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HOUSE BILL 1954

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Morris, Harmsworth, DeBolt, Tarleton, Santos,  
Smith, and Slatter

Read first time 02/06/17.      Referred to Committee on Technology &  
Economic Development.

1            AN ACT Relating to utility relocation costs; and amending RCW  
2      81.112.100.

3      BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.**    RCW 81.112.100 and 1992 c 101 s 10 are each amended to  
5      read as follows:

6            (1) An authority shall have and exercise all rights with respect  
7      to the construction, acquisition, maintenance, operation, extension,  
8      alteration, repair, control and management of high capacity  
9      transportation system facilities that are identified in the system  
10     plan developed pursuant to RCW 81.104.100 that any city, county,  
11     county transportation authority, metropolitan municipal corporation,  
12     or public transportation benefit area within the authority boundary  
13     has been previously empowered to exercise and such powers shall not  
14     thereafter be exercised by such agencies without the consent of the  
15     authority. Nothing in this chapter shall restrict development,  
16     construction, or operation of a personal rapid transit system by a  
17     city or county.

18           (2) If utility facilities must be removed or relocated as a  
19     result of the construction, alteration, repair, or improvement of a  
20     rail fixed guideway system as defined in RCW 81.104.015, the costs of  
21     the removal or relocation must be included in the costs of the system

1 and paid by the authority. However, any additional costs associated  
2 with the upgrade of any existing utility facility that the utility  
3 elects to undertake must be paid by the utility. The authority and  
4 each affected utility shall negotiate on the engineering, design, and  
5 route selection of the system in order to minimize costs and  
6 disruption of services related to the relocation of utility  
7 facilities. For purposes of this subsection, "utility facilities"  
8 include cable television, gas, electric, and telecommunications  
9 facilities.

10 (3) If there is a dispute over costs, the costs must be submitted  
11 to an independent auditor agreed to by the parties. That auditor must  
12 determine if the costs were accurate and the auditor's decision is  
13 final. The cost of the auditor must be paid by the party requesting  
14 the audit.

15 (4) An authority may adopt, in whole or in part, and may  
16 complete, modify, or terminate any planning, environmental review, or  
17 procurement processes related to the high capacity transportation  
18 system that had been commenced by a joint regional policy committee  
19 or a city, county, county transportation authority, metropolitan  
20 municipality, or public transportation benefit area prior to the  
21 formation of the authority.

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