
SENATE BILL 5205

State of Washington 62nd Legislature 2011 Regular Session

By Senators Kilmer, Sheldon, Rockefeller, and White

Read first time 01/18/11. Referred to Committee on Transportation.

1 AN ACT Relating to high capacity transportation system plan
2 components and review; and amending RCW 81.104.100 and 81.104.110.

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

4 **Sec. 1.** RCW 81.104.100 and 1992 c 101 s 23 are each amended to
5 read as follows:

6 To assure development of an effective high capacity transportation
7 system, local authorities shall follow the following planning process
8 only if their system plan includes a rail fixed guideway system
9 component:

10 (1) Regional, multimodal transportation planning is the ongoing
11 urban transportation planning process conducted in each urbanized area
12 by its regional transportation planning organization. During this
13 process, regional transportation goals are identified, travel patterns
14 are analyzed, and future land use and travel are projected. The
15 process provides a comprehensive view of the region's transportation
16 needs but does not select specified modes to serve those needs. The
17 process shall identify a priority corridor or corridors for further
18 study of high capacity transportation facilities if it is deemed
19 feasible by local officials.

1 (2) High capacity transportation system planning is the detailed
2 evaluation of a range of high capacity transportation system options,
3 including: Do nothing, low capital, and ranges of higher capital
4 facilities. To the extent possible this evaluation shall take into
5 account the urban mass transportation administration's requirements
6 identified in subsection (3) of this section.

7 High capacity transportation system planning shall proceed as
8 follows:

9 (a) Organization and management. The responsible local transit
10 agency or agencies shall define roles for various local agencies,
11 review background information, provide for public involvement, and
12 develop a detailed work plan for the system planning process.

13 (b) Development of options. Options to be studied shall be
14 developed to ensure an appropriate range of technologies and service
15 policies can be evaluated. A do-nothing option and a low capital
16 option that maximizes the current system shall be developed. Several
17 higher capital options that consider a range of capital expenditures
18 for several candidate technologies shall be developed.

19 (c) Analysis methods. The local transit agency shall develop
20 reports describing the analysis and assumptions for the estimation of
21 capital costs, operating and maintenance costs, methods for travel
22 forecasting, a financial plan and an evaluation methodology.

23 (d) The system plan submitted to the voters pursuant to RCW
24 81.104.140 shall address, but is not limited to the following issues:

25 (i) Identification of level and types of high capacity
26 transportation services to be provided;

27 (ii) A plan of high occupancy vehicle lanes to be constructed;

28 (iii) Identification of route alignments and station locations with
29 sufficient specificity to permit calculation of costs, ridership, and
30 system impacts;

31 (iv) Performance characteristics of technologies in the system
32 plan;

33 (v) Patronage forecasts;

34 (vi) A financing plan describing: Phasing of investments; capital
35 and operating costs and expected revenues; cost-effectiveness
36 represented by a total cost per system rider and new rider estimate;
37 estimated ridership and the cost of service for each individual high

1 capacity line; and identification of the operating revenue to operating
2 expense ratio.

3 The financing plan shall specifically differentiate the proposed
4 use of funds between high capacity transportation facilities and
5 services, and high occupancy vehicle facilities;

6 (vii) Description of the relationship between the high capacity
7 transportation system plan and adopted land use plans;

8 (viii) An assessment of social, economic, and environmental
9 impacts; and

10 (ix) Mobility characteristics of the system presented, including
11 but not limited to: Qualitative description of system/service
12 philosophy and impacts; qualitative system reliability; travel time and
13 number of transfers between selected residential, employment, and
14 activity centers; and system and activity center mode splits.

15 (3) High capacity transportation project planning is the detailed
16 identification of alignments, station locations, equipment and systems,
17 construction schedules, environmental effects, and costs. High
18 capacity transportation project planning shall proceed as follows: The
19 local transit agency shall analyze and produce information needed for
20 the preparation of environmental impact statements. The impact
21 statements shall address the impact that development of such a system
22 will have on abutting or nearby property owners. The process of
23 identification of alignments and station locations shall include
24 notification of affected property owners by normal legal publication.
25 At minimum, such notification shall include notice on the same day for
26 at least three weeks in at least two newspapers of general circulation
27 in the county where such project is proposed. Special notice of
28 hearings by the conspicuous posting of notice, in a manner designed to
29 attract public attention, in the vicinity of areas identified for
30 station locations or transfer sites shall also be provided.

31 In order to increase the likelihood of future federal funding, the
32 project planning processes shall follow the urban mass transportation
33 administration's requirements as described in "Procedures and Technical
34 Methods for Transit Project Planning", published by the United States
35 department of transportation, urban mass transportation administration,
36 September 1986, or the most recent edition. Nothing in this subsection
37 shall be construed to preclude detailed evaluation of more than one
38 corridor in the planning process.

1 The department of transportation shall provide system and project
2 planning review and monitoring in cooperation with the expert review
3 panel identified in RCW 81.104.110. In addition, the local transit
4 agency shall maintain a continuous public involvement program and seek
5 involvement of other government agencies.

6 **Sec. 2.** RCW 81.104.110 and 2005 c 319 s 136 are each amended to
7 read as follows:

8 (1) The legislature recognizes that the planning processes
9 described in RCW 81.104.100 provide a recognized framework for guiding
10 high capacity transportation studies. However, the process cannot
11 guarantee appropriate decisions unless key study assumptions are
12 reasonable.

13 (2) To assure appropriate system plan assumptions and to provide
14 for review of system plan results, an expert review panel shall be
15 appointed to provide independent technical review for development of
16 any system plan which:

17 (a) Is to be funded in whole or in part by the imposition of any
18 voter-approved local option funding sources enumerated in RCW
19 81.104.140; and

20 (b) Includes a rail fixed guideway system component.

21 ~~((+1))~~ (3) The expert review panel shall consist of five to ten
22 members who are recognized experts in relevant fields, such as transit
23 operations, planning, emerging transportation technologies,
24 engineering, finance, law, the environment, geography, economics, and
25 political science.

26 ~~((+2))~~ (4) The expert review panel shall be selected cooperatively
27 by the chairs of the senate and house transportation committees, the
28 secretary of the department of transportation, and the governor to
29 assure a balance of disciplines. In the case of counties adjoining
30 another state or Canadian province the expert review panel membership
31 shall be selected cooperatively with representatives of the adjoining
32 state or Canadian province.

33 ~~((+3))~~ (5) The chair of the expert review panel shall be
34 designated by the appointing authorities.

35 ~~((+4))~~ (6) The expert review panel shall serve without
36 compensation but shall be reimbursed for expenses according to RCW

1 43.03.050 and 43.03.060. Reimbursement shall be paid from within the
2 existing resources of the local authority planning under this chapter.

3 ~~((+5))~~ (7) The panel shall carry out the duties set forth in
4 subsections ~~((+6))~~ (8) and ~~((+7))~~ (9) of this section until the date
5 on which an election is held to consider the high capacity
6 transportation system and financing plans.

7 ~~((+6))~~ (8) The expert panel shall review all reports required in
8 RCW 81.104.100(2) and shall concentrate on service modes and concepts,
9 costs, patronage and financing evaluations.

10 ~~((+7))~~ (9) The expert panel shall provide timely reviews and
11 comments on individual reports and study conclusions to the department
12 of transportation, the regional transportation planning organization,
13 the joint regional policy committee, and the submitting lead transit
14 agency. In the case of counties adjoining another state or Canadian
15 province, the expert review panel shall provide its reviews, comments,
16 and conclusions to the representatives of the adjoining state or
17 Canadian province.

18 ~~((+8))~~ (10) The local authority planning under this chapter shall
19 contract for consulting services for expert review panels. The amount
20 of consultant support shall be negotiated with each expert review panel
21 by the local authority and shall be paid from within the local
22 authority's existing resources.

--- END ---