

FINAL BILL REPORT

HB 1703

C 210 L 99

Synopsis as Enacted

Brief Description: Revising law governing the disposition of surplus real property.

Sponsors: Representatives Cooper, Ericksen, Mitchell and Fisher.

House Committee on Transportation

Senate Committee on Transportation

Background:

The Department of Transportation (DOT) often acquires land in anticipation of constructing highway or transportation projects. This is referred to as advance right of way purchase. This practice enables the DOT to save money by purchasing the land earlier, before the land appreciates.

Occasionally, these properties owned by the state are no longer needed for future transportation projects. State law specifies a process for the DOT to dispose of this surplus property. If the DOT determines that the property is no longer needed for transportation purposes, they may sell the property or exchange it for other land at fair market value to the following governmental entities or persons: (1) any other state agency; (2) the city or town where the property is situated; (3) any other municipal corporation; (4) the former owner of the property from whom the state acquired title; (5) if the property is used as a residence, to the tenant of the property, so long as the tenant has lived there at least six months and paid rent on time; (6) any abutting property owner, unless there is more than one abutting property owner, in which case the auction procedure applies; (7) any other person, through written solicitation of bids; (8) any other owner of real property, where that property is required for transportation purposes; or (9) if it is residential property, any non-profit organization dedicated to affordable housing, as further specified in state law.

The law does not specify which of these entities or persons has priority to acquire the DOT's surplus property. The proceeds from the sale of surplus properties must be deposited into the Motor Vehicle Fund.

Regional transit authorities do not fit any of the definitions of governmental entities or persons that have standing to acquire surplus properties from the DOT, even though they are publicly-operated transportation providers.

Summary:

Regional transit authorities are added to the list of entities approved to acquire the DOT surplus properties.

Votes on Final Passage:

House 97 0

Senate 33 13

Effective: July 25, 1999