

CERTIFICATION OF ENROLLMENT  
ENGROSSED SUBSTITUTE HOUSE BILL 2480

60th Legislature  
2008 Regular Session

Passed by the House March 10, 2008  
Yeas 86 Nays 8

---

**Speaker of the House of Representatives**

Passed by the Senate March 7, 2008  
Yeas 48 Nays 0

---

**President of the Senate**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2480** as passed by the House of Representatives and the Senate on the dates hereon set forth.

---

**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

---

**ENGROSSED SUBSTITUTE HOUSE BILL 2480**

---

AS AMENDED BY THE SENATE

Passed Legislature - 2008 Regular Session

**State of Washington                      60th Legislature                      2008 Regular Session**

**By** House Transportation (originally sponsored by Representatives  
Clibborn, McIntire, and Simpson)

READ FIRST TIME 02/01/08.

1            AN ACT Relating to public transportation fares; amending RCW  
2 35.58.020 and 36.57A.010; adding new sections to chapter 35.58 RCW;  
3 adding new sections to chapter 36.57A RCW; creating a new section; and  
4 prescribing penalties.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 35.58 RCW  
7 to read as follows:

8            (1) Persons traveling on public transportation operated by a  
9 metropolitan municipal corporation or a city-owned transit system shall  
10 pay the fare established by the metropolitan municipal corporation or  
11 the city-owned transit system. Such persons shall produce proof of  
12 payment when requested by a person designated to monitor fare payment.

13            (2) The following constitute civil infractions punishable according  
14 to the schedule of fines and penalties established by a metropolitan  
15 municipal corporation or a city-owned transit system under section 2 of  
16 this act:

17            (a) Failure to pay the required fare;

18            (b) Failure to display proof of payment when requested to do so by  
19 a person designated to monitor fare payment; and

1 (c) Failure to depart the bus or other mode of public  
2 transportation when requested to do so by a person designated to  
3 monitor fare payment.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.58 RCW  
5 to read as follows:

6 (1) Both a metropolitan municipal corporation and a city-owned  
7 transit system may establish, by resolution, a schedule of fines and  
8 penalties for civil infractions established in section 1 of this act.  
9 Fines established shall not exceed those imposed for class 1  
10 infractions under RCW 7.80.120.

11 (2)(a) Both a metropolitan municipal corporation and a city-owned  
12 transit system may designate persons to monitor fare payment who are  
13 equivalent to, and are authorized to exercise all the powers of, an  
14 enforcement officer as defined in RCW 7.80.040. Both a metropolitan  
15 municipal corporation and a city-owned transit system may employ  
16 personnel to either monitor fare payment or contract for such services,  
17 or both.

18 (b) In addition to the specific powers granted to enforcement  
19 officers under RCW 7.80.050 and 7.80.060, persons designated to monitor  
20 fare payment may also take the following actions:

- 21 (i) Request proof of payment from passengers;
- 22 (ii) Request personal identification from a passenger who does not  
23 produce proof of payment when requested;
- 24 (iii) Issue a citation conforming to the requirements established  
25 in RCW 7.80.070; and
- 26 (iv) Request that a passenger leave the bus or other mode of public  
27 transportation when the passenger has not produced proof of payment  
28 after being asked to do so by a person designated to monitor fare  
29 payment.

30 (3) Both a metropolitan municipal corporation and a city-owned  
31 transit system shall keep records of citations in the manner prescribed  
32 by RCW 7.80.150. All civil infractions established by this section and  
33 sections 1 and 3 of this act shall be heard and determined by a  
34 district court as provided in RCW 7.80.010 (1) and (4).

35 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.58 RCW  
36 to read as follows:

1 Sections 1 and 2 of this act do not prevent law enforcement  
2 authorities from prosecuting for theft, trespass, or other charges by  
3 any individual who:

4 (1) Fails to pay the required fare on more than one occasion within  
5 a twelve-month period;

6 (2) Fails to timely select one of the options for responding to the  
7 notice of civil infraction after receiving a statement of the options  
8 for responding to the notice of infraction and the procedures necessary  
9 to exercise these options; or

10 (3) Fails to depart the bus or other mode of public transportation  
11 when requested to do so by a person designated to monitor fare payment.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 35.58 RCW  
13 to read as follows:

14 The powers and authority conferred by sections 1 through 3 of this  
15 act shall be construed as in addition and supplemental to powers or  
16 authority conferred by any other law, and nothing contained therein  
17 shall be construed as limiting any other powers or authority of any  
18 public agency.

19 **Sec. 5.** RCW 35.58.020 and 1982 c 103 s 1 are each amended to read  
20 as follows:

21 The definitions set forth in this section apply throughout this  
22 chapter.

23 (1) "Metropolitan municipal corporation" means a municipal  
24 corporation of the state of Washington created pursuant to this  
25 chapter, or a county which has by ordinance or resolution assumed the  
26 rights, powers, functions, and obligations of a metropolitan municipal  
27 corporation pursuant to the provisions of chapter 36.56 RCW.

28 (2) "Metropolitan area" means the area contained within the  
29 boundaries of a metropolitan municipal corporation, or within the  
30 boundaries of an area proposed to be organized as such a corporation.

31 (3) "City" means an incorporated city or town.

32 (4) "Component city" means an incorporated city or town within a  
33 metropolitan area.

34 (5) "Component county" means a county, all or part of which is  
35 included within a metropolitan area.

- 1           (6) "Central city" means the city with the largest population in a  
2 metropolitan area.
- 3           (7) "Central county" means the county containing the city with the  
4 largest population in a metropolitan area.
- 5           (8) "Special district" means any municipal corporation of the state  
6 of Washington other than a city, county, or metropolitan municipal  
7 corporation.
- 8           (9) "Metropolitan council" means the legislative body of a  
9 metropolitan municipal corporation, or the legislative body of a county  
10 which has by ordinance or resolution assumed the rights, powers,  
11 functions, and obligations of a metropolitan municipal corporation  
12 pursuant to the provisions of chapter 36.56 RCW.
- 13           (10) "City council" means the legislative body of any city or town.
- 14           (11) "Population" means the number of residents as shown by the  
15 figures released for the most recent official state, federal, or county  
16 census, or population determination made under the direction of the  
17 office of financial management.
- 18           (12) "Metropolitan function" means any of the functions of  
19 government named in RCW 35.58.050.
- 20           (13) "Authorized metropolitan function" means a metropolitan  
21 function which a metropolitan municipal corporation shall have been  
22 authorized to perform in the manner provided in this chapter.
- 23           (14) "Metropolitan public transportation" or "metropolitan  
24 transportation" for the purposes of this chapter means the  
25 transportation of packages, passengers, and their incidental baggage by  
26 means other than by chartered bus, sightseeing bus, or any other motor  
27 vehicle not on an individual fare-paying basis, together with the  
28 necessary passenger terminals and parking facilities or other  
29 properties necessary for passenger and vehicular access to and from  
30 such people-moving systems: PROVIDED, That nothing in this chapter  
31 shall be construed to prohibit a metropolitan municipal corporation  
32 from leasing its buses to private certified carriers; to prohibit a  
33 metropolitan municipal corporation from providing school bus service  
34 for the transportation of pupils; or to prohibit a metropolitan  
35 municipal corporation from chartering an electric streetcar on rails  
36 which it operates entirely within a city.
- 37           (15) "Pollution" has the meaning given in RCW 90.48.020.

1       (16) "Proof of payment" means evidence of fare prepayment  
2 authorized by a metropolitan municipal corporation or a city-owned  
3 transit system for the use of buses or other modes of public  
4 transportation.

5       (17) "City-owned transit system" means a system of public  
6 transportation owned or operated, including contracts for the services  
7 of a publicly owned or operated system of transportation, by a city  
8 that is not located within the boundaries of a metropolitan municipal  
9 corporation, county transportation authority, or public transportation  
10 benefit area.

11       NEW SECTION. Sec. 6. A new section is added to chapter 36.57A RCW  
12 to read as follows:

13       (1) Persons traveling on public transportation operated by a public  
14 transportation benefit area shall pay the fare established by the  
15 public transportation benefit area. Such persons shall produce proof  
16 of payment when requested by a person designated to monitor fare  
17 payment.

18       (2) The following constitute civil infractions punishable according  
19 to the schedule of fines and penalties established by a public  
20 transportation benefit area under section 7 of this act:

21       (a) Failure to pay the required fare;

22       (b) Failure to display proof of payment when requested to do so by  
23 a person designated to monitor fare payment; and

24       (c) Failure to depart the bus or other mode of public  
25 transportation when requested to do so by a person designated to  
26 monitor fare payment.

27       NEW SECTION. Sec. 7. A new section is added to chapter 36.57A RCW  
28 to read as follows:

29       (1) A public transportation benefit area may establish, by  
30 resolution, a schedule of fines and penalties for civil infractions  
31 established in section 6 of this act. Fines established shall not  
32 exceed those imposed for class 1 infractions under RCW 7.80.120.

33       (2)(a) A public transportation benefit area may designate persons  
34 to monitor fare payment who are equivalent to, and are authorized to  
35 exercise all the powers of, an enforcement officer as defined in RCW

1 7.80.040. A public transportation benefit area may employ personnel to  
2 either monitor fare payment or contract for such services, or both.

3 (b) In addition to the specific powers granted to enforcement  
4 officers under RCW 7.80.050 and 7.80.060, persons designated to monitor  
5 fare payment may also take the following actions:

6 (i) Request proof of payment from passengers;

7 (ii) Request personal identification from a passenger who does not  
8 produce proof of payment when requested;

9 (iii) Issue a citation conforming to the requirements established  
10 in RCW 7.80.070; and

11 (iv) Request that a passenger leave the bus or other mode of public  
12 transportation when the passenger has not produced proof of payment  
13 after being asked to do so by a person designated to monitor fare  
14 payment.

15 (3) A public transportation benefit area shall keep records of  
16 citations in the manner prescribed by RCW 7.80.150. All civil  
17 infractions established by this section and sections 6 and 8 of this  
18 act shall be heard and determined by a district court as provided in  
19 RCW 7.80.010 (1) and (4).

20 NEW SECTION. **Sec. 8.** A new section is added to chapter 36.57A RCW  
21 to read as follows:

22 Sections 6 and 7 of this act do not prevent law enforcement  
23 authorities from prosecuting for theft, trespass, or other charges by  
24 any individual who:

25 (1) Fails to pay the required fare on more than one occasion within  
26 a twelve-month period;

27 (2) Fails to timely select one of the options for responding to the  
28 notice of civil infraction after receiving a statement of the options  
29 for responding to the notice of infraction and the procedures necessary  
30 to exercise these options; or

31 (3) Fails to depart the bus or other mode of public transportation  
32 when requested to do so by a person designated to monitor fare payment.

33 NEW SECTION. **Sec. 9.** A new section is added to chapter 36.57A RCW  
34 to read as follows:

35 The powers and authority conferred by sections 6 through 8 of this  
36 act shall be construed as in addition and supplemental to powers or

1 authority conferred by any other law, and nothing contained therein  
2 shall be construed as limiting any other powers or authority of any  
3 public agency.

4 **Sec. 10.** RCW 36.57A.010 and 2003 c 83 s 209 are each amended to  
5 read as follows:

6 The definitions set forth in this section apply throughout this  
7 chapter unless the context clearly requires otherwise.

8 (1) "Public transportation benefit area" means a municipal  
9 corporation of the state of Washington created pursuant to this  
10 chapter.

11 (2) "Public transportation benefit area authority" or "authority"  
12 means the legislative body of a public transportation benefit area.

13 (3) "City" means an incorporated city or town.

14 (4) "Component city" means an incorporated city or town within a  
15 public transportation benefit area.

16 (5) "City council" means the legislative body of any city or town.

17 (6) "County legislative authority" means the board of county  
18 commissioners or the county council.

19 (7) "Population" means the number of residents as shown by the  
20 figures released for the most recent official state, federal, or county  
21 census, or population determination made by the office of financial  
22 management.

23 (8) "Proof of payment" means evidence of fare prepayment authorized  
24 by a public transportation benefit area for the use of buses or other  
25 modes of public transportation.

26 (9) "Public transportation service" means the transportation of  
27 packages, passengers, and their incidental baggage by means other than  
28 by chartered bus, sight-seeing bus, together with the necessary  
29 passenger terminals and parking facilities or other properties  
30 necessary for passenger and vehicular access to and from such people  
31 moving systems: PROVIDED, That nothing shall prohibit an authority  
32 from leasing its buses to private certified carriers or prohibit the  
33 authority from providing school bus service. "Public transportation  
34 service" includes passenger-only ferry service for those public  
35 transportation benefit areas eligible to provide passenger-only ferry  
36 service under RCW 36.57A.200.



1        (~~(9)~~) (10) "Public transportation improvement conference" or  
2 "conference" means the body established pursuant to RCW 36.57A.020  
3 which shall be authorized to establish, subject to the provisions of  
4 RCW 36.57A.030, a public transportation benefit area pursuant to the  
5 provisions of this chapter.

6        NEW SECTION. **Sec. 11.** The code reviser shall alphabetize and  
7 renumber the definitions in RCW 35.58.020 and 36.57A.010.

--- END ---