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**SENATE BILL 5394**

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**State of Washington**

**53rd Legislature**

**1993 Regular Session**

**By Senator Skratek**

Read first time 01/26/93. Referred to Committee on Transportation.

1 AN ACT Relating to payment for improvements to regional  
2 transportation systems and facilities; and adding a new chapter to  
3 Title 47 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that significant  
6 new developments will increase burdens on state transportation systems  
7 and facilities. In order to improve the operating efficiency of state  
8 transportation systems and facilities, RCW 36.70A.070 requires that  
9 concurrent transportation improvements or strategies be made to  
10 accommodate the impacts of new development. The financial burdens of  
11 maintaining existing facilities and creating capital improvements  
12 necessitated by new development must be borne equitably, in a  
13 proportional manner by developers, local governments, and the state.

14 NEW SECTION. **Sec. 2.** Local governments and regional  
15 transportation planning organizations, who are currently responsible  
16 for ensuring that development proposals are consistent with local  
17 comprehensive plans and regional transportation plans, shall notify the

1 department regarding any substantial development proposal that, if  
2 approved, would impact state-owned and operated facilities.

3 NEW SECTION. **Sec. 3.** As used in this chapter, "substantial  
4 development proposals" include, but are not limited to, the siting of  
5 industrial parks, shopping malls, large residential complexes, sports  
6 arenas, and convention centers.

7 NEW SECTION. **Sec. 4.** The department shall make an assessment of  
8 substantial development proposals for impacts they may have on state-  
9 owned and operated facilities. If the department determines that the  
10 substantial development proposal will impact state-owned and operated  
11 facilities, the department shall require the appropriate local  
12 governments, in consultation with the relevant regional transportation  
13 planning organizations, to assess a fee upon the developer to defray  
14 the cost of mitigating impacts to state-owed and operated facilities.  
15 The amount of this fee must not exceed the amount that the department  
16 can demonstrate is reasonably necessary as a direct result of the  
17 proposed development. The amount of this fee must reflect a  
18 proportional share of the costs of system improvements that are  
19 reasonably related to the new development, and will reasonably benefit,  
20 the new development.

21 NEW SECTION. **Sec. 5.** If a local government fails to assess an  
22 impact fee adequate to alleviate a proportional share of the costs  
23 necessary to implement improvements to the state-owned and operated  
24 facilities necessitated by the substantial development, the requisite  
25 amount, as determined by the department, shall be withheld from the  
26 local government's portion of the fuel tax distribution.

27 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act shall  
28 constitute a new chapter in Title 47 RCW.

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