

## CHAPTER 10.04

## MODEL TRAFFIC ORDINANCE

## SECTIONS:

	10.04.010, 10.04.020, 10.04.030, 10.04.040, 10.04.050, 10.04.060, 10.04.070, 10.04.080, 10.04.090, 10.04.100, 10.04.110, 10.04.120, 10.04.130 - Repealed - Ord. 168 effective 5/25/83.
10.04.011	Adoption by Reference
10.04.021	Sections Not Adopted
10.04.031	Disposition of Fines and Forfeitures
10.04.041	Official Misconduct
10.04.051	References to Statutes
10.04.061	Application
10.04.063	Savings Clause
10.04.071	Enforcement

10.04.011 ADOPTION BY REFERENCE. The "Washington Model Traffic Ordinance," Chapter 308-330 WAC, hereinafter referred to as the "MTO," and RCW 46.29.605, WAC 303-330-200, RCW 46.20.435, RCW 46.20.510, and Chapter 46.30 RCW are hereby adopted by reference as and for the Traffic Ordinance of Benton County as if set forth in full herein except as provided in BCC 10.04.021. [Ord. 168 (1983) § 1; Ord. 248 (1993) § 1; Ord. 258 (1994) § 1]

10.04.021 SECTIONS NOT ADOPTED. The following sections of the MTO or of other State statutes incorporated by reference in the MTO are not adopted by reference and are expressly deleted:

RCW 46.61.520 - Negligent Homicide by Motor Vehicle  
Penalty.

WAC 308-330-210 - Police Administration.

WAC 308-330-215 - Duty of Traffic Division.

WAC 308-330-230 - Traffic Division to  
Investigate Accidents.

- WAC 308-330-235 - Traffic Accident Studies.
  - WAC 308-330-245 - Traffic Division to Submit Annual Traffic Safety Report
  - WAC 308-330-275 - Traffic Safety Commission - Powers and Duties.
  - WAC 308-330-500 - Bicycle License Required.
  - WAC 308-330-505 - Bicycle License Application.
  - WAC 308-330-510 - Issuance of Bicycle License.
  - WAC 308-330-515 - Attachment of Bicycle License Plate or Decal.
  - WAC 308-330-520 - Inspection of Bicycles.
  - WAC 308-330-525 - Renewal of Bicycle License.
  - WAC 308-330-530 - Transfer of Ownership.
  - WAC 308-330-535 - Rental Agencies.
  - WAC 308-330-540 - Bicycle Dealers.
- [Ord. 168 (1983) § 2; Ord. 258 (1994) § 2]

10.04.031 DISPOSITION OF FINES AND FORFEITURES. All fines or forfeitures collected upon conviction or upon the forfeiture of bail of any person charged with a violation of any of the provisions of this chapter shall be paid into the Current Expense Fund of Benton County.

[Ord. 168 (1983) § 3]

10.04.041 OFFICIAL MISCONDUCT. Failure, refusal, or neglect on the part of any judicial or other officer or employee receiving or having custody of any such fine or forfeiture of bail, either before or after a deposit in said Current Expense Fund, to comply with the provisions of BCC 10.04.031 shall constitute misconduct in

office and shall be grounds for removal therefrom, provided appropriate removal action is taken pursuant to state law relating to removal of public officials.  
[Ord. 168 (1983) § 4]

10.04.051 REFERENCES TO STATUTES. Every reference to a statute section as adopted by reference shall be designated by the prefix "BC-" followed by the RCW or WAC citation. For example, RCW 46.61.500 relating to reckless driving or WAC 308-330-312 relating to mandatory liability insurance, shall be referred to as BC - RCW 46.61.500 or BC - WAC 308-330-312, respectively.  
[Ord. 168 (1983) § 5; Ord. 258 (1994) § 3]

10.04.061 APPLICATION. The provisions of this chapter, including all statutory provisions of Title 46 Revised Code of Washington and Title 308 Washington Administrative Code adopted by this chapter, shall apply to all highways, roads, streets and alleys within the unincorporated areas of Benton County, specifically including all highways, roads, streets, alleys and other areas regularly frequented by vehicular traffic within the Hanford Reservation.  
[Ord. 170 (1983) § 1; Ord. 258 (1994) § 4]

10.04.063 SAVINGS CLAUSE. The adoption of this ordinance does not affect any pending or existing litigation and does not operate as an abatement or bar to any action or proceeding pending under or by virtue of this chapter prior to July 1, 1994.  
[Ord. 258 (1994) § 5]

10.04.071 ENFORCEMENT. The provisions of this chapter and of all statutes by reference incorporated herein shall be enforced by the Sheriff of Benton County and, with respect to the area within the Hanford Reservation shall be enforced by the Sheriff and members of the Hanford Patrol and Supply System Security duly appointed by the Sheriff as Deputy Sheriffs of Benton County.  
[Ord. 168 (1983) § 6]