

# SENATE BILL REPORT

## SB 5763

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As of February 14, 2001

**Title:** An act relating to franchises on state highways.

**Brief Description:** Clarifying responsibility for highway trenching.

**Sponsors:** Senators Horn, Oke, Winsley, Haugen and McDonald; by request of The Blue Ribbon Commission on Transportation.

**Brief History:**

**Committee Activity:** Transportation: 2/14/01.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Jennifer Ziegler (786-7316)

**Background:** The Legislature and the Governor formed the Blue Ribbon Commission on Transportation in 1998 to assess the local, regional and state transportation system; ensure that current and future money is spent wisely; make the system more accountable and predictable; and prepare a 20-year plan for funding and investing in the transportation system. The commission consisted of 46 members representing business, labor, agriculture, tribes, government, ports, shipping, trucking, transit, rail, environmental interests and the general public.

The commission made 18 recommendations to the Governor and the Legislature. Recommendation Five outlined several ways to invest in maintenance, preservation, and improvement of the entire transportation system so that transportation benchmarks can be achieved.

Cutting pavement is often required to repair water, gas, power and telephone lines. The commission found that open cuts in pavement compromise the structural integrity of roads and contribute to traffic congestion. The commission also 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 Washington State Department of Transportation (WSDOT) is encouraged to develop a joint trenching policy so that all companies who require access to ground under the roadway may do so at one time.

Applications for highway franchises must include the identification of all jurisdictions affected by the franchise and the names of other franchisees who should receive notice of the franchise application. A person constructing or operating a utility on a state highway is liable to the state for all necessary expenses incurred in the process used to restore the highway

pavement to a suitable condition for travel. Franchise holders are also financially responsible to 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.