
SUBSTITUTE HOUSE BILL 1457

State of Washington

67th Legislature

2021 Regular Session

By House Transportation (originally sponsored by Representatives Wylie, Riccelli, Kloba, Santos, Slatter, Shewmake, Ramel, and Hackney)

READ FIRST TIME 02/22/21.

1 AN ACT Relating to facilitating the installation of broadband
2 facilities on limited access highways; amending RCW 47.52.001; and
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 47.52.001 and 2004 c 131 s 1 are each amended to
6 read as follows:

7 (1) Unrestricted access to and from public highways has resulted
8 in congestion and peril for the traveler. It has caused undue slowing
9 of all traffic in many areas. The investment of the public in highway
10 facilities has been impaired and highway facilities costing vast sums
11 of money will have to be relocated and reconstructed.

12 (2) (~~Personal wireless service~~) Broadband, which includes a
13 range of high-speed transmission technologies, including fiber optic
14 lines and personal wireless service facilities, is a critical part of
15 the state's infrastructure. The rapid deployment of (~~personal~~
16 ~~wireless service~~) broadband facilities is critical to ensure public
17 safety, network access, quality of service, and rural economic
18 development.

19 (3) It is, therefore, the declared policy of this state to limit
20 access to the highway facilities of this state in the interest of
21 highway safety and for the preservation of the investment of the

1 public in such facilities, and to (~~assure~~) ensure that the use of
2 rights-of-way of limited access facilities accommodate the deployment
3 of (~~personal wireless service~~) broadband facilities consistent with
4 these interests. In furtherance of this policy, the department is
5 directed to adopt and maintain an agency policy that requires the
6 department to proactively provide broadband facility owners with
7 information about planned limited access highway projects to enable
8 collaboration between broadband facility owners and the department to
9 identify opportunities for the installation of broadband facilities
10 during the appropriate phase of these projects when such
11 opportunities exist. Coordination between the department and
12 broadband facilities under this section must comply with applicable
13 state and federal law including, but not limited to, chapter 47.44
14 RCW and RCW 47.04.045.

15 NEW SECTION. Sec. 2. (1) Subject to the availability of amounts
16 appropriated for this specific purpose in the omnibus transportation
17 appropriations act, the joint transportation committee shall oversee
18 a consultant study to recommend:

19 (a) An effective department of transportation strategy, and
20 specific highway corridors, that could be used to address missing
21 fiber connections and inadequate broadband service in parts of the
22 state underserved by broadband facilities while also aiding the
23 achievement of the state broadband goals specified in RCW 43.330.536;

24 (b) The most promising planning and financing tools that could be
25 used by the department of transportation to provide the state with
26 greater ability to install conduit in anticipation of future
27 broadband fiber occupancy by others;

28 (c) Opportunities for mutually beneficial partnerships between
29 the department of transportation and broadband service providers that
30 could provide broadband services for transportation purposes such as
31 intelligent transportation systems, cooperative automated
32 transportation/autonomous vehicles, transportation demand management,
33 and highway maintenance activities; and

34 (d) Strategies for the mitigation of potential safety,
35 operations, and preservation impacts to transportation related to the
36 recommendations made in (a) through (c) of this subsection.

37 (2) The study must also include an examination of any state and
38 federal laws and regulations that could prevent or limit the

1 implementation of these recommendations, as well as recommendations
2 for modifications to the applicable state laws and regulations.

3 (3) The joint transportation committee shall consult with the
4 department of transportation, the Washington statewide broadband
5 office, and other state agencies and local jurisdictions, as
6 necessary, during development of the study's recommendations to
7 ensure the relevance and applicability of the recommendations to the
8 state.

9 (4) The joint transportation committee shall issue a report of
10 its findings and recommendations to the house of representatives and
11 senate transportation committees by January 1, 2022.

--- END ---