
Transportation Committee

ESSB 5803

Brief Description: Creating regional transportation commissions.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators Murray, Haugen, Swecker, Kastama and Kohl-Welles).

Brief Summary of Engrossed Substitute Bill

- Requires the creation of a Regional Transportation Commission in King, Pierce, Snohomish, and Kitsap counties, for the purpose of planning, prioritizing, and funding all modes of regional transportation projects, including both roads and transit.

Hearing Date: 3/27/07

Staff: Kathryn Leathers (786-7114).

Background:

Overview: Transportation Planning in the Central Puget Sound Region

State, local, regional, and federal transportation planning requirements and plans, in conjunction with state statutory planning schemes like the Growth Management Act, provide a framework for the development of Washington's transportation system.

Within the central Puget Sound region, transportation planning, funding, development, and services are provided by approximately 128 public agencies. These agencies include: the Department of Transportation (DOT), responsible for state highways within the region; four county governments; 87 cities; six public transportation agencies; the three-county Regional Transit Authority (RTA, or Sound Transit); Washington State Ferries, a division of the DOT, operating both auto and passenger-only ferry service; the four-county regional Puget Sound Regional Council (serving as both the regional transportation organization and the metropolitan planning organization for the region); and several port districts. In addition, in 2002, a Regional Transportation Investment District (RTID) was authorized, but has not yet been created, for the purpose of planning, funding, and building projects to address highway corridor needs in King, Pierce, and Snohomish counties.

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.

Most agencies involved in the planning, funding, and operation of local and regional transportation systems are separate entities with few laws requiring coordination of their efforts, their development of regional transportation investment plans, or their ballot measures to be submitted to the people. The degree of coordination between the entities varies throughout the region, but there is no single overarching governing entity that coordinates or oversees the region's transportation system planning, funding, and prioritization of projects.

Regional Transportation Commission

In 2006, the Legislature created the Regional Transportation Commission for the purpose of evaluating transportation governance in the central Puget Sound region. The Regional Transportation Commission, comprised of nine voting members, appointed by the Governor, and one non-voting member, the Secretary of the DOT, was tasked with submitting a report and proposal to the Legislature by January 1, 2007, that:

- assesses the current roles of regional transportation agencies, the regional transit authority, regional transportation investment districts, county and municipal agencies operating transit services, and cities, counties, and other public agencies providing transportation services or facilities;
- develops options for a regional transportation governance proposal, including one option that provides for the formation of a regional governing entity with directly elected members, and also includes the revenue sources that will be available to such an entity, and the scope of planning authority of such entity; and
- develops a comprehensive financing strategy for improving transportation system performance.

The Regional Transportation Commission's final report, issued December 31, 2006, made numerous findings regarding the status of the central Puget Sound region's transportation system, including the overall finding that the current system of transportation governance in the region delivers inadequate results and will need fundamental systemic change in order to meet future needs.

While the Regional Transportation Commission provided a range of governing options to consider, it ultimately recommended that the Legislature create a central Puget Sound regional governing entity with broad authority and responsibility for planning, prioritizing, and funding all modes of regional transportation, including both roads and transit.

Summary of Bill:

A nonpartisan, 12-member Regional Transportation Commission (RTC) is required to be formed and to include the full boundaries of King, Pierce, Snohomish, and Kitsap counties. The RTC's governing body must be created by January 1, 2009, but may not be created before January 1, 2008.

The RTC's governing body is composed as follows: eight elected by electoral districts, and four appointed by the County Executives (or County Commission Chair, in the case of Kitsap County) and confirmed by their respective legislative authorities. The members serve six-year, staggered terms, and the commissioners appoint a chair every three years. Initial apportionment and establishment of district lines must be determined by the component counties within 30 days of the formation of the RTC.

The RTC is responsible for planning, prioritizing, and funding all modes of regional transportation in the central Puget Sound region. The RTC must conduct integrated corridor-based multi-modal planning and prioritization activities. In addition, the RTC must negotiate with the state and appropriate local jurisdictions to prioritize all state transportation projects in the region, and it must negotiate the order in which state transportation funds are expended.

The RTC must develop a "regional mobility investment plan" that includes a broad array of transportation projects, including highway and transit, to be submitted to the voters for approval. A unanimous vote by the Commission approving the plan is required in order to send a plan to the voters. After a plan is approved by the voters, any aspect of the plan may be amended by a two-thirds vote of the Commission, without subsequent voter approval. If a local or regional entity, including Sound Transit, intends to submit a ballot measure to finance regionally significant transportation projects within the RTC area, the RTC must first approve sending the ballot measure to the voters. A local entity may choose, subject to RTC approval, to incorporate local ballot measures funding strictly localized projects into the RTC's regional mobility investment plan.

The investment plan must be a comprehensive and integrated corridor-based multi-modal package that includes revenue measures sufficient to finance the proposed projects. A broad list of local revenue options is made available to the RTC to support financing the plan. However, no revenue measures may be imposed in Kitsap County and in the Gig Harbor Peninsula area, which are included in the RTC for state and federal regional planning purposes only.

The revenue options available to a RTC are a regional sales and use tax of up to 1 percent; a local option vehicle license; a parking tax; a local motor vehicle excise tax; an employer tax; and vehicle tolls and demand management charges on mobility projects of regional significance, if the investment plan identifies the facilities to be tolled and the tolls are consistent with the Washington State Transportation Commission's tolling policies. Majority voter approval is required to impose taxes and vehicle license fees, but the RTC may approve vehicle tolls without voter approval.

A RTC may issue general obligation bonds for public transportation and mobility project capital purposes, with a non-voter approved debt limit of 1.5 percent of taxable property within its boundaries and a voter-approved debt limit of 5 percent. Revenue bond authorization need not be submitted to voters. Pledges of revenues may not exceed 40 years.

The RTC must serve as the regional transportation planning organization (RTPO) in the region, replacing the existing RTPO and assuming its responsibilities and authorities. It will also serve as the metropolitan planning organization (MPO) in the region for federal planning and funding purposes, if certain federal requirements are met. The RTC's planning authorities include conducting comprehensive and integrated corridor-based multi-modal transportation planning and prioritization, including coordinating and integrating transportation and land use planning.

The RTC must create a Transportation Policy Board (TPB) to provide a forum for state, regional, and local officials; transportation providers; and private citizens to deliberate issues that affect transportation planning, prioritization, and funding within the RTC area.

The TPB must formally review and comment on the regional mobility investment plan, the transportation improvement program prepared for federal purposes, and other documents relevant

to the region before adoption and implementation by the full RTC. If permitted by the federal government, the TPB may serve as the policy board of an MPO. The TPB may allocate federal transportation dollars in the region, subject to RTC approval.

The RTC must establish an incentives-based process of negotiating cooperative relationships with local jurisdictions within the RTC region. The RTC may not spend a local jurisdiction's locally imposed funds, unless negotiated otherwise. The RTC, local planning offices, and a new DOT administrative region dedicated solely to King, Pierce, and Snohomish counties must negotiate a process that ensures the agencies are planning for a comprehensive and integrated corridor-based multi-modal transportation system. The RTC may own, operate, construct, or maintain projects if negotiated and agreed upon by the applicable parties.

If a regional transportation investment district (RTID) does not exist by January 1, 2008, the laws permitting creation of an RTID are repealed. If an RTID exists by January 1, 2008, the following occurs: the RTID dissolves when the RTC is empowered, the RTC assumes the RTID obligations and project list, and the RTID law is repealed January 1, 2009.

The RTC assumes Sound Transit's planning functions and complete RTID authority. The RTC has authority to approve Sound Transit's fares, routes, and classes of service. The RTC assumes the Puget Sound Regional Council's staff and Sound Transit's planning staff.

An RTC, and any taxes, fees, charges, and tolls it collects, and transactions it enters into, are not subject to utility, business and occupation, or other taxes imposed by municipal corporations within the RTC's boundaries. Each commissioner of the TPB may receive a per diem compensation, as determined by the Washington Citizens' Commission on Salaries for Elected Officials. A RTC may create and fill positions, and fix wages and salaries.

Appropriation: None.

Fiscal Note: Available, based on substitute bill. An updated preliminary fiscal note is also available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.