

SENATE BILL REPORT

SB 5452

As of January 30, 2002

Title: An act relating to utility relocation costs caused by rapid transit authority activities.

Brief Description: Clarifying the cost burden for utility relocation.

Sponsors: Senators T. Sheldon, Rossi, Horn, Stevens, B. Sheldon and Fairley.

Brief History:

Committee Activity: Economic Development & Telecommunications: 2/14/01, 2/19/01 [DPS, DNPS]; 2/1/02.

SENATE COMMITTEE ON ECONOMIC DEVELOPMENT & TELECOMMUNICATIONS

Staff: William Bridges (786-7424)

Background: In 1993, the King, Pierce, and Snohomish county councils formed a regional transit authority, now known as Sound Transit. The authority is charged with implementing a high capacity transportation system and developing revenues to support the system.

In 1996, voters within the boundaries of Sound Transit approved a regional transit plan that includes construction of a light rail system. This construction will require the relocation of various utility facilities along the rail line. Sound Transit is currently in negotiations with various unities about the relocations.

Historically, when improvements to a public right-of-way required the displacement of telecommunications equipment, telecommunications companies paid for the relocation. This general rule may be modified by state or local governments. For example, under a statute enacted in 2000, a telecommunications company may seek reimbursement from a city or town when aerial facilities are being relocated underground, when the company has paid for relocation of the same facilities within the last five years, or when the city is seeking relocation for aesthetic reasons.

Summary of Substitute Bill: In the case of a regional transit authority, the costs of removing or relocating utility facilities that result from construction, alteration, repair, or improvement of the transit authority's system must be included in the cost of the system and must be paid by the authority. Utilities are not responsible for the costs.

Substitute Bill Compared to Original Bill: It is clarified that an owner, lessee, or occupant of utility facilities is not responsible for relocation costs. Utility facilities are defined to include cable television, gas, electric, and telecommunications facilities.

Appropriation: None.

Fiscal Note: Available.

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