CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5556

Chapter 291, Laws of 2025

69th Legislature
2025 Regular Session

ADOPT-A-HIGHWAY PROGRAM—VARIOUS PROVISIONS

EFFECTIVE DATE: July 27, 2025—Except for sections 2 and 3, which take effect July 1, 2026.

Passed by the Senate April 22, 2025
Yeas 48 Nays 0

DENNY HECK

President of the Senate

Passed by the House April 11, 2025
Yeas 92 Nays 3

LAURIE JINKINS

Speaker of the House of Representatives

Approved May 16, 2025 1:15 PM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5556** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

May 19, 2025

Secretary of State
State of Washington

SUBSTITUTE SENATE BILL 5556

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By Senate Transportation (originally sponsored by Senators Ramos, Lovick, Valdez, Lovelett, Shewmake, Chapman, Trudeau, Nobles, and C. Wilson)

READ FIRST TIME 02/17/25.

AN ACT Relating to modernizing the adopt-a-highway program to improve its ability to meet its original purpose within existing fiscal limitations; amending RCW 47.40.100 and 47.36.400; adding a new section to chapter 47.40 RCW; creating a new section; and providing an effective date.

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

NEW SECTION. **Sec. 1.** (1) The legislature recognizes that the state's adopt-a-highway program has enabled individuals, groups, and businesses to participate in keeping the state's highways clean and that the program has been successful for over 30 years in helping to reduce litter in Washington. The legislature further finds that the program requires a modernization to ensure the original purpose of providing volunteers and businesses an opportunity to contribute to a cleaner environment, enhanced roadsides, and protection of wildlife habitats is fulfilled.

(2) The legislature further finds that transportation funding resources are limited and the needs are great. Therefore, the legislature intends to add additional accountability to the program and ensure that the department of transportation's limited resources can be directed to areas with the greatest need.

(3) To that end, the legislature intends to (a) prioritize funding for the program in alignment with priorities for the transportation system as a whole, and (b) ensure that volunteers and businesses participating as volunteers and/or sponsors are committed to the goals of the program and are provided the opportunity to participate, to the extent funds are available.

Sec. 2. RCW 47.40.100 and 2019 c 353 s 11 are each amended to read as follows:

(1)(a) ((~~The~~)) Subject to the availability of amounts appropriated for this specific purpose in an omnibus transportation appropriations act, the department of transportation shall establish a statewide adopt-a-highway program. The purpose of the program is to provide volunteers and businesses an opportunity to contribute to a cleaner environment, enhanced roadsides, and protection of wildlife habitats. Participating volunteers and businesses shall adopt department-designated sections of state highways, rest areas, park and ride lots, intermodal facilities, and any other facilities the department deems appropriate, in accordance with rules adopted by the department. The department may elect to coordinate a consortium of participants for adopt-a-highway projects.

(b) The adopt-a-highway program shall include, at a minimum, litter control for the adopted section, and may include additional responsibilities such as planting and maintaining vegetation, controlling weeds, graffiti removal, and any other roadside improvement or clean-up activities the department deems appropriate. Whenever possible, when planting and maintaining vegetation, volunteers and businesses should use native forage plants that are pollen-rich or nectar-rich and beneficial for all pollinators, including honey bees, in order to develop habitat beneficial for the feeding, nesting, and reproduction of pollinators. The department shall not accept adopt-a-highway proposals that would have the effect of terminating classified employees or classified employee positions.

(2) A volunteer group ((~~or~~))<u>,</u> business<u>, or sponsor</u> choosing to participate in the adopt-a-highway program must submit a proposal to the department. The department shall review the proposal for consistency with departmental policy and rules. The department may accept, reject, or modify an applicant's proposal.

(3) The department shall seek partnerships with volunteer groups and businesses to facilitate the goals of this section. The

department may solicit funding for the adopt-a-highway program that allows private entities to undertake all or a portion of financing for the initiatives. The department shall develop guidelines regarding the cash, labor, and in-kind contributions to be performed by the participants.

(4) An organization whose name: (a) Endorses or opposes a particular candidate for public office, (b) advocates a position on a specific political issue, initiative, referendum, or piece of legislation, or (c) includes a reference to a political party shall not be eligible to participate in the adopt-a-highway program.

(5) In administering the adopt-a-highway program, the department shall:

(a) Provide a standardized application form, registration form, and contractual agreement for all participating groups. The forms shall notify the prospective participants of the reporting requirements of subsection (7) of this section and the risks and responsibilities to be assumed by the department and the participants;

(b) Require all participants to be at least fifteen years of age;

(c) Require parental consent for all minors;

(d) Require at least one adult supervisor for every eight minors;

(e) Require one designated leader for each participating organization, unless the department chooses to coordinate a consortium of participants;

(f) Assign each participating organization a section or sections of state highway, or other state-owned transportation facilities, for a specified period of time;

(g) ((~~Recognize~~)) Subject to the availability of amounts appropriated for this specific purpose in an omnibus transportation appropriations act, recognize the efforts of a participating organization by erecting and maintaining signs with the organization's name on both ends of the organization's section of highway;

(h) Provide appropriate safety equipment. Safety equipment issued to participating groups must be returned to the department upon termination of the applicable adopt-a-highway agreement;

(i) Provide safety training for all participants;

(j) Pay any and all premiums or assessments required under RCW 51.12.035 to secure medical aid benefits under chapter 51.36 RCW for all volunteers participating in the program;

(k) Require participating businesses to pay all employer premiums or assessments required to secure medical aid benefits under chapter 51.36 RCW for all employees or agents participating in the program;

(l) Maintain records of all injuries and accidents that occur;

(m) Adopt rules that establish a process to resolve any question of an organization's eligibility to participate in the adopt-a-highway program;

(n) Obtain permission from property owners who lease right-of-way before allowing an organization to adopt a section of highway on such leased property; and

(o) Establish procedures and guidelines for the adopt-a-highway program.

(6) Nothing in this section affects the rights or activities of, or agreements with, adjacent landowners, including the use of rights-of-way and crossings, nor impairs these rights and uses by the placement of signs.

(7) The department shall submit annually by December 1st to the transportation committees of the legislature and the office of financial management a list in excel or similar electronic format that includes: (a) Each participating organization and program applicant; (b) whether the participant or applicant partners with a paid contractor or acts solely as a volunteer; (c) the location of each highway section adopted; (d) whether the participant has met the obligations of its contractual agreement during the last year; and (e) any contextual information the department deems relevant.

Sec. 3. RCW 47.36.400 and 1998 c 180 s 1 are each amended to read as follows:

((~~The~~)) Subject to the availability of amounts appropriated for this specific purpose in an omnibus transportation appropriations act, the department may install adopt-a-highway signs, with the following restrictions:

(1) Signs shall be designed by the department and may only include the words "adopt-a-highway litter control facility" or "adopt-a-highway litter control next XX miles" and the name of the litter control area sponsor. The sponsor's name shall not be displayed more predominantly than the remainder of the sign message. Trademarks or business logos may be displayed;

(2) Signs may be placed along interstate, primary, and scenic system highways;

(3) Signs may be erected at other state-owned transportation facilities in accordance with RCW 47.40.100(1);

(4) For each litter control area designated by the department, one sign may be placed visible to traffic approaching from each direction;

(5) Signs shall be located so as not to detract from official traffic control signs installed pursuant to the manual on uniform traffic control devices adopted by the department;

(6) Signs shall be located so as not to restrict sight distance on approaches to intersections or interchanges;

(7) The department may charge reasonable fees to defray the cost of manufacture, installation, and maintenance of adopt-a-highway signs.

NEW SECTION. **Sec. 4.** A new section is added to chapter 47.40 RCW to read as follows:

By December 1, 2025, the department shall report to the transportation committees of the legislature and the office of financial management with a list in excel or similar electronic format that includes the following information for each current participant in the adopt-a-highway program established in RCW 47.40.100:

(1) Name of the participating or applying volunteer group or sponsor;

(2) Whether the participant or applicant partners with a paid contractor or acts solely as a volunteer;

(3) The location of each highway section adopted;

(4) The participant's record of compliance with the obligations of its contractual agreement since becoming a program participant; and

(5) Any contextual information the department deems relevant.

NEW SECTION. **Sec. 5.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 6.** Sections 2 and 3 of this act take effect July 1, 2026.

Passed by the Senate April 22, 2025.
Passed by the House April 11, 2025.
Approved by the Governor May 16, 2025.
Filed in Office of Secretary of State May 19, 2025.

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