
Transportation Committee

HB 1528

Brief Description: Concerning ferry advisory committees.

Sponsors: Representatives Hayes, Hansen, Smith, Griffey, Young and Morris.

Brief Summary of Bill

- Makes various changes to the statutes regarding ferry advisory committees, including fare setting, levels of service, planning, and the composition of ferry advisory committees and their executive council.

Hearing Date: 1/30/17

Staff: Paul Ingiosi (786-7114).

Background:

Washington State Ferries System.

The Washington State Department of Transportation (WSDOT) Ferries Division operates and maintains ferry vessels and terminals, constructs terminals, and acquires vessels. The system serves eight Washington counties and one Canadian province through 23 vessels and 20 terminals. The Washington State Ferries (WSF) also operates a maintenance facility at Eagle Harbor.

Ferry Advisory Committees.

In 1961 the Legislature created local ferry advisory committees (FACs) originally consisting of five members appointed to four-year terms by the legislative authority of each county served by the WSF system. These FACs exist to represent the interests and concerns of persons in their area who are frequent users of the ferry system. There are currently 13 FACs representing the various routes served by the WSF system. The chairs of each FAC make up an executive committee of the Washington ferry users. The executive committee works directly with the WSF management on ferry issues including schedule development, customer problems, and regional

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issues. By law, the executive committee meets at least twice each year with the WSF representatives.

In 1988 legislation was enacted that, among other things, restructured the FACs changing the area from which most members of the FACs were picked. San Juan, Skagit, Clallam, and Jefferson counties continue to select members from a countywide area, while the remaining FACs select three members by terminal area. With one exception, both countywide and terminal area committee appointments are made by the legislative authorities of the counties in which they exist. The exception is Vashon Island, which despite having two terminals, by law has only one committee, and its members can only be appointed by the Vashon/Maury Island Community Council.

Survey of Users.

The Washington State Transportation Commission (Commission), with the involvement of the WSDOT, conducts a survey of ferry users to inform level of service, operational, pricing, planning, and investment decisions. The survey must be updated at least every two years and the Commission may provide an opportunity for FACs to provide input into the development of the survey.

Fares and Pricing Policies.

The WSDOT must review fares and pricing policies annually. Fares and pricing policies must be developed that recognize that each route is unique, that utilize the data from a current customer survey, include input from affected ferry users, generate the amount of revenue required by the biennial transportation budget, consider impacts on users, consider options for using pricing to level vehicle peak demand and to increase off-peak ridership, and keep fare schedules as simple as possible.

Fares and Pricing Periodic Reviews.

The WSDOT fare and pricing review includes, but is not limited to, vehicle fares; the review should also consider time of travel, distance of travel, and related costs. The review should also include the allocation of vessels to particular runs, the scheduling of particular runs, adequacy of facilities, and any other subject deemed by the WSDOT to be properly within the scope of review. The WSDOT is authorized and directed to make a like review within every three-year period.

Service Levels.

The WSDOT is directed to consult with affected ferry users by public hearing and by review with the affected FACs before a substantial change to the service levels provided to ferry users is made. Additionally, before adding or eliminating a ferry route, the WSDOT is directed to consult with affected ferry users and receive legislative approval.

Summary of Bill:

The bill makes various changes to the statutes regarding ferry advisory committees, including fare setting, levels of service, planning, and the composition of ferry advisory committees and their Executive Council.

Survey of Users.

The user survey administered by the Commission may be developed only after providing the FACs an opportunity to provide input on survey topical areas and questions. The Commission is permitted to finalize the survey only after providing an opportunity for the FAC Executive Council to offer input. The FAC review must occur early enough in the process to allow feedback and changes and the review process must be clearly documented.

Fares and Pricing Policies.

The WSDOT ferry fare proposals must be developed with input from the FAC participants and affected ferry users at one or more public hearings, in addition to the results of the Commission survey. The WSDOT shall determine the process for the review and provide background information on tariff changes being considered to all participants. The FAC participants in the fare review must: include one member from each FAC selected by each FAC choosing to participate; collaborate with the FAC Executive Council on systemwide matters and with individual FACs on matters that affect individual routes; elect a chair to serve a term of one year or tariff cycle and this chair may call a meeting of the members; have a least six FAC members present to constitute a quorum; and advise the WSDOT when it may be appropriate to hold a public hearing on tariff proposals to satisfy the one or more public hearing requirement. Additionally, when the WSDOT is presenting fare, fare media, and pricing policies to the Commission, the WSDOT must include any relevant recommendations from the FAC participants and explain any discrepancy between the WSDOT and the FAC recommendations. Further, when considering a fare or pricing policy proposal, a vote on the proposal is required by the participating FAC members with the results of the vote and the FAC member comments reported along with the WSDOT fare recommendations to the Commission.

Fares and Pricing Periodic Reviews.

If the WSDOT fare and pricing periodic review addresses matters affecting rider tariffs, the review must include participants of the FACs and must consult the FAC Executive Council, if the Executive Council requests so. In addition to vessel allocation, scheduling, and adequacy of docks and facilities, the review must also include ferry-related problems experience in areas served by the WSF, quality of service, and implementation of adaptive management policies affecting riders. The review must also include consultation with the FAC Executive Council, including a review and input on the development of any relevant surveys. The WSDOT is required to make written reviews within every three-year period and the FAC comments and the WSF responses must be included in these written reviews.

The WSDOT review under this section must also solicit and obtain expressions from local community groups served by the WSF. The WSDOT should give notice to the FACs and include them in the review process. The review must, to the extent feasible, receive input from various demographics including gender, economic status, persons with disabilities, tribal, senior citizens, youth, and races.

Further, the FACs must have the opportunity to comment on the ferry service aspects of the following WSF planning components: the statewide multimodal transportation plan; the state-owned facilities components of the statewide multimodal transportation plan; level of service standards; operation strategies for asset utilization; the capital plan; and the vessel rebuild and replacement plan. Any FAC comments must be included in any associated plan reports but do not preclude other public outreach.

Ferry Advisory Committees.

County legislative authorities may establish and appoint a FAC of five members or a number determined by the appointing authority for each WSF terminal with its boundaries, except that only one FAC may be created for Vashon Island and one for the San Juan Islands. If San Juan County appoints a FAC, four persons must each represent and reside on one of the four ferry-served islands. The FAC members must reside within the county in which the member is appointed. The FAC member terms shall be four years or as otherwise appointed by the appointing authority and each FAC may elect its chair unless decided otherwise by the appointing authority.

The FACs shall collaborate with the WSDOT in public outreach to riders and at least annually the FACs and the WSDOT shall jointly chair a public meeting on each ferry route with the WSDOT collaborating on meeting topics and sending an appropriate representative.

A FAC Executive Council is created made up of the chairs of the various FACs; the Executive Council must coordinate all FACs in addressing systemwide ferry issues and local needs. The Executive Council shall meet at least quarterly each year with the WSDOT representatives to review ferry system issues and participate in the ferry system review. One meeting must be with all of the FACs and the WSF senior leadership to provide a comprehensive review of system issues affecting riders and a plan of action to address such issues. The FAC members and Executive Council members must serve without fee or compensation unless a local jurisdiction chooses to provide reimbursement. Additional responsibilities of the FACs and Executive Council are listed.

Service Levels.

The WSDOT is directed to consult with the affected FACs, or the FAC Executive Council if multiple routes are impacted, before a substantial change to the service levels provided to ferry users is made. If the affected FACs recommend it, the WSDOT shall also hold a public hearing before any non-emergency, substantial change to service levels is made.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect on January 1, 2018.