

# SENATE BILL REPORT

## HB 2641

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As Passed Senate - Amended, March 6, 2020

**Title:** An act relating to authorizing cities to provide passenger-only ferry service.

**Brief Description:** Authorizing cities to provide passenger-only ferry service.

**Sponsors:** Representatives Fey, Valdez, Lekanoff, Doglio, Tharinger, Pollet and Macri.

**Brief History:** Passed House: 2/18/20, 83-14.

**Committee Activity:** Transportation: 2/27/20, 3/02/20 [DPA, w/oRec].

**Floor Activity:**

Passed Senate - Amended: 3/06/20, 47-1.

### Brief Summary of Bill

- Allows cities bordering Puget Sound and Lake Washington to establish, finance, and provide passenger-only ferry service if certain criteria are met.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended.

Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland, Das, Fortunato, Lovelett, Nguyen, O'Ban, Randall, Takko, Wilson, C. and Zeiger.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Padden.

**Staff:** Daniel Masterson (786-7454)

**Background:** Scheduled travel by water began in Puget Sound in the 1850s on a variety of vessels. These vessels, later known collectively as the Mosquito fleet, offered passenger service to destinations on the Sound and other waterways. By the 1930s these services were greatly reduced, and eventually replaced in 1951 by a state operated ferry service.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Counties, ferry districts, certain public transportation benefit areas, and port districts are authorized to operate ferry services. There are several ferry systems currently operated by local governments serving various parts of Puget Sound, the largest of which are:

- King County passenger ferries serving Vashon Island and Seattle;
- Pierce County ferries serving Steilacoom, Ketrion Island and Anderson Island; and
- Kitsap Transit passenger ferries serving Kingston, Bremerton, Port Orchard, and Seattle.

**Summary of Bill:** Cities bordering Puget Sound and Lake Washington are allowed to establish, finance, and provide passenger-only ferry (POF) service. This includes allowance for associated services to support and augment such POF operation.

Prior to providing such POF service, cities are required to develop a POF investment plan, which must address the following issues:

- operating or contracting for the operation of POF services;
- the purchase, lease, or rental of ferry vessels and dock facilities for the provision of transit service;
- other activities necessary to implement the plan;
- terminal locations to be served;
- consistency with any study developed through the Puget Sound Regional Council for regional service;
- consultation with treaty tribes to ensure impacts to tribal fishing are minimized;
- design and funding considerations for propulsion types and technologies that meet low, ultra-low, and zero emission targets;
- best management practices and technologies available and considered to reduce impacts to water quality, prevention of strikes, and underwater noise that impact the Southern Resident Killer Whale population, other marine mammals, and aquatic life;
- projected costs of providing services; and
- revenues to be generated from tolls, locally collected tax revenues, and other revenue sources, which may include additional revenue authority not yet authorized under state law.

To operate POF service, cities are granted the authority to enter into contracts, agreements, and public-private partnerships including, but not limited to, design-build, general contractor/construction management, or other alternative procurement processes substantially consistent with statute.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on House Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: This bill comes from the city of

Tacoma and their interest in considering passenger-only ferry service. Counties and transit districts are already authorized to do this. This bill would allow cities to do this. But it does not authorize any new financing or revenue authority. Senator Lovelett will help to address some stakeholder concerns with an amendment. This is a blast from the past kind of bill. Water transportation is a blast from the past. Exploring this is important for Tacoma and a lot of cities on the water. It is important for economic development. It is a way to get people to the city on the weekend and to help workers get to jobs. It would also help with emergency preparedness and redundancy reasons. This would be consistent with the PSRC study you authorized last year. This bill is about allowing cities the same authority that counties, transit districts, and port districts already have. In order for these entities to provide service, they have to prepare an investment plan. This bill just says that cities also have that authority and can take that initial planning step. Other entities also have taxing authority, we are not asking for that for cities in today's bill. We don't think we are ready for it yet. Tacoma is open to accepting amendments, but wants to highlight that other entities do not currently have the additional requirements regarding Orca and tribal consultation. Des Moines is also quite interested in this authority. As land transportation gets more and more crowded, it is time to start thinking about water transportation. Des Moines is the only city between Tacoma and Seattle with a marina. Des Moines is doing a study on passenger-only ferry service. We believe bill this would allow for cities to work together on service.

**Persons Testifying:** PRO: Representative Jake Fey, Prime Sponsor; Briahna Murray, City of Tacoma; Ryan Mello, Former Tacoma City Councilmember; Anthony Hemstad, City of Des Moines, Legislative Advocate.

**Persons Signed In To Testify But Not Testifying:** No one.