
HOUSE BILL 2862

State of Washington

65th Legislature

2018 Regular Session

By Representatives Harmsworth and Graves

Read first time 01/18/18. Referred to Committee on Transportation.

1 AN ACT Relating to the use of park and ride lots by private
2 employer transportation service vehicles; amending RCW 47.04.290; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 47.04.290 and 2011 c 379 s 2 are each amended to
6 read as follows:

7 (1) Any local transit agency that has received state funding for
8 a park and ride lot shall make reasonable accommodation for use of
9 that lot by: Auto transportation companies regulated under chapter
10 81.68 RCW; passenger charter carriers regulated under chapter 81.70
11 RCW, except marked or unmarked stretch limousines and stretch sport
12 utility vehicles as defined under department of licensing rules;
13 private, nonprofit transportation providers regulated under chapter
14 81.66 RCW; and private employer transportation service vehicles,
15 provided that such use does not interfere with the efficiency,
16 reliability, and safety of public transportation operations. The
17 accommodation must be in the form of an agreement between the
18 applicable local transit agency and the private transportation
19 provider. The transit agency may require that the agreement include
20 provisions to recover actual costs and fair market value for the use
21 of the lot and its related facilities and to provide adequate

1 insurance and indemnification of the transit agency, and other
2 reasonable provisions to ensure that the private transportation
3 provider's use does not unduly burden the transit agency. The transit
4 agency may consider benefits to its public transportation system when
5 establishing an amount to charge for the use of the park and ride lot
6 and its related facilities. If the agreement includes provisions to
7 recover actual costs, the private transportation provider is
8 responsible to remit the full actual costs of park and ride lot use
9 to the appropriate transit agency. No accommodation is required, and
10 any agreement may be terminated, if the park and ride lot is at or
11 exceeds ninety percent capacity between the hours of 6:00 a.m. and
12 4:00 p.m., Monday through Friday for two consecutive months, except
13 in the case of private employer transportation service vehicles.
14 Private employer transportation service vehicles must be allowed to
15 use a park and ride lot regardless of the capacity of the lot.
16 (~~Additionally,~~) Any agreement may be terminated if the private
17 transportation provider violates any policies guiding the terms of
18 use of the park and ride lot. The transit agency may reserve the
19 authority to designate which pick-up and drop-off zones of the park
20 and ride lot may be used by the private transportation provider.

21 (2) A local transit agency described under subsection (1) of this
22 section may enter into a cooperative agreement with a taxicab company
23 regulated under chapter 81.72 RCW in order to accommodate the taxicab
24 company at the agency's park and ride lot, provided the taxicab
25 company must agree to provide service with reasonable availability,
26 subject to schedule coordination provisions as agreed to by the
27 parties.

28 (3) For the purposes of this section, "private employer
29 transportation service" means regularly scheduled, fixed-route
30 transportation service that is similarly marked or identified to
31 display the business name or logo on the driver and passenger sides
32 of the vehicle, meets the annual certification requirements of the
33 department, and is offered by an employer for the benefit of its
34 employees.

35 (4) For the purposes of this section, "private transportation
36 provider" means:

37 (a) A company regulated under chapter 81.68 RCW; chapter 81.70
38 RCW, except marked or unmarked stretch limousines and stretch sport
39 utility vehicles as defined under department of licensing rules; and
40 chapter 81.66 RCW; and

1 (b) An entity providing private employer transportation service.

2 (5)(a) Local authorities are encouraged to establish a process
3 for private transportation providers, described under subsections (1)
4 and (4) of this section, to apply for the use of park and ride
5 facilities.

6 (b) The process must provide a list of facilities that the local
7 authority determines to be unavailable for use by the private
8 transportation provider and must provide the criteria used to reach
9 that determination.

10 (c) The application and review processes must be uniform and
11 should provide for an expeditious response by the authority.

12 (6) The department must convene a stakeholder process that
13 includes interested public and private transportation providers,
14 which must develop standard permit forms, clear explanations of
15 permit rate calculations, and standard indemnification provisions
16 that may be used by all local authorities.

17 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of
19 the state government and its existing public institutions, and takes
20 effect immediately.

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