
HOUSE BILL 2287

State of Washington

57th Legislature

2002 Regular Session

By Representatives Cooper, O'Brien, Veloria, Fromhold, Reardon, Conway, McIntire, Simpson, Schual-Berke, Fisher, Tokuda and McDermott

Read first time . Referred to Committee on .

1 AN ACT Relating to restrictions on public passenger transportation
2 system agreements for services by private entities; amending RCW
3 35.84.060 and 39.33.050; adding a new section to chapter 36.56 RCW;
4 adding a new section to chapter 36.57 RCW; adding a new section to
5 chapter 36.57A RCW; and adding a new section to chapter 81.112 RCW.

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

7 **Sec. 1.** RCW 35.84.060 and 1969 ex.s. c 281 s 26 are each amended
8 to read as follows:

9 (1) Every municipal corporation which owns or operates an urban
10 public transportation system as defined in RCW 47.04.082 within its
11 corporate limits, may acquire, construct, extend, own, or operate such
12 urban public transportation system to any point or points not to exceed
13 fifteen miles outside of its corporate limits: PROVIDED, That no
14 municipal corporation shall extend its urban public transportation
15 system beyond its corporate limits to operate in any territory already
16 served by a privately operated auto transportation company holding a
17 certificate of public convenience and necessity from the utilities and
18 transportation commission.

1 (2) A municipal corporation may not enter into any contract or
2 agreement whereby a private entity provides services to the
3 corporation, if:

4 (a) The services provided under the contract are of the type
5 typically or historically provided by public passenger transportation
6 system employees covered by RCW 41.56.492; and

7 (b) The wages, pension, sick leave, vacation time, and other
8 benefits to be provided to employees of the private entity are less
9 than those provided to public passenger transportation system employees
10 with the same or similar duties.

11 (3) Prior to entering into any contract or agreement whereby a
12 private entity provides the services specified in subsection (2) of
13 this section to a corporation, the corporation shall notify all
14 affected labor organizations of its intent to enter into such contract
15 or agreement, and provide the affected labor organizations with all
16 relevant information regarding the proposed contract or agreement.

17 (4) Nothing in this section may be construed as limiting a
18 corporation's duties to bargain with labor organizations, as provided
19 by chapter 41.56 RCW.

20 NEW SECTION. Sec. 2. A new section is added to chapter 36.56 RCW
21 to read as follows:

22 (1) A county that has assumed the rights, powers, functions, and
23 obligations of a metropolitan municipal corporation may not enter into
24 any contract or agreement whereby a private entity provides services to
25 the county, if:

26 (a) The services provided under the contract are of the type
27 typically or historically provided by public passenger transportation
28 system employees covered by RCW 41.56.492; and

29 (b) The wages, pension, sick leave, vacation time, and other
30 benefits to be provided to employees of the private entity are less
31 than those provided to public passenger transportation system employees
32 with the same or similar duties.

33 (2) Prior to entering into any contract or agreement whereby a
34 private entity provides the services specified in subsection (1) of
35 this section to a county, the county shall notify all affected labor
36 organizations of its intent to enter into such contract or agreement,
37 and provide the affected labor organizations with all relevant
38 information regarding the proposed contract or agreement.

1 (3) Nothing in this section may be construed as limiting a county's
2 duties to bargain with labor organizations, as provided by chapter
3 41.56 RCW.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 36.57 RCW
5 to read as follows:

6 (1) A county public transportation authority may not enter into any
7 contract or agreement whereby a private entity provides services to the
8 authority, if:

9 (a) The services provided under the contract are of the type
10 typically or historically provided by public passenger transportation
11 system employees covered by RCW 41.56.492; and

12 (b) The wages, pension, sick leave, vacation time, and other
13 benefits to be provided to employees of the private entity are less
14 than those provided to public passenger transportation system employees
15 with the same or similar duties.

16 (2) Prior to entering into any contract or agreement whereby a
17 private entity provides services to an authority, the authority shall
18 notify all affected labor organizations of its intent to enter into
19 such contract or agreement, and provide the affected labor
20 organizations with all relevant information regarding the proposed
21 contract or agreement.

22 (3) Nothing in this section may be construed as limiting an
23 authority's duties to bargain with labor organizations, as provided by
24 chapter 41.56 RCW.

25 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.57A RCW
26 to read as follows:

27 (1) A public transportation benefit area authority may not enter
28 into any contract or agreement whereby a private entity provides
29 services to the authority, if:

30 (a) The services provided under the contract are of the type
31 typically or historically provided by public passenger transportation
32 system employees covered by RCW 41.56.492; and

33 (b) The wages, pension, sick leave, vacation time, and other
34 benefits to be provided to employees of the private entity are less
35 than those provided to public passenger transportation system employees
36 with the same or similar duties.

1 (2) Prior to entering into any contract or agreement whereby a
2 private entity provides services to an authority, the authority shall
3 notify all affected labor organizations of its intent to enter into
4 such contract or agreement, and provide the affected labor
5 organizations with all relevant information regarding the proposed
6 contract or agreement.

7 (3) Nothing in this section may be construed as limiting an
8 authority's duties to bargain with labor organizations, as provided by
9 chapter 41.56 RCW.

10 **Sec. 5.** RCW 39.33.050 and 1969 ex.s. c 255 s 16 are each amended
11 to read as follows:

12 (1) The legislative body of any municipal corporation, quasi
13 municipal corporation, or political subdivision of the state of
14 Washington authorized to develop and operate a public mass
15 transportation system shall have power to contract with the legislative
16 body of any other municipal corporation, quasi municipal corporation,
17 or political subdivision of the state of Washington, or with any
18 person, firm, or corporation for public transportation services or for
19 the use of all or any part of any publicly owned transportation
20 facilities for such period and under such terms and conditions and upon
21 such rentals, fees, and charges as the legislative body operating such
22 public transportation system may determine, and may pledge all or any
23 portion of such rentals, fees, and charges and all other revenue
24 derived from the ownership or operation of publicly owned
25 transportation facilities to pay and to secure the payment of general
26 obligation bonds and/or revenue bonds of such municipality issued for
27 the purpose of acquiring or constructing a public mass transportation
28 system.

29 (2) The legislative body of any municipal corporation, quasi
30 municipal corporation, or political subdivision of the state of
31 Washington authorized to develop and operate a public mass
32 transportation system may not enter into any contract or agreement
33 whereby a private entity provides services to the system, if:

34 (a) The services provided under the contract are of the type
35 typically or historically provided by public passenger transportation
36 system employees covered by RCW 41.56.492; and

37 (b) The wages, pension, sick leave, vacation time, and other
38 benefits to be provided to employees of the private entity are less

1 than those provided to public passenger transportation system employees
2 with the same or similar duties.

3 (3) Prior to entering into any contract or agreement whereby a
4 private entity provides the services specified in subsection (2) of
5 this section, the legislative body shall notify all affected labor
6 organizations of its intent to enter into such contract or agreement,
7 and provide the affected labor organizations with all relevant
8 information regarding the proposed contract or agreement.

9 (4) Nothing in this section may be construed as limiting the duty
10 to bargain with labor organizations, as provided by chapter 41.56 RCW.

11 NEW SECTION. Sec. 6. A new section is added to chapter 81.112 RCW
12 to read as follows:

13 (1) A regional transit authority may not enter into any contract or
14 agreement whereby a private entity provides services to the authority,
15 if:

16 (a) The services provided under the contract are of the type
17 typically or historically provided by public passenger transportation
18 system employees covered by RCW 41.56.492; and

19 (b) The wages, pension, sick leave, vacation time, and other
20 benefits to be provided to employees of the private entity are less
21 than those provided to public passenger transportation system employees
22 with the same or similar duties.

23 (2) Prior to entering into any contract or agreement whereby a
24 private entity provides services to an authority, the authority shall
25 notify all affected labor organizations of its intent to enter into
26 such contract or agreement, and provide the affected labor
27 organizations with all relevant information regarding the proposed
28 contract or agreement.

29 (3) Nothing in this section may be construed as limiting an
30 authority's duties to bargain with labor organizations, as provided by
31 chapter 41.56 RCW.

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