

# Bandages for alligators

By Rachel Roberts

When driving on public roads during the rainy season there are areas that mirror the image of alligator scales. Water and heavy loads from vehicles cause wear on the road itself and at times cause potholes. Alligator scales, also known as crocodile cracking or fatigue cracking, are a sign of failure. Potholes can form over long periods of time or sometimes over night, they form in many different shapes and sizes and can cause damage to vehicles on the road.



While you cannot prepare for every surprise rainstorm from mother nature, you can assess your risk on roads that have heavy wear and weight on them. Some damage from potholes is limited to just a flat tire, but often seen are bent rims, undercarriage and panel damage. The amount of the claims can range from under one hundred dollars to thousands of dollars if a tow truck and rental car are needed.

A recent claim for damages in the amount of \$3,000 came as a result of a pothole that formed along the edge of the driving lane. The road is in a high traffic area for large vehicles, commercial vehicles, and construction vehicles. The shoulder had crumbled, and the lane of travel was slightly damaged from the shoulder issue. The member responded quickly and patched the road. Based on the photo below there are no alligator scales or sign of wear.



The member has maintained the road well and is very aware of the heavy use of the road. Since the member was knowledgeable about the area and proactive in their care for the road, they did not owe for the damages presented as there were no prior reports about this road or prior incidents. Under *Wright v. Kennewick*, 62 Wn.2d, a municipality must have notice of a hazard which it did not create and a reasonable opportunity to correct it before liability arises from failure to keep the streets safe.

Best practice includes maintaining a log of repairs, complaint notices, and taking surveys of road damage when they are patched or repaired. Having this information allows WCIA to quickly provide a decision to the involved party so they understand options regarding repairing their vehicle. A bandage cannot be safely placed on an alligator; however, the alligator scales on the road can be a sign to help prevent further hazards.