
Transportation Committee

HJM 4001

Brief Description: Requesting a federal waiver to allow private rest areas.

Sponsors: Representatives Nixon, Mielke, Benson and Woods.

Brief Summary of Bill

- Requests the United States Department of Transportation to issue a waiver to the Washington State Department of Transportation, from any federal regulations prohibiting private or nonprofit entities from operating safety rest areas.

Hearing Date: 2/6/03

Staff: Reema Griffith (786-7301).

Background:

During the 1960's, the federal government provided significant funding for the construction of safety rest areas as part of the interstate system in Washington State. With the use of the federal funds came many restrictions via federal law, prohibiting: co-location of commercial activities; dispensing of petroleum products or motor vehicle replacement parts; charging for goods and services except telephones and vending machines; direct private access to fully controlled limited access highways; and allowing access to neighboring parcels of land through a break in the rest area right of way. Federal law also requires that priority be given to vending machines operated by the Department of Services for the Blind, which is the state counterpart to the Federal Randolph-Shepard Act.

Because of these limitations, the Washington State Department of Transportation cannot legally allow private or nonprofit entities to operate state safety rest areas without first either receiving a waiver from the federal government, from these restrictions, or getting a federal law change to allow for privatization. Absent one of these options occurring, the state would be held liable for reimbursing the federal government in the amount of the property's current fair market value.

Summary of Bill:

Requests the United States Department of Transportation to issue a waiver to the Washington State Department of Transportation, from any federal regulations prohibiting private or nonprofit entities from operating safety rest areas.

Appropriation: None.

Fiscal Note: Not Requested.