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HOUSE BILL 1522

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State of Washington

52nd Legislature

1991 Regular Session

By Representatives Vance, Appelwick, Forner, Mitchell, Holland, Roland, Brough, Silver, Padden, Wynne, Betrozoff and Winsley.

Read first time January 31, 1991. Referred to Committee on Transportation.

1 AN ACT Relating to certain transportation projects; adding new  
2 sections to chapter 47.05 RCW; adding a new section to chapter 43.21C  
3 RCW; adding a new section to chapter 90.58 RCW; and creating a new  
4 section.

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

6 NEW SECTION. **Sec. 1.** The legislature found in 1990 the need  
7 to create special category C projects to address certain vitally needed  
8 safety improvements in our state transportation system. In section 16,  
9 chapter 298, Laws of 1990 (uncodified) the legislature identified the  
10 First Avenue South bridge in Seattle, SR 18 from Auburn to I-90, and  
11 the north/south corridor in Spokane as being the three special category  
12 C projects. The legislature is concerned that litigation and appeals  
13 regarding proposed improvements on any of the special category C  
14 projects may cause unconscionable delays and result in the loss of

1 lives. It is the intent of this act to provide for expedited hearings  
2 of cases involving special category C projects.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.05 RCW  
4 to read as follows:

5 The special category C projects to which this section and sections  
6 3, 4, and 5 of this act apply are the First Avenue South bridge in  
7 Seattle, SR 18 from Auburn to I-90, and the north/south corridor in  
8 Spokane.

9 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.05 RCW  
10 to read as follows:

11 Any action or appeal, whether judicial or administrative, filed  
12 with respect to the authorization or permitting of any special category  
13 C project shall be filed in the Thurston county superior court within  
14 ten days of when the cause of action or right of appeal arose. The  
15 court shall consider these actions on a priority basis and shall  
16 determine the merits of the actions within ninety days of filing.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21C RCW  
18 to read as follows:

19 Decisions pertaining to special category C projects within the  
20 state department of transportation shall be subject to the requirements  
21 of RCW 43.21C.030(2)(c) except that the department of transportation  
22 shall be presumed to have filed an adequate statement of environmental  
23 impact. Appeals pertaining to special category C projects shall be  
24 filed in the Thurston county superior court as provided in chapter  
25 47.05 RCW.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 90.58 RCW  
2 to read as follows:

3        Decisions pertaining to special category C projects within the  
4 state department of transportation shall be subject to the requirements  
5 of RCW 90.58.140 except that construction may begin after thirty days  
6 from the date of issuance of a permit by the local agency and such  
7 permits shall be valid until December 31, 2010.    Appeals from the  
8 issuance of permits by local agencies pertaining to special category C  
9 projects shall be filed in the Thurston county superior court as  
10 provided in chapter 47.05 RCW.