

SENATE BILL REPORT

SB 6808

As Reported By Senate Committee On:
Transportation, February 11, 2008

Title: An act relating to requiring local bridge owners to maintain, replace, or appropriate funds for bridges deemed to be especially deficient.

Brief Description: Requiring local bridge owners to maintain, replace, or appropriate funds for bridges deemed to be especially deficient.

Sponsors: Senator Prentice.

Brief History:

Committee Activity: Transportation: 2/7/08, 2/11/08 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 6808 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker, Ranking Minority Member; Benton, Berkey, Delvin, Eide, Holmquist, Kastama, Kauffman, Kilmer, King, Pflug and Spanel.

Staff: Hayley Gamble (786-7452)

Background: The Federal Highway Administration (FHWA) requires all states to report the condition of state and local bridges that are over 20 feet long and on a public road. A sufficiency rating from zero to 100 is calculated for each bridge by FHWA, based on information provided by the states. Zero indicates an entirely insufficient or deficient bridge. Bridge sufficiency ratings are based on the structure's adequacy and safety, the functional use of the structure, and the need for the structure.

In order for counties to receive a distribution of the state motor vehicle fuel tax, the County Road Administration Board (CRAB) must send a certificate of good practice on behalf of counties for compliance with reporting and other requirements to the State Treasurer. If a certificate of good practice is not issued, the State Treasurer withholds from each non-compliant county its share of the fuel taxes. Motor vehicle fuel taxes withheld from any county are not distributed to any other county; instead, they are retained in the motor vehicle fund to the credit of the county entitled to the funds until such time as the State Treasurer receives a certificate of good practice.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

For cities and towns, after certain statutory deductions are made, the State Treasurer appropriates any remaining state motor vehicle fuel taxes on a monthly basis to cities and towns proportionally, based on population.

Summary of Bill (Recommended Substitute): Cities and counties that own bridges with a sufficiency rating of less than ten must, within six months of the most recent sufficiency rating report, either begin to repair the bridge to increase the bridge's rating to over 80, or adopt a finance plan to fully fund the repair or replacement of the bridge. Under the finance plan option, at least 50 percent of the total estimated cost to repair or replace the bridge must be placed in a dedicated account by the bridge owners until construction begins. In the case of jointly-owned bridges, the owners share compliance responsibilities equally, unless otherwise provided in an interlocal agreement. The Washington State Department of Transportation (WSDOT) is responsible for reporting on compliance.

In each case WSDOT makes a determination of non-compliance, CRAB must not issue a certificate of compliance and the State Treasurer must withhold a portion of state motor vehicle fuel taxes to which the city or county would otherwise be entitled. The taxes withheld are retained in the motor vehicle fund and held for the city or county originally entitled to the funds until they are considered in compliance with the requirements relating to bridges with a sufficiency rating of less than ten.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute): Bridges with a traffic count of less than 50 motor vehicles a day are exempt from this bill.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: The bill addresses the worst of the worst bridges in the state. This bill effects only 16 local bridges, and ten of those have a finance plan in place, so are exempt from this bill. In lieu of new revenue, this bill ensures existing revenues are targeted. The South Park Bridge, which is a freight corridor, would fall under the requirements of this bill.

CON: The funding in this bill strategy creates a problem as it implements a forced savings plan. King County has 187 bridges to maintain. While being opposed to this bill, King County would like to work together on a solution for the South Park Bridge. The South Park Bridge is unusual due to the magnitude of cost to replace the bridge. Counties face the same challenges the state does in funding bridge replacement.

OTHER: There are some administrative and mechanical issues with the bill. The variance between a bridge with a rating of nine versus a bridge with a rating of 11 is not significant. One storm event could change the number of bridges that fall under this bill. Cost estimates required within six months is unrealistic.

Persons Testifying: PRO: Representative Hudgins.

CON: Linda Dougherty, King County Department of Transportation; Eric Johnson, Washington State Association of Counties.

OTHER: Jeff Mosen, County road Administration Board.