

HOUSE BILL REPORT

HB 2088

As Reported by House Committee On: Transportation

Title: An act relating to improving access to facilities for persons with special transportation needs.

Brief Description: Improving access to facilities for persons with special transportation needs.

Sponsors: Representatives Darneille, Clibborn, Morrell, Wallace, Kenney, Simpson, Wood and Conway.

Brief History:

Committee Activity:

Transportation: 2/24/09, 2/27/09 [DP].

Brief Summary of Bill

- Establishes a work group to develop criteria and guidelines for the purpose of improving coordination between determinations made to site certain state-funded facilities and access to those facilities by persons with special transportation needs.
- Requires the work group to submit a report to the Legislature by December 1, 2010.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 25 members: Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong, Campbell, Cox, Eddy, Ericksen, Finn, Flannigan, Herrera, Johnson, Klippert, Moeller, Morris, Rolfes, Sells, Simpson, Springer, Takko, Upthegrove, Wallace, Williams and Wood.

Staff: Kathryn Leathers (786-7114)

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 2007 the Legislature directed the Joint Transportation Committee (JTC) to conduct a study of special needs transportation in the state. A particular goal of the study was to explore opportunities to enhance coordination of special needs transportation programs to ensure they are delivered efficiently, and that they result in improved access and increased mobility options for their clients. That study, finalized in January 2009, resulted in a number of recommendations, including the need to provide more effective and efficient access to facilities and services that primarily serve clients with special transportation needs. To that end, the study recommended strengthening the link between facility siting determinations and consideration of special needs transportation services provided to those facilities.

"Persons with special transportation needs" means those persons, including their personal attendants, who, because of physical or mental disability, income status, or age, are unable to transport themselves or to purchase transportation.

State Facility Siting, In General.

Except for certain state agencies, the Department of General Administration (GA) is authorized to acquire, lease, purchase, and dispose of real estate on behalf of all state agencies, after consultation with the Office of Financial Management (OFM). The exceptions include four-year universities, the State Parks and Recreation Commission, the Liquor Control Board, and the Departments of Transportation, Fish and Wildlife, and Natural Resources. In general, the GA may determine the location, size, and design of real estate and improvements, which is usually determined with input from the requesting agency.

Siting of Leased Facilities.

A state agency seeking to lease new facilities must first fill out a Space Request Form and Business and Facilities Summary describing the preferred geographic area, requested location factors, and office space requirements. The agency must identify specific building requirements, such as the number of elevators, parking capacity, and accessibility to local transportation. Typically, an agency providing social services includes access to and adjacency to public transit as one of its site requirements.

The GA is responsible for finding candidate locations, assessing their feasibility, and administering the leasing arrangement. Once completed, the lease request documents are submitted to the OFM for review and are then sent to the GA's Real Estate Services Division (RES). Once approved, the RES works to locate an appropriate facility based on specifications from the requesting agency. A solicitation is developed and advertised in the news media in the market area and on the GA's website. Submittals are provided from owners, developers, or brokers, and include responses to a set of standard questions. The set of standard questions includes questions about bus service to the site and alternative transportation. The submittal must clearly show the location of accessible parking, public transportation stops, and the accessible routes of travel from each of the main entrances.

Once all submittals are reviewed for completeness, a site selection team is established to evaluate the submitted proposals, visit each site, and hear a proposed building plan in the form of a formal presentation from the submitter. The site selection team is made up of the project architect, leasing agent, and two agency representatives from the agency to be housed in the new location. In addition, members of the OFM staff and the GA's Engineering and Architectural Services Division are available for consultation during the meetings and the

selection process. The following elements are among the factors considered during evaluation of proposals for leased sites:

- parking, public transportation, accessibility to major routes of travel, ingress and egress, proximity to clients and program needs;
- building efficiency and flexibility, suitability for program operations, heating and air conditioning, energy efficiency, lighting, exterior design;
- downtown revitalization and historic preservation;
- sustainability and “green building” elements (for example, energy and water conservation and efficiency); and
- lease rate.

The RES assists tenant agencies in assessing and achieving program accessibility in leased facilities. The criteria for assessing accessibility to leased facilities includes consideration of bus stops within 600 feet of the primary entrance and distance to the nearest bus stop.

The GA is currently in the process of reviewing its overall solicitation process for real estate with the OFM. One aspect of the review is a redesign of the site selection score sheet in an effort to identify elements likely to produce results that are in the state’s best interest and to ensure the elements work together to differentiate lease proposals. One intent of the review is to maximize the long-term effectiveness and efficiency of facilities so that services are delivered in a more effective manner.

Siting of Owned Facilities.

When siting new state-owned facilities, the site alternatives are identified in the pre-design process. One or many sites may be identified, and a recommendation is provided from the pre-design study. The pre-design manual published by the OFM requires the agency to identify parking and access issues. For access issues, the OFM recommends that the agency: (1) determine the probable impact of the project on traffic flows and identify required improvements; (2) review and discuss, with the assistance of the appropriate agencies, available traffic information on volumes, existing road systems, plans for road improvements, and possible enhancements that may be required; (3) determine potential vehicle and bus routes and other pertinent information; (4) conceptually analyze site access routes for buses, vehicles, and pedestrians; and (5) identify right-of-ways or additional land that may be required to provide access to the site.

Regional Transportation Planning Organizations.

State law authorizes local governments to voluntarily form regional transportation planning organizations (RTPOs). The purpose of an RTPO is to coordinate local comprehensive planning with state transportation planning. An RTPO is required to certify that the transportation elements of local comprehensive plans conform with the Growth Management Act and are consistent with the regional transportation plan. Every four years, each RTPO is required to submit an updated plan to the Agency Council on Coordinated Transportation (ACCT). The ACCT is a council of state agencies, transportation providers, consumer advocates, and legislators, which was created to facilitate a statewide approach to coordinated special needs transportation and to develop community-based coordinated transportation systems. Every two years, each RTPO must submit a prioritized regional human service and transportation project list to the ACCT.

Summary of Bill:

By January 1, 2010, a work group is created to develop criteria and guidelines for the purpose of improving coordination between determinations made to site certain state-funded facilities and access to those facilities by persons with special transportation needs. The criteria and guidelines are intended to be used for facilities that employ or provide services to a high proportion of persons with special transportation needs.

The ACCT is responsible for appointing members to the work group, and the work group is chaired by a representative of the OFM. Membership of the work group must include, but is not limited to, one or more representatives from: the departments of Social and Health Services, Health, GA, Employment Security, Transportation, and Community, Trade and Economic Development; the OFM; the Office of Superintendent of Public Instruction; public transit agencies; Medicaid nonemergency medical transportation brokers; patrons of special needs transportation; care facilities associations; cities and counties; RTPOs; and the ACCT. The work group must also consult with other persons who directly provide services to persons with special transportation needs, including personal attendants and drivers.

In developing the criteria and guidelines, the work group must give consideration to several issues, including: (1) establishing transportation for persons with special needs as an element of facility pre-design phases; (2) how the costs and convenience of transportation services for facility users should be taken into account when facilities are acquired, located, and divested; (3) existing and planned public and private transportation options that provide service to such facilities; (4) transportation options that compensate for a lack of public transportation, and the costs related to those options; and (5) cost reduction strategies that address facilities sited outside of a public transit agency's service area.

The work group must also identify improvements to relevant medical, social, and human services facilities that would enhance accessibility to transportation services, including but not limited to accessible path of travel improvements.

By December 1, 2010, the work group must submit a report on the results of its efforts to the ACCT, the Governor, and the transportation, human services, and fiscal committees of the Legislature. The report must include specific recommendations to improve access to facilities for persons with special transportation needs. If any of the work group's recommendations are adopted by the Legislature, certain plans developed by RTPOs must include an element addressing coordination between transportation services for persons with special transportation needs and the siting of relevant facilities.

Appropriation: None.

Fiscal Note: A preliminary fiscal note is available.

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

Staff Summary of Public Testimony:

(In support) This bill is a recommendation that came out of the Joint Transportation Committee study of special needs transportation. We have public facilities that are being purchased or placed outside of transportation zones, and there are people with special transportation needs who need to get to these facilities, including many people who are low income.

The Washington State Department of Transportation supports this bill. Facility siting is an issue that has been worked on for years. When a state facility is sited inside transit areas, access is increased to those facilities for all persons, including persons with special transportation needs. This increases access for many people to jobs, groceries, and healthcare.

If a state facility is located where land is cheapest without sufficient consideration of access to that facility, this can increase the cost to the state in the long term because the state may be required to create and pay for access to these services.

By locating facilities in transit areas, employees and clients are encouraged to use transit. This also supports smart land use development and helps to reduce greenhouse gas emissions. It takes a public vote for the boundaries of transit areas to be expanded.

(With concerns) For persons with disabilities, this is a rights issue. The ability to access facilities is critical. It is important to involve persons with disabilities in the process of making facility-siting decisions. While the bill does include such persons on the work group, this element could be strengthened by requiring a greater number of persons with disabilities to be involved in this work. Increased participation by persons with disabilities will result in a more valuable product, and will ensure that you really have accessible buildings and paths of travel.

(Opposed) None.

Persons Testifying: (In support) Representative Darneille, prime sponsor; and Katy Taylor, Washington State Department of Transportation.

(With concerns) David Lord, Disability Rights Washington.

Persons Signed In To Testify But Not Testifying: None.