S-1927.2

# SUBSTITUTE SENATE BILL 5690

**State of Washington 69th Legislature 2025 Regular Session**

**By** Senate Transportation (originally sponsored by Senators MacEwen, Chapman, Lovelett, and Muzzall)

READ FIRST TIME 02/28/25.

AN ACT Relating to actions of the department of transportation to notify utility owners of projects and seek federal funding for utility relocation costs; and amending RCW 47.44.160.

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

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

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

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

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

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

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

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

(4) The department is directed to adopt and maintain agency procedures for the department to proactively provide owners of a utility with information about planned state fish barrier removal projects with at least one year of advance notice whenever feasible. The department is encouraged to request available federal funding for fish barrier removal projects and include utility relocation costs within the request for federal funds if such costs are an eligible use under federal rules and regulations. The department must report to the transportation committees of the legislature and the office of financial management by December 15, 2026, with the following: (a) Information about any requests made for federal funding under this section and any awards received; and (b) recommendations for changes to state law, rules, or policies that would allow the department to receive competitive federal grant funding or reimbursements for utility relocation to the extent permitted by the terms of federal programs and applicable federal regulations.

(5) As used in this section:

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

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

**--- END ---**