

**WAC 468-601-010 Leases with private entities.** Washington state department of transportation (WSDOT) may enter into lease agreements with private entities allowing them to operate franchises for food or beverage services, restaurants, grocery and convenience stores, or other services that are of benefit to the traveling public at park and ride lots owned by the department if the following conditions are met:

- The leased property is not presently needed for highway purposes.
- The agreement contains such terms and conditions as will ensure that the leased property will be used in a manner that is not inconsistent with the functions and operations of the applicable park and ride lot.
- The agreement protects the state and the local transit agency from commercial harm or other type of harm.
- The department ensures it receives best value for use of the property by using a competitive procurement process or other reasonable manner to solicit proposals.
- The agreement provides that the state is compensated in legally sufficient amounts for the use of the underlying right of way; that oversight and management of the agreement is provided for; and that any remaining compensation is distributed as required by law including, but not limited to, RCW 47.04.295 and 47.66.070.
- The term of a concession contract will generally not exceed ten years, unless WSDOT determines that necessary construction or other capital improvements to be undertaken at the site warrant a longer term.

[Statutory Authority: RCW 47.04.295. WSR 13-12-070, § 468-601-010, filed 6/5/13, effective 7/6/13.]