

Ordinance No. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, ADDING A NEW CHAPTER 10.06 TO THE OLYMPIA MUNICIPAL CODE RELATING TO DRIVING OFFENSES, DIRECTLY INCORPORATING BY REFERENCE CERTAIN STATUTES FROM THE REVISED CODE OF WASHINGTON, AMENDING OLYMPIA MUNICIPAL CODE SECTION 10.04.020, DECLARING AN EMERGENCY, AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE

WHEREAS, pursuant to RCW 39.34.180, on July 29, 2025, the City of Olympia entered into a negotiated Interlocal Agreement with Thurston County for costs associated with direct filing of cases in Thurston County District Court.

WHEREAS, the City commenced filing cases in Thurston County District Court on February 5, 2026; and

WHEREAS, removing certain driving offenses found in Washington Administrative Code 308-330-425, part of the Model Traffic Code, and incorporating those directly from the Revised Code of Washington into their own chapter in the Olympia Municipal Code will make City code more user friendly and promote transparency, which will assist prosecution, the Court, and the public; and

WHEREAS, due to the time constraints, the Olympia City Council finds a public emergency exists to protect public health, safety, and welfare and wishes to implement the changes immediately on first and final reading;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of Section 10.00.000. Olympia Municipal Code Section 10.00.000 is hereby amended to read as follows:

Title 10
VEHICLES AND TRAFFIC

Chapters:

DIVISION I. TRAFFIC CODE

- 10.04 Model Traffic Ordinance
- 10.06 Driving Under the Influence, Reckless, and Negligent Driving**
- 10.08 Speed Limits
- 10.12 Special Stops
- 10.16 Stopping, Standing and Parking
- 10.18 Truck and Trailer Parking in Residential Areas
- 10.20 Miscellaneous Regulations
- 10.24 Enforcement and Penalty

DIVISION II. MISCELLANEOUS TRAFFIC REGULATIONS

- 10.36 Bicycle Paths
- 10.40 Construction Parking/Special Use Parking Permits
- 10.44 Vehicle Service Permits
- 10.48 Truck Routes
- 10.52 Heavy Vehicles and Timber
- 10.56 Railroads
- 10.60 Vessels
- 10.64 Public Events

- 10.68 Skateboards**
- 10.72 Vehicle Cruising**

Section 2. Creation of OMC 10.06. A new chapter of the Olympia Municipal Code, Chapter 10.06, is hereby adopted to read as follows:

Chapter 10.06
DRIVING UNDER THE INFLUENCE, RECKLESS, AND NEGLIGENT DRIVING

10.06.000 Chapter Contents

10.06.010 Statutes Adopted by Reference

10.06.010 The following statutes from the Revised Code of Washington (RCW), as well as any future amendments, are hereby adopted by reference.

- 46.61.500** Reckless driving—Penalty.
- 46.61.502** Driving under the influence.
- 46.61.503** Driver under twenty-one consuming alcohol or cannabis—Penalties.
- 46.61.504** Physical control of vehicle while under the influence.
- 46.61.5054** Alcohol violators—Additional fee—Distribution.
- 46.61.5055** Alcohol and drug violators—Penalty schedule.
- 46.61.5056** Alcohol and drug violators—Information school—Evaluation and treatment.
- 46.61.50571** Alcohol or cannabis violators—Mandatory appearances—Electronic monitoring or alcohol abstinence monitoring.
- 46.61.5058** Alcohol violators—Vehicle seizure and forfeiture.
- 46.61.506** Persons under influence of intoxicating liquor or drug—Evidence—Tests—Information concerning tests.
- 46.61.5062** Driving under the influence—Oral fluid roadside test.
- 46.61.507** Arrest upon driving under the influence or being in physical control of vehicle under the influence, notation required if child is present—Arrest upon drug or alcohol-related driving offense, child protective services notified if child is present and operator is child's parent, guardian, or custodian.
- 46.61.513** Criminal history and driving record.
- 46.61.5151** Sentences—Intermittent fulfillment—Restrictions.
- 46.61.5152** Attendance at program focusing on victims.
- 46.61.517** Refusal of tests—Admissibility as evidence.
- 46.61.519** Alcoholic beverages—Drinking or open container in vehicle on highway—Exceptions.
- 46.61.5191** Local ordinances not prohibited.
- 46.61.5195** Disguising alcoholic beverage container.
- 46.61.5249** Negligent driving—First degree.
- 46.61.525** Negligent driving—Second degree.
- 46.61.526** Negligent driving—With a vulnerable user victim—Second degree—Penalties—Definitions.
- 46.61.527** Roadway construction zones.
- 46.61.530** Racing of vehicles on highways—Reckless driving—Exception.
- 46.61.535** Advertising of unlawful speed—Reckless driving.

46.61.540 "Drugs," what included.

46.61.745 Possessing or consuming cannabis in vehicle on highway—Penalty, exceptions—
Definition.

Section 3. Amendment of Section 10.04.020. Olympia Municipal Code Section 10.04.020 is hereby amended to read as follows:

10.04.020 Deletions

The following sections of the Model Traffic Ordinance are not adopted by reference in OMC 10.04.010 and are expressly deleted from OMC 10.04.010: that portion of WAC 308-330-307 which adopts by reference RCW 46.20.031; that portion of WAC 308-330-316 which adopts by reference RCW 46.37.590; that portion of WAC 308-330-462 which adopts by reference RCW 46.61.560; ~~and WAC 308-330-825; and WAC 308-330-425.~~

Section 4. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances remain unaffected.

Section 6. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. Declaration of Emergency and Effective Date. For the reasons set forth in the legislative recitals above, the Olympia City Council finds that a public emergency exists and in order to protect the public health, safety, property and general welfare, this ordinance shall become effective immediately.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:



SENIOR DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: