

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5121

Chapter 316, Laws of 2005

59th Legislature
2005 Regular Session

AVIATION PLANNING COUNCIL

EFFECTIVE DATE: 7/24/05

Passed by the Senate April 18, 2005
YEAS 47 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 14, 2005
YEAS 93 NAYS 2

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5121** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved May 9, 2005.

FILED

May 9, 2005 - 12:05 p.m.

CHRISTINE GREGOIRE
Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5121

AS AMENDED BY THE HOUSE

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senate Committee on Transportation (originally sponsored by
Senators Keiser, Swecker, Poulsen, Schmidt and Haugen)

READ FIRST TIME 03/07/05.

1 AN ACT Relating to determining long-term air transportation needs;
2 adding new sections to chapter 47.68 RCW; creating a new section; and
3 providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.68 RCW
6 to read as follows:

7 (1) The aviation division of the department of transportation shall
8 conduct a statewide airport capacity and facilities assessment. The
9 assessment must include a statewide analysis of existing airport
10 facilities, and passenger and air cargo transportation capacity,
11 regarding both commercial aviation and general aviation; however, the
12 primary focus of the assessment must be on commercial aviation. The
13 assessment must at a minimum address the following issues:

14 (a) Existing airport facilities, both commercial and general
15 aviation, including air side, land side, and airport service
16 facilities;

17 (b) Existing air and airport capacity, including the number of
18 annual passengers and air cargo operations;

1 (c) Existing airport services, including fixed based operator
2 services, fuel services, and ground services; and

3 (d) Existing airspace capacity.

4 (2) The department shall consider existing information, technical
5 analyses, and other research the department deems appropriate. The
6 department may contract and consult with private independent
7 professional and technical experts regarding the assessment.

8 (3) The department shall submit the assessment to the appropriate
9 standing committees of the legislature, the governor, the
10 transportation commission, and regional transportation planning
11 organizations by July 1, 2006.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.68 RCW
13 to read as follows:

14 (1) After submitting the assessment under section 1 of this act,
15 the aviation division of the department of transportation shall conduct
16 a statewide airport capacity and facilities market analysis. The
17 analysis must include a statewide needs analysis of airport facilities,
18 passenger and air cargo transportation capacity, and demand and
19 forecast market needs over the next twenty-five years with a more
20 detailed analysis of the Puget Sound, southwest Washington, Spokane,
21 and Tri-Cities regions. The analysis must address the forecasted needs
22 of both commercial aviation and general aviation; however, the primary
23 focus of the analysis must be on commercial aviation. The analysis
24 must at a minimum address the following issues:

25 (a) A forecast of future airport facility needs based on passenger
26 and air cargo operations and demand, airline planning, and a
27 determination of aviation trends, demographic, geographic, and market
28 factors that may affect future air travel demand;

29 (b) A determination of when the state's existing commercial service
30 airports will reach their capacity;

31 (c) The factors that may affect future air travel and when capacity
32 may be reached and in which location;

33 (d) The role of the state, metropolitan planning organizations,
34 regional transportation planning organizations, the federal aviation
35 administration, and airport sponsors in addressing statewide airport
36 facilities and capacity needs; and

1 (e) Whether the state, metropolitan planning organizations,
2 regional transportation planning organizations, the federal aviation
3 administration, or airport sponsors have identified options for
4 addressing long-range capacity needs at airports, or in regions, that
5 will reach capacity before the year 2030.

6 (2) The department shall consider existing information, technical
7 analyses, and other research the department deems appropriate. The
8 department may contract and consult with private independent
9 professional and technical experts regarding the analysis.

10 (3) The department shall submit the analysis to the appropriate
11 standing committees of the legislature, the governor, the
12 transportation commission, and regional transportation planning
13 organizations by July 1, 2007.

14 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.68 RCW
15 to read as follows:

16 (1) Upon completion of both the statewide assessment and analysis
17 required under sections 1 and 2 of this act, and to the extent funds
18 are appropriated to the department for this purpose, the governor shall
19 appoint an aviation planning council to consist of the following
20 members: (a) The director of the aviation division of the department
21 of transportation, or a designee; (b) the director of the department of
22 community, trade, and economic development, or a designee; (c) a member
23 of the transportation commission, who shall be the chair of the
24 council; (d) two members of the general public familiar with airport
25 issues, including the impacts of airports on communities, one of whom
26 must be from western Washington and one of whom must be from eastern
27 Washington; (e) a technical expert familiar with federal aviation
28 administration airspace and control issues; (f) a commercial airport
29 operator; (g) a member of a growth management hearings board; (h) a
30 representative of the Washington airport management association; and
31 (i) an airline representative. The chair of the council may designate
32 another councilmember to serve as the acting chair in the absence of
33 the chair. The department of transportation shall provide all
34 administrative and staff support for the council.

35 (2) The purpose of the council is to make recommendations, based on
36 the findings of the assessment and analysis completed under sections 1
37 and 2 of this act, regarding how best to meet the statewide commercial

1 and general aviation capacity needs, as determined by the council. The
2 council shall determine which regions of the state are in need of
3 improvement regarding the matching of existing, or projected, airport
4 facilities, and the long-range capacity needs at airports within the
5 region expected to reach capacity before the year 2030. After
6 determining these areas, the council shall make recommendations
7 regarding the placement of future commercial and general aviation
8 airport facilities designed to meet the need for improved aviation
9 planning in the region. The council shall include public input in
10 making final recommendations.

11 (3) The council shall submit its recommendations to the appropriate
12 standing committees of the legislature, the governor, the
13 transportation commission, and applicable regional transportation
14 planning organizations.

15 (4) This section expires July 1, 2009.

16 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this
17 act, referencing this act by bill or chapter number, is not provided by
18 June 30, 2005, in the omnibus transportation appropriations act, this
19 act is null and void.

Passed by the Senate April 18, 2005.

Passed by the House April 14, 2005.

Approved by the Governor May 9, 2005.

Filed in Office of Secretary of State May 9, 2005.