
SENATE BILL 5581

State of Washington

69th Legislature

2025 Regular Session

By Senators Shewmake, Lias, Nobles, and Valdez

Read first time 01/30/25. Referred to Committee on Transportation.

1 AN ACT Relating to implementing safe system approach strategies
2 for active transportation infrastructure; amending RCW 47.30.010,
3 47.30.020, 47.30.030, 47.30.040, 46.04.160, 46.04.220, 46.61.135,
4 46.61.140, 47.04.035, 47.04.300, 47.04.380, and 47.04.430; reenacting
5 and amending RCW 47.04.010; adding a new section to chapter 46.04
6 RCW; creating a new section; and repealing RCW 46.04.118.

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

8 **PART I**
9 **TRAILS AND SHARED-USE PATH FACILITIES**

10 NEW SECTION. **Sec. 101.** It is the intent of the legislature to
11 support a complete and comprehensive active transportation network,
12 including shared-use paths and other appropriate facilities that
13 cross jurisdictional boundaries, to promote safety, health and
14 welfare, economic vitality, social connection, and environmental
15 benefits for all Washingtonians. This declaration supports the
16 transportation system policy goals in RCW 47.04.280, vehicle miles
17 traveled reduction goals in RCW 47.01.440, greenhouse gas emissions
18 reduction goals in RCW 70A.45.020, and other statewide policy goals.
19 The department of transportation may expend reasonable amounts made
20 available from funds received under RCW 46.68.090 as necessary for

1 the planning, design, construction, operation, and maintenance of
2 active transportation facilities.

3 **Sec. 102.** RCW 47.30.010 and 1971 ex.s. c 130 s 1 are each
4 amended to read as follows:

5 (1) No limited access highway shall be constructed that will
6 result in the severance or destruction of an existing recreational
7 trail ~~((of substantial usage))~~ for pedestrians, equestrians, or
8 bicyclists, or shared-use path as defined in RCW 47.04.010, unless an
9 alternative recreational trail or shared-use path, satisfactory to
10 the authority having jurisdiction over the trail or shared-use path
11 being severed or destroyed, either exists or is reestablished at the
12 time the limited access highway is constructed. If a proposed limited
13 access highway will sever a planned recreational trail or shared-use
14 path, which is part of ~~((a comprehensive))~~ an active transportation
15 or trails plan ~~((for trails))~~ adopted by a state or local
16 governmental authority, and no alternative route for the planned
17 trail or shared-use path exists, which is satisfactory to the
18 authority which adopted the ~~((comprehensive))~~ plan ~~((for trails)),~~
19 the state or local agency proposing to construct the limited access
20 highway shall design the facility and acquire sufficient right-of-way
21 to accommodate future construction of the portion of the trail or
22 shared-use path, which will properly lie within the highway right-of-
23 way. Thereafter when such trail or shared-use path is developed and
24 constructed by the authority having jurisdiction over the trail or
25 shared-use path, the state or local agency ~~((which))~~ that constructed
26 the limited access highway shall develop and construct the portion of
27 such trail or shared-use path lying within the right-of-way of the
28 limited access highway.

29 (2) Where a highway other than a limited access highway crosses a
30 recreational trail ~~((of substantial usage))~~ or shared-use path for
31 pedestrians, equestrians, or bicyclists, signing and consideration
32 for use of traffic control devices sufficient to ~~((insure))~~ promote
33 safety shall be provided.

34 (3) Where the construction or reconstruction of a highway other
35 than a limited access highway would destroy the usefulness of an
36 existing recreational trail ~~((of substantial usage))~~ or shared-use
37 path for pedestrians, equestrians, or bicyclists or of a planned
38 recreational trail or shared-use path for pedestrians, equestrians,
39 or bicyclists incorporated into the ~~((comprehensive))~~ adopted plans

1 for trails or active transportation of the state or any of its
2 political subdivisions, replacement land, space, or facilities shall
3 be provided and where such recreational trails or shared-use paths
4 exist at the time of taking, reconstruction of said recreational
5 trails or shared-use paths shall be undertaken.

6 **Sec. 103.** RCW 47.30.020 and 1971 ex.s. c 130 s 2 are each
7 amended to read as follows:

8 Facilities for pedestrians, equestrians, or bicyclists shall be
9 incorporated into the design of highways and freeways along corridors
10 where such facilities do not exist upon a finding that such
11 facilities would be of joint use and conform to the ((~~comprehensive~~))
12 adopted plans of public agencies for the development of such
13 facilities, will ((~~not duplicate~~)) provide connections to existing or
14 proposed routes, and that safety to both motorists and to
15 pedestrians, equestrians, and bicyclists would be enhanced by the
16 segregation of traffic.

17 In planning and design of all highways, every effort shall be
18 made consistent with safety to promote joint usage of rights-of-way
19 for trails and paths in accordance with the ((~~comprehensive~~)) adopted
20 plans of public agencies.

21 **Sec. 104.** RCW 47.30.030 and 1999 c 269 s 10 are each amended to
22 read as follows:

23 Where an existing highway severs, or where the right-of-way of an
24 existing highway accommodates a trail or shared-use path for
25 pedestrians, equestrians, or bicyclists or where the separation of
26 motor vehicle traffic from pedestrians, equestrians, or bicyclists
27 will materially increase the ((~~motor vehicle~~)) safety of users of all
28 modes of travel, the provision of facilities for pedestrians,
29 equestrians, or bicyclists, which are a part of a ((~~comprehensive~~))
30 trail or active transportation plan adopted by federal, state, or
31 local governmental authority having jurisdiction over the trail or
32 shared-use path is hereby authorized. The department of
33 transportation, or the county or city having jurisdiction over the
34 highway, road, or street, or facility is further authorized to expend
35 reasonable amounts out of the funds made available to them, according
36 to the provisions of RCW 46.68.090, as necessary for the planning,
37 accommodation, establishment, and maintenance of such facilities.

1 the highway at the nearest and farthest edges of the opening, not to
2 exceed a distance of 50 feet from the intersection area; or

3 (b) In the absence of an opening in a raised median, or if no
4 raised median is present, the portion of the roadway between a line
5 perpendicular to the center line of the highway located 20 feet from
6 the outermost point of the intersection area where it intersects the
7 center line of the highway and a line 10 feet therefrom.

8 **Sec. 203.** RCW 46.04.220 and 1975 c 62 s 4 are each amended to
9 read as follows:

10 (1) "Intersection area" means the area embraced within the
11 prolongation or connection of the lateral curb lines, or, if none
12 then the lateral boundary lines of the roadways of two or more
13 highways which join one another at, or approximately at, right
14 angles, or the area within which vehicles traveling upon different
15 highways joining at any other angle may come in conflict. In the
16 context of a roundabout, "intersection area" means the area embraced
17 within the prolongation or connection along a circular arc of the
18 outer curb lines within the roundabout, or, if there are no outer
19 curb lines, the outer boundary lines of the one-way traffic lane or
20 lanes that pass around the central island.

21 (2) Where a highway includes two roadways (~~(thirty)~~) 30 feet or
22 more apart, then every crossing of each roadway of such divided
23 highway by an intersecting highway shall be regarded as a separate
24 intersection. In the event such intersecting highway also includes
25 two roadways (~~(thirty)~~) 30 feet or more apart, then every crossing of
26 two roadways of such highways shall be regarded as a separate
27 intersection.

28 (3) The junction of an alley with a street or highway shall not
29 constitute an intersection.

30 **Sec. 204.** RCW 47.04.010 and 2023 c 431 s 11 are each reenacted
31 and amended to read as follows:

32 The following words and phrases, wherever used in this title,
33 shall have the meaning as in this section ascribed to them, unless
34 where used the context thereof shall clearly indicate to the contrary
35 or unless otherwise defined in the chapter of which they are a part:

36 (1) "Active transportation" includes forms of pedestrian mobility
37 including walking or running, the use of a mobility assistive device
38 such as a wheelchair, bicycling and cycling irrespective of the

1 number of wheels, and the use of small personal devices such as foot
2 scooters or skateboards. Active transportation includes both
3 traditional and electric-assisted bicycles and other devices.
4 Planning for active transportation must consider and address
5 accommodation pursuant to the Americans with disabilities act and the
6 distinct needs of each form of active transportation;

7 (2) "Alley." A highway within the ordinary meaning of alley not
8 designated for general travel and primarily used as a means of access
9 to the rear of residences and business establishments;

10 (3) "Arterial highway." Every highway, as herein defined, or
11 portion thereof designated as such by proper authority;

12 (4) "Business district." The territory contiguous to and
13 including a highway, as herein defined, when within any 600 feet
14 along such highway there are buildings in use for business or
15 industrial purposes including, but not limited to, hotels, banks, or
16 office buildings, railroad stations, and public buildings which
17 occupy at least 300 feet of frontage on one side or 300 feet
18 collectively on both sides of the highway;

19 (5) "Center line." The line, marked or unmarked parallel to and
20 equidistant from the sides of a two-way traffic roadway of a highway
21 except where otherwise indicated by painted lines or markers;

22 (6) "Center of intersection." The point of intersection of the
23 center lines of the roadways of intersecting highways;

24 (7) "City street." Every highway as herein defined, or part
25 thereof located within the limits of incorporated cities and towns,
26 except alleys;

27 (8) "Combination of vehicles." Every combination of motor vehicle
28 and motor vehicle, motor vehicle and trailer, or motor vehicle and
29 semitrailer;

30 (9) "Commercial vehicle." Any vehicle the principal use of which
31 is the transportation of commodities, merchandise, produce, freight,
32 animals, or passengers for hire;

33 (10) "Complete streets" means an approach to planning, designing,
34 building, operating, and maintaining streets that enable safe access
35 along and across the street for all people, including pedestrians,
36 bicyclists, motorists, and transit riders of all ages and abilities.
37 It incorporates principles of a safe system approach;

38 (11) "County road." Every highway as herein defined, or part
39 thereof, outside the limits of incorporated cities and towns and
40 which has not been designated as a state highway, or branch thereof;

1 (12) "Crosswalk." The portion of the roadway between the
2 intersection area and a prolongation or connection of the farthest
3 sidewalk line or in the event there are no sidewalks then between the
4 intersection area and a line (~~(ten)~~) 10 feet therefrom, except as
5 modified by a marked crosswalk. In the context of a roundabout, and
6 except as modified by a marked crosswalk, "crosswalk" also means the
7 following portion of the roadway:

8 (a) Where an opening in a raised median is present, the portion
9 of the highway between two lines perpendicular to the center line of
10 the highway at the nearest and farthest edges of an opening in a
11 raised median island if present, not to exceed a distance of 50 feet
12 from the intersection area.

13 (b) In the absence of an opening in a raised median, or if no
14 raised median is present, the portion of the roadway between a line
15 perpendicular to the center line of the highway located 20 feet from
16 the outermost point of the intersection area where it intersects the
17 center line of the highway and a line 10 feet therefrom;

18 (13) "Highway." Every way, lane, road, street, boulevard, and
19 every way or place in the state of Washington open as a matter of
20 right to public vehicular travel both inside and outside the limits
21 of incorporated cities and towns;

22 (14) "Intersection area." (a) The area embraced within the
23 prolongation or connection of the lateral curb lines, or, if none,
24 then the lateral boundary lines of the roadways of two or more
25 highways which join one another at, or approximately at, right
26 angles, or the area within which vehicles traveling upon different
27 highways joining at any other angle may come in conflict;

28 (b) In the context of a roundabout, the area embraced within the
29 prolongation or connection along a circular arc of the outer curb
30 lines within the roundabout, or, if there are no outer curb lines,
31 the outer boundary lines of the one-way traffic lane or lanes that
32 pass around the central island;

33 (c) Where a highway includes two roadways 30 feet or more apart,
34 then every crossing of each roadway of such divided highway by an
35 intersecting highway shall be regarded as a separate intersection. In
36 the event such intersecting highway also includes two roadways 30
37 feet or more apart, then every crossing of two roadways of such
38 highways shall be regarded as a separate intersection;

39 (~~(e)~~) (d) The junction of an alley with a street or highway
40 shall not constitute an intersection;

- 1 (15) "Intersection control area." The intersection area as herein
2 defined, together with such modification of the adjacent roadway area
3 as results from the arc or curb corners and together with any marked
4 or unmarked crosswalks adjacent to the intersection;
- 5 (16) "Laned highway." A highway the roadway of which is divided
6 into clearly marked lanes for vehicular traffic;
- 7 (17) "Local authorities." Every county, municipal, or other local
8 public board or body having authority to adopt local police
9 regulations under the Constitution and laws of this state;
- 10 (18) "Marked crosswalk." Any portion of a roadway distinctly
11 indicated for pedestrian crossing by lines or other markings on the
12 surface thereof;
- 13 (19) "Metal tire." Every tire, the bearing surface of which in
14 contact with the highway is wholly or partly of metal or other hard,
15 nonresilient material;
- 16 (20) "Motor truck." Any motor vehicle, as herein defined,
17 designed or used for the transportation of commodities, merchandise,
18 produce, freight, or animals;
- 19 (21) "Motor vehicle." Every vehicle, as herein defined, which is
20 in itself a self-propelled unit;
- 21 (22) "Multiple lane highway." Any highway the roadway of which is
22 of sufficient width to reasonably accommodate two or more separate
23 lanes of vehicular traffic in the same direction, each lane of which
24 shall be not less than the maximum legal vehicle width, and whether
25 or not such lanes are marked;
- 26 (23) "Operator." Every person who drives or is in actual physical
27 control of a vehicle as herein defined;
- 28 (24) "Peace officer." Any officer authorized by law to execute
29 criminal process or to make arrests for the violation of the statutes
30 generally or of any particular statute or statutes relative to the
31 highways of this state;
- 32 (25) "Pedestrian." Any person afoot or who is using a wheelchair,
33 power wheelchair as defined in RCW 46.04.415, or a means of
34 conveyance propelled by human power other than a bicycle;
- 35 (26) "Person." Every natural person, firm, copartnership,
36 corporation, association, or organization;
- 37 (27) "Personal wireless service." Any federally licensed personal
38 wireless service;
- 39 (28) "Personal wireless service facilities." Unstaffed facilities
40 that are used for the transmission or reception, or both, of personal

1 wireless services including, but not necessarily limited to, antenna
2 arrays, transmission cables, equipment shelters, and support
3 structures;

4 (29) "Pneumatic tires." Every tire of rubber or other resilient
5 material designed to be inflated with compressed air to support the
6 load thereon;

7 (30) "Population center" includes incorporated cities and towns,
8 including their urban growth areas, and census-designated places;

9 (31) "Private road or driveway." Every way or place in private
10 ownership and used for travel of vehicles by the owner or those
11 having express or implied permission from the owner, but not by other
12 persons;

13 (32) "Railroad." A carrier of persons or property upon vehicles,
14 other than streetcars, operated upon stationary rails, the route of
15 which is principally outside incorporated cities and towns;

16 (33) "Railroad sign or signal." Any sign, signal, or device
17 erected by authority of a public body or official or by a railroad
18 and intended to give notice of the presence of railroad tracks or the
19 approach of a railroad train;

20 (34) "Residence district." The territory contiguous to and
21 including the highway, as herein defined, not comprising a business
22 district, as herein defined, when the property on such highway for a
23 continuous distance of 300 feet or more on either side thereof is in
24 the main improved with residences or residences and buildings in use
25 for business;

26 (35) "Roadway." The paved, improved, or proper driving portion of
27 a highway designed, or ordinarily used for vehicular travel;

28 (36) "Roundabout." An intersection of two or more joining
29 highways that is characterized by a one-way traffic pattern that
30 travels counterclockwise around a central island in accordance with
31 RCW 46.61.135 and in which traffic entering the intersection must
32 yield to circulating traffic within the intersection as indicated by
33 official traffic control devices. A roundabout, including the central
34 island, circulating traffic pattern, and all connections to joining
35 highways, is a single intersection of all joining highways;

36 (37) "Safe system approach" means an internationally recognized
37 holistic and proactive approach to road safety intended to
38 systematically reduce fatal and serious injury crash potential; as
39 described by the federal highway administration, the approach is
40 based on the following elements: Safe roads, safe speeds, safe

1 vehicles, safe road users, and postcrash care. The safe system
2 approach is incorporated through policies and practices of state
3 agencies and local governments with appropriate jurisdiction;

4 ~~((37))~~ (38) "Safety zone." The area or space officially set
5 apart within a roadway for the exclusive use of pedestrians and which
6 is protected or is marked or indicated by painted marks, signs,
7 buttons, standards, or otherwise so as to be plainly discernible;

8 ~~((38))~~ (39) "Shared-use path," also known as a "multiuse path,"
9 means a facility designed for active transportation use and
10 physically separated from motorized vehicular traffic within the
11 highway right-of-way or on an exclusive right-of-way with minimal
12 crossflow by motor vehicles. Shared-use paths are primarily used by
13 pedestrians and people using bicycles or micromobility devices,
14 including those who use nonmotorized or motorized wheeled mobility or
15 assistive devices. With appropriate design considerations,
16 equestrians may also be accommodated by a shared-use path facility;

17 ~~((39))~~ (40) "Sidewalk." That property between the curb lines or
18 the lateral lines of a roadway, as herein defined, and the adjacent
19 property, set aside and intended for the use of pedestrians or such
20 portion of private property parallel and in proximity to a highway
21 and dedicated to use by pedestrians;

22 ~~((40))~~ (41) "Solid tire." Every tire of rubber or other
23 resilient material which does not depend upon inflation with
24 compressed air for the support of the load thereon;

25 ~~((41))~~ (42) "State highway." Every highway as herein defined,
26 or part thereof, which has been designated as a state highway, or
27 branch thereof, by legislative enactment;

28 ~~((42))~~ (43) "Streetcar." A vehicle other than a train, as
29 herein defined, for the transporting of persons or property and
30 operated upon stationary rails principally within incorporated cities
31 and towns;

32 ~~((43))~~ (44) "Structurally deficient." A state bridge that is
33 classified as in poor condition under the state bridge condition
34 rating system and is reported by the state to the national bridge
35 inventory as having a deck, superstructure, or substructure rating of
36 four or below. Structurally deficient bridges are characterized by
37 deteriorated conditions of significant bridge elements and
38 potentially reduced load carrying capacity. Bridges deemed
39 structurally deficient typically require significant maintenance and

1 repair to remain in service, and require major rehabilitation or
2 replacement to address the underlying deficiency;

3 ~~((44))~~ (45) "Traffic." Pedestrians, ridden or herded animals,
4 vehicles, streetcars, and other conveyances either singly or together
5 while using any highways for purposes of travel;

6 ~~((45))~~ (46) "Traffic control signal." Any traffic device, as
7 herein defined, whether manually, electrically, or mechanically
8 operated, by which traffic alternately is directed to stop or proceed
9 or otherwise controlled;

10 ~~((46))~~ (47) "Traffic devices(~~(-)~~)" or "traffic control
11 devices." All signs, signals, markings, and devices not inconsistent
12 with this title placed or erected by authority of a public body or
13 official having jurisdiction, for the purpose of regulating, warning,
14 or guiding traffic;

15 ~~((47))~~ (48) "Train." A vehicle propelled by steam, electricity,
16 or other motive power with or without cars coupled thereto, operated
17 upon stationary rails, except streetcars;

18 ~~((48))~~ (49) "Vehicle." Every device capable of being moved upon
19 a highway and in, upon, or by which any person or property is or may
20 be transported or drawn upon a highway, excepting power wheelchairs,
21 as defined in RCW 46.04.415, or devices moved by human or animal
22 power or used exclusively upon stationary rails or tracks.

23 Words and phrases used herein in the past, present, or future
24 tense shall include the past, present, and future tenses; words and
25 phrases used herein in the masculine, feminine, or neuter gender
26 shall include the masculine, feminine, and neuter genders; and words
27 and phrases used herein in the singular or plural shall include the
28 singular and plural; unless the context thereof shall indicate to the
29 contrary.

30 **Sec. 205.** RCW 46.61.135 and 1984 c 7 s 64 are each amended to
31 read as follows:

32 (1) The state department of transportation and the local
33 authorities with respect to highways under their respective
34 jurisdictions may designate any highway, roadway, part of a roadway,
35 or specific lanes upon which vehicular traffic shall proceed in one
36 direction at all or such times as shall be indicated by official
37 traffic control devices.

1 (2) Upon a roadway so designated for one-way traffic, a vehicle
2 shall be driven only in the direction designated at all or such times
3 as shall be indicated by official traffic control devices.

4 (3) A vehicle passing around a roundabout or rotary traffic
5 island shall be driven only to the right of such island.

6 **Sec. 206.** RCW 46.61.140 and 2020 c 199 s 2 are each amended to
7 read as follows:

8 Whenever any roadway has been divided into two or more clearly
9 marked lanes for traffic the following rules in addition to all
10 others consistent herewith shall apply:

11 (1) A vehicle shall be driven as nearly as practicable entirely
12 within a single lane and shall not be moved from such lane until the
13 driver has first ascertained that such movement can be made with
14 safety.

15 (2) Upon a roadway, which is divided into three lanes and
16 provides for two-way movement of traffic, a vehicle shall not be
17 driven in the center lane except when overtaking and passing another
18 vehicle traveling in the same direction when such center lane is
19 clear of traffic within a safe distance, or in preparation for making
20 a left turn or where such center lane is at the time allocated
21 exclusively to traffic moving in the same direction that the vehicle
22 is proceeding and such allocation is designated by official traffic-
23 control devices.

24 (3) Official traffic-control devices may be erected directing
25 slow moving or other specified traffic to use a designated lane or
26 designating those lanes to be used by traffic moving in a particular
27 direction regardless of the center of the roadway and drivers of
28 vehicles shall obey the directions of every such device.

29 (4) Official traffic-control devices may be installed prohibiting
30 the changing of lanes on sections of roadway and drivers of vehicles
31 shall obey the directions of every such device.

32 (5) Pursuant to subsection (1) of this section, the operator of a
33 commercial motor vehicle as defined in RCW 46.25.010 may, with due
34 regard for all other traffic, deviate from the lane in which the
35 operator is driving to the extent necessary to approach and drive
36 through a (~~circular intersection~~) roundabout.

37 NEW SECTION. **Sec. 207.** RCW 46.04.118 (Circular intersection)
38 and 2020 c 199 s 1 are each repealed.

PART III
COMPLETE STREETS

Sec. 301. RCW 47.04.035 and 2022 c 182 s 418 are each amended to read as follows:

(1) In order to improve the safety, mobility, and accessibility of state highways, it is the intent of the legislature that the department must incorporate the principles of complete streets with facilities that provide street access with all users in mind, including pedestrians, bicyclists, and public transportation users, notwithstanding the provisions of RCW 47.24.020 concerning responsibility beyond the curb of state rights-of-way. As such, state transportation projects starting design on or after July 1, 2022, and that are \$500,000 or more, must:

(a) Identify those locations on state rights-of-way that do not have a complete and Americans with disabilities act accessible sidewalk or shared-use path, that do not have bicycle facilities in the form of a bike lane or adjacent parallel trail or shared-use path, that have such facilities on a state route within a population center that has a posted speed in excess of 30 miles per hour and no buffer or physical separation from vehicular traffic for pedestrians and bicyclists, and/or that have a design that hampers the ability of motorists to see a crossing pedestrian with sufficient time to stop given posted speed limits and roadway configuration;

(b) Consult with local jurisdictions to confirm ~~((existing))~~; Existing and planned active transportation connections along or across the location; any existing or planned active transportation facilities on local routes that provide access to the same destinations as the state route; identification of connections to existing and planned public transportation services, ferry landings, commuter and passenger rail, and airports; the existing and planned facility type(s) within the local jurisdiction that connect to the location; and the potential use of speed management techniques to minimize crash exposure and severity;

(c) Adjust the speed limit to a lower speed with appropriate modifications to roadway design and operations to achieve the desired operating speed in those locations where this speed management approach aligns with local plans or ordinances, particularly in those contexts that present a higher possibility of serious injury or fatal crashes occurring based on land use context, observed crash data,

1 crash potential, roadway characteristics that are likely to increase
2 exposure, or a combination thereof, in keeping with a safe system
3 approach and with the intention of ultimately eliminating serious and
4 fatal crashes; (~~and~~)

5 (d) Plan, design, and construct facilities providing context-
6 sensitive solutions that contribute to network connectivity and
7 safety for pedestrians, bicyclists, and people accessing public
8 transportation and other modal connections, such facilities to
9 include Americans with disabilities act accessible sidewalks or
10 shared-use paths, bicyclist facilities, and crossings as needed to
11 integrate the state route into the local network; and

12 (e) Identify any existing or planned active transportation
13 facility on publicly owned or tribally owned property. If the
14 department determines that such facility will provide equivalent or
15 better access to the same destinations, the department may, subject
16 to a cooperative agreement with the jurisdiction or tribe having
17 responsibility for that facility, identify that facility as an
18 appropriate active transportation network connection providing
19 mitigation in lieu of fulfillment of the complete streets requirement
20 on state rights-of-way. The following conditions must apply for such
21 an agreement to be considered:

22 (i) The facility is identified in an adopted local or tribal
23 active transportation plan, trails plan, or other relevant plan, or
24 community engagement specific to the corridor is undertaken that
25 engages users of the facility most directly impacted by the decisions
26 and that provides the basis for a future update to the local plan;

27 (ii) The facility considered as an alternative must meet or
28 exceed the department's standards for design in compliance with this
29 section;

30 (iii) The jurisdiction or tribe having responsibility for the
31 facility ensures the real property is free of encumbrances, including
32 utilities; and

33 (iv) The facility must provide equivalent or better safety
34 improvements in decreasing the exposure, likelihood, and severity of
35 crashes involving vulnerable road users.

36 (2)(a) If the cost of financial participation in construction or
37 improvements needed to meet the requirements of subsection (1)(e)(ii)
38 of this section is deemed reasonable by the department, and if use of
39 state funds does not supplant programmed funding previously committed
40 to the project, the department may use funds for the complete streets

1 project to participate in the project on the local or tribal system
2 and to construct and provide necessary wayfinding connections from
3 the state highway to the local or tribal facility. Upon completion of
4 the project, any improvements are the ongoing responsibility of the
5 local jurisdiction or tribe, which is responsible for maintaining the
6 quality of facilities identified in the agreement under subsection
7 (1)(e) of this section.

8 (b) The department may exercise the discretion provided under
9 this section only in circumstances where: Available state rights-of-
10 way do not reasonably permit construction of an adequate facility; an
11 appropriate facility exists or may be constructed within a local
12 jurisdiction or tribal lands within a timely manner; completion of or
13 connection to the local or tribal facility provides active
14 transportation connectivity sooner than completion of the state
15 highway project under consideration; or the local jurisdiction or
16 tribe has proposed such improvements as an alternative.

17 (c) Nothing in this section prevents the department from
18 considering future improvements within state rights-of-way in the
19 project vicinity.

20 (3) Projects undertaken for emergent work required to reopen a
21 state highway in the event of a natural disaster or other emergency
22 repair are not required to comply with the provisions of this
23 section.

24 ~~((3))~~ (4) Maintenance of facilities constructed under this
25 provision shall be as provided under existing law.

26 ~~((4))~~ (5) The department may expend reasonable amounts made
27 available from funds received under RCW 46.68.090 as necessary for
28 the planning, design, construction, operation, and maintenance of
29 active transportation facilities under this section. This may include
30 consideration of participation in local agency or tribal projects
31 involving state rights-of-way to satisfy complete streets design
32 requirements, subject to a cooperative agreement as described in
33 subsection (1)(e) of this section.

34 (6) This section does not create a private right of action.

35 (7) For purposes of this section, "tribe" or "tribal" means and
36 refers to Indian tribe as defined in RCW 43.376.010.

37 **Sec. 302.** RCW 47.04.300 and 2009 c 392 s 1 are each amended to
38 read as follows:

1 (1) Concurrent with the federal safe, accountable, flexible,
2 efficient transportation equity act of 2005, a safe routes to school
3 program is established within the department. The purpose of the
4 program is to:

5 ~~((1))~~ (a) Enable and encourage children, including those with
6 disabilities, to walk and bicycle to school;

7 ~~((2))~~ (b) Make bicycling and walking to school a safer and more
8 appealing transportation alternative, encouraging a healthy and
9 active lifestyle from an early age; and

10 ~~((3))~~ (c) Facilitate the planning, development, and
11 implementation of projects and activities that will improve safety
12 and reduce traffic, fuel consumption, and air pollution in the
13 vicinity of schools.

14 (2) The department may require recipients of funds under the safe
15 routes to school program to comply with the complete streets
16 requirements in RCW 47.04.035 for changes on state rights-of-way.

17 **Sec. 303.** RCW 47.04.380 and 2024 c 106 s 1 are each amended to
18 read as follows:

19 (1) The legislature finds that many communities across Washington
20 state have not equitably benefited from investments in the active
21 transportation network. The legislature also finds that legacy state
22 transportation facilities designed primarily for vehicle use caused
23 disconnections in safe routes for people who walk, bike, and roll to
24 work and to carry out other daily activities.

25 (2) To address these investment gaps, and to honor the legacy of
26 community advocacy of Sandy Williams, the Sandy Williams connecting
27 communities program is established within the department. The purpose
28 of the program is to improve active transportation connectivity in
29 communities by:

30 (a) Providing safe, continuous routes for pedestrians,
31 bicyclists, and other nonvehicle users carrying out their daily
32 activities;

33 (b) Mitigating for the health, safety, and access impacts of
34 transportation infrastructure that bisects communities and creates
35 obstacles in the local active transportation network;

36 (c) Investing in greenways providing protected routes for a wide
37 variety of nonvehicular users; and

1 (d) Facilitating the planning, development, and implementation of
2 projects and activities that will improve the connectivity and safety
3 of the active transportation network.

4 (3) The department must select projects to propose to the
5 legislature for funding. In selecting projects, the department must
6 consider, at a minimum, the following criteria:

7 (a) Access to a transit facility, community facility, commercial
8 center, or community-identified assets;

9 (b) The use of minority and women-owned businesses and community-
10 based organizations in planning, community engagement, design, and
11 construction of the project;

12 (c) Whether the project will serve:

13 (i) Overburdened communities as defined in RCW 70A.02.010 to mean
14 a geographic area where vulnerable populations face combined,
15 multiple environmental harms and health impacts, and includes, but is
16 not limited to, highly impacted communities as defined in RCW
17 19.405.020;

18 (ii) Vulnerable populations as defined in RCW 70A.02.010 to mean
19 population groups that are more likely to be at higher risk for poor
20 health outcomes in response to environmental harms, due to adverse
21 socioeconomic factors, such as unemployment, high housing, and
22 transportation costs relative to income, limited access to nutritious
23 food and adequate health care, linguistic isolation, and other
24 factors that negatively affect health outcomes and increase
25 vulnerability to the effects of environmental harms; and sensitivity
26 factors, such as low birth weight and higher rates of
27 hospitalization. Vulnerable populations include, but are not limited
28 to: Racial or ethnic minorities, low-income populations, populations
29 disproportionately impacted by environmental harms, and populations
30 of workers experiencing environmental harms;

31 (iii) Household incomes at or below 200 percent of the federal
32 poverty level; and

33 (iv) People with disabilities;

34 (d) Environmental health disparities, such as those indicated by
35 the diesel pollution burden portion of the Washington environmental
36 health disparities map developed by the department of health, or
37 other similar indicators;

38 (e) Location on or adjacent to tribal lands or locations
39 providing essential services to tribal members;

40 (f) Crash experience involving pedestrians and bicyclists; and

1 (g) Identified need by the community, for example in the state
2 active transportation plan or a regional, county, or community plan.

3 (4) It is the intent of the legislature that the Sandy Williams
4 connecting communities program comply with the requirements of
5 chapter 314, Laws of 2021.

6 (5) The department may require recipients of funds under the
7 Sandy Williams connecting communities program to comply with the
8 complete streets requirements in RCW 47.04.035 for changes on state
9 rights-of-way.

10 (6) The department shall submit a report to the transportation
11 committees of the legislature by December 1, 2022, and each December
12 1st thereafter identifying the selected connecting communities
13 projects for funding by the legislature. The report must also include
14 the status of previously funded projects.

15 **Sec. 304.** RCW 47.04.430 and 2023 c 447 s 5 are each amended to
16 read as follows:

17 (1) The department shall create a bicyclist and pedestrian grant
18 program to improve pedestrian and bicyclist safety and mobility and
19 increase active transportation trips.

20 (2) Project types may include, but are not limited to, bicycle
21 facilities such as buffered bike lanes, pedestrian facilities such as
22 sidewalks, crossing improvements for people who walk and roll, and
23 speed management.

24 (3) The department may require recipients of funds under the
25 bicyclist and pedestrian grant program to comply with the complete
26 streets requirements in RCW 47.04.035 for changes on state rights-of-
27 way.

28 (4) The department shall report on an annual basis the status of
29 projects funded as part of the bicyclist and pedestrian grant and
30 safe routes to school grant programs. The report must include, but is
31 not limited to, a list of projects selected and a brief description
32 of each project's status.

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