

SENATE BILL REPORT

SB 5395

AS REPORTED BY COMMITTEE ON TRANSPORTATION, MARCH 2, 1993

Brief Description: Involving the public in transportation planning.

SPONSORS: Senators Skratek and Erwin

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5395 be substituted therefor, and the substitute bill do pass.

Signed by Senators Vognild, Chairman; Loveland, Vice Chairman; Skratek, Vice Chairman; Barr, Drew, Haugen, Nelson, Oke, Prentice, Prince, M. Rasmussen, Sheldon, and Winsley.

Staff: Jeff Doyle (786-7322)

Hearing Dates: February 11, 1993; March 2, 1993

BACKGROUND:

There is a public perception that citizens affected by transportation projects do not have the opportunity to participate in selecting a preferred transportation alternative at an early and meaningful stage of the planning process.

The Department of Transportation (DOT) is currently meeting all public notice and public hearings requirements, but these opportunities for public comment occur primarily after a proposed project has been selected and substantially designed.

In some instances, DOT project managers have gone well beyond the minimal requirements for public hearings and have actively solicited public input on projects early in their planning process. These projects have enjoyed a unique amount of public support. However, there currently is no statute that directs DOT to employ these early public involvement techniques; much discretion is left with the individual project managers.

SUMMARY:

The Department of Transportation (DOT) is directed to seek public input on selected transportation projects before the department selects a preferred alternative. Methods of soliciting public input may include any combination of informational meetings, "visioning" workshops, written or telephone surveys, or any other technique the department believes would be effective in measuring public opinion.

Transportation projects selected for the public involvement process include those projects that (1) disrupt or displace a substantial number of people and/or businesses; (2) substantially improve capacity; (3) substantially alter existing access points to roads or state highways; (4) require acquisition of substantial rights of way; or (5) impact environmentally sensitive areas.

The department's public involvement processes should, to the extent practical, be coordinated with other public involvement processes currently being done by regional transportation planning organizations and local governments pursuant to the Growth Management Act.

DOT is directed to establish toll-free information lines within each of the six transportation district offices to provide information to citizens on proposed transportation projects within the district, construction projects in the district that may result in traffic rerouting, and opportunities to participate in state, regional or local transportation planning efforts. The hotlines must also have the ability to record caller's comments.

DOT shall conduct a statewide public opinion poll to identify citizen preferences and opinions on modes and methods of transportation. The survey shall also ask for an evaluation of the extent to which DOT is meeting its mission, goals and objectives concerning statewide transportation policy and services.

DOT may only employ consultants and/or specialists upon a finding that the department lacks specialized knowledge, skill or technology to accomplish the required tasks.

EFFECT OF PROPOSED SUBSTITUTE:

Instead of requiring the Department of Transportation (DOT) to conduct the heightened public involvement activities, DOT is given broader discretion to determine when to use the heightened public involvement processes. The language was made permissive to help avoid possible lawsuits by interest groups seeking to delay transportation projects.

There are also provisions that clearly indicate legislative intent that no new legal cause of action be created by the bill.

Appropriation: none

Revenue: none

Fiscal Note: requested

TESTIMONY FOR:

There are many transportation projects that would have benefitted from having earlier public involvement at the planning stage of transportation projects. The lack of public

involvement at this critical stage often leads to a feeling of frustration by the public. This bill allows more public input in transportation decision-making at a meaningful stage of project development.

TESTIMONY AGAINST: None

TESTIFIED: Senator Skratek, prime sponsor; Alice Matz, homeowner; Skip Burch, Washington State Department of Transportation; Joe Ganem, Bicycle Federation, Rails to Trails