
Local Government Committee

HB 1722

Brief Description: Concerning the acceleration of broadband deployment.

Sponsors: Representatives Boehnke, Paul, Leavitt, Dye, Taylor, Chase, McCaslin, Klicker, Goehner, Rule, Sutherland, Chambers, Eslick, Gilday, Wylie and Bergquist.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Requires cities and counties to allow microtrenching for the installation of underground fiber, unless the installation would inconvenience the public right-of-way or adversely affect public health, safety, and welfare.

Hearing Date: 1/26/22

Staff: Elizabeth Allison (786-7129).

Background:

A service provider includes a corporation, company, firm, city, or town operating or managing any facilities used to provide telecommunications or cable television service for hire, sale, or resale to the general public. Cities and towns (cities) may grant, issue, or deny permits for the use of the right-of-way by a service provider for installing, maintaining, repairing, or removing facilities for telecommunications services or cable television services.

Microtrenching is digging a narrow trench or conduit that is a few inches wide and around two feet deep for the installation of small fiber cables.

Restoration is the process by which a right-of-way is returned to the same condition that existed before excavation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

Cities and counties are required to allow microtrenching for the installation of underground fiber if the installation in the microtrench is limited to such fiber, unless the city or county makes a written finding that allowing microtrenching for fiber installation would inconvenience the public use of the right-of-way or adversely affect public health, safety, and welfare. Fiber means fiber optic cables, hand holes, vaults, and terminals.

A microtrench is a narrow open excavation trench that is four inches wide or less and 12 to 26 inches deep. Its purpose is for the installation of a subsurface pipe or conduit. A microtrench may be placed shallower than 12 inches in depth upon mutual agreement. Local safety standards are not altered, superseded, or nullified.

Restoration requirements for microtrenching must be commensurate with the impact to the local right-of-way.

Cities and counties may impose an application fee for permit applications to install fiber that is limited to the reasonable costs of the city or county to issue the permit and inspect the installation that is subject to the permit.

Appropriation: None.

Fiscal Note: Requested on January 24, 2022.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.