
SENATE BILL 6390

State of Washington 57th Legislature

2002 Regular Session

By Senators Benton, Horn, Hewitt, Oke, Parlette, Long, Hochstatter, Hale, Swecker, Stevens, Roach, Johnson, Honeyford and McCaslin

Read first time 01/16/2002. Referred to Committee on Transportation.

1 AN ACT Relating to safety rest areas; and adding a new section to
2 chapter 47.38 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 47.38 RCW
5 to read as follows:

6 (1) The department must adopt by rule a comprehensive program that
7 allows private entities to operate state-owned safety rest areas.

8 (2) The program to allow private entities to operate state-owned
9 safety rest areas must meet the following criteria:

10 (a) In addition to commercial services offered, privately operated
11 safety rest areas must also offer equivalent services, at no charge,
12 currently provided by state-operated safety rest areas;

13 (b) The department must lease the rights to operate safety rest
14 areas for a commercially reasonable period of time, but no longer than
15 twenty years;

16 (c) The department may lease the right to operate either individual
17 safety rest areas, or groups of safety rest areas, or both, to a
18 private entity;

1 (d) Before entering into a lease with an entity, the department
2 must contact food or beverage retailers, restaurants, grocery and
3 convenience stores, lodging, and service station businesses within one
4 mile from the highway exits immediately before and after the rest stop
5 location, in each direction of traffic, and allow these businesses an
6 opportunity to bid or otherwise negotiate with the department to
7 operate the facility. If no business responds with a reasonable bid or
8 offer within sixty days, the department must open up the bid or
9 negotiation process to all interested entities;

10 (e) The department must take all necessary action to ensure the
11 most favorable lease rates for the state, whether by bid or other
12 reasonable manner, and to require the lessee to enter into any other
13 contract or agreement to protect the state and its citizens from
14 commercial harm or other type of harm; and

15 (f) A lease must allow a nonprofit organization that had previously
16 conducted fund-raising activities on the premises to continue such
17 activities. Alternatively, at the election of the nonprofit
18 organizations, one percent of gross sales must be divided between all
19 of the nonprofit organizations that had conducted fund-raising
20 activities on the premises within the twenty-four months prior to the
21 effective date of the lease. Payments must be calculated and paid
22 every six months on a pro rata basis, whereby each nonprofit
23 organization is entitled to a share of the sales equal to the
24 percentage of time that organization actually spent working on the
25 premises relative to any other nonprofit organization that also
26 conducted fund-raising activities on the premises for the twenty-four
27 months prior to the effective date of the lease.

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