
ENGROSSED SUBSTITUTE HOUSE BILL 2172

State of Washington

69th Legislature

2026 Regular Session

By House Transportation (originally sponsored by Representatives Bernbaum and Reed)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to route jurisdiction transfer and abandonment;
2 amending RCW 36.75.090, 47.01.425, 47.17.001, 47.24.010, and
3 47.28.010; and providing an effective date.

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

5 **Sec. 1.** RCW 36.75.090 and 1984 c 7 s 28 are each amended to read
6 as follows:

7 ~~((All))~~ (1) Except as provided under subsection (2) of this
8 section, public highways in this state (~~which~~) that have been a
9 part of the route of a state highway and have been or may hereafter
10 be no longer necessary as such, if situated outside of the limits of
11 incorporated cities or towns, shall, upon certification thereof by
12 the state department of transportation to the legislative authority
13 of the county in which any portion of the highway is located, become
14 a county road of the county, and if situated within the corporate
15 limits of any city or town shall upon certification thereof by the
16 state department of transportation to the mayor of the city or town
17 in which any portion of the highway is located become a street of the
18 city or town. Upon the certification the secretary of transportation
19 shall execute a deed, which shall be duly acknowledged, conveying the
20 abandoned highway or portion thereof to the county or city as the
21 case may be.

1 (2) The department must enter into an agreement with a city or
2 county in which any portion of a state highway, which exceeds two
3 miles in length or includes a bridge, is determined to no longer be
4 necessary under subsection (1) of this section. Such agreement must
5 be entered into before any portion of a state highway can be
6 abandoned to the county or city. If an agreement cannot be reached,
7 the department must forward to the legislature the proposed
8 abandonment for review and determination, pursuant to RCW 47.17.001.

9 **Sec. 2.** RCW 47.01.425 and 2009 c 260 s 1 are each amended to
10 read as follows:

11 The legislature recognizes the need for ((a)) an independent
12 multijurisdictional body to review ((future)) requests for
13 jurisdictional transfers((-)) as follows:

14 (1) The commission shall receive petitions from cities, counties,
15 or the state requesting jurisdictional transfers that include any
16 addition or deletion from the state highway system, and abandonments
17 under RCW 36.75.090(2) that exceed two miles in length.

18 (2) The commission must utilize the criteria established in RCW
19 47.17.001 in evaluating and analyzing petitions and to adopt rules
20 for implementation of this process, including a requirement for a
21 prerequisite conference with requesting parties, to ensure potential
22 transfer requests are eligible under the law.

23 (3) The commission shall forward to the senate and house
24 transportation committees by November 15th each year ((any
25 recommended)) a report that includes the results of the evaluation
26 and analysis conducted, identifies potential costs, risks, and
27 impacts to continuity and connectivity of the state highway system,
28 and provides recommendations for jurisdictional transfers or
29 abandonments pursuant to RCW 36.75.090(2).

30 **Sec. 3.** RCW 47.17.001 and 1993 c 430 s 1 are each amended to
31 read as follows:

32 In considering whether to make additions, deletions, or other
33 changes to the state highway system, the legislature shall be guided
34 by the following criteria ((as contained in the Road Jurisdiction
35 Committee Phase I report to the legislature dated January 1987)):

36 (1) All state routes should exhibit strong connectivity,
37 continuity, and functional characteristics when compared to routes
38 already part of the state highway system.

1 (2) A rural highway route should be designated as a state highway
2 if it meets any of the following criteria:

3 (a) Is designated as part of the national system of interstate
4 and defense highways (popularly called the interstate system); or

5 (b) Is designated as part of the system of numbered United States
6 routes; or

7 (c) Contains an international border crossing that is open
8 (~~twelve~~) 12 or more hours each day.

9 (~~(2)~~) (3) A rural highway route may be designated as a state
10 highway if it is part of an integrated system of roads and:

11 (a) Carries in excess of (~~three hundred thousand~~) 300,000 tons
12 annually and provides primary access to a rural port or intermodal
13 freight terminal;

14 (b) Provides a major cross-connection between existing state
15 highways; or

16 (c) Connects to United States census designated places
17 (~~exhibiting one or more of the following characteristics:~~

18 ~~(i) A population center of one thousand or greater;~~

19 ~~(ii) An area or aggregation of areas having a population~~
20 ~~equivalency of one thousand or more, such as, but not limited to,~~
21 ~~recreation areas, military installations, and so forth;~~

22 ~~(iii) A county seat;~~

23 ~~(iv) A major commercial-industrial terminal in a rural area with~~
24 ~~a population equivalency of one thousand or greater; or~~

25 ~~(d) Is designated as a scenic and recreational highway)).~~

26 (~~(3)~~) (4) An urban highway route that meets any of the
27 following criteria should be designated as part of the state highway
28 system:

29 (a) Is designated as part of the interstate system;

30 (b) Is designated as part of the system of numbered United States
31 routes;

32 (c) Is an urban extension of a rural state highway into or
33 through an urban area and is necessary to form an integrated system
34 of state highways;

35 (d) Is (~~a principal arterial that is a connecting link~~) an
36 urban highway route between two state highways (~~and serves~~
37 ~~regionally oriented through traffic in urbanized areas with a~~
38 ~~population of fifty thousand or greater)), in a city or United States
39 census designated place, or is a spur (~~that serves regionally~~~~

1 ~~oriented traffic in urbanized areas))~~ in a city or United States
2 census designated place.

3 ((4)) (5) The following guidelines are intended to be used as a
4 basis for interpreting and applying the criteria to specific routes:

5 (a) For any route wholly within one or more contiguous
6 jurisdictions which would be proposed for transfer to the state
7 highway system under these criteria, if local officials prefer,
8 responsibility will remain at the local level.

9 (b) State highway routes maintain continuity of the system by
10 being composed of routes that join other state routes at both ends or
11 to arterial routes in the states of Oregon and Idaho and the Province
12 of British Columbia.

13 (c) Public facilities may be considered to be served if they are
14 within approximately two miles of a state highway.

15 (d) Exceptions may be made to include:

16 (i) Rural spurs as state highways if they meet the criteria
17 relative to serving population centers of (~~one thousand~~) 1,000 or
18 greater population or activity centers with population equivalencies
19 or an aggregated population of (~~one thousand~~) 1,000 or greater;

20 (ii) Urban spurs as state highways that provide needed access to
21 Washington state ferry terminals, state parks, major seaports, and
22 trunk airports; and

23 (iii) Urban connecting links as state highways that function as a
24 needed bypass (~~routing of regionally oriented through traffic~~) and
25 benefit truck routing, capacity alternative, business congestion, and
26 geometric deficiencies.

27 (e) In urban and urbanized areas:

28 (i) Unless they are significant regional traffic generators,
29 public facilities such as state hospitals, state correction centers,
30 state universities, ferry terminals, and military bases do not
31 constitute a criteria for establishment of a state highway; and

32 (ii) There may be no more than one parallel nonaccess controlled
33 facility in the same corridor as a freeway or limited access facility
34 as designated by the metropolitan planning organization.

35 (f) When there is a choice of two or more routes between
36 population centers, the state route designation shall normally be
37 based on the following considerations:

38 (i) The ability to handle higher traffic volumes;

39 (ii) The higher ability to accommodate further development or
40 expansion along the existing alignment;

- 1 (iii) The most direct route and the lowest travel time;
- 2 (iv) The route that serves traffic with the most interstate,
3 statewide, and interregional significance;
- 4 (v) The route that provides the optimal spacing between other
5 state routes; and
- 6 (vi) The route that best serves the comprehensive plan for
7 community development in those areas where such a plan has been
8 developed and adopted.
- 9 (g) A route designated in chapter 47.39 RCW as a scenic and
10 recreational highway may be designated as a state highway in addition
11 to a parallel state highway route.

12 (6) The legislature shall, through duly enacted legislation, make
13 a final determination regarding the status of an existing state
14 highway segment that exceeds two miles in length or includes a bridge
15 that has been or is in the process of being decommissioned and the
16 department and the city or county cannot reach agreement on its
17 disposition pursuant to RCW 36.75.090.

18 **Sec. 4.** RCW 47.24.010 and 2006 c 334 s 42 are each amended to
19 read as follows:

20 ((The)) Subject to the requirements of RCW 36.75.090(2), the
21 department of transportation shall determine what streets, together
22 with bridges thereon and wharves necessary for use for ferriage of
23 motor vehicle traffic in connection with such streets, if any, in any
24 incorporated cities and towns shall form a part of the route of state
25 highways and between the first and ((fifteenth)) 15th days of July of
26 any year the department shall identify by brief description, the
27 streets, together with the bridges thereon and wharves, if any, in
28 such city or town ((which)) that are designated as forming a part of
29 the route of any state highway; and all such streets, including curbs
30 and gutters and street intersections and such bridges and wharves,
31 shall thereafter be a part of the state highway system and as such
32 shall be constructed and maintained by the department from any state
33 funds available therefor: PROVIDED, That the responsibility for the
34 construction and maintenance of any such street together with its
35 appurtenances may be returned to a city or a town upon certification
36 by the department to the clerk of any city or town that such street,
37 or portion thereof, is no longer required as a part of the state
38 highway system: PROVIDED FURTHER, That any such certification that a
39 street, or portion thereof, is no longer required as a part of the

1 state highway system shall be made between the first and
2 (~~fifteenth~~) 15th of July following the determination by the
3 department that such street or portion thereof is no longer required
4 as a part of the state highway system, but this shall not prevent the
5 department and any city or town from entering into an agreement that
6 a city or town will accept responsibility for such a street or
7 portion thereof at some time other than between the first and
8 (~~fifteenth~~) 15th of July of any year.

9 **Sec. 5.** RCW 47.28.010 and 2006 c 334 s 22 are each amended to
10 read as follows:

11 (~~Whenever~~) Subject to the requirements of RCW 36.75.090(2),
12 whenever the general route of any state highway shall be designated
13 and laid out as running to or by way of certain designated points,
14 without specifying the particular route to be followed to or by way
15 of such points, the department shall determine the particular route
16 to be followed by said state highway to or by way of said designated
17 points, and shall be at liberty to select and adopt as a part of such
18 state highway, the whole or any part of any existing public highway
19 previously designated as a county road, primary road, or secondary
20 road or now or hereafter classified as a county road. The department
21 need not select and adopt the entire routes for such state highways
22 at one time, but may select and adopt parts of such routes from time
23 to time as it deems advisable. Where a state highway is designated as
24 passing by way of a certain point, this shall not require the
25 department to cause such state highway to pass through or touch such
26 point but such designation is directional only and may be complied
27 with by location in the general vicinity. The department is empowered
28 to construct as a part of any state highway as designated and in
29 addition to any portion meeting the limits of any incorporated city
30 or town a bypass section either through or around any such
31 incorporated city or town.

32 NEW SECTION. **Sec. 6.** This act takes effect July 1, 2026.

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