
SENATE BILL 5717

State of Washington 65th Legislature 2017 Regular Session

By Senators Ericksen, Fortunato, Rossi, Short, and Zeiger

Read first time 02/06/17. Referred to Committee on Energy,
Environment & Telecommunications.

1 AN ACT Relating to utility relocation costs; and amending RCW
2 81.112.100.

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

4 **Sec. 1.** RCW 81.112.100 and 1992 c 101 s 10 are each amended to
5 read as follows:

6 (1) An authority shall have and exercise all rights with respect
7 to the construction, acquisition, maintenance, operation, extension,
8 alteration, repair, control and management of high capacity
9 transportation system facilities that are identified in the system
10 plan developed pursuant to RCW 81.104.100 that any city, county,
11 county transportation authority, metropolitan municipal corporation,
12 or public transportation benefit area within the authority boundary
13 has been previously empowered to exercise and such powers shall not
14 thereafter be exercised by such agencies without the consent of the
15 authority. Nothing in this chapter shall restrict development,
16 construction, or operation of a personal rapid transit system by a
17 city or county.

18 (2) If utility facilities must be removed or relocated as a
19 result of the construction, alteration, repair, or improvement of a
20 rail fixed guideway system as defined in RCW 81.104.015, the costs of
21 the removal or relocation must be included in the costs of the system

1 and paid by the authority. However, any additional costs associated
2 with the upgrade of any existing utility facility that the utility
3 elects to undertake must be paid by the utility. The authority and
4 each affected utility shall negotiate on the engineering, design, and
5 route selection of the system in order to minimize costs and
6 disruption of services related to the relocation of utility
7 facilities. For purposes of this subsection, "utility facilities"
8 include cable television, gas, electric, and telecommunications
9 facilities.

10 (3) If there is a dispute over costs, the costs must be submitted
11 to an independent auditor agreed to by the parties. That auditor must
12 determine if the costs were accurate and the auditor's decision is
13 final. The cost of the auditor must be paid by the party requesting
14 the audit.

15 (4) An authority may adopt, in whole or in part, and may
16 complete, modify, or terminate any planning, environmental review, or
17 procurement processes related to the high capacity transportation
18 system that had been commenced by a joint regional policy committee
19 or a city, county, county transportation authority, metropolitan
20 municipality, or public transportation benefit area prior to the
21 formation of the authority.

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