

WSR 23-11-030
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF TRANSPORTATION
[Filed May 10, 2023, 1:39 p.m.]

Subject of Possible Rule Making: Nonhighway use of airspace on state highways; consideration for occupancy by a regional transit authority.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 47.01.101(5) and 47.12.120 are statutes that allow the Washington state department of transportation (WSDOT) to adjust WAC 468-30-110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule will bring Washington state into line with several other states that lease property to regional transit agencies for the operation of light rail; exempt WSDOT from having to recoup the federal share of roadway property acquisition costs through its leases; make Sound Transit's system expansion program more financially feasible; and bring about a multimodal transportation system for Washington state residents.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Highway Administration approves the processes WSDOT uses for leasing property to Sound Transit through the WSDOT ROW Manual. Sound Transit signs the leases; they are partners in an agreement that will address the lease rates and also determine the appropriate federal share to discount.

Process for Developing New Rule: A rule that reflects an agreement being developed between WSDOT and Sound Transit.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kevin Workman, 7345 Linderson Way S.W., Tumwater, WA 98501, phone 360-705-7324, email workmaj@wsdot.wa.gov [workman@wsdot.wa.gov].

May 8, 2023
Kevin Workman
Director of Real Estate