

# SENATE BILL REPORT

## HB 1703

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As Reported By Senate Committee On:  
Transportation, March 31, 1999

**Title:** An act relating to the disposition of state highway property.

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

**Sponsors:** Representatives Cooper, Ericksen, Mitchell and Fisher.

**Brief History:**

**Committee Activity:** Transportation: 3/25/99, 3/31/99 [DP, DNP].

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Costa, Eide, Horn, Jacobsen, Morton, Oke, Patterson, Sellar, T. Sheldon and Shin.

**Minority Report:** Do not pass.

Signed by Senators Benton and Johnson.

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

**Background:** The Washington State Department of Transportation (WSDOT) often acquires land in anticipation of constructing highway or transportation projects. This is referred to as advance right of way purchase. This practice enables WSDOT 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 WSDOT to dispose of this surplus property. If WSDOT determines that the property is no longer needed for transportation purposes, it can 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 nonprofit 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 WSDOT's surplus property. The proceeds from the sale of surplus properties must be deposited back into the Motor Vehicle Fund.

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

**Summary of Bill:** Regional transit authorities are added to the list of entities approved to acquire WSDOT surplus properties.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** Sound Transit does not fit within any of the statutory definitions of entities that qualify to purchase surplus property from DOT. This legislation is needed to allow Sound Transit to be eligible to purchase surplus DOT property.

**Testimony Against:** None.

**Testified:** PRO: Joe Pestinger, Dept. of Transportation; Randy Scott, Sound Transit.