
Local Government & Housing Committee

HB 2949

Brief Description: Streamlining the process for the vacation of roads by counties.

Sponsors: Representatives Parker and Kretz.

Brief Summary of Bill

- Removes statutory requirement for consideration of a county engineer's report during a public hearing for a proposed road abandonment.

Hearing Date: 1/28/10

Staff: Becca Kenna-Schenk (786-7291) and Ethan Moreno (786-7386).

Background:

Under current statute, when a county road or road segment is considered useless, the county legislative authority may, by resolution, declare its intention to vacate or abandon the road. In addition, owners of the majority of the frontage on any county road may petition the county legislative authority to vacate and abandon the road or any segment of the road.

Upon initiation of a road abandonment resolution or petition, the county legislative authority must direct the county road engineer to issue a report analyzing the proposed vacation or abandonment. The county engineer's report must include:

- findings on whether the road is in use or has been in use;
- the condition of the road;
- whether it would be advisable to preserve the road for the county's future road system; and
- whether the public will benefit from the road vacation or abandonment.

After meeting specified public notice requirements, the legislative authority must conduct a public hearing on the proposed road abandonment, during which the board must consider the report of the county road engineer. Based upon the evidence presented at the public hearing, the

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board may authorize the abandonment of the road upon a finding that the road is not useful and that the public will benefit by its abandonment.

Summary of Bill:

The requirement for consideration of a county engineer's report during a public hearing for a proposed road abandonment is removed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.