

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE HOUSE BILL 1798**

Chapter 385, Laws of 1999

(partial veto)

56th Legislature  
1999 Regular Session

SPECIAL NEEDS TRANSPORTATION--COORDINATION

EFFECTIVE DATE: 7/25/99

Passed by the House March 11, 1999  
Yeas 95 Nays 0

CLYDE BALLARD  
**Speaker of the House of Representatives**

FRANK CHOPP  
**Speaker of the House of Representatives**

Passed by the Senate April 15, 1999  
Yeas 47 Nays 0

BRAD OWEN  
**President of the Senate**

Approved May 18, 1999, with the  
exception of section 4, which is  
vetoed.

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1798** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER  
**Chief Clerk**

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

May 18, 1999 - 3:17 p.m.

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE HOUSE BILL 1798

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Passed Legislature - 1999 Regular Session

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Transportation (originally sponsored by Representatives K. Schmidt, Fisher, Mitchell, Ogden, Mielke, Cooper, Pflug, Hankins, Skinner, Fortunato, Wood, Haigh, Radcliff, Rockefeller, Kessler and Regala)

Read first time 03/01/1999.

1 AN ACT Relating to coordination of special needs transportation;  
2 amending RCW 47.06B.010, 47.06B.020, 47.06B.030, 47.06B.900, and  
3 47.06B.901; and adding new sections to chapter 47.06B RCW.

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

5 **Sec. 1.** RCW 47.06B.010 and 1998 c 173 s 1 are each amended to read  
6 as follows:

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

17 It is the intent of the legislature that public transportation  
18 agencies, pupil transportation programs, private nonprofit  
19 transportation providers, and other public agencies sponsoring programs

1 that require transportation services coordinate those transportation  
2 services. Through coordination of transportation services, programs  
3 will achieve increased efficiencies and will be able to provide more  
4 rides to a greater number of persons with special needs.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.06B RCW  
6 to read as follows:

7 The definitions in this section apply throughout this chapter.

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

12 (2) "Special needs coordinated transportation" is transportation  
13 for persons with special transportation needs that is developed through  
14 a collaborative community process involving transportation providers;  
15 human service programs and agencies; consumers; social, educational,  
16 and health service providers; employer and business representatives;  
17 employees and employee representatives; and other affected parties.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.06B RCW  
19 to read as follows:

20 In order to increase efficiency, to reduce waste and duplication,  
21 to enable people to access social and health services, to provide a  
22 basic level of mobility, and to extend and improve transportation  
23 services to people with special transportation needs, the state shall  
24 implement the Program for Agency Coordinated Transportation. The  
25 program will improve transportation efficiency and effectiveness to  
26 maximize the use of community resources so that more people can be  
27 served within available funding levels.

28 The Program for Agency Coordinated Transportation will facilitate  
29 a state-wide approach to coordination and will support the development  
30 of community-based coordinated transportation systems that exhibit the  
31 following characteristics:

32 (1) Organizations serving persons with special transportation needs  
33 share responsibility for ensuring that customers can access services.

34 (2) There is a single entry process for customers to use to have  
35 trips arranged and scheduled, so the customer does not have to contact  
36 different locations based on which sponsoring agency or program is  
37 paying for the trip.

1 (3) A process is in place so that when decisions are made by  
2 service organizations on facility siting or program policy  
3 implementation, the costs of client transportation and the potential  
4 effects on the client transportation costs of other agencies or  
5 programs are considered. Affected agencies are given an opportunity to  
6 influence the decision if the potential impact is negative.

7 (4) Open local market mechanisms give all providers who meet  
8 minimum standards an opportunity to participate in the program, and, in  
9 addition, allow for cost comparisons so that purchasers can select the  
10 least expensive trip most appropriate to the customer's needs.

11 (5) There is flexibility in using the available vehicles in a  
12 community so that the ability to transport people is not restricted by  
13 categorical claims to vehicles.

14 (6) There is maximum sharing of operating facilities and  
15 administrative services, to avoid duplication of costly program  
16 elements.

17 (7) Trip sponsors and service providers have agreed on a process  
18 for allocating costs and billing when they share use of vehicles.

19 (8) Minimum standards exist for at least safety, driver training,  
20 maintenance, vehicles, and technology to eliminate barriers that may  
21 prevent sponsors from using each other's vehicles or serving each  
22 other's clients.

23 (9) The system is user friendly. The fact that the system is  
24 supported by a multitude of programs and agencies with different  
25 eligibility, contracting, service delivery, payment, and funding  
26 structures does not negatively affect the customer's ability to access  
27 service.

28 (10) Support is provided for research, technology improvements, and  
29 sharing of best practices from other communities, so that the system  
30 can be continually improved.

31 (11) There are performance goals and an evaluation process that  
32 leads to continuous system improvement.

33 *\*Sec. 4. RCW 47.06B.020 and 1998 c 173 s 2 are each amended to*  
34 *read as follows:*

35 *(1) The agency council on coordinated transportation is created.*  
36 *The council is composed of ~~((nine voting))~~ three ex officio members,*  
37 *six members appointed by the governor, and eight ((nonvoting,))*  
38 *legislative members. All members have a vote on the council.*

1       (2) ~~The ((nine-voting))~~ three ex officio members are the  
2 superintendent of public instruction or a designee, the secretary of  
3 transportation or a designee, and the secretary of the department of  
4 social and health services or a designee(~~(, and six members appointed~~  
5 ~~by the governor as follows:))~~).

6       (3) The six members appointed by the governor must represent a  
7 balance of transportation providers and users of the system, and be  
8 chosen from organizations such as:

9       (a) ~~((One representative from))~~ The office of the governor;

10       (b) ~~((Two persons who are consumers of special needs transportation~~  
11 ~~services))~~ The Washington Senior Lobby;

12       (c) ~~((One representative from))~~ The Governor's Committee on  
13 Disability Issues and Employment;

14       (d) The Washington Association of Pupil Transportation;

15       ~~((d) One representative from))~~ (e) The Washington State Transit  
16 Association; ((and

17       ~~(e) One of the following:~~

18       ~~(i) A representative from))~~ (f) The Community Transportation  
19 Association of the Northwest; ((or

20       ~~(ii) A representative from))~~ (g) The Community Action Council  
21 Association;

22       (h) A user of the system who is not a member of any of the  
23 organizations listed in (a) through (g) of this subsection.

24       ~~((3))~~ (4) The eight ((nonvoting)) legislative members are  
25 ((legislators)) as follows:

26       (a) Four members from the house of representatives, two from each  
27 of the two largest caucuses, appointed by the speaker of the house of  
28 representatives, two who are members of the house transportation  
29 ((policy and budget)) committee and two who are members of the house  
30 appropriations committee; and

31       (b) Four members from the senate, two from each of the two largest  
32 caucuses, appointed by the president of the senate, two who are members  
33 of the transportation committee and two who are members of the ways and  
34 means committee.

35       ~~((4))~~ (5) Gubernatorial appointees of the council will serve  
36 ((two-year)) three-year terms, staggered so that two members are  
37 replaced or reappointed each year. Individual appointees shall not  
38 serve for a period of more than six consecutive years.

1        (6) Members may not receive compensation for their service on the  
2 council, but will be reimbursed for actual and necessary expenses  
3 incurred in performing their duties as members as set forth in RCW  
4 43.03.220.

5        ~~((5) The secretary of transportation or a designee shall serve as~~  
6 ~~the))~~ (7) A council chair and vice-chair must be elected every two  
7 years from among the ex officio members, by vote of the council.

8        ~~((6))~~ (8) The council shall carry out its duties to administer  
9 the Program for Agency Coordinated Transportation, to provide and  
10 manage grants to fund demonstration projects, and to provide assistance  
11 to community forums and planning processes within funds appropriated by  
12 the legislature or as provided for in subsection (10) of this section.

13        (9) The department of transportation shall provide necessary staff  
14 support for the council to supplement council resources as needed.

15        ~~((7))~~ (10) The council may receive gifts, grants, or endowments  
16 from public or private sources that are made from time to time, in  
17 trust or otherwise, for the use and benefit of the purposes of the  
18 council and spend gifts, grants, or endowments or income from the  
19 public or private sources according to their terms, unless the receipt  
20 of the gifts, grants, or endowments violates RCW 42.17.710.

21 \*Sec. 4 was vetoed. See message at end of chapter.

22        **Sec. 5.** RCW 47.06B.030 and 1998 c 173 s 3 are each amended to read  
23 as follows:

24        To assure implementation of the Program for Agency Coordinated  
25 Transportation, the council, in coordination with stakeholders, shall:

26        ~~(1) Develop ((standards and strategies for coordinating special~~  
27 ~~needs transportation;~~

28        ~~(2) Identify and develop, fund as resources are made available, and~~  
29 ~~monitor coordinated transportation pilot projects;~~

30        ~~(3) Disseminate and encourage the widespread implementation of~~  
31 ~~successful demonstration projects;~~

32        ~~(4) Identify and address barriers to transportation coordination;~~

33        ~~(5) Recommend to the legislature changes in law to assist~~  
34 ~~coordination of transportation services;~~

35        ~~(6) Act as an information clearinghouse and advocate for~~  
36 ~~coordinated transportation;~~

37        ~~(7))~~ guidelines for local planning of coordinated transportation  
38 in accordance with this chapter;

- 1       (2) Initiate local planning processes by contacting the board of  
2 commissioners and county councils in each county and encouraging them  
3 to convene local planning forums for the purpose of implementing  
4 special needs coordinated transportation programs at the community  
5 level;
- 6       (3) Work with local community forums to designate a local lead  
7 organization that shall cooperate and coordinate with private and  
8 nonprofit transportation brokers and providers, local public  
9 transportation agencies, local governments, and user groups;
- 10       (4) Provide a forum at the state level in which state agencies will  
11 discuss and resolve coordination issues and program policy issues that  
12 may impact transportation coordination and costs;
- 13       (5) Provide guidelines for state agencies to use in creating  
14 policies, rules, or procedures to encourage the participation of their  
15 constituents in community-based planning and coordination, in  
16 accordance with this chapter;
- 17       (6) Facilitate state-level discussion and action on problems and  
18 barriers identified by the local forums that can only be resolved at  
19 either the state or federal level;
- 20       (7) Develop and test models for determining the impacts of facility  
21 siting and program policy decisions on transportation costs;
- 22       (8) Develop methodologies and provide support to local and state  
23 agencies in identifying transportation costs;
- 24       (9) Develop guidelines for setting performance measures and  
25 evaluating performance;
- 26       (10) Develop monitoring reporting criteria and processes to assess  
27 state and local level of participation with this chapter;
- 28       (11) Administer and manage grant funds to develop, test, and  
29 facilitate the implementation of coordinated systems;
- 30       (12) Develop minimum standards for safety, driver training, and  
31 vehicles, and provide models for processes and technology to support  
32 coordinated service delivery systems;
- 33       (13) Provide a clearinghouse for sharing information about  
34 transportation coordination best practices and experiences;
- 35       (14) Promote research and development of methods and tools to  
36 improve the performance of transportation coordination in the state;
- 37       (15) Provide technical assistance and support to communities.
- 38       (16) Facilitate, monitor, provide funding as available, and give  
39 technical support to local planning processes;

1        (17) Form, convene, and give staff support to stakeholder work  
2 groups as needed to continue work on removing barriers to coordinated  
3 transportation;

4        (18) Advocate for the coordination of transportation for people  
5 with special transportation needs at the federal, state, and local  
6 levels;

7        (19) Recommend to the legislature changes in laws to assist  
8 coordination of transportation services;

9        (20) Petition the office of financial management to make whatever  
10 changes are deemed necessary to identify transportation costs in all  
11 executive agency budgets;

12        ~~((+8))~~ (21) Report to the legislature by December 1, ~~((1998))~~  
13 2000, on council activities including, but not limited to, the progress  
14 of community planning processes, what demonstration projects have been  
15 undertaken, how coordination affected service levels, and whether these  
16 efforts produced savings that allowed expansion of services. Reports  
17 must be made once every two years thereafter, and other times as the  
18 council deems necessary.

19        NEW SECTION. Sec. 6. A new section is added to chapter 47.06B RCW  
20 to read as follows:

21        The council may request, and may require as a condition of  
22 receiving coordination grants, selected county governments to convene  
23 local planning forums and invite participation of all entities,  
24 including tribal governments, that serve or transport persons with  
25 special transportation needs. Counties are encouraged to coordinate  
26 and combine their forums and planning processes with other counties, as  
27 they find it appropriate. The local community forums must:

28        (1) Designate a lead organization to facilitate the community  
29 planning process on an ongoing basis;

30        (2) Identify functional boundaries for the local coordinated  
31 transportation system;

32        (3) Clarify roles and responsibilities of the various participants;

33        (4) Identify community resources and needs;

34        (5) Prepare a plan for developing a coordinated transportation  
35 system that meets the intent of this chapter, addresses community  
36 needs, and efficiently uses community resources to address unmet needs;

37        (6) Implement the community coordinated transportation plan;



1 (7) Develop performance measures consistent with council  
2 guidelines;

3 (8) Develop a reporting process consistent with council guidelines;

4 (9) Raise issues and barriers to the council when resolution is  
5 needed at either the state or federal level;

6 (10) Develop a process for open discussion and input on local  
7 policy and facility siting decisions that may have an impact on the  
8 special needs transportation costs and service delivery of other  
9 programs and agencies in the community.

10 **Sec. 7.** RCW 47.06B.900 and 1998 c 173 s 6 are each amended to read  
11 as follows:

12 The agency council on coordinated transportation is terminated on  
13 June 30, (~~(2003)~~) 2007, as provided in RCW 47.06B.901.

14 **Sec. 8.** RCW 47.06B.901 and 1998 c 173 s 7 are each amended to read  
15 as follows:

16 The following acts or parts of acts, as now existing or hereafter  
17 amended, are each repealed, effective June 30, (~~(2004)~~) 2008:

18 (1) RCW 47.06B.010 and 1999 c . . . s 1 (section 1 of this act) &  
19 1998 c 173 s 1;

20 (2) RCW 47.06B.--- and 1999 c . . . s 2 (section 2 of this act);

21 (3) RCW 47.06B.--- and 1999 c . . . s 3 (section 3 of this act);

22 (4) RCW 47.06B.020 and 1999 c . . . s 4 (section 4 of this act) &  
23 1998 c 173 s 2; (~~and~~

24 (~~3~~)) (5) RCW 47.06B.030 and 1999 c . . . s 5 (section 5 of this  
25 act) & 1998 c 173 s 3; and

26 (6) RCW 47.06B.--- and 1999 c . . . s 6 (section 6 of this act).

Passed the House March 11, 1999.

Passed the Senate April 15, 1999.

Approved by the Governor May 18, 1999, with the exception of  
certain items that were vetoed.

Filed in Office of Secretary of State May 18, 1999.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 4,  
3 Engrossed Substitute House Bill No. 1798 entitled:

4 "AN ACT Relating to coordination of special needs transportation;"

5 Engrossed Substitute House Bill No. 1798 expands the duties of the  
6 Agency Council on Coordinated Transportation (ACCT) to include  
7 administering the program, managing grants, and providing assistance to

1 local efforts. It also directs ACCT to develop a process for working  
2 with local agencies.

3 Section 4 of the bill relates to the composition of ACCT and voting  
4 status of its members. While I applaud the participation of  
5 legislators on the Council, it is more appropriate to maintain the  
6 current statutory voting conditions. The users and providers of these  
7 services are in the best position to determine the merits of various  
8 grant proposals. The legislators already have a vote on these matters  
9 during their legislative deliberations.

10 For these reasons, I have vetoed section 4 of Engrossed Substitute  
11 House Bill No. 1798.

12 With the exception of section 4, Engrossed Substitute House Bill  
13 No. 1798 is approved."