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Mayor Verner,
Council President Shogan and
Council Members Rush, Apple, Corker, McLaughlin, French and Allen
Spokane City Hall
808 West Spokane Falls Blvd.
Spokane, Washington 99201

**The City of Spokane Can Act Now with Little Cost to Lessen the Deadly
Danger of Intersection of Highway 195 and the Cheney-Spokane Road**

Dear Mayor Verner, Council President Shogan and
Council Members Rush, Apple, Corker, McLaughlin, French and Allen:

The City of Spokane can do something very soon and without much cost to significantly reduce the life and death concerns of the Highway 195 intersections with other roads south of Spokane. Of truly significant concern is the intersection of 195 and the Cheney - Spokane Road.

Though designated and numbered under the United States highway numbering system, US 195 is a state of Washington highway. It is controlled by state law and its use is regulated under state law.

The speed limit on the highway is controlled by specific legislation applicable to all roads and highways in the state of Washington. RCW 46.61.400 sets forth the basic rules as to maximum limits. See the attached Appendix. The maximum speed limits set forth in RCW 46.61.400 may be altered as authorized in RCW 46.61.405, 46.61.410, and 46.61.415.

Our concern here is with speed limit alteration allowed and provided for by RCW 46.61.415. Appendix. This section sets forth the circumstances when local authorities may alter maximum limits. RCW 46.61.415(1) says “[w]henever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under RCW 46.61.400 or 46.61.440 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon . . .” [Emphasis added.] Under this section the city can “decrease the limit at intersections; or [d]ecrease the limit [for an entire roadway length] but not to less than twenty miles per hour.”

The long and short of it is this: The City of Spokane has the authority to alter the speed limits on

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US 195 – all along the highway in the city or specifically at intersections.

The traffic entering US 195 in south Spokane has been increasing dramatically. Certain intersections have become particularly dangerous. I refer you to the intersection of 195 and Cheney-Spokane Road. Death has already taken place at this intersection. It is only a matter of time before serious injury and perhaps death will visit this intersection again.

Any ordinary person knows the intersection is dangerous. It is particularly dangerous to drivers who are not experienced, drivers who are timid, drivers who become disoriented by the speed of the traffic and the limited areas of the intersection, drivers made anxious by congestion.

There is something the city of Spokane can do and do now to act to limit the danger. It will only mean the cost of “engineering and traffic investigation” as provided for in the statute.

Granted, “[a]ny alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the secretary of transportation,” but it seems doubtful that the Secretary of Transportation would ignore the reality of the dangers posed by this highway and the intersections, especially, the Cheney-Spokane Road intersection. RCW 46.61.415(5).

I urge you to take action. I urge you to use the statutory authority the legislature has provided to the city. I urge you to act as soon as possible to protect the welfare of the people of Spokane.

Is there a need to act? If you think not, I respectfully request that you go to the intersection at 195 and the Cheney-Spokane Road. Look at the small white cross nailed to a traffic sign in the median and think about the time when the life represented by the cross was taken. Think of your child behind the wheel of your car trying to get across the southbound lanes to the northbound lanes with traffic moving in each direction at 55 miles per hour or more.

You can act to lessen the dangers of Highway 195 and you can act now.

Very truly yours,

/s/

Stephen K. Eugster

cc: Richard Roesler richr@spokesman.com
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Debi Hammel

Appendix

RCW 46.61.400 **Basic rule and maximum limits.**

(1) No person shall drive a vehicle on a highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so controlled as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(2) Except when a special hazard exists that requires lower speed for compliance with subsection (1) of this section, the limits specified in this section or established as hereinafter authorized shall be maximum lawful speeds, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits.

- (a) Twenty-five miles per hour on city and town streets;
- (b) Fifty miles per hour on county roads;
- (c) Sixty miles per hour on state highways.

The maximum speed limits set forth in this section may be altered as authorized in RCW 46.61.405, 46.61.410, and 46.61.415.

(3) The driver of every vehicle shall, consistent with the requirements of subsection (1) of this section, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

RCW 46.61.415 **When local authorities may alter maximum limits.**

(1) Whenever local authorities in their respective jurisdictions determine on the basis of an engineering and traffic investigation that the maximum speed permitted under RCW 46.61.400 or 46.61.440 is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe maximum limit thereon which

- (a) Decreases the limit at intersections; or
- (b) Increases the limit but not to more than sixty miles per hour; or
- (c) Decreases the limit but not to less than twenty miles per hour.

(2) Local authorities in their respective jurisdictions shall determine by an engineering and traffic investigation the proper maximum speed for all arterial streets and shall declare a reasonable and safe maximum limit thereon which may be greater or less than the maximum speed permitted under RCW 46.61.400(2) but shall not exceed sixty miles per hour.

(3) The secretary of transportation is authorized to establish speed limits on county roads and city and town streets as shall be necessary to conform with any federal requirements which are a prescribed condition for the allocation of federal funds to the state.

(4) Any altered limit established as hereinbefore authorized shall be effective when appropriate signs giving notice thereof are erected. Such maximum speed limit may be declared to be effective at all times or at such times as are indicated upon such signs; and differing limits may be established for different times of day, different types of vehicles, varying weather conditions, and other factors bearing on safe speeds, which shall be effective when posted upon appropriate fixed or variable signs.

(5) Any alteration of maximum limits on state highways within incorporated cities or towns by local authorities shall not be effective until such alteration has been approved by the secretary of transportation. [Emphasis added.]