



# KING COUNTY

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

## Signature Report

November 6, 2012

Ordinance 17455

Proposed No. 2012-0396.1

Sponsors McDermott

1 AN ORDINANCE establishing inattentive driving as a  
2 traffic infraction; adding a new chapter to K.C.C. Title 46  
3 and prescribing penalties.

4 STATEMENT OF FACTS:

5 1. According to the Washington Traffic Safety Commission, Traffic  
6 Research and Data Center, distracted driving resulted in one hundred  
7 twenty-two deaths in King County between 2004 and 2008.

8 2. There are increasing incidents of drivers operating motor vehicles  
9 while they are distracted.

10 3. RCW 46.61.525 defines negligent driving in the second degree to be  
11 when driving in a manner that is both negligent and endangers or is likely  
12 to endanger persons or property.

13 4. A lesser included infraction to negligent driving in the second degree is  
14 not provided for in the Washington Model Traffic Ordinance and RCW  
15 46.61.525 or other state statute;

16 5. Several other jurisdictions have adopted ordinances to create a lesser  
17 included infraction of inattentive driving, to be used when a driver is  
18 careless and demonstrates a clear lack of attention that places persons and  
19 property at risk;

20           6. This ordinance will expand the tools available to law enforcement to  
21           effectively educate and correct bad driver behavior and will assist to  
22           protect the health, safety, and welfare of the citizens of King County;

23           BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

24           SECTION 1. Section 2 of this ordinance should constitute a new chapter to  
25           K.C.C. Title 46.

26           NEW SECTION. SECTION 2. A. It is unlawful for any person to operate a  
27           motor vehicle in an inattentive manner.

28           B. For the purposes of this section "inattentive" means with a negligent lack of  
29           attentiveness to conditions, circumstances, and one's duties required to safely operate a  
30           motor vehicle. "Conditions" include, but are not limited to, the nature and condition of  
31           the roadway, presence of other traffic, presence of pedestrians and weather conditions.

32           C. A violation of subsection A. of this section is a civil infraction. The offense of  
33           inattentive driving shall be considered to be a lesser offense than, but included in, the  
34           offense of operating a motor vehicle in a negligent manner under RCW 46.61.525. A  
35           person convicted of inattentive driving shall be guilty of an infraction, and shall be  
36           subject to a fine of one hundred twenty-four dollars, plus any statutory costs and  
37           assessments.

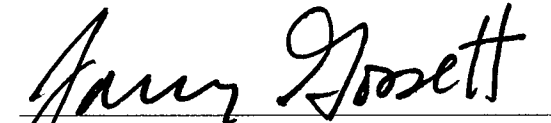
38           D. A citation for a violation of subsection A. of this section shall not be issued  
39           unless the officer issuing the citation has cause to stop or arrest the driver of the motor

40 vehicle for the violation of some other provision of the King County Code relating to the  
41 operation, ownership, or maintenance of a motor vehicle or any criminal statute.  
42

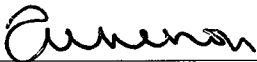
Ordinance 17455 was introduced on 10/1/2012 and passed by the Metropolitan King County Council on 11/5/2012, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,  
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.  
McDermott  
No: 0  
Excused: 0


KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Larry Gossett, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 9 day of November, 2012.

  
Dow Constantine, County Executive

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CLERK  
KING COUNTY COUNCIL

Attachments: None