

# FINAL BILL REPORT

## SB 5505

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Synopsis as Enacted

**Brief Description:** Addressing the use of local stormwater charges paid by the department of transportation.

**Sponsors:** Senators Hobbs, King and Fortunato.

**Senate Committee on Transportation**  
**House Committee on Transportation**

**Background:** The Department of Transportation (DOT) designs and constructs stormwater control facilities for their state highway right-of-ways that collect and transport excess rain water off-site to a river or stream while filtering the water and controlling the flow to prevent flooding. DOT must manage stormwater discharges for state highways, rest areas, and other transportation facilities according to National Pollutant Discharge Elimination System standards administered in Washington by the Department of Ecology. Not all of the runoff from state highways is pre-treated by the stormwater control facilities, and some may end up in a local government utility system comingled with non-DOT runoff.

Since 2014, the statute has allowed local government utilities to use the fees charged to DOT for stormwater control regardless of whether the runoff impacts are directly related to state highways. The rate charged to DOT for stormwater treatment may not exceed 30 percent of the rate for comparable real property, and may not be greater than the rate charged to comparable city and county roads. DOT and a local government utility may also agree to a higher or lower rate.

**Summary:** Local government utilities are directed to use DOT stormwater fees solely for stormwater control facilities or best management practices that directly reduce state highway runoff impacts. The local government utilities must provide an expenditure plan for the upcoming year and progress report for the prior year before January 1st each year, beginning in 2020, in order to receive DOT's stormwater fees.

**Votes on Final Passage:**

Senate	45	2
House	68	30

**Effective:** July 28, 2019

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*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.*