

**WAC 468-300-700 Preferential loading.** In order to protect public health, safety and commerce; to encourage more efficient use of the ferry system; and to reduce dependency on single occupant private automobiles:

(1) Preferential loading privileges on vessels operated by Washington state ferries (WSF), exempting vehicles from the standard first-come first-served rule, shall be granted in the order set forth below:

(a) An emergency medical vehicle, medical unit, aid unit, or ambulance dispatched to and returning from an emergency or nonemergency call while in service. Up to one additional vehicle may accompany a qualifying emergency medical vehicle or authorized med-evac when going to, but not when returning from, an emergency.

(b) A public police or fire vehicle only when responding to an emergency call, but not when returning from either an emergency or a nonemergency call. However, these vehicles will receive priority loading when they are returning from either an emergency or nonemergency call to Vashon Island or the San Juan Islands.

(c) A public utility or public utility support vehicle only when responding to an emergency call, but not when returning from either an emergency or a nonemergency call.

(d) Preferential loading may be granted for vehicles carrying passengers needing to accompany a family member who is being transported by an emergency vehicle, which requires the customer's timely access to the vessel's destination.

(e) Specific to routes without reservations where a vehicle occupant states that an extended wait would cause detrimental health risks to a vehicle occupant, that vehicle will be allowed preferential loading whenever the afflicted occupant has provided a medical form certified by a physician that such preferential loading is required.

However, when that vehicle occupant has not submitted the proper medical form, preferential loading will be permissible based upon appropriate terminal staff determination.

(f) Specific to routes with reservations, where a vehicle occupant provides a medical form certified by a physician that the occupant is returning from a medical appointment or has been discharged from the hospital and that an extended wait would cause detrimental health risks, that vehicle will be allowed preferential loading.

(g) Specific to routes with reservations (defined in subsections (4) through (10) of this section), a vehicle with a reservation, presenting proof of that reservation.

(h) Specific to routes with reservations where reservations are available to all vehicles from a terminal, vehicles identified in subsection (4)(a)(i) through (v) of this section receive preferential loading only if they have a reservation.

(i) A visibly marked school vehicle owned, operated, or sponsored by a school\*\* when operating on regular schedules preapproved by the WSF or when advance notice is provided to each affected WSF terminal (\*\*as defined in RCW 28A.150.010 (K-12), RCW 28A.150.020 (public schools), RCW 28A.195.010 (K-12 private schools), and RCW 28B.195.070 (secondary schools)).

(j) A visibly marked, preapproved or regularly scheduled publicly or privately owned public transportation vehicle\*\* operating under a Washington state utilities and transportation commission certificate for public convenience and necessity (\*\*as defined in RCW 81.68.010 (regular route/fixed termini), RCW 81.70.010 (charter and excursion)).

(k) A visibly marked nonprofit or publicly supported transportation vehicle\*\* having provided each affected WSF terminal with advance notice and presenting a WSF permit making it readily identifiable as a public transportation vehicle (\*\*as defined in chapter 81.66 RCW (private, nonprofit special needs)).

(l) A visibly marked and randomly scheduled private for profit transportation vehicle\*\* operating under a Washington state utilities and transportation commission certificate for public convenience and necessity traveling on routes where WSF is the only major access for land-based traffic only when that private for profit transportation vehicle has provided each affected WSF terminal with a preapproved schedule and/or advance notice of its proposed sailing(s), (\*\*as defined in chapter 81.68 RCW (regular route/fixed termini), chapter 81.70 RCW (charter and excursion), chapter 81.66 RCW (private nonprofit special needs), chapter 46.72 RCW (private, for hire)).

(m) A ride-sharing vehicle for persons with special transportation needs\*\* transporting a minimum of three elderly and/or disabled riders or two elderly and/or disabled riders and an attendant presenting WSF ride-share registration program permit only when the operator of that vehicle has provided each affected WSF terminal with advance notice of its proposed sailing(s) (\*\*as defined in RCW 46.74.010 (ride sharing for persons with special transportation needs)).

(n) A visibly marked, public ride-share vehicle\*\* owned by a transit agency and leased out to members of the public through the transit agency's registration program only when the operator of that vehicle has provided each affected WSF terminal with advance notice of its proposed sailing(s) (\*\*as defined in RCW 46.74.010 (commuter ride sharing)).

(o) A privately owned commuter ride-share vehicle\*\* that visibly presents WSF approved identification markings readily identifiable by the public. There must be a minimum of three occupants in any such vehicle to receive preferential loading. Any such ride-share vehicle must be registered and in good standing in the WSF ride-share registration program (\*\*as defined by RCW 46.74.010 (commuter ride sharing)).

(p) Specific to the Anacortes-San Juan Islands routes, a vehicle carrying livestock and traveling on routes where Washington state ferries is the only major access for land-based traffic, where such livestock (i) is raised for commercial purposes and is recognized by the department of agriculture, county agriculture soil and conservation service, as raised on a farm; or (ii) is traveling to participate in a 4H event sanctioned by a county extension agent.

(q) Specific to the Anacortes-San Juan Islands routes and until reservations are available for general purpose traffic to and from the San Juan Islands, home health care workers engaged in travel to and from patient visits.

(r) Specific to the Seattle-Bainbridge and Edmonds-Kingston ferry routes, where a vehicle occupant claims that an extended wait would cause detrimental health risks to their livestock en route to veterinarian services not available in the local community, that vehicle will be allowed preferential loading whenever the vehicle occupant has provided a medical form certified by a veterinarian that such preferential loading is required.

(s) Specific to the Fauntleroy-Vashon, Seattle-Bainbridge, Mukilteo-Clinton, and Anacortes-San Juan ferry routes, any mail delivery vehicle with proper documentation from the U.S. Postal Service showing that such vehicle is in the actual process of delivering mail.

(t) Vehicles 22 feet and over in length engaged in the conduct of commerce and/or transportation of passengers where and when WSF management has determined that the sale of vehicle space may promote higher utilization of available route capacity and an increase in revenues.

(u) An oversized or overweight vehicle (22 feet and over in length, and/or over 8 1/2 feet in width, and 80,000 lbs. or greater in weight) requiring transport at special times due to tidal conditions, vessel assignments, or availability of space.

(v) A scheduled bicycle group as determined by WSF only when a representative of that group has provided WSF with advance notice of the proposed travel schedule.

(2) Preferential loading privileges shall be subject to the following conditions:

(a) Privileges shall be granted only where physical facilities are deemed by WSF management to be adequate to allow granting the privilege and achieving an efficient operation.

(b) Subject to specified exceptions, documentation outlining qualifications for preferential loading and details of travel will be required in advance from all agencies, companies, or individuals requesting such privileges.

(c) Privileges may be limited to specified time periods as determined by WSF management.

(d) Privileges may require a minimum frequency of travel, as determined by WSF management.

(e) Privileges may be limited to a specific number of vehicle deck spaces and passenger capacity for any one sailing.

(f) Privileges may require arriving at the ferry terminal at a specified time prior to the scheduled sailing.

(3) To obtain more information about the documentation required and conditions imposed under subsection (2) of this section, call WSF's general information number, 206-464-6400, or a terminal on a route for which the preferential boarding right is requested.

THE REMAINING SUBSECTIONS PROVIDE ADDITIONAL DETAILS ON VEHICLE RESERVATIONS, REFERENCED UNDER SUBSECTION (1) OF THIS SECTION.

(4) Vehicle reservation system intent.

(a) The intent of the vehicle reservation system is:

(i) To reduce queuing and congestion outside of ferry terminals;

(ii) To maximize the use of existing assets;

(iii) To provide enhanced customer service and travel predictability, spontaneity, and flexibility;

(iv) To manage demand by shifting discretionary trips from peak to off-peak sailings;

(v) To recognize the uniqueness of each different route;

(vi) To allow WSF flexibility to manage the system to best balance the needs of customers, communities, and WSF.

(b) Ferry customers are not required to make a reservation in order to travel on a Washington state ferry.

(5) Definitions.

(a) "Business account program" is a reservations program for customers who have an active business account with WSF.

(b) "Business account program member" is an individual or business who has an active business account with WSF.

(c) "Business reservation" is a vehicle reservation made by a business account program member.

(d) "General customer" is an individual or business that has purchased or is planning to purchase a reservation on a Washington state

ferry and does not participate in WSF's business, carpool, or vanpool reservations account programs.

(e) "General reservation" is a vehicle reservation made by a general customer.

(f) "Operational day" begins at 3:00 a.m. and ends at 2:59 a.m.

(g) "Reservation holder" is a ferry customer who has acquired a vehicle reservation.

(h) "Reserved space" is space within the vehicle deck space available for vehicle reservations that has been secured by a customer by making a business, or general reservation on that sailing.

(i) "Service interruption" is an event that causes WSF to not be able to run according to the published schedule.

(j) "Terms of use" refers to the agreement customers must read and agree to before their transaction to make a reservation is complete.

(k) "Unreservable space" is all space on a vessel that has not been reserved, or is not available to be reserved.

(l) "Vehicle deck space available for vehicle reservations" is the amount of vehicle deck space on a given vessel that WSF will allow to be reserved. All other space on the vessel is unreservable space.

(6) Modification of these regulations. WSF management reserves the right to add, delete, or modify portions of these regulations including the schedule of reservations charges and the terms of use in accordance with its regulations and applicable laws.

(7) Properties of a vehicle reservation.

(a) A vehicle reservation gives a ferry customer the right to travel at a specific date and time on a specific route with a vehicle of a specific size, as declared at the time of booking, subject to the priority loading conditions set forth in subsections (1) and (2) of this section. This right may be withdrawn at WSF's discretion due to service interruptions; or customer behavior that is inappropriate or dangerous.

(b) A vehicle reservation is not a ticket. Customers with reservations must purchase a ticket at the tollbooth of their departure terminal or online in order to travel on their reserved sailing.

(c) A vehicle reservation is not resalable to third parties.

(8) Vehicle reservation deposits and no-show fees.

(a) Vehicle reservation deposits may be collected or no-show fee may be assessed at levels set by WSF management according to the rules set in WAC 468-300-020 (vehicle under 22 feet, motorcycle, and stowage ferry tolls), and WAC 468-300-040 (oversize vehicle ferry tolls).

(b) Reservation deposits paid in advance will be applied toward the actual ticket cost for the reserved sailing at the departure terminal tollbooth. However, if a customer who has paid a reservation deposit is denied the ability to purchase a ticket for that reserved sailing due to priority loading conditions identified in subsections (1) and (2) of this section, then the customer may either seek a refund of the deposit, apply the deposit towards a ticket on the next scheduled sailing on the same route, or apply the deposit in accordance with (c) of this subsection. These are the sole and exclusive remedies available to a customer in these situations.

(c) Reservation deposits paid in advance may be applied toward the actual ticket cost of other, nonreserved sailings on the same route, as defined in the terms of use.

(9) Vessel space available for reservations.

(a) WSF has the authority to set the amount of tall and standard height vehicle deck space available for vehicle reservations on each

sailing in order to achieve the intentions of the vehicle reservation system.

(b) For any given sailing, WSF may vary the amount of tall and standard height vehicle deck space available for vehicle reservations, depending on factors including, but not limited to:

- (i) Time of day;
- (ii) Day of week;
- (iii) Season of year;
- (iv) Direction of travel;
- (v) Route;
- (vi) Vessel size;
- (vii) Level of demand; or
- (viii) Level of congestion.

(c) For any given sailing, WSF may vary the distribution of tall and standard height vehicle deck space dedicated for business, carpool or vanpool reservations; and dedicated to general reservations, depending on factors including, but not limited to:

- (i) Time of day;
- (ii) Day of week;
- (iii) Season of year;
- (iv) Direction of travel;
- (v) Route;
- (vi) Vessel size;
- (vii) Level of demand; or
- (viii) Level of congestion.

(d) WSF may change the distribution of unreservable space up until sailing departure.

(e) WSF may release vehicle deck space available for vehicle reservations up to one year in advance of a sailing. WSF may choose to phase the release of space on a particular sailing over time, as WSF management deems necessary to achieve the intent of the vehicle reservation system listed.

(f) Space may be made available for vehicle reservations for only certain reservation types (business account, carpool, vanpool, or general reservations).

(g) Space may be made available for a tentative sailing schedule if the final sailing schedule is not available.

(i) If departure times on the final sailing schedule are different than those on the tentative schedule, WSF will notify all affected reservation holders.

(ii) If the reserved sailing is canceled, WSF will notify the customer and refund any deposit paid. If no deposit was paid, the customer will not be charged a no-show fee.

(iii) All sailing schedules will be finalized at least six weeks before the schedule would take effect, and customers with affected reservations will be notified as soon as the schedule is final.

(h) Space allocations for specific reservation types (business account, carpool, vanpool, or general reservations) may be changed by WSF at any point in time up until sailing departure.

(10) Reservation system during service interruptions.

(a) During a ferry service interruption, WSF management may temporarily adjust business and operational rules to address the issue until normal service is restored. This may include, but is not limited to:

- (i) Canceling existing reservations;
- (ii) Not allowing new reservations; or
- (iii) Changing existing reservations to other sailings.

(b) Upon canceling or moving a reservation, WSF will notify the affected customers via email or phone.

(c) Customers will not be charged for any changes or cancellations resulting from service interruptions.

(d) If a customer's reserved sailing has been canceled or significantly delayed and the customer can no longer travel that operational day, any deposit paid will be refunded, which shall be the sole and exclusive remedy available to the customer in such situations.

(e) During service interruptions, WSF may turn customers without reservations away from the terminal.

(f) During service interruptions, WSF may not be able to guarantee travel for reservation holders.

[Statutory Authority: RCW 47.56.030 and 47.60.140. WSR 14-22-072, § 468-300-700, filed 11/3/14, effective 12/4/14. Statutory Authority: RCW 47.56.030, 47.60.315, and 2010 c 247 § 205(1). WSR 12-10-034, § 468-300-700, filed 4/25/12, effective 5/26/12. Statutory Authority: RCW 47.56.030, 47.60.140. WSR 08-09-092, § 468-300-700, filed 4/18/08, effective 5/19/08. Statutory Authority: RCW 47.56.030, 47.60.326. WSR 03-08-072, § 468-300-700, filed 4/1/03, effective 5/2/03. Statutory Authority: RCW 47.56.030, 47.60.140 and 47.60.326. WSR 99-07-059, § 468-300-700, filed 3/17/99, effective 4/17/99. Statutory Authority: RCW 47.56.030 and 47.60.326. WSR 96-05-048 (Order 81), § 468-300-700, filed 2/16/96, effective 3/18/96; WSR 93-18-006, § 468-300-700, filed 8/19/93, effective 9/19/93; WSR 87-12-005 (Order 61, Resolution No. 298), § 468-300-700, filed 5/21/87. Statutory Authority: RCW 47.60.326. WSR 86-16-011 (Order 55, Resolution No. 273), § 468-300-700, filed 7/25/86. Statutory Authority: RCW 47.60.140. WSR 80-09-056 (Order 57), § 468-300-700, filed 7/15/80.]