

HOUSE BILL REPORT

ESB 5205

As Reported by House Committee On: Transportation

Title: An act relating to high capacity transportation system plan components and review.

Brief Description: Concerning high capacity transportation system plan components and review.

Sponsors: Senators Kilmer, Sheldon, Rockefeller and White.

Brief History:

Committee Activity:

Transportation: 3/9/11, 3/24/11 [DPA].

Brief Summary of Engrossed Bill (As Amended by House)

- Limits the required planning process and expert review panel requirement for high capacity transportation systems to systems that include a fixed rail guideway or a bus rapid transit component that is planned by a regional transit authority.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass as amended. Signed by 17 members: Representatives Clibborn, Chair; Billig, Vice Chair; Llias, Vice Chair; Armstrong, Ranking Minority Member; Angel, Eddy, Finn, Fitzgibbon, Jinkins, Ladenburg, Morris, Moscoso, Reykdal, Rolfes, Ryu, Takko and Upthegrove.

Minority Report: Do not pass. Signed by 8 members: Representatives Hargrove, Assistant Ranking Minority Member; Asay, Johnson, Klippert, McCune, Rivers, Shea and Zeiger.

Staff: David Munnecke (786-7315).

Background:

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.

In the central Puget Sound region, high capacity transportation (HCT) systems may be established and financed by a regional transit authority (Sound Transit) or a transit agency in a county with a population of 210,000 or more that was authorized to do so by January 1, 1991. Outside of the central Puget Sound region, HCT systems may be established by certain transit agencies only in Clark, Spokane, Thurston, Whatcom, and Yakima counties.

High capacity transportation service means a system of public transportation services within an urbanized region operating principally on exclusive rights of way, and the supporting services and facilities necessary to implement the system, including interim express services and high occupancy vehicle lanes, which, taken as a whole, provides a substantially higher level of passenger capacity, speed, and service frequency than traditional public transportation systems operating principally in general purpose roadways.

Transit agencies authorized to provide HCT service may seek to finance the system and service with the following voter-approved revenue measures:

- an employer tax of up to \$2 per month per employee;
- rental car sales and use tax not to exceed 2.172 percent; and
- sales and use tax not to exceed 0.9 percent.

To assure development of an effective HCT system, the local authority must establish a system and financing plan, and must provide for public involvement. In addition, an expert review panel must be appointed to provide independent technical review for development of any plan which is to be funded in whole or part by HCT voter-approved taxes. The state's role in HCT planning is to facilitate cooperative state and local planning efforts, and to provide system and project planning review and monitoring in cooperation with the expert review panel.

In general, most transit agencies, like public transportation benefit areas and county transportation authorities, are authorized to impose a sales and use tax of up to 0.9 percent with voter approval for the purpose of funding public transportation services.

Summary of Amended Bill:

The planning process required of local authorities seeking to implement a HCT system is limited to systems where the plan includes a rail fixed guideway component or a bus rapid transit component that is planned by a regional transit authority, as is the requirement that an expert review panel be appointed to provide independent technical review of the plan.

Amended Bill Compared to Engrossed Bill:

The amended bill removes the requirement that HCT systems that propose to convert or appropriate existing highway capacity engage in the planning and expert review panel process for HCT systems and replaces it with the same requirement for systems where the plan includes a bus rapid transit component that is planned by a regional transit authority.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Kitsap Transit is considering bus rapid transit systems on State Routes 303 and 305, and has already spent close to \$1 million in total under the federal planning requirements. The state requirements are duplicative of these requirements, and would be fairly expensive and onerous. The total cost for planning would be more than \$1 million per route under the combination of state and federal requirements.

Kitsap Transit would prefer the language in the House bill because of questions regarding the applicability of the Senate language regarding conversion of existing highway lanes.

(In support with amendment) This bill is designed to remove some of the more onerous planning requirements so that less expensive transit alternatives, such as bus rapid transit, can move forward. The Senate bill should be amended because it is potentially overly restrictive and could require the HCT planning process for even the smallest use of such options.

(Opposed) None.

Persons Testifying: (In support) Dylan Doty, Kitsap Transit.

(In support with amendment) Kathleen Collins, Spokane Transit Authority.

Persons Signed In To Testify But Not Testifying: None.