

FINAL BILL REPORT

EHB 1388

C 373 L 03

Synopsis as Enacted

Brief Description: Providing incentives to increase transportation revenues by reforming laws limiting the provision of passenger-only ferry service.

Sponsors: By Representatives Woods, Ericksen, Ahern, Schindler, Jarrett, Bush, Shabro, Anderson, Bailey, Talcott, Clements, Chandler, Mielke, Boldt, Newhouse, Schoesler, Nixon, Pearson, Pflug and McMahan.

House Committee on Transportation
Senate Committee on Highways & Transportation

Background:

Ferries not operated by the Washington State Ferries (WSF) are prohibited from operating within 10 miles of established WSF routes unless granted a waiver from the Washington Utilities and Transportation Commission (UTC). The waiver may be granted based upon written petition by a commercial ferry operator to the UTC.

In addition, any party assuming the operation and maintenance of any ferry or ferry system by rent, lease, or charter from the Washington State Department of Transportation (WSDOT) is bound by the WSDOT's contractual obligations, including existing labor contracts.

Summary:

Operators of passenger-only ferry service are exempt from the 10-mile rule and no longer required to apply for a 10-mile rule waiver from the UTC to provide service. In addition, these operators would be allowed to use the WSDOT terminal, dock, and pier space if the space does not limit operation of the auto ferry service provided by the WSF system. Charges for equipment and space must be fair market value, taking into account public benefit from the passenger-only ferry service.

The UTC is to take into account public agencies operating or eligible to operate passenger-only ferry services when granting certificates of public convenience and necessity for private ferry operators. The UTC is prohibited, until March 1, 2005, from granting new passenger-only certificates to private ferry operators where Public Transportation Benefit Areas (PTBAs) or county ferry districts are authorized to operate passenger-only ferry service. Affected PTBAs may waive that prohibition in which case the UTC may grant certificates. The UTC may revoke a certificate if the private

operator has not initiated service within 20 months after being granted the certificate.

Votes on Final Passage:

House 94 2

Senate 46 2

Effective: July 27, 2003