

# SENATE BILL REPORT

## SB 5430

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As of February 4, 1997

**Title:** An act relating to the authority of a public transportation benefit area to contract with cities and counties for the construction, maintenance, or repair of roads, streets, or sidewalks utilized by the public transportation benefit area.

**Brief Description:** Extending public transportation benefit areas' powers to contract.

**Sponsors:** Senators West, Benton, Haugen, McCaslin, Heavey, Morton, Hale, Oke and Goings.

**Brief History:**

**Committee Activity:** Transportation: 2/4/97.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Gene Baxstrom (786-7303)

**Background:** Public Transportation Benefit Areas (PTBAs) are special purpose units of government authorized to perform public transit activities. They are governed by boards made up of city mayors or council members and members of county elected officials, with the exception of one agency board which includes appointive citizen members.

PTBAs are granted broad powers to acquire, lease, construct, add to, improve, replace, repair, maintain, and operate transportation facilities within and without the PTBA boundaries. These may include railways, buses, or other means for local transportation and such other facilities and properties as necessary for passenger and vehicle access to and from such terminal and parking facilities together with all lands, rights of way, property and equipment necessary for such systems.

A 1988 Attorney General's Opinion found that though these powers are broad, they do not expressly grant authority for a PTBA to enter into agreements with cities and counties to contribute to the expense of repairing and maintaining public streets. It also found that since state law does expressly grant public street responsibilities to cities and counties, PTBAs do not have implied authority for such activities.

Certain municipalities are interested in utilizing PTBA funds for maintaining cities streets and county roads upon which transit buses operate.

**Summary of Bill:** The powers of Public Transportation Benefit Area Authorities are broadened to permit those agencies to contract with cities and counties, whose roads, streets, and related properties they use and affect, to pay for road, street, and sidewalk construction, maintenance, and repair costs.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.