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**SUBSTITUTE SENATE BILL 5690**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senate Transportation (originally sponsored by Senators MacEwen, Chapman, Lovelett, and Muzzall)

READ FIRST TIME 02/28/25.

1 AN ACT Relating to actions of the department of transportation to  
2 notify utility owners of projects and seek federal funding for  
3 utility relocation costs; and amending RCW 47.44.160.

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

5 **Sec. 1.** RCW 47.44.160 and 2021 c 258 s 5 are each amended to  
6 read as follows:

7 (1) The department is directed to adopt and maintain an agency  
8 policy that requires the department to proactively provide broadband  
9 facility and utility owners with information about planned state  
10 highway projects to enable collaboration between broadband facility  
11 and utility owners and the department to identify opportunities for  
12 the installation of broadband facilities and utilities during the  
13 appropriate phase of these projects when such opportunities exist.

14 (2) If no owners are ready or able to participate in coordination  
15 of the installation of broadband infrastructure concurrently with  
16 state highway projects, the department may enlist its contractors to  
17 install broadband conduit as part of road construction projects in  
18 order to directly benefit the transportation system and motor vehicle  
19 users by:

20 (a) Reducing future traffic impacts to the traveling public on  
21 the roadway;

1 (b) Supporting the vehicle miles traveled reduction and  
2 congestion management goals of the state by allowing for more  
3 telework; or

4 (c) Proactively preparing the transportation system for the  
5 widespread development and use of autonomous vehicles.

6 (3) Broadband facility owners must first obtain a franchise  
7 granted by the department pursuant to RCW 47.44.010 and 47.44.020  
8 before installing broadband facilities within the department's  
9 conduit. The costs for installation and maintenance of such broadband  
10 facilities shall be the responsibility of the broadband facility  
11 owner. The department may adopt rules establishing a fee schedule for  
12 occupancy of broadband facilities within the department's conduit  
13 consistent with federal law.

14 (4) The department is directed to adopt and maintain agency  
15 procedures for the department to proactively provide owners of a  
16 utility with information about planned state fish barrier removal  
17 projects with at least one year of advance notice whenever feasible.  
18 The department is encouraged to request available federal funding for  
19 fish barrier removal projects and include utility relocation costs  
20 within the request for federal funds if such costs are an eligible  
21 use under federal rules and regulations. The department must report  
22 to the transportation committees of the legislature and the office of  
23 financial management by December 15, 2026, with the following: (a)  
24 Information about any requests made for federal funding under this  
25 section and any awards received; and (b) recommendations for changes  
26 to state law, rules, or policies that would allow the department to  
27 receive competitive federal grant funding or reimbursements for  
28 utility relocation to the extent permitted by the terms of federal  
29 programs and applicable federal regulations.

30 (5) As used in this section:

31 (a) "Broadband conduit" means a conduit used to support broadband  
32 infrastructure, including fiber optic cables.

33 (b) "Broadband infrastructure" has the same meaning as in RCW  
34 43.330.530.

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