
SENATE BILL 5690

State of Washington

69th Legislature

2025 Regular Session

By Senators MacEwen, Chapman, Lovelett, and Muzzall

Read first time 02/06/25. Referred to Committee on Transportation.

1 AN ACT Relating to actions of the department of transportation to
2 notify utility providers of fish barrier removal projects and seek
3 federal funding for utility relocation costs; and amending RCW
4 47.44.160.

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

6 **Sec. 1.** RCW 47.44.160 and 2021 c 258 s 5 are each amended to
7 read as follows:

8 (1) The department is directed to adopt and maintain an agency
9 policy that requires the department to proactively provide broadband
10 facility owners with information about planned state highway projects
11 to enable collaboration between broadband facility owners and the
12 department to identify opportunities for the installation of
13 broadband facilities during the appropriate phase of these projects
14 when such opportunities exist.

15 (2) If no owners are ready or able to participate in coordination
16 of the installation of broadband infrastructure concurrently with
17 state highway projects, the department may enlist its contractors to
18 install broadband conduit as part of road construction projects in
19 order to directly benefit the transportation system and motor vehicle
20 users by:

1 (a) Reducing future traffic impacts to the traveling public on
2 the roadway;

3 (b) Supporting the vehicle miles traveled reduction and
4 congestion management goals of the state by allowing for more
5 telework; or

6 (c) Proactively preparing the transportation system for the
7 widespread development and use of autonomous vehicles.

8 (3) Broadband facility owners must first obtain a franchise
9 granted by the department pursuant to RCW 47.44.010 and 47.44.020
10 before installing broadband facilities within the department's
11 conduit. The costs for installation and maintenance of such broadband
12 facilities shall be the responsibility of the broadband facility
13 owner. The department may adopt rules establishing a fee schedule for
14 occupancy of broadband facilities within the department's conduit
15 consistent with federal law.

16 (4) The department is directed to adopt and maintain agency
17 procedures for the department to proactively provide utility
18 providers with information about planned state fish barrier removal
19 projects with at least one year of advance notice whenever feasible.
20 The department is further directed to request any available federal
21 funding for fish barrier removal projects and to include utility
22 relocation costs within the request for federal funds.

23 (5) As used in this section:

24 (a) "Broadband conduit" means a conduit used to support broadband
25 infrastructure, including fiber optic cables.

26 (b) "Broadband infrastructure" has the same meaning as in RCW
27 43.330.530.

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