

**CIVIL TRAFFIC ORDINANCE  
DRIVERS' LICENSES-IDENTICARDS**

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**8.20.021      Driver's License Required - Penalty**

- (a) No person, except as expressly exempted by this Chapter, may drive any motor vehicle upon a road on the Skokomish Reservation unless the person has a valid driver's license. A violation of this subsection is a civil infraction and a Class D Criminal Offense and is a lesser included offense within the offenses described in 8.20.420.
- (b) Any person who operates a motor vehicle on a public road on the Skokomish Reservation without having a valid driver's license in his immediate possession is guilty of a traffic infraction.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.022      Unlicensed Drivers - Subject to All Provisions**

Any person who operates a motor vehicle on the public roads without a driver's license or nonresident privilege to drive is subject to all the requirements of this Chapter the same as a person who is licensed.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

### **8.20.025 Persons Exempt From Licensing Requirement**

The following are exempt from licensing:

- (a) Any person operating special road construction equipment;
- (b) Any person while driving or operating any farm tractor or implement of husbandry which is only incidentally operated or moved over a road;

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

### **8.20.055 Instruction Permits and Temporary Licenses**

- (a) A valid driver's instruction permit allows a person, with the permit in immediate possession, to drive a motor vehicle upon the public roads when accompanied by a licensed driver with at least five years of driving experience and who is occupying a seat beside the driver.
- (b) A motorcyclist's instruction permit allows the driver, with the permit in immediate possession, to drive a motorcycle upon the public roads while under the direct observation of a licensed driver with a valid motorcycle endorsement and five years of licensed motorcycle experience.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

### **8.20.309 Driver Under Twenty-One - Alcohol in System - Implied Consent - Penalties**

- (a) A person under the age of twenty-one may not drive, operate, or be in physical control of a motor vehicle while having alcohol in his or her system in a concentration of 0.02 or above.
- (b) A person under the age of twenty-one who drives or is in physical control of a motor vehicle on the Skokomish Reservation is deemed to have given consent to be detained long enough, and be transported if necessary, to take a test or tests of that person's blood or breath to determine the alcohol concentration in his or her system.
- (c) A test or tests may be administered at the direction of a law enforcement officer, who after stopping or detaining the driver, has reasonable grounds to believe that the driver was driving or in actual physical control of a motor vehicle while having alcohol in his or her system.
- (d) Violation of this section is a class D criminal offense.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.338 Display or Possession of Canceled, Revoked, Suspended License or Identocard**

It is a violation for any person to display or cause or permit to be displayed or have in his or her possession any canceled, revoked, or suspended driver's license or identocard.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.343 Unlawful to Allow Unauthorized Minor Child or Ward to Drive**

No person may allow a child under the age of eighteen years to drive a motor vehicle upon any road when the minor is not legally authorized, or in violation of any of the provisions of this Chapter.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.344 Unlawful to Allow Unauthorized Person to Drive**

No person shall authorize and knowingly permit a motor vehicle owned by him or under his control to be driven upon any road by a person who is not legally authorized, or in violation of any of the provisions of this Chapter.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.394 Occupational Driver's License**

An occupational driver's license is accompanied by a form describing the type of occupation permitted and setting forth in detail the specific hours of the day during which the person may drive to and from his place of work, the days of the week during which the license may be used, and the general routes over which the person may travel. This form shall be carried in the vehicle at all times and presented to a law enforcement officer under the same terms as the driver's license.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.420 Operation of Motor Vehicle Under Other License or Permit Prohibited while License Is Suspended or Revoked - Penalty**

Any resident or nonresident whose driver's license or right or privilege to operate a motor vehicle has been suspended or revoked by the Skokomish Tribal Court or Washington State shall not operate a motor vehicle under a license, permit, or registration certificate issued by any other jurisdiction or otherwise during the suspension or after the revocation until a new license is obtained. A person who violates the provisions of this section is guilty of a civil infraction and a Class D. Criminal offense

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.430 Stopping Vehicle Registered to Suspended or Revoked Driver - Display of License**

Any police officer who has received notice of the suspension or revocation of a driver's license may, during the reported period of the suspension or revocation, stop any motor vehicle registered to the person whose driver's license has been suspended or revoked. The driver of the vehicle shall display his driver's license upon request of the police officer.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.435 Impoundment for Driver's License Violations - Release, When - Court Hearing**

- (a) Upon determining that a person is operating a motor vehicle without a valid driver's license or with a license that has been expired for ninety days or more, or with a suspended or revoked license, a law enforcement officer may immediately impound the vehicle the person is operating.
- (b) If the driver of the vehicle is the owner of the vehicle, the officer shall not release the vehicle until the owner of the vehicle:
  - (1) Pays any penalties, fines, or forfeitures owed by the person when the vehicle was impounded; and
  - (2) Pays the reasonable costs of the impoundment and storage.
- (c) If the driver of the vehicle is not the owner of the vehicle, the driver is responsible for any penalties, fines, or forfeitures owed or due and for the costs of impoundment and storage. The vehicle shall be released to the owner immediately upon proof of ownership.
- (d) A certified transcript or abstract of the driving record of the driver, as maintained by the Washington Department of Licensing, is admissible in evidence in any hearing and is prima facie evidence of the status of the driving privilege of the person at the time of the impoundment and whether there were penalties, fines, or forfeitures due and owing by the person named in it at the time the impoundment occurred.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

**8.20.500 Motorcycle Endorsement - Moped Exception**

- (a) No person may drive a motorcycle or a motor-driven cycle unless the person has a valid driver's license specially endorsed to drive the vehicle. A person shall not drive a motorcycle of a larger engine displacement than that authorized by a special endorsement or by an instruction permit.
- (b) Any person sixteen years of age or older, holding a valid driver's license of any class issued by the state of the person's residence, may operate a moped without taking any special examination for the operation of a moped.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

### **8.20.550 Wheelchair Conveyances**

Each operator of a wheelchair conveyance shall have an operator's license which may specify the route, area, time, or other restrictions necessary to ensure the safety of the operator as well as the general motoring public.

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

#### Legislative History prior to July 5, 2017

+Adopted by Resolution No. 95-80 (August 16, 1995)

+Amended by Resolution No. 04-111 (September 8, 2004)

Reaffirmed by Resolution No. 17-100 (July 5, 2017)

+Ordinance and/or amendments not attached to the resolution in the Skokomish Tribal Archives