
SENATE BILL 5218

State of Washington

62nd Legislature

2011 Regular Session

By Senators Shin, Rockefeller, Sheldon, Haugen, Delvin, Harper, and McAuliffe

Read first time 01/18/11. Referred to Committee on Transportation.

1 AN ACT Relating to commercial activity at state-owned safety rest
2 areas; and adding a new section to 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) To the extent permitted under federal programs, rules, or law,
7 the department may enter into a lease with private entities allowing
8 them to operate food or beverage retailers, restaurants, grocery and
9 convenience stores, service station businesses, or other private
10 enterprises that are of benefit to the traveling public at state-owned
11 safety rest areas.

12 (2) Before entering into a lease with an entity, the department
13 must contact food or beverage retailers, restaurants, grocery and
14 convenience stores, lodging, and service station businesses within one
15 mile from the highway exits immediately before and after the safety
16 rest area location, in each direction of traffic, and allow these
17 businesses an absolute right of first refusal. If these businesses do
18 not respond with a reasonable bid or offer within sixty days of the

1 initial contact, the department must open up the bid or negotiation
2 process to all interested entities.

3 (3) The department must take all necessary action to ensure the
4 most favorable lease rates for the state, whether by bid or other
5 reasonable manner, and to require the lessee to enter into any other
6 contract or agreement to protect the state and its citizens from
7 commercial harm or other type of harm.

8 (4) A lease must allow a nonprofit organization that had previously
9 conducted fund-raising activities on the safety rest area premises to
10 continue such activities. The department must reach an agreement with
11 the department of services for the blind ensuring that any activities
12 at safety rest areas do not materially affect the revenues forecasted
13 from their vending operations at each safety rest area.

14 (5) The department may adopt and enforce such reasonable rules that
15 are consistent with and necessary to carry out this section.

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