AN ACT Relating to facilitating the installation of broadband facilities on limited access highways; amending RCW 47.52.001; and creating a new section.

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

Sec. 1. RCW 47.52.001 and 2004 c 131 s 1 are each amended to read as follows:

(1) Unrestricted access to and from public highways has resulted in congestion and peril for the traveler. It has caused undue slowing of all traffic in many areas. The investment of the public in highway facilities has been impaired and highway facilities costing vast sums of money will have to be relocated and reconstructed.

(2) Broadband, which includes a range of high-speed transmission technologies, including fiber optic lines and personal wireless service facilities, is a critical part of the state's infrastructure. The rapid deployment of broadband facilities is critical to ensure public safety, network access, quality of service, and rural economic development.

(3) It is, therefore, the declared policy of this state to limit access to the highway facilities of this state in the interest of highway safety and for the preservation of the investment of the
public in such facilities, and to ((secure)) ensure that the use of
rights-of-way of limited access facilities accommodate the deployment
of ((personal wireless service)) broadband facilities consistent with
these interests. In furtherance of this policy, the department is
directed to adopt and maintain an agency policy that requires the
department to proactively provide broadband facility owners with
information about planned limited access highway projects to enable
collaboration between broadband facility owners and the department to
identify opportunities for the installation of broadband facilities
during the appropriate phase of these projects when such
opportunities exist. Coordination between the department and
broadband facilities under this section must comply with applicable
state and federal law including, but not limited to, chapter 47.44
RCW and RCW 47.04.045.

NEW SECTION. Sec. 2. (1) Subject to the availability of amounts
appropriated for this specific purpose in the omnibus transportation
appropriations act, the joint transportation committee shall oversee
a consultant study to recommend:

(a) An effective department of transportation strategy, and
specific highway corridors, that could be used to address missing
fiber connections and inadequate broadband service in parts of the
state underserved by broadband facilities while also aiding the
achievement of the state broadband goals specified in RCW 43.330.536;

(b) The most promising planning and financing tools that could be
used by the department of transportation to provide the state with
greater ability to install conduit in anticipation of future
broadband fiber occupancy by others;

(c) Opportunities for mutually beneficial partnerships between
the department of transportation and broadband service providers that
could provide broadband services for transportation purposes such as
intelligent transportation systems, cooperative automated
transportation/autonomous vehicles, transportation demand management,
and highway maintenance activities; and

(d) Strategies for the mitigation of potential safety,
operations, and preservation impacts to transportation related to the
recommendations made in (a) through (c) of this subsection.

(2) The study must also include an examination of any state and
federal laws and regulations that could prevent or limit the
implementation of these recommendations, as well as recommendations
for modifications to the applicable state laws and regulations.

(3) The joint transportation committee shall consult with the
department of transportation, the Washington statewide broadband
office, and other state agencies and local jurisdictions, as
necessary, during development of the study's recommendations to
ensure the relevance and applicability of the recommendations to the
state.

(4) The joint transportation committee shall issue a report of
its findings and recommendations to the house of representatives and
senate transportation committees by January 1, 2022.