

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 18-15

**AN ORDINANCE OF THE CITY OF BUCKLEY,
WASHINGTON, ADDING A NEW CHAPTER 11.30 TO THE
BUCKLEY MUNICIPAL CODE ENTITLED
“INATTENTION”; AND ESTABLISHING AN EFFECTIVE
DATE.**

WHEREAS, all road users are responsible for the safe operation of their vehicles on public roads and highways. Advances in mobile technology have made it easier than ever to become momentarily distracted by operating the controls of a stereo system, a global positioning unit, or some other device; and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) acknowledges that distracted and inattentive driving behaviors have significantly contributed to motor vehicle crashes; and

WHEREAS, recent studies have shown that cell-phone users are a half-second slower to reach their brake pedal in an emergency, slower to return to a normal speed after an emergency, and less attentive to their “following distance” behind other traffic. Another disturbing fact; more than 50 percent of the visual cues spotted by normally attentive drivers, such as a ball rolling into a street, are missed by distracted drivers; and

WHEREAS, distracted driving is more than just talking on a cell phone. Each day drivers applying makeup, eating meals, or gazing at a passing accident scene cause more damage to property, bodily injury and death through their own inattention. In fact, research shows that distracted driving increases the risk of being involved in a traffic collision by nine-fold; and

WHEREAS, within the last few years in nearly every state, new legislation has been introduced to address some facet of distracted or inattentive driving; and

WHEREAS, more than 16 other Washington cities have codes banning inattentive driving; and

WHEREAS, the City Police Department and Prosecutor have requested that the City Council consider adopting similar provisions banning inattentive driving; and

WHEREAS, the City Administration, Finance & Public Safety Committee reviewed this request on 6/16/15 and 7/21/15 and concur that implementing a code provision banning inattentive driving would provide local law enforcement with a beneficial tool to utilize as an option when citing individuals for traffic violations that do not squarely fit into existing regulations; and

WHEREAS, the City Council concurs with the Committee's recommendation and desires to adopt a new code section that bans inattentive driving; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BUCKLEY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 11.30 entitled "Inattention" is hereby added to the Buckley Municipal Code to read as follows:

11.30.010 Inattention.

A. No person shall operate a motor vehicle on a street, alley or in ways open to the public within the City in an inattentive manner.

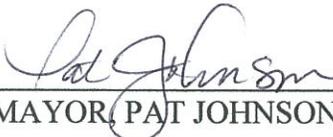
B. "Inattentive manner" means driving in such a manner so as to fail to maintain a careful lookout for persons or property in the direction of travel.

C. Any person violating the provisions of this section is guilty of an infraction for which the monetary penalty shall be \$250.00.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Buckley City Council this 28th day of July, 2015.


MAYOR, PAT JOHNSON

ATTEST/AUTHENTICATED:


CITY CLERK, JOANNE STARR

APPROVED AS TO FORM

OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: July 29, 2015

PASSED BY THE CITY COUNCIL: July 28, 2015

PUBLISHED: August 5, 2015

EFFECTIVE DATE: August 10, 2015

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