
HOUSE BILL 2491

State of Washington

68th Legislature

2024 Regular Session

By Representative Fey

Read first time 02/01/24. Referred to Committee on Transportation.

1 AN ACT Relating to modifying allowable terms for the lease of
2 unused highway land; and amending RCW 47.12.120.

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

4 **Sec. 1.** RCW 47.12.120 and 2022 c 59 s 1 are each amended to read
5 as follows:

6 (1) The department may rent or lease any lands, improvements, or
7 air space above or below any lands that are held for highway purposes
8 but are not presently needed. The rental or lease:

9 ~~((1))~~ (a) Must be upon such terms and conditions as the
10 department may determine;

11 ~~((2))~~ (b) Is subject to the provisions and requirements of
12 zoning ordinances of political subdivisions of government;

13 ~~((3))~~ (c) Includes lands used or to be used for both limited
14 access and conventional highways that otherwise meet the requirements
15 of this section;

16 ~~((4))~~ (d) In the case of bus shelters provided by a local
17 transit authority that include commercial advertising, may charge the
18 transit authority only for commercial space; ~~(and~~

19 ~~(5))~~ (e) In the case of the project for community purposes
20 established in RCW 47.12.380, must be consistent with the provisions
21 of that section; and

1 (f) In the case of a public agency or a community-based nonprofit
2 organization using the property to serve community purposes, at the
3 department's discretion, the economic rent due may be offset for
4 social, environmental, or economic benefits provided by the lessee.

5 (2) For the purposes of this section, "community purposes"
6 involves use of the property to provide:

7 (a) Housing and ancillary improvements;

8 (b) Parks;

9 (c) Enhanced public spaces; or

10 (d) Public recreation.

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