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**SUBSTITUTE HOUSE BILL 2172**

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**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, the state department of transportation may modify the  
9 alignment of all public highways in this state ((which)) that have  
10 been a part of the route of a state highway and have been or may  
11 hereafter be no longer necessary as such, if situated outside of the  
12 limits of incorporated cities or towns, shall, upon certification  
13 thereof by the state department of transportation to the legislative  
14 authority of the county in which any portion of the highway is  
15 located, become a county road of the county, and if situated within  
16 the corporate limits of any city or town shall upon certification  
17 thereof by the state department of transportation to the mayor of the  
18 city or town in which any portion of the highway is located become a  
19 street of the city or town. Upon the certification the secretary of  
20 transportation shall execute a deed, which shall be duly

1 acknowledged, conveying the abandoned highway or portion thereof to  
2 the county or city as the case may be.

3 (2) The department must enter into an agreement with a city or  
4 county in which any portion of a state highway, which exceeds two  
5 miles in length or includes a bridge, is determined to no longer be  
6 necessary under subsection (1) of this section. Such agreement must  
7 be entered into before any portion of a state highway can be  
8 abandoned to the county or city. If an agreement cannot be reached,  
9 the department must forward to the legislature the proposed  
10 abandonment for review and determination, pursuant to RCW  
11 47.17.001(6).

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

14 The legislature recognizes the need for ((a)) an independent  
15 multijurisdictional body to review ((future)) requests for  
16 jurisdictional transfers((-)) as follows:

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

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

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

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

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

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

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

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

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

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

12       (~~(2)~~) (3) A rural highway route may be designated as a state  
13 highway if it is part of an integrated system of roads and:

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

17       (b) Provides a major cross-connection between existing state  
18 highways; or

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

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

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

25       ~~(iii) A county seat;~~

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

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

29       (~~(3)~~) (4) An urban highway route that meets any of the  
30 following criteria should be designated as part of the state highway  
31 system:

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

33       (b) Is designated as part of the system of numbered United States  
34 routes;

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

38       (d) Is (~~a principal arterial that is a connecting link~~) an  
39 urban highway route between two state highways (~~and serves~~  
40 ~~regionally oriented through traffic in urbanized areas with a~~

1 ~~population of fifty thousand or greater)), in a city or United States~~  
2 ~~census designated place,~~ or is a spur (~~that serves regionally~~  
3 ~~oriented traffic in urbanized areas)) in a city or United States~~  
4 ~~census designated place.~~

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

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

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

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

17 (d) Exceptions may be made to include:

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

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

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

29 (e) In urban and urbanized areas:

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

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

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

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

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

3 (iii) The most direct route and the lowest travel time;

4 (iv) The route that serves traffic with the most interstate,  
5 statewide, and interregional significance;

6 (v) The route that provides the optimal spacing between other  
7 state routes; and

8 (vi) The route that best serves the comprehensive plan for  
9 community development in those areas where such a plan has been  
10 developed and adopted.

11 (g) A route designated in chapter 47.39 RCW as a scenic and  
12 recreational highway may be designated as a state highway in addition  
13 to a parallel state highway route.

14 (6) If a highway project results in the decommissioning of a  
15 portion of an existing state highway, such as due to a change in the  
16 highway's alignment, the legislature must make a final determination  
17 regarding the status of the existing state highway segment, through  
18 duly enacted legislation including, but not limited to:

19 (a) Authorizing the disposition of the segment pursuant to RCW  
20 36.75.090(2);

21 (b) Approving the transfer of the segment to the local  
22 jurisdiction, pursuant to RCW 47.01.425;

23 (c) Authorizing the demolition of the segment; or

24 (d) Retaining the segment as part of the state highway system.

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

27 ~~((The))~~ Subject to the requirements of RCW 36.75.090(2), the  
28 department of transportation shall determine what streets, together  
29 with bridges thereon and wharves necessary for use for ferriage of  
30 motor vehicle traffic in connection with such streets, if any, in any  
31 incorporated cities and towns shall form a part of the route of state  
32 highways and between the first and ~~((fifteenth))~~ 15th days of July of  
33 any year the department shall identify by brief description, the  
34 streets, together with the bridges thereon and wharves, if any, in  
35 such city or town ~~((which))~~ that are designated as forming a part of  
36 the route of any state highway; and all such streets, including curbs  
37 and gutters and street intersections and such bridges and wharves,  
38 shall thereafter be a part of the state highway system and as such  
39 shall be constructed and maintained by the department from any state

1 funds available therefor: PROVIDED, That the responsibility for the  
2 construction and maintenance of any such street together with its  
3 appurtenances may be returned to a city or a town upon certification  
4 by the department to the clerk of any city or town that such street,  
5 or portion thereof, is no longer required as a part of the state  
6 highway system: PROVIDED FURTHER, That any such certification that a  
7 street, or portion thereof, is no longer required as a part of the  
8 state highway system shall be made between the first and  
9 (~~fifteenth~~) 15th of July following the determination by the  
10 department that such street or portion thereof is no longer required  
11 as a part of the state highway system, but this shall not prevent the  
12 department and any city or town from entering into an agreement that  
13 a city or town will accept responsibility for such a street or  
14 portion thereof at some time other than between the first and  
15 (~~fifteenth~~) 15th of July of any year.

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

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

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

--- **END** ---