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HOUSE BILL 1457

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State of Washington

67th Legislature

2021 Regular Session

By Representatives Wylie, Riccelli, Kloba, Santos, Slatter, Shewmake, Ramel, and Hackney

Read first time 02/02/21. Referred to Committee on Transportation.

1 AN ACT Relating to facilitating the installation of broadband  
2 facilities on limited access highways; amending RCW 47.52.001; and  
3 creating a new section.

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

5 **Sec. 1.** RCW 47.52.001 and 2004 c 131 s 1 are each amended to  
6 read as follows:

7 (1) Unrestricted access to and from public highways has resulted  
8 in congestion and peril for the traveler. It has caused undue slowing  
9 of all traffic in many areas. The investment of the public in highway  
10 facilities has been impaired and highway facilities costing vast sums  
11 of money will have to be relocated and reconstructed.

12 (2) (~~Personal wireless service~~) Broadband, which includes a  
13 range of high-speed transmission technologies, including fiber optic  
14 lines and personal wireless service facilities, is a critical part of  
15 the state's infrastructure. The rapid deployment of (~~personal~~  
16 ~~wireless service~~) broadband facilities is critical to ensure public  
17 safety, network access, quality of service, and rural economic  
18 development.

19 (3) It is, therefore, the declared policy of this state to limit  
20 access to the highway facilities of this state in the interest of  
21 highway safety and for the preservation of the investment of the

1 public in such facilities, and to (~~assure~~) ensure that the use of  
2 rights-of-way of limited access facilities accommodate the deployment  
3 of (~~personal wireless service~~) broadband facilities consistent with  
4 these interests. In furtherance of this policy, the department is  
5 directed to adopt and maintain an agency policy that requires the  
6 department to proactively provide broadband facility owners with  
7 information about planned limited access highway projects to enable  
8 collaboration between broadband facility owners and the department to  
9 identify opportunities for the installation of broadband facilities  
10 during the appropriate phase of these projects when such  
11 opportunities exist. Coordination between the department and  
12 broadband facilities under this section must comply with applicable  
13 state and federal law including, but not limited to, chapter 47.44  
14 RCW and RCW 47.04.045.

15 NEW SECTION. Sec. 2. (1) Subject to the availability of amounts  
16 appropriated for this specific purpose in the omnibus transportation  
17 appropriations act, the joint transportation committee shall oversee  
18 a consultant study to recommend:

19 (a) An effective department of transportation strategy, and  
20 specific limited access highway corridors, that could be used to  
21 address missing fiber connections and inadequate broadband service in  
22 parts of the state underserved by broadband facilities;

23 (b) The most promising planning and financing tools that could be  
24 used by the department of transportation to provide the state with  
25 greater ability to install conduit in anticipation of future  
26 broadband fiber occupancy by others;

27 (c) Opportunities for mutually beneficial partnerships between  
28 the department of transportation and broadband service providers that  
29 could provide broadband services for transportation purposes such as  
30 intelligent transportation systems, cooperative automated  
31 transportation/autonomous vehicles, transportation demand management,  
32 and highway maintenance activities; and

33 (d) Strategies for the mitigation of potential safety,  
34 operations, and preservation impacts to transportation related to the  
35 recommendations made in (a) through (c) of this subsection.

36 (2) The study must also include an examination of any state and  
37 federal laws and regulations that could prevent or limit the  
38 implementation of these recommendations, as well as recommendations  
39 for modifications to the applicable state laws and regulations.

1           (3) The joint transportation committee shall consult with the  
2 department of transportation, the Washington statewide broadband  
3 office, and other state agencies and local jurisdictions, as  
4 necessary, during development of the study's recommendations to  
5 ensure the relevance and applicability of the recommendations to the  
6 state.

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