
**Technology, Telecommunications
& Energy Committee**

SB 5959

Brief Description: Providing access permits for the deployment of personal wireless facilities off limited access highways.

Sponsors: Senators Esser, Poulsen, Schmidt, Eide, Stevens, T. Sheldon, Reardon and Finkbeiner.

Brief Summary of Bill

- Requires the Department of Transportation to issue permits which allow access from partially controlled limited access highways for the installation and maintenance of wireless telecommunication equipment.

Hearing Date: 3/26/03

Staff: Matt Cooper (786-7106).

Background:

The Department of Transportation (Department) has established classifications for different types of highways. The Department has established controlled access to some highways to limit congestion and encourage the smooth flow of traffic. *Partially controlled limited access highways* are state highways where access from adjacent private property is restricted so as to give preference to traffic flow on the highway.

The Department must approve a permit before any access point onto a controlled access highway may be constructed. Access to and from private residential property may be limited to right-hand turns only. Commercial access points are limited to frontage roads or major intersections. The usage of an access point must be consistent with the purpose of the permit. Commercial access is not allowed from access points originally permitted for residential usage.

Wireless telecommunications companies occasionally lease private land adjacent to partially controlled limited access highways for the installation of telecommunications facilities. A telecommunications company must obtain a commercial permit to allow access to leased

property adjacent to these highways.

Summary of Bill:

The Legislature declares that establishing wireless telecommunications service is a critical part of the state's infrastructure which is necessary to ensure public safety, network access, quality of service, and rural economic development.

The Department of Transportation must authorize permits for access points which allow telecommunications companies to access telecommunications sites from partially controlled limited access highways. The annual permit may cost no more than \$500 per year and may be terminated with 180 days notice.

Permits may be assigned to a contractor or subcontractor and may be transferred if the permit holder is sold to or merged with another company.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.