

ORDINANCE NO. O-13-531

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, KING COUNTY, WASHINGTON ADOPTING A NEW CHAPTER TO TITLE 10 OF THE MAPLE VALLEY MUNICIPAL CODE (MVMC) TO PROVIDE FOR AN INFRACTION FOR INATTENTIVE DRIVING, A LESSER INCLUDED OFFENSE TO NEGLIGENT DRIVING – SECOND DEGREE.

WHEREAS, Chapter 10.05.010 of the Maple Valley Municipal Code (MVMC) adopted the Washington Model Traffic Ordinance, 308-330 WAC, by reference; and

WHEREAS, WAC 308-330-425 of the Washington Model Traffic Ordinance adopted RCW 46.61.525, Negligent Driving – second degree, by reference; and;

WHEREAS, Negligent Driving 2nd degree is an infraction imposed when evidence shows one to be driving in a manner that is both negligent and endangers, or is likely to endanger, persons or property; and

WHEREAS, Inattentive Driving is a lesser included infraction within the offense of Negligent Driving 2nd Degree, to be imposed when a driver is careless and demonstrates a lack of attention that still places persons or property at risk, but does not rise to the level of evidence needed to establish Negligent Driving 2nd degree;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, KING COUNTY, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Chapter 10.35. Title 10 of the Maple Valley Municipal Code is created as follows:

INATTENTIVE DRIVING:

Inattention: It shall be unlawful to drive a motor vehicle on any street, alley, or way open to the public of the City in an inattentive manner. Inattentive manner means the operation of a motor vehicle in a manner which, without regard to speed, that evidences a lack of: 1) that degree of attentiveness required to safely operate the vehicle under the prevailing conditions, including, but not limited to, the nature and condition of the roadway, presence of pedestrians, or the presence of other traffic; or 2) that degree of attentiveness as will allow the driver of a motor vehicle to observe anything resting on or travelling on the roadway in time to take appropriate action as circumstances require.

Violation of this section shall constitute a civil infraction subject to a monetary penalty of \$124 for non-accident infractions and \$175 for accident related infractions, not including statutory costs and assessments.

Passed by the City Council on the 10th day of June, 2013.

Mayor William T. Allison

Attested:

Shaunna Lee-Rice
City Clerk

APPROVED AS TO FORM:

Patricia Taraday
City Attorney

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EFFECTIVE: June 29, 2013