ORDINANCE NO. 2019-20

An Ordinance of the Pierce County Council Adopting a New Section
10.12.060 of the Pierce County Code, "Ferry Queues," and
Designating Violations Thereof as Traffic Infractions;
Directing the County Engineer to Erect Notification Signage;
and Establishing an Effective Date.

Whereas, vehicles using the Pierce County ferry system are loaded on a
first-come, first-served basis; provided, that ferry employees may grant preferential
loading to certain classes of vehicles such as school buses, emergency vehicles, and
oversize vehicles when necessary for a more efficient use of the ferry or when
necessary to protect the public health, safety, and commerce; and

Whereas, there have been instances of drivers of vehicles which were not
granted preferential loading status by a ferry employee moving in front of another
vehicle in a queue already waiting to board the ferry; and

Whereas, to promote the orderly and safe operation of the Pierce County ferry
system, the Pierce County Council finds that it is appropriate to establish restrictions
and penalties for moving in front of another vehicle in a ferry lane queue already waiting
to board the ferry unless directed to do so by a ferry employee or law enforcement
officer; and

Whereas, Article XI, Section 11 of the Washington State Constitution, authorizes
the County to make and enforce within its limits all such local police, sanitary and other
regulations as are not in conflict with general laws; and

Whereas, Revised Code of Washington (RCW) 46.61.735 addresses
Washington state ferry lane queue violations with such violations being classified as
traffic infractions and provides that traffic infractions for ferry lane queue violations are
not part of the vehicle driver's driving record; and

Whereas, the Council finds that the establishment and enforcement of local
regulations prohibiting Pierce County ferry lane queue violations is in the public interest
and will not conflict with general laws as the local regulations are modeled after
RCW 46.61.735; and
Whereas, the Monetary Penalty Schedule for Infractions pursuant to the
Infraction Rules for Courts of Limited Jurisdiction sets forth a $48.00 penalty, not
including statutory assessments, for unscheduled infractions, and the Council has
determined that a similar penalty amount is appropriate for violations of County ferry
lane queues; Now Therefore,

BE IT ORDAINED by the Council of Pierce County:

Section 1. A new Section 10.12.060 of the Pierce County Code, "Ferry Queues,"
is hereby adopted as follows:

10.12.060 Ferry Queues.

It is a traffic infraction for a driver of a motor vehicle intending to board a
Pierce County ferry to move in front of another vehicle in a queue already waiting
to board the ferry without the authorization of a County ferry system employee or
law enforcement officer. The penalty for a violation of this Section shall be $48.00
plus statutory assessments. In addition to any other penalty imposed for a
violation of this Section, the driver will be directed to immediately move the motor
vehicle to the end of the queue of vehicles waiting to board the ferry. Violations of
this Section are not part of the vehicle driver's driving record under RCW
46.52.101 and 46.52.120.

Section 2. The County Engineer is directed to erect signage at appropriate
locations notifying drivers of the penalty for ferry queue violations.
Section 3. This Ordinance shall become effective on June 30, 2019.

PASSED this ___________ day of June, 2019.

ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

[Signature]
Douglas G. Richardson
Council Chair

[Signature]
Bruce F. Dammeyer
Pierce County Executive
Approved X Vetoed ________, this
6th day of June, 2019.

Date of Publication of Notice of Public Hearing: May 23, 2019

Effective Date of Ordinance: June 30, 2019