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**SENATE BILL 5742**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By** Senators Vognild, Newhouse, Snyder, Bauer, Barr, Owen, Sellar, Loveland, Jesernig, Anderson, Winsley, Hochstatter, West, Sutherland, Sheldon, M. Rasmussen, Haugen, Hargrove, Moore, Bluechel and Oke

Read first time 02/11/93. Referred to Committee on Transportation.

1 AN ACT Relating to transportation facilities crossing boundaries of  
2 multiple jurisdictions; adding a new section to chapter 44.40 RCW; and  
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that state  
6 transportation facilities are a unique type of essential public  
7 facility. While other essential public facilities such as airports,  
8 state educational facilities, state and local correctional facilities,  
9 solid waste handling facilities, and public health facilities are sited  
10 within single jurisdictions, state transportation facilities often  
11 cross multiple jurisdictional boundaries. As a result, each  
12 jurisdiction, including towns, cities, counties, and state agencies,  
13 can require the department of transportation to apply for separate land  
14 use and environmental permits for construction or maintenance on state  
15 routes that touch their jurisdiction. These permit requirements are  
16 often duplicative and time-consuming, costing the state's taxpayers  
17 millions of dollars and needlessly delaying critical transportation  
18 projects. Therefore, it is the intent of the legislature that those  
19 state transportation projects deemed necessary for the preservation of

1 the health, safety, and welfare of the traveling public be relieved of  
2 the permit requirements of state and local agencies.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 44.40 RCW  
4 to read as follows:

5 (1) The legislative transportation committee may waive all permits  
6 required by state and local agencies for those state transportation  
7 projects found to be immediately necessary for the health, safety, or  
8 welfare of the traveling public. The legislative transportation  
9 committee shall make the determinations of necessity by formal  
10 resolution.

11 (2) For those projects designated under subsection (1) of this  
12 section, the department of transportation shall notify all affected  
13 entities of the legislative transportation committee's findings and  
14 inform the entity that under this chapter, all permit requirements and  
15 land use standards have been waived.

16 (3) For all state transportation projects selected for waiver under  
17 subsection (1) of this section, the department of transportation shall,  
18 to the maximum extent practicable, use best efforts to adhere to those  
19 land use and environmental standards that otherwise would have been  
20 required by state and local agencies.

21 (4) This section does not relieve the department of transportation  
22 from those permits required under federal law.

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