

Transportation Committee

HB 1671

Brief Description: Clarifying responsibility for highway trenching.

Sponsors: Representatives Fisher, Mitchell and Poulsen; by request of The Blue Ribbon Commission on Transportation.

Brief Summary of Bill

- *Requires the Washington State Department of Transportation (WSDOT) to develop a joint trenching policy that reduces the need to cut multiple utility trenches in state highways.*
- *Contractors cutting trenches in state highways are responsible for restoring highway and compensating WSDOT for reduction in useful pavement life.*

Hearing Date: 2/14/01

Staff: Paul Neal (786-7315).

Background:

The Blue Ribbon Commission on Transportation (BRCT) presented several recommendations to the Legislature and the Governor designed to improve transportation in Washington. Recommendation 5 of the BRCT is entitled: Invest in maintenance, preservation, and improvement of the entire transportation system so that the transportation benchmarks can be achieved.– Recommendation 5(a)(iv) states:

Develop a utility cut ordinance for use throughout the state, or require jurisdictions to adopt a utility accommodation ordinance that must include a section on utility cuts.–

Utility cuts,– also known as trenching– are trenches dug in existing paved roadways for the purpose of connecting homes or businesses to utilities or to otherwise lay utility lines. Studies conducted by government agencies and by utilities have demonstrated that the presence of utility cuts in roadways results in lower pavement quality and more rapid

pavement deterioration. Even after the trench is repaired, utility cuts cause lower ride quality and increased pavement cracking.

The detrimental impact of utility cuts increases with the number of cuts. A street with nine or more cuts has a 50 percent shorter service life than a street with fewer than three cuts. Some jurisdictions, most notably Sacramento, California, have imposed coordination requirements in an effort to reduce the number of utility cuts and reduce detrimental impacts to pavement.

Under current law the Washington State Department of Transportation (WSDOT) is authorized to grant franchises or individual permits to make cuts in state roadways for purposes of laying utility lines. There is no requirement to coordinate utility cuts. The BRCT found that each jurisdiction has its own set of standards for handling cuts in pavement by utility companies. Therefore, the commission recommended that the state develop a joint trenching policy, pavement restoration requirements, and charges to utility providers for trenching work that is not completed within a contractual period.

Summary of Bill:

The WSDOT is encouraged to develop a joint trenching policy with other jurisdictions so that multiple utilities can access a trench at one time and reduce the number of utility cuts. Applications for utility cut franchises must include all jurisdictions affected by the franchise and the names of other possible franchisees who should receive notice.

Persons constructing or operating a utility on a state highway are responsible for the expenses incurred in inspecting and constructing the pavement restoration following the cut. Franchise holders and permittees are responsible for trenching work not completed within the period of the permit and for compensating the WSDOT for the loss of useful pavement life caused by trenching.

Appropriation: None.

Fiscal Note: Available.

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