
Transportation Committee

HB 1379

Brief Description: Authorizing agreements for traffic control.

Sponsors: Representatives Ericksen, Bush and Anderson.

Brief Summary of Bill

- Cities, towns and counties are allowed to enter agreements with owner(s) of private roads or limited access roads owned or controlled by special districts to exercise traffic control jurisdiction on those roads.
- Agreements allowing cities, towns or counties to provide traffic control jurisdiction over these private or limited access roads may provide for reimbursement of costs, and for liability insurance and indemnification by any party or parties, and other terms as mutually agreeable.
- The chief law enforcement officer or sheriff, must be consulted prior to the adoption of the agreement and must approve it in writing, if that individual is an elected official.

Hearing Date: 2/5/03

Staff: Jill Satran (786-7315).

Background:

State law provides that motorists must comply with all rules of the road on public highways. In addition, certain traffic laws such as laws relating to accidents, reckless driving, DUIs, vehicular assault may be enforced throughout the state, including both public and private roads. City, town and county law enforcement officials, however, do not have authority to enforce other civil traffic laws such as adherence to speed limits and traffic signs, on private and certain limited access roads.

To encourage traffic safety within private developments, homeowners' associations often adopt traffic safety rules and, in some cases, contract with private individuals (such as off-duty law enforcement officials) to enforce these rules. However, because these regulations are privately adopted, the citations issued are not enforceable beyond the

authority of the home owners' association. Proponents of this bill are seeking authority to contract with local authorities to exercise public traffic control jurisdiction on these private or limited access roads.

Summary of Bill:

HB 1379 is designed to allow cities, towns and counties to exercise traffic control jurisdiction over private roads or streets, or over limited access roads that are owned or controlled by a special district, if the governing body of the local jurisdiction enters into a written agreement with the part(ies) who own or control the roads or streets. These written agreements may include provisions for reimbursement of costs for traffic control and enforcement, and for liability insurance and indemnification by either party.

Traffic control jurisdiction provided under this bill is intended to be in addition to or concurrent with the jurisdictional authority already provided to cities, towns and counties, and includes regulating access to these roads.

If the chief law enforcement official or sheriff of the local authority is an elected official, he or she must be consulted prior to entering into the agreement and must approve the agreement in writing before it can take effect.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect ninety days after adjournment of session in which bill is passed.