
SENATE BILL 5750

State of Washington

57th Legislature

2001 Regular Session

By Senators Horn, Oke, Winsley, Haugen and Kastama; by request of The Blue Ribbon Commission on Transportation

Read first time 02/01/2001. Referred to Committee on Transportation.

1 AN ACT Relating to advance right-of-way acquisition; and adding new
2 sections to chapter 47.26 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.26 RCW
5 to read as follows:

6 The term "advance right-of-way acquisition" as used in this chapter
7 means the acquisition of property and property rights, generally not
8 more than ten years in advance of programmed roadway construction
9 projects, together with the engineering costs necessary for the advance
10 right-of-way acquisition. Property or property rights purchased must
11 be in designated arterial transportation corridors as established in
12 RCW 47.26.090 and be for projects approved by the transportation
13 improvement board or the county road administration board as part of a
14 city or county six-year plan or program.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.26 RCW
16 to read as follows:

17 The city and county advance right-of-way revolving fund is created
18 in the custody of the treasurer. The transportation improvement board

1 is the administrator of the fund and may deposit directly and spend
2 without appropriation:

3 (1) An initial deposit of five million dollars from the motor
4 vehicle fund included in the transportation improvement board's 2001-
5 2003 budget;

6 (2) Any federal moneys available for acquisition of right-of-way
7 for future construction.

8 The board shall distribute the funds to cities and counties
9 approved for advance right-of-way acquisition funding. The board shall
10 adopt reasonable rules and develop policies to implement this program.
11 Funding distributions are subject to RCW 47.26.270.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.26 RCW
13 to read as follows:

14 (1) After any properties or property rights are acquired through
15 funds in the city and county advance right-of-way revolving fund, the
16 acquiring city or county is responsible for the management of the
17 properties in accordance with sound business practices and shall
18 provide annual status reports to the board. Funds received by the city
19 or county from the interim management of the properties must be
20 deposited into the city and county advance right-of-way revolving fund.

21 (2) When the city or county proceeds with the construction of an
22 arterial project that will require the use of any of the property so
23 acquired, the city or county shall reimburse the city and county
24 advance right-of-way revolving fund from other funds available to the
25 city or county. Project matching funds required by the board cannot be
26 credited against this reimbursement amount nor may any other funding
27 awarded by the board apply to this reimbursement. Reimbursement must
28 reflect the current appraised value of the property or property rights
29 required for the project together with damages caused to the remainder
30 by the acquisition after offsetting against all such compensation and
31 damages the special benefits, if any, accruing to the remainder by
32 reason of the arterial being constructed.

33 (3) When the city or county determines that any properties or
34 property rights acquired from funds in the city and county advance
35 right-of-way revolving fund will not be required for an arterial
36 construction project, the city or county may sell the property at fair
37 market value. All proceeds of the sale must be deposited in the city
38 and county advance right-of-way revolving fund.

1 (4) Deposits in the fund may be reexpended without further or
2 additional appropriations.

--- END ---