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**Transportation Committee**

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**HB 2344**

**Brief Description:** Preserving rail corridors.

**Sponsors:** Representatives Wallace, Rodne, Hunter and Kenney.

**Brief Summary of Bill**

- Requires legislative approval before selling, surplus, or changing the use of a rail corridor that is publicly funded.
- Requires a city or county's comprehensive plan to include an inventory of active and inactive rail corridors and provide for the preservation of rail corridors for future rail use.

**Hearing Date:** 2/26/07

**Staff:** Teresa Berntsen (786-7301).

**Background:**

Rail funding

Public funding for rail has historically been provided through a mix of state, federal, and local funding. State funding is generally provided by the legislature through programs administered by the Department of Transportation (WSDOT) and the Freight Mobility Strategic Investment Board (FMSIB).

Legislative approval is not required to sell, surplus, or change the use of a public or private rail corridor. If a public or private entity seeks state funds to sell, surplus, or change the use of a rail corridor, that entity would generally request funds through the programs administered by the WSDOT and the FMSIB.

Land Use

A city or county's comprehensive plan must include a transportation element, which must include an inventory of transportation facilities and services.

Residential Property Transfers

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

When selling a residential property, the seller must generally complete a seller disclosure statement that contains elements required by law. The statement must include questions regarding the property's title, including questions about encroachment, boundaries, right of ways, and easements.

**Summary of Bill:**

Legislative approval is required before the state:

- sells, surpluses, or initiates a change of use of a rail corridor; or
- provides any public funding for the surplus, sale, or change of use of a rail corridor.

Rail corridors with public investment that are sold, surplus, or undergo a change of use must prominently display signs indicating the property is either an active or inactive rail corridor.

The transportation element of a city or county's comprehensive plan must include an inventory of active and inactive rail corridors and must provide for and encourage the preservation of these corridors for future rail use.

The disclosure statement generally required by law when selling a residential property is revised to include a question that asks if the property abuts an active or inactive rail corridor that is being preserved for future rail purposes.

**Appropriation:** None.

**Fiscal Note:** Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.