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ENGROSSED SENATE BILL 6084

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State of Washington                      58th Legislature                      2003 1st Special  
Session

By Senators Esser, Reardon, Rossi, Prentice, Horn, Fairley and  
Finkbeiner

Read first time . Referred to .

1            AN ACT Relating to utility relocation costs; and adding a new  
2 section to chapter 81.112 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 81.112 RCW  
5 to read as follows:

6            (1) If an authority has a reimbursement agreement with a private  
7 utility provider for the costs associated with the relocation of  
8 utility facilities impacted by the construction, alteration, repair, or  
9 improvement of a regional transportation system, the authority shall  
10 make available substantially similar terms and conditions to all  
11 similarly impacted utilities.

12            (2) Beginning December 31, 2009, if utility facilities must be  
13 relocated as a result of the construction, alteration, repair, or  
14 improvement of a rail fixed guideway system as defined in RCW  
15 81.104.015, the costs of the relocation must be included in the costs  
16 of the system and paid by the authority. However, any additional costs  
17 associated with the upgrade of any existing utility facility that the  
18 utility elects to undertake must be paid by the utility.

1 (3) A utility may at its option agree to assume the relocation  
2 costs in subsection (2) of this section.

3 (4) The authority shall consult with each affected utility on the  
4 engineering, design, and route selection of the system to minimize cost  
5 and disruption of services related to the relocation of utility  
6 facilities. If there is a dispute over the relocation costs, the costs  
7 will be submitted to an independent auditor agreed to by the parties.  
8 The auditor will determine if the costs were accurate and the auditor's  
9 decision will be final. The cost of the auditor must be paid by the  
10 party requesting the audit.

11 (5) For the purposes of this section:

12 (a) "Utility facilities" include cable television, gas, electric,  
13 and telecommunications facilities; and

14 (b) "Relocation" includes removal, adjustment, protection,  
15 restoration, and replacement.

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