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**SUBSTITUTE SENATE BILL 5791**

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**State of Washington                      62nd Legislature                      2011 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Hobbs, Fain, King, Haugen, and White)

READ FIRST TIME 02/25/11.

1            AN ACT Relating to commercial activity at certain park and ride  
2 lots; and adding a new section to chapter 47.04 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 47.04 RCW  
5 to read as follows:

6            (1) The department, or any local transit agency that has received  
7 state funding for a park and ride lot, may enter into a lease with  
8 private entities allowing them to operate food or beverage retailers,  
9 restaurants, grocery and convenience stores, or other private  
10 enterprises that are of benefit to the traveling public at park and  
11 ride lots owned by the department or local transit agency.

12            (2) The department or local transit agency must take all necessary  
13 action to ensure the most favorable lease rates for the state or local  
14 transit agency, whether by bid or other reasonable manner, and to  
15 require the lessee to enter into any other contract or agreement to  
16 protect the state and its citizens or the local transit agency from  
17 commercial harm or other type of harm. Lease payments must first be  
18 applied towards maintenance and operations of the applicable park and  
19 ride lot and the remainder must be deposited into the multimodal

1 transportation account created under RCW 47.66.070 if the lot is owned  
2 by the local transit agency, or into the motor vehicle fund created  
3 under RCW 46.68.070 if the lot is owned by the department.

4 (3) The department must adopt and enforce such reasonable rules  
5 that are consistent with and necessary to carry out this section,  
6 including a flexible process to prioritize local business interests  
7 when entering into lease agreements.

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