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Date: 5/15/2009 2:55 PM
Subject: Proposed Comprehensive Plan amendment to the Transportation Element: After policy T-69, add a policy discouraging extra-heavy transit buses and City-owned or contracted trucks that disproportionately damage Seattle's roads and bridges

CITY OF SEATTLE
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Date: May 15, 2009
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Name of General Area/Location/Site which would be affected: All of Seattle

1. Provide a detailed description and explanation of the proposed text amendment.

To the Transportation Element, after policy T-69 add the following new policy: Seek to reduce damage to Seattle's roads and bridges that is caused by heavy vehicles, including transit buses as well as trucks used by the City and its contractors. Accordingly, encourage transit agencies to purchase buses that are no heavier than would be allowable for a truck; establish rules and incentives to discourage City agencies and contractors from using trucks that are overweight; and establish incentives to discourage the City's solid waste contractors from using trucks that are so heavy as to require the state's solid waste vehicle exemption that allows weights higher than for other trucks.

Explanation: According to engineering studies conducted by WSDOT, SDOT, and other many universities and professional organizations, an unusual proportion of damage to our roads and bridges is caused by heavy vehicles. The damage increases exponentially with weight--that is, at heavy vehicle weights, a slight increase in weight causes a substantial increase in damage. Thus an unusual amount of damage is done by those vehicles that exceed the normal weight limits established by state law. Vehicles exceed the normal weight limits either because they are breaking the law, or because the law itself includes exemptions that allow certain types of vehicles to be heavier than would normally be allowed.

According to SDOT's own studies, some of the worst damage to Seattle's roads and bridges is caused by Metro buses. The evidence is all around us, as the streets that the buses use have cracked the concrete pavement, and the asphalt pavement is curled up as if by a plow. The weight of these buses would cause them to be prohibited from our streets if the state legislature and then Congress had not completely exempted them from any weight regulations. Seattle's streets and taxpayers are thus subject to the bus purchasing choices made by King County Metro. Although some of Metro's buses are within reasonable weight limits, most are not, including virtually all that it has purchased in recent years. The "hybrid electric" buses that Metro is now purchasing are especially expensive because they are both diesel and battery/electric motor powered--and thus even when empty, are the heaviest vehicles on the road, every trip doing substantial damage to Seattle's roads and bridges.

The other heaviest vehicles on the road are garbage and recycling waste trucks, which under state law enjoy a special exemption allowing them to weigh considerably more than any other truck. Studies by the Washington State Department of Transportation find that these solid waste trucks do more road and bridge damage than any other kind of truck, and for this reason, WSDOT does not allow these trucks use state highways when they are using the special exemption for more weight. Seattle has no such prohibition, nor even any incentive for solid waste contractors not to use the special exemption for more weight. These trucks are everywhere, especially on roads and alleys that are already in the worst shape, and for which there are virtually no restoration funds available from Bridging the Gap levy, which are going almost exclusively to arterials. If the City lacks direct control over Metro's choice of buses, it has far more control over the weights of the garbage and recycling trucks that operate under a detailed contract with the City. The City should either require its contractors not operate at a weight more than the normal state limits (that is, so that they would not require use of the state's exception for overweight solid waste trucks), or should provide them financial incentives not to make use of this exception.

In 2001, after the author suggested this policy, Seattle Public Utilities' Solid Waste Contract Manager replied as follows:

Your suggestion on contract incentives to use smaller trucks is an excellent one. Our current contracts did not contain this incentive in the Request for Proposals and there is no contract language covering this issue. However, we can and will include this type of incentive in any new contract offerings. We could also ask for differing proposals and prices. One proposal and price would require that the contractors only use collection vehicles that do not exceed a certain weight. An alternate proposal could encourage the incentive of "bonus" payments if the use of large overweight trucks were kept to a minimum. Asking for two proposals and prices, one of which would be for light trucks, would enable the City to see the different collections prices and compare it to the cost of road deterioration/maintenance. Other advantages of using lighter, smaller trucks are that there should be fewer incidences of property damage and fewer trucks in a collection area (as a smaller truck can serve the narrow alleys and streets). It is unfortunate that we did not include this type of language in our current contracts. This issue was just not on our radar screen as we were preparing the RFP.

It will surprise no one who understands how things work in City government to learn that this gentleman retired, and those who replaced him were not the same mind. Recent requests for proposals, and recent contracts, have contained none of the promised improvements.

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

Policy T-70 commits the City to "pursue strategies to finance repair of road damage from heavy vehicles in a way that is equitable for Seattle's taxpayers." However, the Comprehensive Plan lacks any provision to discourage road damage from heavy vehicles before it happens. It is not rational to be concerned about road damage from heavy buses but to do nothing to prevent it. It is even less rational that some of the damage is being done by drain and sewer-cleaning vacuum trucks that are owned by the City, and by solid waste trucks that are under contract to the City. For the Comprehensive Plan to make any sense, it needs to be amended to add the proposed language.

3. Describe why the proposed change meets the criteria adopted in Resolution 30662 for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?

This proposal is a broad policy for protecting the City's infrastructure, and it needs to be in the Comprehensive Plan. Also, without this change, the Comprehensive Plan is unbalanced and incomplete. As mentioned in (2) above, the current language of the Comprehensive Plan addresses only paying for the damage, and not the need to prevent the damage; without the proposed change, the Comprehensive Plan's treatment of road damage from heavy vehicles does not make sense; it keeps taxpayers on the hook but does nothing to reduce the expensive damage that is at issue.

Of course, it would be desirable for the Mayor to issue an executive order, for the City Council to pass an ordinance or resolution, and for SDOT to adopt various administrative policies, but none of these actions would obviate the need to amend the Comprehensive Plan. In fact, King County Metro's current wave of purchases of super-heavy buses, which has occurred without any attempted intervention by any level of City government, suggests that it is simply not working to leave this important new policy out of the Comprehensive Plan.

While a proposal on this topic was proposed and dropped by the City Council in 2008, this proposal is somewhat different. More importantly, the executive branch did not diligently examine the amendment that was proposed in 2008. We know from recent news and consultant accounts that SDOT's Street Management Division was in disarray at that time. The City Council needs to ensure that it hears directly from SDOT for its analysis and recommendations regarding the present proposal. And as there are political constraints against the executive branch acknowledging the amount of road and bridge damage being done by extra-heavy vehicles, the City Council should seek outside advice, including from engineers in professional associations and universities.

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

Expensive damage to our streets and bridges will be reduced by this change in the Comprehensive Plan. By avoiding unnecessary damage, funds that would otherwise be needed for repair will be available for other needs, or can stay in the taxpayers' pockets. There will also be benefits to safety. Bridges will be less likely to fall, and roads will be safer to navigate for vehicles, bicycles, and pedestrians.

5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.

The Comprehensive Plan is full of good rhetoric about proper stewardship of Seattle's capital facilities, but has not produced the proactive efforts that are needed to ensure protection of City infrastructure. This small amendment will give some practical meaning and result to the rhetoric. The data and research cited above about street damage from extra-heavy vehicles is un rebuttable.

6. Is there public support for this proposed text amendment?

Because of the cost of this unnecessary bus and truck damage to Seattle's roads and bridges, taxpayers will support this text amendment by a wide margin. When the City Council pressed the issue in the 1980s, it received wide public support. It has been more than 20 years since the

City Council has fostered serious study and discussion of the issue, and when it does, the wide public support will be clear.