



Legislation Text

File #: Res 31618, Version: 2

CITY OF SEATTLE
RESOLUTION _____

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.

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 other suitable location. The driver shall remain at the suitable

location until he or she has fulfilled the requirements of subsection (3) of this section. Moving the

vehicle in no way affects fault for an accident”; and

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

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

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

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

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

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

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

Section 2. The Seattle Police Department (SPD), the Seattle Department of Transportation (SDOT), and other relevant departments shall implement all applicable recommendations contained in Attachment A.

Recommendations listed as “immediate” and “short-term” implementation timeframe actions in the report shall be addressed in 2015. In order to promote speedy and orderly implementation of the remaining recommendations, the departments shall prepare and submit an implementation plan for “long-term” recommendations to the City Council by January 1, 2016. The departments will also provide to the City Council updates on the implementation plan every six months until the traffic incident management recommendations are substantially completed and implemented on a routine basis.

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

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

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

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