

# FINAL BILL REPORT

## ESHB 2610

---

*Synopsis as Enacted*

*C 101 L 92*

**Brief Description:** Authorizing regional transit authorities and creating a regional transportation council.

By House Committee on Transportation (originally sponsored by Representatives R. Fisher, Haugen, Hine, Zellinsky, Winsley, Nelson, Mitchell, Wang, Prentice, R. Meyers, R. King, Schmidt, Locke, Heavey, Pruitt, J. Kohl, Jacobsen, Dorn, Fraser, Appelwick, Franklin, Roland, Wineberry, Betrozoff, Cantwell, G. Cole, Belcher, Braddock, May, Valle, Ebersole, Morris, Leonard, Scott, Horn, Anderson, Vance, Basich, Kremen, Paris, G. Fisher, Ferguson and Spanel).

House Committee on Transportation  
Senate Committee on Transportation

**Background:** State law enacted in 1990 and 1991 made local transit agencies in King, Pierce and Snohomish Counties responsible for high capacity transit (HCT) system planning, construction and operation in the Puget Sound region. An HCT system is defined as a "system of public transportation services within an urbanized region operating principally on exclusive rights of way, and the supporting services and facilities necessary to implement such a system, including high occupancy vehicle lanes, which taken as a whole, provides a substantially higher level of passenger capacity, speed and service frequency than traditional public transportation systems operating principally in general purpose roadways."

The law prescribes: (1) processes for evaluation of HCT systems; (2) requirements for what must be included in the HCT system plan presented to voters; and (3) certain local option taxes which, with voter approval, can be imposed to develop an HCT system. Pursuant to those statutes, planning for the HCT system is being governed by the Joint Regional Policy Committee composed of representatives of the four transit agencies (Metro, Pierce Transit, Community Transit and Everett Transit), and of the Department of Transportation (DOT).

Participants in the HCT planning process have identified a number of impediments to ultimate development of an HCT system under current law, including: the need for separate

votes in each participating jurisdiction; the inability to provide HCT taxing district boundaries different from transit district boundaries; the complexity of revenue allocation and staging of the project among multiple jurisdictions; and inadequate bonding capacity among the transit agencies.

Since the 1960s, federal law has required urbanized regions to have a Metropolitan Planning Organization (MPO) representing cities and counties within the region. The MPO is responsible for developing a regional transportation plan and a regional six-year transportation improvement program as a prerequisite for obtaining and expending federal highway and transit funds within the region.

The MPO for the Puget Sound region is the newly-restructured Puget Sound Regional Council (PSRC, formerly PSCOG) which encompasses King, Pierce, Snohomish and Kitsap Counties. It is a voluntary association of county and city governments established through interlocal agreements.

The federally-mandated MPOs are also designated as Regional Transportation Planning Organizations under the state's 1990 Growth Management Act (GMA). Under this act, state requirements for regional transportation planning were overlaid on the federal requirements, including a requirement to certify that the transportation elements of local comprehensive plans conform with the GMA and are consistent with the regional transportation plan. Receipt of certain state funds, and imposition of certain taxes such as those for high capacity transit systems, are contingent upon the plans being consistent. No state agencies or ports are voting members on the PSRC executive committee. They do serve on the agency's transportation policy committee.

**Summary:** Contiguous counties having populations of 400,000 or more (King, Pierce and Snohomish) are authorized to create a Regional Transit Authority (RTA) that would have responsibility to plan, construct and operate a high capacity transit system within the region. Formation of an RTA requires participation of at least two contiguous counties, which opt to participate by resolution of the county legislative authority.

The RTA will be governed by a board made up of local elected officials with membership proportionate to county population; appointment of city officials must be proportionate to incorporated population. The secretary of the Department of Transportation will serve as a non-voting member, but can be given voting status by the board. Appointments from each county will be made by the county executive, with council approval; at least 50 percent of the

appointees from each county must serve on a transit agency board.

A two-thirds majority of governing board membership is required for major decisions of the board, defined to include: system plan adoption and amendment; system phasing decisions; annual budget adoption; authorization of annexations; modification of board composition; and executive director employment.

The initial boundaries of the RTA will be based on the system plan developed by the Joint Regional Policy Committee (JRPC) (predecessor to the RTA), to include the largest urban growth area in each county. Upon adoption of a system plan, the JRPC will cease to exist.

The authority is given powers to design, construct and operate an HCT system within its borders. The HCT system plan is to address system revenues, facility development and benefits to each corridor. "Feeder systems and facilities" is deleted from the definition of high capacity transportation and "interim express service" is added. Also, criteria are provided to assess commuter rail as a "reasonable" transportation alternative.

Transit agency taxing authority for HCT purposes is transferred to the RTA (1 percent sales tax; 0.8 percent motor vehicle excise tax; \$2/month employer tax). Bonding authority is provided the authority--up to 1.5 percent of assessed valuation, and with 60 percent voter approval, 5 percent). The authority may also create local improvement districts.

The authority may not call for an election to approve the system plan and impose taxes before July 1, 1993. The authority can call no more than two votes on any system plan. A single county authority may be formed if a positive vote cannot be achieved after two years from date of the first vote.

The Puget Sound Regional Council (the federally-mandated Metropolitan Planning Organization for King, Pierce, Snohomish and Kitsap Counties) must, to receive an allocation of state planning funds for Regional Transportation Planning Organizations, provide voting membership on its executive board to the Transportation Commission and state Department of Transportation, and to the three largest ports within the region, and must assure that at least 50 percent of the city- and county-elected officials on the board are also members of transit agency boards.

*Votes on Final Passage:*

House	61	36	
Senate	34	11	(Senate amended)
House	71	25	(House concurred)

*Effective:* July 1, 1992