

SENATE BILL REPORT

SB 5218

As of February 9, 2011

Title: An act relating to commercial activity at state-owned safety rest areas.

Brief Description: Authorizing certain commercial activity at state-owned safety rest areas.

Sponsors: Senators Shin, Rockefeller, Sheldon, Haugen, Delvin, Harper and McAuliffe.

Brief History:

Committee Activity: Transportation: 1/24/11.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Amanda Cecil (786-7429)

Background: Commercial activity at safety rest areas, that are part of the interstate system and the national highway system, is limited by federal law and generally is only allowed to include pay telephones and articles dispensed by vending machine. Federal law also requires that priority for vending machine contracts be given to blind persons.

There are currently 47 safety rest areas in the state. Of those there are five that are not part of the interstate system or national highway system. These include:

- Blue Lake located on State Route 17 at mile post 89;
- Keller Ferry located on State Route 21 at mile post 106;
- Vernita located on State Route 24 at mile post 43;
- Forest Learning Center located on State Route 504 at mile post 33;
- Travelers Rest located on State Route 906 at mile post 1.

Summary of Bill: To the extent permitted under federal law, Washington State Department of Transportation (WSDOT) may enter into leases with private businesses to allow commercial activity at safety rest areas. The commercial activity can include food or beverage retailers, restaurants, grocery and convenience stores, lodging, and service stations. Before entering into a lease, WSDOT must contact businesses within one mile from the highway exits before and after the safety rest area and allow them an absolute right of first refusal. The department must also ensure the most favorable lease rates for the state. Additionally, any lease must not interfere with any nonprofit organization that was previously conducting fundraising activities.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Funding is in short supply and the state is looking for any place to cut costs possibly to include closing safety rest areas. This could allow the state to keep existing rest areas open and possibly generate revenue for the state.

CON: This bill provides unfair competition to established businesses that are in the surrounding area. It would also negatively impact vending services currently offered by the blind.

OTHER: This is a good idea to the extent that business allowed to operate at rest areas provide services that benefit the traveling public.

Persons Testifying: PRO: Patrick Connor, National Federation of Independent Business; Amber Carter, Association of Washington Business.

CON: David Ducharme, Washington Oil Marketers Association; Denise Colley, Washington Council for the Blind; Gloria Walling, Blind Vendors.

OTHER: Dave Overstreet, AAA.