

SENATE BILL REPORT

SB 5837

As of February 22, 2011

Title: An act relating to allowing certain private transportation providers to use certain public transportation facilities.

Brief Description: Allowing certain private transportation providers to use certain public transportation facilities.

Sponsors: Senators King, Haugen, Hobbs and Delvin.

Brief History:

Committee Activity: Transportation: 2/22/11.

SENATE COMMITTEE ON TRANSPORTATION

Staff: Amanda Cecil (786-7429)

Background: The Washington State Department of Transportation (WSDOT) and local jurisdictions are authorized to reserve all or any portion of a highway or roadway for the exclusive or preferential use of private motor vehicles carrying a specified number of passengers. Public transportation vehicles may use the high occupancy vehicle (HOV) lanes regardless of the number of passengers in the vehicle. Private buses may use the HOV lanes regardless of the number of passengers in the vehicle if the bus has the capacity to carry 16 or more passengers.

Various local transit agencies own and operate park and ride lots as part of the agencies' public transportation service. The transit agencies provide regularly scheduled service at the lots. Local transit agencies that receive state funding for a park and ride lot must make reasonable accommodation for use of that lot by auto transportation companies, such as airporters, and private special needs transportation providers. The transit agencies may recover costs and fair market value for use of the lot. The transit agencies do not have to provide accommodation if the lot is at or exceeds 90 percent capacity.

Summary of Bill: WSDOT and local jurisdictions have explicit authority to allow certain private transportation provider vehicles to use HOV lanes, regardless of the number of passengers in the vehicle, if the vehicle has the capacity to carry eight or more passengers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Local transit agencies that receive state funding for a park and ride lot must make reasonable accommodation for use of that lot by charter carriers, except certain limos as defined by the Department of Licensing rule, and private employer transportation services providers, in addition to auto transportation companies and private special needs transportation providers. The current provision allowing transit agencies to recover costs and fair market value for use of the lot is replaced with a provision allowing the transit agencies to recover actual costs. Actual costs may be collected through parking fees charged to vehicle owners that are parked in the lot for the purpose of using private transportation services.

When designing portions of the highway that are intended to be used for the exclusive or preferential use of public transportation vehicles, state and local jurisdictions are required to consider whether the design will safely accommodate private transportation provider vehicles.

If any part of the act is found to conflict with a prescribed condition to allocation of federal funding, the conflicting portion is inoperable.

Appropriation: None.

Fiscal Note: Requested on February 21, 2011.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Transit buses have access to facilities that allow for safer transport of passengers. This bill would allow private transportation providers to have access to the same facilities so that their riders are also able to get to their destination safely. If private transportation providers are going to be successful they must have access to park and ride lots during the evenings and weekends when the lots are not being used. The people that they are transporting are also tax payers.

CON: Prior to the adoption of the King county ordinance they were not able to enter into agreements. They are now in a position to better negotiate these contracts with private carriers. Many of the facilities are at capacity and added buses in these lots would slow the operation of the transit buses. Transit agencies are prohibited from charging for parking at park and ride lots.

Persons Testifying: PRO: Thomas Cook, NW Motor Coach; Gladys Gillis, Starline Luxury Coaches.

CON: Richard DeRock, Washington Transit Association; Harold Taniguchi, Randy Witt, King County Department of Transportation.