

HOUSE BILL REPORT

ESHB 2610

As Passed Legislature

Title: An act relating to regional transportation.

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

Sponsor(s): 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).

Brief History:

Reported by House Committee on:
Transportation, February 6, 1992, DPS;
Passed House, February 17, 1992, 61-36;
Amended by Senate;
Passed Legislature.

**HOUSE COMMITTEE ON
TRANSPORTATION**

Majority Report: *The substitute bill be substituted therefor and the substitute bill do pass.* Signed by 14 members: Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Basich; Cantwell; Cooper; Day; G. Fisher; Haugen; R. Johnson; Jones; Nelson; Orr; Prentice; and Zellinsky.

Minority Report: *Do not pass.* Signed by 12 members: Representatives Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Forner; Heavey; Horn; P. Johnson; Mitchell; Prince; Schmidt; Wilson; and Wood.

Staff: Gene Baxstrom (786-7303); Judy Burns (786-7301).

Background: PART I (sections 101-131): 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: (a) processes for evaluation of HCT systems; (b) requirements for what must be included in the HCT system plan presented to voters; and (c) 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.

PART II (Sections 201-231): 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 six-year transportation improvement program for the region 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 (RTPOs) 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.

Summary of Bill: PART I: Contiguous counties having populations of 400,000 or more (King, Pierce and Snohomish) are authorized to create a Regional Transit Authority (RTA) which 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 would opt to participate by resolution of the county legislative authority.

The RTA would 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 would serve as a non-voting member, but could be given voting status by the board. Appointments from each county would 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 would be 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 would be based on the system plan developed by the Joint Regional Policy Committee (predecessor to the RTA), to include the largest urban growth area in each county. Upon adoption of a system plan, the JRPC is sunsetted.

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, cost criteria is provided to assess commuter rail as a "reasonable" transportation alternative.

The authority may not call for an election to approve the system plan and impose taxes until 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.

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 voter approval, 5 percent). The authority may also create local improvement districts (LIDs).

PART II: The Puget Sound Regional Council (the federally-mandated Metropolitan Planning Organization for King, Pierce, Snohomish and Kitsap Counties) must, in order 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 assure that at least 50 percent of the city- and county-elected officials on the board are also members of transit agency boards.

Fiscal Note: Available.

Effective Date: The bill takes effect July 1, 1992.

Testimony For: Local comprehensive plans and regional planning are tied together. Local involvement in the regional planning process is insured. Sanctions insure commitment to the process. A separate regional authority for high capacity transit better enables development of that system in Central Puget Sound.

Testimony Against: It should not be a state agency. Thurston County should not be included. Fares should fund more of the system.

Witnesses: Duane Berentson, Department of Transportation (pro); Fred Jarrett, Joint Regional Policy Committee (pro); Rick Silva, Pierce Transit (pro); Jim Street, Puget Sound Regional Council (pro--Part I); Mary McCumber, Puget Sound Regional Council (pro--Part I); Paul Cyr, Pierce County Council (pro with amendments to Part II); Dick Ford, citizen (pro with amendments); Evelyn Walseth, League of Women Voters (pro--Part I); Paul Locke, citizen (con); Barbara Roder, Thurston Regional Planning Council (pro with amendments); George Tyler, citizen (con); Preston Schiller, Sierra Club (pro with amendments).