned vehicle for services provided in towing and storage of it, not to exceed the sum of one hundred dollars.

(2) Within five days after receiving custody of such abandoned vehicle the registered disposer shall submit an abandoned vehicle report giving notice of his custody to the department and the chief of the Washington state patrol. Any registered disposer failing to report such fact within five days shall forfeit any claim for the storage of the vehicle. Within five days after having received the name and address of the owner, he shall notify the registered and legal owner of his custody, and shall send copies of such notice to the chief of the Washington state patrol and to the department. The notice of custody and sale to the registered and legal owner shall be sent by the registered disposer to the last known address of said owner appearing on the records of the department, and such notice shall be sent to the registered and legal owner by certified or registered mail with a five-day return receipt requested. Such notice shall contain a description of the abandoned vehicle including its license number and/or serial number if obtainable, and shall state the amount due the registered disposer for services in the towing and storage of it and the time and place of public sale if the amount remains unpaid.

(3) The department shall supply the last known names and addresses of registered and legal owners of abandoned vehicles appearing on the records of the department to registered disposers on request without charge.

NEW SECTION. Sec. 56. SALE OF UNCLAIMED VEHICLE OR HULK—PROCEDURE—PROCEEDS—DEFICIENCY. (1) If, after the expiration of fifteen days from the date of mailing of the notice of custody and sale to the registered and legal owner, the abandoned vehicle remains unclaimed and has not been listed as a stolen or recovered vehicle, then the registered disposer having custody of the abandoned vehicle shall conduct a sale of it at public auction after having first published a notice of the date, place, and time of the auction in a newspaper of general circulation in the county in which the vehicle is located not less than three days before the date of the auction.

(2) The abandoned vehicle shall be sold at the auction to the highest bidder. The proceeds of such sale, after deducting the towing and storage charges due the registered disposer including the cost of sale, which shall be computed as in a public auction sale of personal property by the sheriff, shall be certified one-half to the county treasurer of the county in which the vehicle is located to be credited to the county current expense fund, and one-half to the state treasurer to be credited to the highway safety fund. If the amount bid at the auction is insufficient to compensate the registered disposer for his towing and storage charges and the cost of sale, such registered disposer shall be entitled to assert a claim for any deficiency, not to exceed one hundred dollars less the amount bid at the auction, against the last registered owner of such abandoned vehicle.

(3) After the public auction of any abandoned vehicle the registered disposer shall give the successful bidder an affidavit of sale stating that the sale was conducted under the proper procedures and indicating the disposition of moneys derived from the sale and after such successful bidder has submitted an application for a certificate of title along with applicable fees, taxes, and the affidavit of sale, the director of the department shall issue a certificate of title showing ownership of the vehicle or automobile hulk in the name of the successful bidder at such

auction: PROVIDED, That a licensed auto wrecker or scrap processor may use such affidavit in lieu of a certificate of title to report the acquisition for wrecking or demolition.

NEW SECTION. Sec. 57. VEHICLE LEFT IN GARAGE FOR STORAGE—WHEN DEEMED ABANDONED—NOTICES—DISPOSAL. In addition to abandoned vehicles, abandoned junk motor vehicles, and impounded vehicles meeting the requirements of section 58 of this act, vehicles left in garage storage may be deemed abandoned in the following manner:

(1) A vehicle stored under a fixed contract of storage may be deemed abandoned on the fifth day following expiration of the contract;

(2) A vehicle stored under an open-ended contract of storage may be deemed abandoned at any time by the garage keeper.

All such abandoned vehicles shall be disposed of by a registered disposer in accordance with the procedures prescribed in sections 55 and 56 of this act. Any registered disposer failing to report the fact of abandonment to the department and the chief of the Washington state patrol pursuant to section 55 of this act, shall forfeit any claim for the storage of any such vehicle.

NEW SECTION. Sec. 58. DISPOSITION OF IMPOUNDED VEHICLES—WHEN VEHICLES DEEMED ABANDONED PROCEDURE. Any vehicle impounded pursuant to section 51 (1) of this act or RCW 46.52.119 and left unclaimed for a period of fifteen days shall be deemed to be an abandoned vehicle. At the expiration of such fifteen day period such vehicle shall be deemed to be in the custody of the sheriff of the county where such vehicle is located and the sheriff of the county shall deliver the vehicle to a registered disposer who shall dispose of such vehicle in the manner provided in sections 55 and 56 of this act: PROVIDED, That if such vehicle fulfills all of the requirements of RCW 46.52-.145 (1), it shall be disposed of as provided in section 60 of this act.

NEW SECTION. Sec. 59. ABATEMENT AND REMOVAL OF AUTOMOBILE HULKS ON PRIVATE PROPERTY—CONTENTS. (1) The storage or retention of an automobile hulk on private property is declared to constitute a public nuisance subject to removal and impoundment. The chief of police shall inspect and investigate complaints relative to automobile hulks, or parts thereof on private property. Upon discovery of such nuisance, the police department shall give notice in writing to the last registered owner of record of the automobile hulk and also to the property owner of record that a public hearing may be requested before the governing body of the local authority, and that if no hearing is requested within ten days, the automobile hulk will be removed. Costs of removal may be assessed against the last registered owner of the automobile hulk if the identity of such owner can be determined, or the costs may be assessed against the owner of the property on which the automobile hulk is stored.

(2) If a request for a hearing is received, a notice giving the time, location and date of such hearing on the question of removal and impoundment of the automobile hulk or part thereof as a public nuisance shall be mailed, by certified or registered mail with a five-day return receipt requested, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal

owner of record of the automobile hulk unless the automobile hulk is in such condition that identification numbers are not available to determine ownership.

(3) This section shall not apply to:

(a) An automobile hulk, or part thereof, which is completely enclosed within a building in a lawful manner where it is not visible from the highway or other public or private property; or

(b) An automobile hulk, or part thereof, which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer, fenced according to the provisions of RCW 46.80.130.

(4) The owner of the land on which the automobile hulk is located may appear in person at the hearing or present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the hulk on the land, with his reasons for such denial. If it is determined at the hearing that the hulk was placed on the land without the consent of the landowner and that he has not subsequently acquiesced in its presence, then the governing body shall not assess costs of administration or removal of the hulk against the property upon which the hulk is located or otherwise attempt to collect such cost from the property owner.

(5) After notice has been given of the intent of the local authority to dispose of the automobile hulk and after a hearing, if requested, has been held, the automobile hulk or part thereof, shall be removed, at the request of a police officer, and disposed of to a licensed motor vehicle wrecker or hulk hauler with notice to the Washington state patrol and the department that the automobile hulk has been wrecked.

(6) The local authority shall within thirty days after removal of an automobile hulk from private property, file for record with the county auditor to claim a lien for the cost of removal, which shall be in substance in accordance with the provision covering mechanics' liens in chapter 60.04 RCW, and said lien shall be foreclosed in the same manner as such liens.

NEW SECTION. Sec. 60. DISPOSITION OF ABANDONED JUNK MOTOR VEHICLES. (1) Notwithstanding any other provision of law, the chief of police on his own volition, or upon request from a private person having the right to possession of property upon which an abandoned junk motor vehicle has been left, shall inspect and may authorize the disposal of an abandoned junk motor vehicle. The chief of police shall record the make of such vehicle, the serial number if available, and shall also detail the damaged or missing equipment to substantiate a fair market value as scrap only. He shall prepare in duplicate for each such abandoned junk motor vehicle an authorization to dispose on a form provided by the director. He shall issue the original copy of such authorization to dispose to any licensed hulk hauler, motor vehicle wrecker, or scrap processor for the purpose of acquiring an abandoned junk motor vehicle: PROVIDED, That such acquisition is for the purpose of ultimate transfer to and demolition by a licensed scrap processor.

(2) Any moneys arising from the disposal of abandoned junk motor vehicles shall be deposited in the county general fund.

NEW SECTION. Sec. 61. UNLAWFUL TO ABANDON JUNKED MOTOR VEHICLE. No person shall wilfully leave an abandoned junk motor vehicle on private property for more than seventy-two hours without the permission of the person having the right to possession of the property, or upon or within the right of way of any highway or other property open to the public for purposes of vehicular travel or parking for forty-eight hours or longer without notification to the chief of police of the reasons for leaving the motor vehicle in such a place. For the purposes of this section, the fact that a motor vehicle has been so left without permission or notification is prima facie evidence of abandonment. Any person convicted of abandoning a junk motor vehicle shall be assessed any costs incurred by the county in disposing of such abandoned junk motor vehicle, less any moneys accruing to the county from such disposal.

NEW SECTION. Sec. 62. PROVISIONS OF CHAPTER REFER TO VEHICLES UPON HIGHWAY—EXCEPTIONS. The provisions of this chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon highways except:

- (1) Where a different place is specifically referred to in a given section;
- (2) The provisions of RCW 46.52.010, 46.52.020, 46.52.030, 46.52.070, 46.52.080, 46.52.090, and 46.61.500 through 46.61.515 shall apply upon highways and elsewhere throughout the jurisdiction of the local authority.

NEW SECTION. Sec. 63. REQUIRED OBEDIENCE TO TRAFFIC ORDINANCE. It is unlawful for any person to do any act forbidden or fail to perform any act required by this chapter.

NEW SECTION. Sec. 64. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.015, 46.61.020, 46.61.025, 46.61.030, 46.61.035, 46.61.050, 46.61.055, 46.61.060, 46.61.065, 46.61.070, 46.61.075, and 46.61.080.

NEW SECTION. Sec. 65. DEVICES REQUIRED—STOPPING, STANDING, AND PARKING. No prohibition, regulation, or limitation relating to stopping, standing, or parking imposed under this chapter or any ordinance of the local authority for which traffic control devices are required shall be effective unless official traffic control devices are erected and in place at the time of any alleged offense.

NEW SECTION. Sec. 66. CROSSING NEW PAVEMENT AND MARKINGS. No person shall ride or drive any animal, bicycle, or vehicle, across any newly made pavement or freshly applied markings on any highway when a sign, cone marker, or other warning device is in place warning persons not to drive across such pavement or marking.

NEW SECTION. Sec. 67. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.085, 46.61.100, 46.61.105, 46.61.110, 46.61.115, 46.61.120, 46.61.125, 46.61.130, 46.61.135, 46.61.140, 46.61.145, 46.61.150, 46.61.155, 46.61.160, 46.61.180, 46.61.185, 46.61.190, 46.61.195, 46.61.200, 46.61.205, 46.61.210, 46.61.230, 46.61.235, and 46.61.240.

NEW SECTION. Sec. 68. PROHIBITED CROSSING. No pedestrian shall cross a roadway except an alley other than in a crosswalk in any business district.

NEW SECTION. Sec. 69. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.245, 46.61.250, 46.61.255, 46.61.260, 46.61.290, and 46.61.295.

NEW SECTION. Sec. 70. U TURN RESTRICTIONS. It shall be unlawful for a person operating a vehicle to make a U turn at any point other than an intersection or highway end, or to make such U turn on any highway in a business district or where prohibited from doing so by the posting of official signs.

NEW SECTION. Sec. 71. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.300, 46.61.305, 46.61.310, 46.61.315, 46.61.340, 46.61.345, 46.61.350, 46.61.355, 46.61.365, 46.61.370, 46.61.375, 46.61.385, 46.61.400, 46.61.415, 46.61.425, 46.61.427, 46.61.435, 46.61.440, 46.61.445, 46.61.450, 46.61.455, 46.61.460, 46.61.465, 46.61.475, 46.61.500, 46.61.506, 46.61.510, 46.61.515, 46.61.525, 46.61.530, 46.61.535, 46.61.560, 46.61.570, and 46.61.575.

NEW SECTION. Sec. 72. OBEDIENCE TO ANGLE-PARKING SIGNS OR MARKINGS. Upon those highways which have been signed or marked for angle-parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.

NEW SECTION. Sec. 73. PARKING NOT TO OBSTRUCT TRAFFIC. (1) No person shall park a vehicle upon a highway in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for free movement of vehicular traffic.

(2) No person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway entrance to any abutting property.

NEW SECTION. Sec. 74. PARKING FOR CERTAIN PURPOSES UNLAWFUL. (1) No person shall park any vehicle upon any highway for the principal purpose of:

- (a) Displaying advertising;
- (b) Displaying such vehicle for sale;
- (c) Selling merchandise from such vehicle, except when authorized;

(2) No person shall park any vehicle upon any roadway for the principal purpose of washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.

NEW SECTION. Sec. 75. STANDING IN PASSENGER LOADING ZONE. No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger loading zone during hours when the regulations applicable to the loading zone are effective, and then only for a period not to exceed three minutes.

NEW SECTION. Sec. 76. STANDING IN LOADING ZONE. (1) No person shall stop, stand, or park a vehicle for any purpose or period of time other than

for the expeditious unloading and delivery or pickup and loading of property in any place marked as a loading zone during hours when the provisions applicable to such zone are in effect. In no case shall the stop for loading and unloading of property exceed thirty minutes.

(2) The driver of a vehicle may stop temporarily at a loading zone for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any vehicle which is waiting to enter or about to enter such zone to load or unload property.

NEW SECTION. Sec. 77. STANDING IN A TOW-AWAY ZONE. No person shall stop, stand, or park a vehicle in a place marked as a tow-away zone during hours when the provisions applicable to such zone are in effect.

NEW SECTION. Sec. 78. VIOLATING PERMITS FOR LOADING OR UNLOADING AT AN ANGLE TO THE CURB. It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any permit issued by the traffic engineer for the backing of a vehicle to the curb for the purpose of loading or unloading property.

NEW SECTION. Sec. 79. STANDING OR PARKING ON ONE-WAY ROADWAYS. In the event a highway includes two or more separate roadways, no person shall stand or park a vehicle upon the left-hand side of such one-way roadway unless signs are erected to permit such standing or parking.

NEW SECTION. Sec. 80. STOPPING, STANDING, AND PARKING OF BUSES AND TAXICABS REGULATED. (1) The operator of a bus shall not stand or park such vehicle upon any highway at any place other than a designated bus stop. This provision shall not prevent the operator of a bus from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers or their baggage.

(2) The operator of a bus shall 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 shall be in a position with the right front wheel of such vehicle not farther than 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.

(3) The operator of a taxicab shall not stand or park such vehicle upon any highway at any place other than in a designated taxicab stand. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

NEW SECTION. Sec. 81. RESTRICTED USE OF BUS STOPS AND TAXICAB STANDS. No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except the driver of a passenger vehicle may temporarily stop there for the purpose of or while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus, or taxicab waiting to enter or about to enter such stop or stand.

NEW SECTION. Sec. 82. **RIGHT OF WAY FOR PARKING.** The driver of any vehicle who first begins driving or maneuvering his vehicle into a vacant parking space shall have a prior right of way to park in such place, and it shall be unlawful for another driver to attempt to deprive him thereof by blocking his access or otherwise. For the purpose of establishing right of way in this section it shall be considered proper to back into any but a front-in angle parking space.

NEW SECTION. Sec. 83. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.580, 46.61.600, 46.61.605, 46.61.610, 46.61.611, 46.61.612, 46.61.615, 46.61.620, 46.61.625, 46.61.630, 46.61.635, 46.61.640, 46.61.645, 46.61.655, 46.61.660, 46.61.665, 46.61.670, 46.61.675, 46.61.680, and 46.61.685.

NEW SECTION. Sec. 84. **FUNERAL PROCESSIONS.** (1) A funeral procession shall proceed to the place of internment by the most direct route which is both legal and practicable.

(2) A funeral procession shall be accompanied by adequate escort vehicles for traffic control purposes as determined by the chief of police.

(3) All motor vehicles in a funeral procession shall be identified by having their headlights turned on or by such other method as may be determined and designated by the chief of police.

(4) All motor vehicles in a funeral procession shall be operated as near to the right-hand edge of the roadway as is practicable and shall follow the vehicle ahead as close as is practicable and safe.

NEW SECTION. Sec. 85. **WHEN PERMITS REQUIRED FOR PARADES AND PROCESSIONS.** 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 police and fire departments, no processions or parades shall be conducted on the highways within the jurisdiction of the local authority except in accordance with a permit issued by the chief of police and such other regulations as are set forth in this chapter which may be applicable.

NEW SECTION. Sec. 86. **INTERFERING WITH PROCESSIONS.** (1) No person shall unreasonably interfere with a procession.

(2) No person shall operate a vehicle that is not part of a procession between the vehicles of the procession. This provision shall not apply at intersections where traffic is controlled by traffic control devices unless a police officer is present at such intersections to direct traffic so as to preserve the continuity of the procession.

NEW SECTION. Sec. 87. **BOARDING OR ALIGHTING FROM VEHICLES.** No person shall board or alight from any vehicle while such vehicle is in motion.

NEW SECTION. Sec. 88. **UNLAWFUL RIDING.** No person shall ride upon any portion of a vehicle not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.

NEW SECTION. Sec. 89. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.700, 46.61.750, 46.61.755, 46.61.760, 46.61.765, 46.61.770, 46.61.775, and 46.61.780.

NEW SECTION. Sec. 90. LICENSE REQUIRED. No person who resides within the jurisdiction of the local authority shall ride or propel a bicycle on any highway or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate or decal is attached thereto as provided in sections 90 through 98 of this act.

NEW SECTION. Sec. 91. LICENSE APPLICATION. Application for a bicycle license and license plate or decal shall be made upon a form provided by and to the chief of police. An annual license fee as prescribed by the local authority shall be paid to the local authority before each license or renewal thereof is granted. Duplicate license plates or decals may be supplied for the same cost as the original plate or decal in the event of loss of the plate or decal.

NEW SECTION. Sec. 92. ISSUANCE OF LICENSE. (1) The chief of police upon receiving proper application therefor is authorized to issue a bicycle license which shall be effective for one calendar year.

(2) The chief of police shall not issue a license for any bicycle when he knows or has reasonable grounds to believe that the applicant is not the owner of, or entitled to the possession of, such bicycle.

(3) The chief of police shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and a record of all bicycle license fees collected by him.

NEW SECTION. Sec. 93. ATTACHMENT OF LICENSE PLATE OR DECAL. (1) The chief of police, upon issuing a bicycle license, shall also issue a license plate or decal bearing the license number assigned to the bicycle, and the name of the local authority.

(2) Such license plate or decal shall be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.

(3) No person shall remove a license plate or decal from a bicycle during the period for which issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any highway within the jurisdiction of the local authority.

NEW SECTION. Sec. 94. INSPECTION OF BICYCLES. The chief of police, or an officer assigned such responsibility, may inspect each bicycle before licensing the same and may refuse a license for any bicycle which he determines is in unsafe mechanical condition.

NEW SECTION. Sec. 95. RENEWAL OF LICENSE. Upon the expiration of any bicycle license, the same may be renewed upon application and payment of the same fee as upon an original application.

NEW SECTION. Sec. 96. TRANSFER OF OWNERSHIP. Upon the sale or other transfer of a licensed bicycle, the licensee shall remove the license plate or

decal and shall either surrender the same to the chief of police or may upon proper application, but without payment of additional fee, have such plate or decal assigned to another bicycle owned by the applicant.

NEW SECTION. Sec. 97. RENTAL AGENCIES. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate or decal is attached thereto as provided herein and such bicycle is equipped with the equipment required by RCW 46.61.780.

NEW SECTION. Sec. 98. BICYCLE DEALERS. Every person engaged in the business of buying or selling new or second-hand bicycles shall make a report to the chief of police of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof, and number of license plate or decal, if any, found thereon.

NEW SECTION. Sec. 99. OBEDIENCE TO TRAFFIC CONTROL DEVICES. (1) Any person operating a bicycle shall obey the instructions of official traffic control devices applicable to vehicles, unless otherwise directed by a police officer.

(2) Whenever authorized signs are erected indicating that no right or left or U turn is permitted, no person operating a bicycle shall disobey the directions of any such sign, except where such person dismounts from the bicycle at the right-hand curb or as close as is practicable to the right edge of the right-hand shoulder to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

NEW SECTION. Sec. 100. PARKING. No person shall park a bicycle upon a highway other than:

- (1) Off the roadway except in designated areas;
- (2) Upon the sidewalk in a rack to support the bicycle;
- (3) Against a building; or
- (4) In such manner as to afford the least obstruction to pedestrian traffic.

NEW SECTION. Sec. 101. RIDING ON SIDEWALKS. (1) No person shall ride a bicycle upon a sidewalk in a business district.

(2) A person may ride a bicycle on any other sidewalk or any roadway unless restricted or prohibited by traffic control devices.

(3) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian.

NEW SECTION. Sec. 102. PENALTIES. Every person convicted of a violation of any provision of sections 90 through 98 of this act shall be guilty of a misdemeanor.

NEW SECTION. Sec. 103. UNCLAIMED BICYCLES. All unclaimed bicycles in the custody of the police department shall be disposed of as provided in chapter 63.32 RCW.

NEW SECTION. Sec. 104. PARKING METER SPACES. No person shall park a vehicle in any designated parking meter space during the restricted or regulated time applicable to the parking meter zone in which such meter is located so

that any part of such vehicle occupies more than one such space or protrudes beyond the markings designating such space, except that a vehicle which is of a size too large to be parked within a single designated parking meter space shall be permitted to occupy two adjoining parking meter spaces when coins shall have been deposited in the parking meter for each space so occupied as is required for the parking of other vehicles in such spaces.

NEW SECTION. Sec. 105. DEPOSIT OF COINS AND TIME LIMITS. (1) No person shall park a vehicle in any parking meter space alongside of and next to which a parking meter has been installed during the restricted and regulated time applicable to the parking meter zone in which such meter is located unless a United States coin or coins of the appropriate denomination as indicated on the parking meter shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and said meter has been placed in operation.

(2) No person shall permit a vehicle within his control to be parked in any parking meter space during the restricted and regulated time applicable to the parking meter zone in which such meter is located while the parking meter for such space indicates by signal that the lawful parking time in such space has expired. This provision shall not apply to the act of parking or the necessary time which is required to deposit immediately thereafter a coin or coins in such meter.

(3) No person shall park a vehicle in any parking meter space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking meter zone in which such meter is located, irrespective of the number or amounts of the coins deposited in such meter.

(4) The provisions of this section shall not relieve any person from the duty to observe other and more restrictive provisions of this chapter prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

NEW SECTION. Sec. 106. USE OF SLUGS PROHIBITED. No person shall deposit or attempt to deposit in any parking meter any bent coin, slug, button, or any other device or substance as substitutes for United States coins.

NEW SECTION. Sec. 107. TAMPERING WITH METER. No person shall deface, injure, tamper with, open, or wilfully break, destroy, or impair the usefulness of any parking meter.

NEW SECTION. Sec. 108. RULE OF EVIDENCE. The parking or standing of any motor vehicle in a parking space, at which space the parking meter displays the sign or signal indicating illegal parking, shall constitute a prima facie presumption that the vehicle has been parked or allowed to stand in such space for a period longer than permitted by this chapter.

NEW SECTION. Sec. 109. APPLICATION OF PROCEEDS. (1) The coins required to be deposited in parking meters are levied and assessed as fees to cover the regulation and control of parking upon highways, the costs of parking meters, their installation, inspection, supervision, operation, repair, and maintenance, control and use of parking spaces, and regulating the parking of vehicles in parking meter zones; and the costs of acquiring, establishing, improving, maintaining, and operating public off-street parking facilities.

(2) The coins deposited in parking meters shall be collected by the duly authorized agents of the local authority and shall be deposited by them as directed by the local authority.

(3) The local authority shall pay from the moneys collected from parking meters the costs of any parking meters purchased and installed as provided herein, and expenses incurred for their installation, inspection, service, supervision, repair, and maintenance, for making collections from such parking meters, and for the enforcement of provisions herein applicable to parking meter zones. The net proceeds derived from the operation of parking meters after the payment of such costs and expenses, may be used for parking studies and for the acquisition, establishment, improvement, maintenance, and operation of public off-street parking facilities.

NEW SECTION. Sec. 110. SERVICE PARKING. The chief of police is authorized to issue a permit for service parking upon payment of the fee prescribed by the local authority and upon the following conditions:

(1) Application shall be made to the chief of police on such forms as the chief of police shall prescribe. The applicant shall set forth the applicant's business and the necessity for such permit. The chief of police shall investigate the facts as necessary.

(2) If it appears that a necessity exists, the chief of police may authorize the issuance of such permit under the conditions prescribed in this section.

(3) Upon issuance of the permit, the permittee shall be issued a hood to use in covering any parking meter. As many hoods may be issued upon payment of the prescribed fee as the chief of police deems necessary or convenient for the applicant. The hood shall be provided with a padlock, two keys, and an identification card attached with a blank space thereon.

(4) Upon entering any parking meter space available, the permittee shall place the hood over the parking meter and lock the same and shall indicate in such blank space the exact place where the service work is being rendered.

(5) The permittee shall not place the hood over any meter when the space is occupied by another vehicle, and shall before vacating the space at the conclusion of the work remove the hood. The hood shall not be allowed to remain in place for over one hour when the space is not occupied by an authorized vehicle, nor shall it be allowed to remain in place after 6 p.m. on any weekday or on any Sunday or holiday. It shall not be used during hours when parking or stopping in the parking meter space is prohibited. No vehicle licensed as a passenger car shall be parked in the space covered by the hooded parking meter.

(6) The chief of police may revoke any permit if the service parking hood is used for any purpose other than that authorized in this section or for any violation of this chapter. Upon revocation, the hood shall immediately be returned to the police department and all fees paid shall be forfeited. Police officers finding such hood in use shall investigate the use being made thereof, and if it is found in violation of this section shall report the facts to the chief of police.

(7) Any permit issued under this section shall unless revoked be valid for a period of one year.

(8) The permittee shall also pay a deposit in an amount prescribed by the local authority at the time of issuance of the hood, padlock, and keys, which shall remain the property of the local authority. In case a hood, a padlock, or key becomes lost or destroyed or so defaced that it is no longer usable, the permittee shall forfeit such deposit.

NEW SECTION. Sec. 111. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.64.010, 46.64.015, 46.64.020, 46.64.025, 46.64.030, and 46.64.048.

NEW SECTION. Sec. 112. PENALTIES. Unless another penalty is expressly provided by law, any person who is convicted of violating or failing to comply with any of the provisions of this chapter shall be punished by a fine of not more than two hundred fifty dollars or by imprisonment for not more than ninety days or by both such fine and imprisonment.

NEW SECTION. Sec. 113. CITATION ON ILLEGALLY PARKED VEHICLE. Whenever any motor vehicle without driver is found parked, standing, or stopped in violation of this chapter, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation.

NEW SECTION. Sec. 114. FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO PARKED VEHICLE. If a violator of any provision of this chapter on stopping, standing, or parking does not appear in response to a traffic citation affixed to such motor vehicle within a period of five days, the clerk of the traffic court shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of five days, a warrant of arrest will be issued.

NEW SECTION. Sec. 115. PRESUMPTION IN REFERENCE TO ILLEGAL PARKING. (1) In any prosecution charging a violation of any law or regulation governing the stopping, standing, or parking of a vehicle, proof that the particular vehicle described in the complaint was stopping, standing, or parking in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such violation, the registered owner of such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

(2) The foregoing stated presumption shall apply only when the procedure as prescribed in sections 113 and 114 of this act has been followed.

NEW SECTION. Sec. 116. The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.98.020, 46.98.030, 46.98.040, 47.36.060, 47.36.110, 47.36.180, 47.36.200, 47.36.220, 47.52.010, 47.52.011, 47.52.040, 47.52.110, 47.52.120, 70.84.020, 70.84.040, and 70.93.060.

NEW SECTION. Sec. 117. UNIFORMITY OF INTERPRETATION. This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those local authorities which enact it.

NEW SECTION. Sec. 118. SHORT TITLE. This chapter may be known and cited as the "Washington Model Traffic Ordinance."

NEW SECTION. Sec. 119. CHAPTER NOT RETROACTIVE. This chapter shall not have a retroactive effect and shall not apply to any traffic accident, to any cause of action arising out of a traffic accident or judgment arising therefrom, or to any violation of a traffic ordinance of the local authority, occurring prior to the effective date of this chapter.

NEW SECTION. Sec. 120. SEVERABILITY. If any provision of this chapter, or its application to any person or circumstance is held invalid, the remainder of the chapter, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 121. EFFECT OF HEADINGS. Section headings contained in this chapter shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or extent of the provisions of any section hereof.

NEW SECTION. Sec. 122. NEW CHAPTER CREATED. Sections 1 through 121 of this act shall constitute a new chapter in Title 46 RCW, to be designated chapter 46.90 RCW.

Passed the Senate March 14, 1975.

Passed the House May 13, 1975.

Approved by the Governor May 21, 1975.

Filed in Office of Secretary of State May 21, 1975.

CHAPTER 55

[Senate Bill No. 2131]

CEMETERY PREARRANGEMENT CONTRACTS— DEPOSITORY—DEFINITION

AN ACT Relating to cemeteries; and amending section 1, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.010.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 68, Laws of 1973 1st ex. sess. and RCW 68.46.010 are each amended to read as follows:

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section:

"Prearrangement contract" means a contract for purchase of cemetery merchandise or services, to be furnished at a future date for a specific consideration which is paid in advance by one or more payments in one sum or by installment payments.

"Cemetery merchandise or services" shall mean and include monuments, markers, memorials, nameplates, liners, vaults, boxes, urns, vases, interment services, or any one or more of them.