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HOUSE BILL 3111

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Conway and Sullivan

Read first time 02/04/98. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to access to state highways by abutting property  
2 owners; and amending RCW 47.50.010.

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

4 **Sec. 1.** RCW 47.50.010 and 1991 c 202 s 1 are each amended to read  
5 as follows:

6 (1) The legislature finds that:

7 (a) Regulation of access to the state highway system is necessary  
8 in order to protect the public health, safety, and welfare, to preserve  
9 the functional integrity of the state highway system, and to promote  
10 the safe and efficient movement of people and goods within the state;

11 (b) The development of an access management program, in accordance  
12 with this chapter, which coordinates land use planning decisions by  
13 local governments and investments in the state highway system, will  
14 serve to control the proliferation of connections and other access  
15 approaches to and from the state highway system. Without such a  
16 program, the health, safety, and welfare of the residents of this state  
17 are at risk, due to the fact that uncontrolled access to the state  
18 highway system is a significant contributing factor to the congestion  
19 and functional deterioration of the system; and

1 (c) The development of an access management program in accordance  
2 with this chapter will enhance the development of an effective  
3 transportation system and increase the traffic-carrying capacity of the  
4 state highway system and thereby reduce the incidences of traffic  
5 accidents, personal injury, and property damage or loss; mitigate  
6 environmental degradation; promote sound economic growth and the growth  
7 management goals of the state; reduce highway maintenance costs and the  
8 necessity for costly traffic operations measures; lengthen the  
9 effective life of transportation facilities in the state, thus  
10 preserving the public investment in such facilities; and shorten  
11 response time for emergency vehicles.

12 (2) In furtherance of these findings, all state highways are hereby  
13 declared to be controlled access facilities as defined in RCW  
14 47.50.020, except those highways that are defined as limited access  
15 facilities in chapter 47.52 RCW.

16 (3) It is the policy of the legislature that:

17 (a) The access rights of an owner of property abutting the state  
18 highway system are (~~subordinate~~) to be balanced with the public's  
19 right and interest in a safe and efficient highway system; and

20 (b) Every owner of property which abuts a state highway has a right  
21 to reasonable access to that highway, unless such access has been  
22 acquired pursuant to chapter 47.52 RCW, but may not have the right of  
23 a particular means of access unless it was an unpermitted connection to  
24 the state highway in existence on July 1, 1990, where the local  
25 jurisdiction has exercised its authority under RCW 46.61.415. ((The))  
26 An unpermitted right of access to the state highway may be restricted  
27 if, pursuant to local regulation, reasonable access can be provided to  
28 another public road which abuts the property.

29 (4) The legislature declares that it is the purpose of this chapter  
30 to provide a coordinated planning process for the permitting of access  
31 points on the state highway system to effectuate the findings and  
32 policies under this section.

33 (5) Nothing in this chapter shall affect the right to full  
34 compensation under section 16, Article I of the state Constitution.

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