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**SENATE BILL 5739**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Palumbo, Hobbs, and Rolfes

AN ACT Relating to the imposition of port district facility entry fees for certain ground transportation service providers; adding a new section to chapter 53.08 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  A new section is added to chapter 53.08 RCW to read as follows:

(1) Any port district that limits entry for the purpose of on-demand passenger service by any motor vehicle licensed and regulated as a for hire vehicle under chapter 46.72 RCW, a limousine under chapter 46.72A RCW, or a taxicab under chapter 81.72 RCW must limit such entry subject to the payment of an entry fee.

(2) The entry fee must be imposed at no more than the reasonably estimated pro rata per trip cost of recovery of the roadways and facilities that are entered and accessed for a specific purpose, as reasonably determined by the port commission of the port district for nonaeronautical or nonmarine use. The entry fee may be imposed as a per-trip fee or as a permit issued on a weekly, monthly, or other calendar basis.

(3) Any port district may require that a motor vehicle granted entry to its roadways or facilities and subject to payment of an entry fee under this section be registered with the port district and have affixed to it an electronic or other device enabling the port district to efficiently assess and monitor payment of the entry fee. The port district may recover the cost of such device from the registered owner of the motor vehicle.

(4) Any contract entered into by a port district for the purpose of managing transportation on-demand services after the effective date of this section and subject to the entry fee authorized under this section must be offered subject to competitive public bid for a period of not more than five years. The cost of recovery as determined by the port commission of the port district under subsection (2) of this section may include the cost of managing transportation on-demand services.

NEW SECTION. **Sec.**  This act applies retroactively to any existing contract of a port district that imposes an access or entry fee that would be subject to section 1 of this act. Within sixty days of the effective date of this section, such contract must be amended by the port district to conform with section 1 of this act, unless revenue from any such contract has been previously and specifically pledged to support payment of a port district bond issue or other port district debt obligation.

NEW SECTION. **Sec.**  If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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