
HOUSE BILL 2166

State of Washington

55th Legislature

1997 Regular Session

By Representatives Huff, K. Schmidt, Clements, Buck, Talcott, Johnson, Mitchell, Carlson, Delvin, Cooke and Chandler

Read first time 02/25/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to barriers to coordinated transportation services;
2 amending RCW 81.66.030, 82.36.275, and 82.38.080; and adding a new
3 chapter to Title 47 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that transportation
6 systems for persons with special needs are not operated as efficiently
7 as possible. Lack of coordination produces irrational situations, such
8 as several different vehicles arriving simultaneously at the same
9 location to pick up several different persons with special needs. When
10 separate vehicles arrive within minutes of each other to transport
11 individuals with special needs to similar destinations, resources are
12 wasted and fewer people are being served. In some cases, programs
13 established by the legislature to assist persons with special needs can
14 not be accessed due to these inefficiencies.

15 It is the intent of the legislature to encourage coordination
16 between public transportation agencies, private nonprofit
17 transportation providers, and other public agencies sponsoring
18 transportation services. Through coordination of transportation

1 services, programs will achieve increased efficiencies and will expand
2 services to a greater number of persons with special needs.

3 NEW SECTION. **Sec. 2.** (1) The agency council on coordinated
4 transportation is created. The council is composed of nine voting
5 members and four nonvoting, legislative members.

6 (2) The nine voting members are the superintendent of public
7 instruction or a designee, the secretary of transportation or a
8 designee, the secretary of the department of social and health services
9 or a designee, and six members appointed by the governor as follows:

10 (a) One representative from the office of the governor;

11 (b) Two persons who are consumers of special needs transportation
12 services;

13 (c) One representative from the Washington association of pupil
14 transportation;

15 (d) One representative from the Washington state transit
16 association; and

17 (e) One of the following:

18 (i) A representative from the community transportation association
19 of the Northwest; or

20 (ii) A representative from the community action council
21 association.

22 (3) The four nonvoting members are legislators as follows:

23 (a) Two members from the house of representatives, one from each of
24 the two largest caucuses, appointed by the speaker of the house of
25 representatives, one of whom is a member of the house transportation
26 policy and budget committee and one of whom is a member of the house
27 appropriations committee; and

28 (b) Two members from the senate, one from each of the two largest
29 caucuses, appointed by the president of the senate, one of whom is a
30 member of the transportation committee and one of whom is a member of
31 the ways and means committee.

32 (4) Gubernatorial appointees of the council will serve two-year
33 terms. Members may not receive compensation for their service on the
34 council, but will be reimbursed for actual and necessary expenses
35 incurred in performing their duties as members as set forth in RCW
36 43.03.220.

37 (5) The secretary of transportation or a designee shall serve as
38 the chair.

1 (6) The department of transportation shall provide necessary staff
2 support for the council.

3 (7) The council may receive gifts, grants, or endowments from
4 public or private sources that are made from time to time, in trust or
5 otherwise, for the use and benefit of the purposes of the council and
6 spend gifts, grants, or endowments or income from the public or private
7 sources according to their terms, unless the receipt of the gifts,
8 grants, or endowments violates RCW 42.17.710.

9 NEW SECTION. **Sec. 3.** The council shall:

10 (1) Develop standards and strategies for coordinating special needs
11 transportation;

12 (2) Identify, fund as resources are made available, and monitor
13 coordinated transportation pilot projects;

14 (3) Disseminate and encourage the widespread implementation of
15 successful demonstration projects;

16 (4) Identify and address barriers to transportation coordination;

17 (5) Recommend to the legislature changes in law to assist
18 coordination of transportation services;

19 (6) Act as an information clearinghouse and advocate for
20 coordinated transportation;

21 (7) Petition the office of financial management to make whatever
22 changes are deemed necessary to identify transportation costs in all
23 executive agency budgets;

24 (8) Report to the legislature by December 1, 1998, on council
25 activities including, but not limited to, what demonstration projects
26 have been undertaken, how coordination affected service levels, and
27 whether these efforts produced savings that allowed expansion of
28 services. Reports must be made once every two years thereafter, and
29 other times as the council deems necessary.

30 **Sec. 4.** RCW 81.66.030 and 1979 c 111 s 6 are each amended to read
31 as follows:

32 The commission shall regulate every private, nonprofit
33 transportation provider in this state but has authority only as
34 follows: To issue certificates to such providers; to set forth
35 insurance requirements; to adopt reasonable rules to insure that any
36 vehicles used by such providers will be adequate for the proposed
37 service; and to inspect the vehicles and otherwise regulate the safety

1 of operations of each provider(~~(; and to regulate in accordance with~~
2 ~~the procedures set forth in chapter 81.04 RCW any rates, fares, or~~
3 ~~charges proposed by such providers))~~). The commission may charge fees
4 to private, nonprofit transportation providers, which shall be
5 approximately the same as the reasonable cost of regulating such
6 providers.

7 **Sec. 5.** RCW 82.36.275 and 1969 ex.s. c 281 s 27 are each amended
8 to read as follows:

9 Notwithstanding RCW 82.36.240, every urban passenger transportation
10 system shall receive a refund of the amount of the motor vehicle fuel
11 tax paid on each gallon of motor vehicle fuel used, whether such
12 vehicle fuel tax has been paid either directly to the vendor from whom
13 the motor vehicle fuel was purchased or indirectly by adding the amount
14 of such tax to the price of such fuel.

15 For the purposes of this section "urban passenger transportation
16 system" means every transportation system, publicly or privately owned,
17 having as its principal source of revenue (~~(the income from)~~), funding
18 for transporting persons (~~(for compensation)~~) by means of motor
19 vehicles and/or trackless trolleys, each having a seating capacity for
20 over fifteen persons(~~(, over prescribed routes in such a manner that~~
21 ~~the routes of such motor vehicles and/or trackless trolleys (either~~
22 ~~alone or in conjunction with routes of other such motor vehicles and/or~~
23 ~~trackless trolleys subject to routing by the same transportation~~
24 ~~system) do not extend for a distance exceeding fifteen road miles~~
25 ~~beyond the corporate limits of the city in which the original starting~~
26 ~~points of such motor vehicles are located: PROVIDED, That no refunds~~
27 ~~authorized by this section shall be granted on fuel used by any urban~~
28 ~~transportation vehicle on any trip where any portion of said trip is~~
29 ~~more than fifteen road miles beyond the corporate limits of the city in~~
30 ~~which said trip originated))~~).

31 **Sec. 6.** RCW 82.38.080 and 1996 c 244 s 6 are each amended to read
32 as follows:

33 There is exempted from the tax imposed by this chapter, the use of
34 fuel for: (1) Street and highway construction and maintenance purposes
35 in motor vehicles owned and operated by the state of Washington, or any
36 county or municipality; (2) publicly owned fire fighting equipment; (3)
37 special mobile equipment as defined in RCW 46.04.552; (4) power pumping

1 units or other power take-off equipment of any motor vehicle which is
2 accurately measured by metering devices that have been specifically
3 approved by the department or which is established by either of the
4 following formulae: (a) Pumping propane, or fuel or heating oils or
5 milk picked up from a farm or dairy farm storage tank by a power take-
6 off unit on a delivery truck, at the rate of three-fourths of one
7 gallon for each one thousand gallons of fuel delivered or milk picked
8 up: PROVIDED, That claimant when presenting his claim to the
9 department in accordance with the provisions of this chapter, shall
10 provide to said claim, invoices of propane, or fuel or heating oil
11 delivered, or such other appropriate information as may be required by
12 the department to substantiate his claim; or (b) operating a power
13 take-off unit on a cement mixer truck or a load compactor on a garbage
14 truck at the rate of twenty-five percent of the total gallons of fuel
15 used in such a truck; and (c) the department is authorized to establish
16 by rule additional formulae for determining fuel usage when operating
17 other types of equipment by means of power take-off units when direct
18 measurement of the fuel used is not feasible. The department is also
19 authorized to adopt rules regarding the usage of on board computers for
20 the production of records required by this chapter; (5) motor vehicles
21 owned and operated by the United States government; (6) heating
22 purposes; (7) moving a motor vehicle on a public highway between two
23 pieces of private property when said moving is incidental to the
24 primary use of the motor vehicle; (8) transportation services for
25 persons with special transportation needs by a private, nonprofit
26 transportation provider regulated under chapter 81.66 RCW; and (9)
27 notwithstanding any provision of law to the contrary, every urban
28 passenger transportation system and carriers as defined by chapters
29 81.68 and 81.70 RCW shall be exempt from the provisions of this chapter
30 requiring the payment of special fuel taxes. For the purposes of this
31 section "urban passenger transportation system" means every
32 transportation system, publicly or privately owned, having as its
33 principal source of revenue (~~the income from~~), funding for
34 transporting persons (~~for compensation~~) by means of motor vehicles
35 and/or trackless trolleys, each having a seating capacity for over
36 fifteen persons (~~over prescribed routes in such a manner that the~~
37 ~~routes of such motor vehicles and/or trackless trolleys, either alone~~
38 ~~or in conjunction with routes of other such motor vehicles and/or~~
39 ~~trackless trolleys subject to routing by the same transportation~~

1 system, shall not extend for a distance exceeding twenty-five road
2 miles beyond the corporate limits of the county in which the original
3 starting points of such motor vehicles are located: PROVIDED, That no
4 refunds or credits shall be granted on fuel used by any urban
5 transportation vehicle or vehicle operated pursuant to chapters 81.68
6 and 81.70 RCW on any trip where any portion of said trip is more than
7 twenty-five road miles beyond the corporate limits of the county in
8 which said trip originated)).

9 NEW SECTION. **Sec. 7.** Sections 1 through 3, 8, and 9 of this act
10 constitute a new chapter in Title 47 RCW.

11 NEW SECTION. **Sec. 8.** The agency council on coordinated
12 transportation is terminated on June 30, 2003, as provided in section
13 9 of this act.

14 NEW SECTION. **Sec. 9.** The following acts or parts of acts, as now
15 existing or hereafter amended, are each repealed, effective June 30,
16 2004:

- 17 (1) RCW 47.---.--- and 1997 c . . . s 1 (section 1 of this act);
18 (2) RCW 47.---.--- and 1997 c . . . s 2 (section 2 of this act); and
19 (3) RCW 47.---.--- and 1997 c . . . s 3 (section 3 of this act).

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