

CITY OF SEATTLE

RESOLUTION _____

..title

A RESOLUTION endorsing recommendations for improving the City of Seattle’s traffic incident management response; affirming the City’s commitment to traffic safety and mobility; recognizing the application of the state’s “Steer It Clear It” law, RCW 46.52.020(2)(a), and “Hold Harmless” law, RCW 46.52.020(2)(b), to drivers and police officers in the City; and directing the Office of Intergovernmental Affairs to pursue an extension of the “Hold Harmless” protection to Seattle Department of Transportation traffic incident response personnel.

..body

WHEREAS, a March 25, 2015 truck collision on State Route 99 created a blockage of an unacceptable duration, adversely affecting the commute and commerce in the region; and

WHEREAS, Seattle roadways and transit corridors must be effectively managed; and

WHEREAS, safely and quickly clearing traffic incidents may increase responder safety by reducing responders’ exposure time to traffic; and

WHEREAS, shorter incident duration and improved traffic control may enhance motorist safety by reducing the length of lane blockages and road closures that can lead to secondary collisions; and

WHEREAS, shorter incident duration reduces the societal costs of congestion, including lost time and extra fuel costs incurred when the traveling public are caught in traffic congestion; and

WHEREAS, RCW 46.52.020(2)(a), the “Steer It Clear It” law, states that “[t]he driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person or damage to other property must move the vehicle as soon as possible off the roadway or freeway main lanes, shoulders, medians, and adjacent areas to a location on an exit ramp shoulder, the frontage road, the nearest suitable cross street, or

1 other suitable location. The driver shall remain at the suitable location until he or she has
2 fulfilled the requirements of subsection (3) of this section. Moving the vehicle in no way
3 affects fault for an accident”; and

4 WHEREAS, RCW 46.52.020(2)(b), the “Hold Harmless” law, states that “[a] law enforcement
5 officer or representative of the department of transportation may cause a motor vehicle,
6 cargo, or debris to be moved from the roadway; and neither the department of
7 transportation representative, nor anyone acting under the direction of the officer or the
8 department of transportation representative is liable for damage to the motor vehicle,
9 cargo, or debris caused by reasonable efforts of removal”; and

10 WHEREAS, an understanding of existing state laws and how they impact drivers in Seattle is
11 critical to shorter incident duration; and

12 WHEREAS, the “Hold Harmless” law does not apply to Seattle Department of Transportation
13 (SDOT) representatives, but including SDOT representatives could improve The City of
14 Seattle’s responses to traffic incidents; and

15 WHEREAS, a recent report completed by national experts in the area of Traffic Incident
16 Management contains a broad spectrum of best practice recommendations to improve the
17 quality and effectiveness of The City of Seattle’s response to traffic incidents; and

18 WHEREAS, the Seattle Police Department (SPD) and SDOT have long recognized their joint
19 responsibilities for enhancing the safety and security of Seattle’s transportation system;

20 NOW, THEREFORE,

21 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE**
22 **MAYOR CONCURRING, THAT:**

1 Section 1. The July 31, 2015 report titled “Traffic Incident Management in Seattle:
2 Observations and Recommendations,” attached to this resolution as Attachment A and
3 incorporated by reference, is endorsed by the Mayor and City Council.

4 Section 2. The Seattle Police Department (SPD), the Seattle Department of
5 Transportation (SDOT), and other relevant departments shall implement all applicable
6 recommendations contained in Attachment A. Recommendations listed ~~for as~~ “immediate” and
7 “short-term” implementation timeframe actions in the report shall be addressed ~~as soon as~~
8 practicable in 2015. In order to promote speedy and orderly implementation of the remaining
9 recommendations, the departments shall prepare and submit an implementation plan for ~~short-~~
10 ~~and~~ “long-term” recommendations to the City Council by January 1, 2016. The departments will
11 also provide to the City Council updates on the implementation plan every six months until the
12 traffic incident management recommendations are substantially completed and implemented on a
13 routine basis.

14 Section 3. The City Council recognizes that RCW 46.52.020(2)(a), the “Steer It Clear It”
15 law, applies within Seattle, and directs SDOT to create and implement an education program that
16 makes Seattle motorists aware of the law.

17 Section 4. The City Council also recognizes that RCW 46.52.020(2)(b), the “Hold
18 Harmless” law, applies to SPD and anyone performing work under the direction of an SPD
19 officer. SPD shall develop policies and procedures that make its officers aware of the law.

20 Section 5. The City of Seattle shall include in its next State Legislative Agenda support
21 for amending RCW 46.52.020(2)(b) to include protection for SDOT representatives that is equal
22 to the protection given to law enforcement officers and Washington State Department of
23 Transportation representatives who direct the clearing of traffic-obstructing incidents.

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Adopted by the City Council the ____ day of _____, 2015, and
signed by me in open session in authentication of its adoption this _____ day
of _____, 2015.

President _____ of the City Council

The Mayor concurred the ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

Attachment A – Traffic Incident Management in Seattle: Observations and Recommendations