

# HOUSE BILL REPORT

## SHB 2023

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As Passed Legislature

**Title:** An act relating to jurisdiction over certain roads and highways.

**Brief Description:** Transferring jurisdiction for certain roads and highways.

**Sponsors:** By House Committee on Transportation (originally sponsored by Representative R. Meyers.

**Brief History:**

Reported by House Committee on:  
Transportation, March 2, 1993, DPS;  
Passed House, March 11, 1993, 97-1;  
Amended by Senate;  
Passed Legislature, April 20, 1993, 95-2.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 22 members: Representatives R. Fisher, Chair; Jones, Vice Chair; Schmidt, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Brumsickle; Cothorn; Eide; Finkbeiner; Forner; Hansen; Horn; J. Kohl; R. Meyers; Miller; H. Myers; Orr; Patterson; Quall; Sheldon; Shin; Wood; and Zellinsky.

**Staff:** Jeff Doyle (786-7322).

**Background:** In 1991, the Transportation Improvement Board (TIB) was directed to review petitions from state and local governmental entities on the appropriateness of designating certain highways as "state routes." The TIB is directed to apply the statutory criteria for state highways found in RCW 47.17. The TIB is to make its recommendations to the Legislature by November 15 of each year.

This past year TIB reviewed three requests for route jurisdiction transfers. After applying the criteria, TIB recommended that State Route (SR) 397 in the Pasco area be extended approximately one mile; that SR 506 near the Cowlitz/Lewis County border remain a state route; and that SR 10 in Kittitas County be removed from the state highway system and be returned to the county as a county road. As

part of its recommendation to remove SR 10 from the state highway system, the TIB further recommended that the Transfer Relief Fund, which was set up to provide funds for local governments acquiring new roadways, be extended to include funding for Kittitas County for the transfer of SR 10.

In 1991, the Legislature also made a series of state route transfers between state and local governments. SR 160 in Kitsap County was scheduled to be transferred pursuant to the 1991 legislation, but a mud slide washed out a portion of the roadway in the spring of 1992, just before the transfer was to take effect. The transfer was delayed until the road could be repaired by the Department of Transportation (DOT).

It was recently discovered that during the transfers in 1991, the Legislature inadvertently removed SR 304 from the highway system instead of SR 306, which was scheduled for transfer. Both the DOT and Kitsap County recognized this as merely an oversight, and the roads are currently being treated as if they were under the jurisdiction of the proper entities.

**Summary of Bill:** State Route (SR) 397 is extended by one mile.

SR 10 remains on the state highway system and remains a scenic and recreational highway. No monies are available to Kittitas County for maintenance, since the road remains a state route. New language is added to the state highway criteria, allowing a road that has been designated a scenic and recreational highway to remain on the state highway system in those instances where it also happens to run parallel to another state highway.

Sedgwick Road, which connects SR 16 and the Washington State ferry dock at Point Southworth, is designated SR 160, as originally provided in the 1991 legislation. A portion of the former SR 160 is redesignated as SR 166.

SR 304 is reinstated on the state route system, and SR 306 is removed, correcting a technical error made in the 1991 legislation.

Additions are made to the state scenic and recreational Highway system. Highways that do not meet the criteria for a scenic and recreational highway are removed. Highways that are removed from the system are still subject to billboard control under the Scenic Vistas Act of 1971.

Signs are permitted along portions of the scenic and recreational highway system in areas zoned predominantly for commercial or industrial uses and where the adjacent land has been developed and is visible from the highway.

In areas zoned primarily for commercial or industrial uses, but where there is no visible development, signs may remain along the scenic and recreational highway only if they were lawfully installed after May 10, 1971. No new signs are permitted in these areas.

The Department of Transportation shall consider the use of the scenic and recreational highway system by bicyclists and pedestrians in connection with non-motorized routes in the state trail plan and the state bicycle plan. Appropriate signage may be used at intersections of non-motorized and motorized systems to demonstrate access, location and the interconnectivity of various modes of travel for transportation and recreation.

**Fiscal Note:** Not requested.

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

**Testimony For:** Concern was raised that Kittitas County does not have sufficient funds to cover maintenance costs on SR 10 if the road is returned to the county.

**Testimony Against:** The Transportation Improvement Board (TIB) has been directed by the Legislature to review certain state roads to determine if they are properly designated as state highways. While the other changes this bill makes are consistent with TIB's recommendations, the provision that allows SR 10 to remain a state highway is contrary to the recommendations. Furthermore, TIB specifically recommended that Kittitas County receive four years' worth of funding from the Transfer Relief Account to cover maintenance costs on the roadway. The proposed substitute has the effect of circumventing the entire TIB review process.

**Witnesses:** Charlie Howard, Department of Transportation (pro); and Jerry Fay, Transportation Improvement Board (pro with concerns).