
SENATE BILL 6136

State of Washington

57th Legislature

2001 Regular Session

By Senators Rossi and Benton

Read first time 02/28/2001. Referred to Committee on Transportation.

1 AN ACT Relating to acquiring land by condemnation for the benefit
2 of regional transit authorities; and amending RCW 81.112.080.

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

4 **Sec. 1.** RCW 81.112.080 and 1992 c 101 s 8 are each amended to read
5 as follows:

6 An authority shall have the following powers in addition to the
7 general powers granted by this chapter:

8 (1) To carry out the planning processes set forth in RCW
9 81.104.100;

10 (2) To acquire by purchase, condemnation, gift, or grant and to
11 lease, construct, add to, improve, replace, repair, maintain, operate,
12 and regulate the use of high capacity transportation facilities and
13 properties within authority boundaries including surface, underground,
14 or overhead railways, tramways, busways, buses, bus sets, entrained and
15 linked buses, ferries, or other means of local transportation except
16 taxis, and including escalators, moving sidewalks, personal rapid
17 transit systems or other people-moving systems, passenger terminal and
18 parking facilities and properties, and such other facilities and
19 properties as may be necessary for passenger, vehicular, and vessel

1 access to and from such people-moving systems, terminal and parking
2 facilities and properties, together with all lands, rights of way,
3 property, equipment, and accessories necessary for such high capacity
4 transportation systems. When developing specifications for high
5 capacity transportation system operating equipment, an authority shall
6 take into account efforts to establish or sustain a domestic
7 manufacturing capacity for such equipment. The right of eminent domain
8 shall be exercised by an authority in the same manner and by the same
9 procedure as or may be provided by law for cities of the first class,
10 except insofar as such laws may be inconsistent with the provisions of
11 this chapter. Public transportation facilities and properties which
12 are owned by any city, county, county transportation authority, public
13 transportation benefit area, or metropolitan municipal corporation may
14 be acquired or used by an authority only with the consent of the agency
15 owning such facilities. Such agencies are hereby authorized to convey
16 or lease such facilities to an authority or to contract for their joint
17 use on such terms as may be fixed by agreement between the agency and
18 the authority.

19 The facilities and properties of an authority whose vehicles will
20 operate primarily within the rights of way of public streets, roads, or
21 highways, may be acquired, developed, and operated without the corridor
22 and design hearings that are required by RCW 35.58.273 for mass transit
23 facilities operating on a separate right of way;

24 (3)(a) Subject to (b) of this subsection, to dispose of any real or
25 personal property acquired in connection with any authority function
26 and that is no longer required for the purposes of the authority, in
27 the same manner as provided for cities of the first class. When an
28 authority determines that a facility or any part thereof that has been
29 acquired from any public agency without compensation is no longer
30 required for authority purposes, but is required by the agency from
31 which it was acquired, the authority shall by resolution transfer it to
32 such agency;

33 (b) If an authority sells land that was acquired through
34 condemnation, then it shall remit to the owner or owners from whom it
35 obtained that land the difference between the amount paid for the land
36 when acquired through condemnation and the amount received for the land
37 by the sale of the land;

38 (4) To fix rates, tolls, fares, and charges for the use of such
39 facilities and to establish various routes and classes of service.

- 1 Fares or charges may be adjusted or eliminated for any distinguishable
- 2 class of users.

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