

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1694

Chapter 421, Laws of 2007

60th Legislature
2007 Regular Session

AGENCY COUNCIL ON COORDINATED TRANSPORTATION

EFFECTIVE DATE: 07/22/07

Passed by the House April 19, 2007
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 17, 2007
Yeas 46 Nays 0

BRAD OWEN

President of the Senate

Approved May 11, 2007, 10:38 a.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1694** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

May 11, 2007

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1694

AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Flannigan, Upthegrove and Kenney)

READ FIRST TIME 2/28/07.

1 AN ACT Relating to the agency council on coordinated
2 transportation; amending RCW 47.06B.010, 47.06B.020, 47.06B.040,
3 47.80.023, 47.06B.900, and 47.06B.901; reenacting and amending RCW
4 47.06B.030; adding a new section to chapter 47.06B RCW; creating a new
5 section; repealing RCW 47.06B.015; and repealing 1999 c 372 s 13.

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

7 **Sec. 1.** RCW 47.06B.010 and 1999 c 385 s 1 are each amended to read
8 as follows:

9 The legislature finds that transportation systems for persons with
10 special needs are not operated as efficiently as possible. In (~~some~~)
11 too many cases, programs established by the legislature to assist
12 persons with special needs can not be accessed due to these
13 inefficiencies and coordination barriers.

14 It is the intent of the legislature that public transportation
15 agencies, pupil transportation programs, private nonprofit
16 transportation providers, and other public agencies sponsoring programs
17 that require transportation services coordinate those transportation
18 services. Through coordination of transportation services, programs

1 will achieve increased efficiencies and will be able to provide more
2 rides to a greater number of persons with special needs.

3 **Sec. 2.** RCW 47.06B.020 and 1998 c 173 s 2 are each amended to read
4 as follows:

5 (1) The agency council on coordinated transportation is created.
6 The council is composed of (~~nine~~) ten voting members and (~~eight~~)
7 four nonvoting, legislative members.

8 (2) The (~~nine~~) ten voting members are the superintendent of
9 public instruction or a designee, the secretary of transportation or a
10 designee, the secretary of the department of social and health services
11 or a designee, and (~~six~~) seven members appointed by the governor as
12 follows:

13 (a) One representative from the office of the governor;
14 (b) (~~Two~~) Three persons who are consumers of special needs
15 transportation services, which must include:

16 (i) One person designated by the executive director of the
17 governor's committee on disability issues and employment; and

18 (ii) One person who is designated by the executive director of the
19 developmental disabilities council;

20 (c) One representative from the Washington association of pupil
21 transportation;

22 (d) One representative from the Washington state transit
23 association; and

24 (e) One of the following:

25 (i) A representative from the community transportation association
26 of the Northwest; or

27 (ii) A representative from the community action council
28 association.

29 (3) The (~~eight~~) four nonvoting members are legislators as
30 follows:

31 (a) (~~Four~~) Two members from the house of representatives, (~~two~~)
32 one from each of the two largest caucuses, appointed by the speaker of
33 the house of representatives, (~~two who are members of~~) including at
34 least one member from the house transportation policy and budget
35 committee (~~and two who are members of~~) or the house appropriations
36 committee; and

1 (b) (~~Four~~) Two members from the senate, (~~two~~) one from each of
2 the two largest caucuses, appointed by the president of the senate,
3 (~~two members of~~) including at least one member from the senate
4 transportation committee (~~and two members of~~) or the senate ways and
5 means committee.

6 (4) Gubernatorial appointees of the council will serve two-year
7 terms. Members may not receive compensation for their service on the
8 council, but will be reimbursed for actual and necessary expenses
9 incurred in performing their duties as members as set forth in RCW
10 43.03.220.

11 (5) The secretary of transportation or a designee shall serve as
12 the chair.

13 (6) The department of transportation shall provide necessary staff
14 support for the council.

15 (7) The council may receive gifts, grants, or endowments from
16 public or private sources that are made from time to time, in trust or
17 otherwise, for the use and benefit of the purposes of the council and
18 spend gifts, grants, or endowments or income from the public or private
19 sources according to their terms, unless the receipt of the gifts,
20 grants, or endowments violates RCW 42.17.710.

21 (8) The meetings of the council must be open to the public, with
22 the agenda published in advance, and minutes kept and made available to
23 the public. The public notice of the meetings must indicate that
24 accommodations for persons with disabilities will be made available
25 upon request.

26 (9) All meetings of the council must be held in locations that are
27 readily accessible to public transportation, and must be scheduled for
28 times when public transportation is available.

29 (10) The council shall make an effort to include presentations by
30 and work sessions including persons with special transportation needs.

31 **Sec. 3.** RCW 47.06B.030 and 1999 c 385 s 5 are each reenacted and
32 amended to read as follows:

33 (1) To assure implementation of (~~the Program for~~) an effective
34 system of coordinated transportation that meets the needs of persons
35 with special transportation needs, the agency council on coordinated
36 transportation(~~, the council, in coordination with stakeholders,~~)
37 shall adopt a biennial work plan that must, at a minimum:

- 1 ~~((1) Develop guidelines for local planning of coordinated~~
2 ~~transportation in accordance with this chapter;~~
- 3 ~~(2) Initiate local planning processes by contacting the board of~~
4 ~~commissioners and county councils in each county and encouraging them~~
5 ~~to convene local planning forums for the purpose of implementing~~
6 ~~special needs coordinated transportation programs at the community~~
7 ~~level;~~
- 8 ~~(3) Work with local community forums to designate a local lead~~
9 ~~organization that shall cooperate and coordinate with private and~~
10 ~~nonprofit transportation brokers and providers, local public~~
11 ~~transportation agencies, local governments, and user groups;~~
- 12 ~~(4) Provide a forum at the state level in which state agencies will~~
13 ~~discuss and resolve coordination issues and program policy issues that~~
14 ~~may impact transportation coordination and costs;~~
- 15 ~~(5) Provide guidelines for state agencies to use in creating~~
16 ~~policies, rules, or procedures to encourage the participation of their~~
17 ~~constituents in community based planning and coordination, in~~
18 ~~accordance with this chapter;~~
- 19 ~~(6) Facilitate state level discussion and action on problems and~~
20 ~~barriers identified by the local forums that can only be resolved at~~
21 ~~either the state or federal level;~~
- 22 ~~(7) Develop and test models for determining the impacts of facility~~
23 ~~siting and program policy decisions on transportation costs;~~
- 24 ~~(8) Develop methodologies and provide support to local and state~~
25 ~~agencies in identifying transportation costs;~~
- 26 ~~(9) Develop guidelines for setting performance measures and~~
27 ~~evaluating performance;~~
- 28 ~~(10) Develop monitoring reporting criteria and processes to assess~~
29 ~~state and local level of participation with this chapter;~~
- 30 ~~(11) Administer and manage grant funds to develop, test, and~~
31 ~~facilitate the implementation of coordinated systems;~~
- 32 ~~(12) Develop minimum standards for safety, driver training, and~~
33 ~~vehicles, and provide models for processes and technology to support~~
34 ~~coordinated service delivery systems;~~
- 35 ~~(13) Provide a clearinghouse for sharing information about~~
36 ~~transportation coordination best practices and experiences;~~
- 37 ~~(14) Promote research and development of methods and tools to~~
38 ~~improve the performance of transportation coordination in the state;~~

- 1 ~~(15) Provide technical assistance and support to communities;~~
2 ~~(16) Facilitate, monitor, provide funding as available, and give~~
3 ~~technical support to local planning processes;~~
4 ~~(17) Form, convene, and give staff support to stakeholder work~~
5 ~~groups as needed to continue work on removing barriers to coordinated~~
6 ~~transportation;~~
7 ~~(18) Advocate for the coordination of transportation for people~~
8 ~~with special transportation needs at the federal, state, and local~~
9 ~~levels;~~
10 ~~(19) Recommend to the legislature changes in laws to assist~~
11 ~~coordination of transportation services;~~
12 ~~(20) Petition the office of financial management to make whatever~~
13 ~~changes are deemed necessary to identify transportation costs in all~~
14 ~~executive agency budgets;~~
15 ~~(21) Report to the legislature by December 1, 2000, on council~~
16 ~~activities including, but not limited to, the progress of community~~
17 ~~planning processes, what demonstration projects have been undertaken,~~
18 ~~how coordination affected service levels, and whether these efforts~~
19 ~~produced savings that allowed expansion of services. Reports must be~~
20 ~~made once every two years thereafter, and other times as the council~~
21 ~~deems necessary))~~
22 (a) Focus on projects that identify and address barriers in laws,
23 policies, and procedures;
24 (b) Focus on results; and
25 (c) Identify and advocate for transportation system improvements
26 for persons with special transportation needs.
27 (2) The council shall, as necessary, convene work groups at the
28 state, regional, or local level to develop and implement coordinated
29 approaches to special needs transportation.
30 (3) To improve the service experienced by persons with special
31 transportation needs, the council shall develop statewide guidelines
32 for customer complaint processes so that information about policies
33 regarding the complaint processes is available consistently and
34 consumers are appropriately educated about available options. To be
35 eligible for funding on or after January 1, 2008, organizations
36 applying for state paratransit/special needs grants as described in
37 section 226(1), chapter 370, Laws of 2006 must implement a process
38 following the guidelines established by the council.

1 (4) The council shall represent the needs and interests of persons
2 with special transportation needs in statewide efforts for emergency
3 and disaster preparedness planning by advising the emergency management
4 council on how to address transportation needs for high-risk
5 individuals during and after disasters.

6 **Sec. 4.** RCW 47.06B.040 and 1999 c 385 s 6 are each amended to read
7 as follows:

8 ~~((The council may request, and may require as a condition of~~
9 ~~receiving coordination grants, selected county governments to convene~~
10 ~~local planning forums and invite participation of all entities,~~
11 ~~including tribal governments, that serve or transport persons with~~
12 ~~special transportation needs. Counties are encouraged to coordinate~~
13 ~~and combine their forums and planning processes with other counties, as~~
14 ~~they find it appropriate. The local community forums must:~~

15 ~~(1) Designate a lead organization to facilitate the community~~
16 ~~planning process on an ongoing basis;~~

17 ~~(2) Identify functional boundaries for the local coordinated~~
18 ~~transportation system;~~

19 ~~(3) Clarify roles and responsibilities of the various participants;~~

20 ~~(4) Identify community resources and needs;~~

21 ~~(5) Prepare a plan for developing a coordinated transportation~~
22 ~~system that meets the intent of this chapter, addresses community~~
23 ~~needs, and efficiently uses community resources to address unmet needs;~~

24 ~~(6) Implement the community coordinated transportation plan;~~

25 ~~(7) Develop performance measures consistent with council~~
26 ~~guidelines;~~

27 ~~(8) Develop a reporting process consistent with council guidelines;~~

28 ~~(9) Raise issues and barriers to the council when resolution is~~
29 ~~needed at either the state or federal level;~~

30 ~~(10) Develop a process for open discussion and input on local~~
31 ~~policy and facility siting decisions that may have an impact on the~~
32 ~~special needs transportation costs and service delivery of other~~
33 ~~programs and agencies in the community.))~~

34 The agency council on coordinated transportation shall review and
35 recommend certification of local plans developed by regional
36 transportation planning organizations based on meeting federal
37 requirements. Each regional transportation planning organization must

1 submit to the council an updated plan that includes the elements,
2 consistent with federal planning requirements, identified by the
3 council beginning on July 1, 2007, and every four years thereafter.

4 Each regional transportation planning organization must submit to
5 the council every two years a prioritized regional human service and
6 transportation project list.

7 **Sec. 5.** RCW 47.80.023 and 1998 c 171 s 8 are each amended to read
8 as follows:

9 Each regional transportation planning organization shall have the
10 following duties:

11 (1) Prepare and periodically update a transportation strategy for
12 the region. The strategy shall address alternative transportation
13 modes and transportation demand management measures in regional
14 corridors and shall recommend preferred transportation policies to
15 implement adopted growth strategies. The strategy shall serve as a
16 guide in preparation of the regional transportation plan.

17 (2) Prepare a regional transportation plan as set forth in RCW
18 47.80.030 that is consistent with county-wide planning policies if such
19 have been adopted pursuant to chapter 36.70A RCW, with county, city,
20 and town comprehensive plans, and state transportation plans.

21 (3) Certify by December 31, 1996, that the transportation elements
22 of comprehensive plans adopted by counties, cities, and towns within
23 the region reflect the guidelines and principles developed pursuant to
24 RCW 47.80.026, are consistent with the adopted regional transportation
25 plan, and, where appropriate, conform with the requirements of RCW
26 36.70A.070.

27 (4) Where appropriate, certify that county-wide planning policies
28 adopted under RCW 36.70A.210 and the adopted regional transportation
29 plan are consistent.

30 (5) Develop, in cooperation with the department of transportation,
31 operators of public transportation services and local governments
32 within the region, a six-year regional transportation improvement
33 program which proposes regionally significant transportation projects
34 and programs and transportation demand management measures. The
35 regional transportation improvement program shall be based on the
36 programs, projects, and transportation demand management measures of
37 regional significance as identified by transit agencies, cities, and

1 counties pursuant to RCW 35.58.2795, 35.77.010, and 36.81.121,
2 respectively. The program shall include a priority list of projects
3 and programs, project segments and programs, transportation demand
4 management measures, and a specific financial plan that demonstrates
5 how the transportation improvement program can be funded. The program
6 shall be updated at least every two years for the ensuing six-year
7 period.

8 (6) Designate a lead planning agency to coordinate preparation of
9 the regional transportation plan and carry out the other
10 responsibilities of the organization. The lead planning agency may be
11 a regional organization, a component county, city, or town agency, or
12 the appropriate Washington state department of transportation district
13 office.

14 (7) Review level of service methodologies used by cities and
15 counties planning under chapter 36.70A RCW to promote a consistent
16 regional evaluation of transportation facilities and corridors.

17 (8) Work with cities, counties, transit agencies, the department of
18 transportation, and others to develop level of service standards or
19 alternative transportation performance measures.

20 (9) Submit to the agency council on coordinated transportation, as
21 provided in chapter 47.06B RCW, beginning on July 1, 2007, and every
22 four years thereafter, an updated plan that includes the elements
23 identified by the council. Each regional transportation planning
24 organization must submit to the council every two years a prioritized
25 regional human service and transportation project list.

26 NEW SECTION. Sec. 6. A new section is added to chapter 47.06B RCW
27 to read as follows:

28 The agency council on coordinated transportation shall submit a
29 progress report on council activities to the legislature by December 1,
30 2009, and every other year thereafter. The report must describe the
31 council's progress in attaining the applicable goals identified in the
32 council's biennial work plan and highlight any problems encountered in
33 achieving these goals. The information will be reported in a form
34 established by the council.

35 NEW SECTION. Sec. 7. (1) The joint transportation committee, in
36 consultation with the agency council on coordinated transportation and

1 the joint legislative audit and review committee, as deemed appropriate
2 by the committee, shall conduct a study and review the legal and
3 programmatic changes and best practices necessary for effective
4 coordination of transportation services at the regional level for
5 persons with special transportation needs.

6 (2) The study shall:

7 (a) Include a comprehensive, statewide survey of existing
8 transportation resources for persons with special transportation needs;

9 (b) Identify opportunities for improving coordination by
10 determining a uniform system of:

11 (i) Measuring and reporting trip costs;

12 (ii) Provider billing practices;

13 (iii) Provider agreements and reporting requirements; and

14 (iv) Sharing eligibility information and trip requirements; and

15 (c) Make recommendations for:

16 (i) Improving access to customer services;

17 (ii) Integrating services of transportation service providers and
18 brokers; and

19 (iii) Best practices to effectively coordinate transportation
20 services for persons with special transportation needs.

21 (3) In conducting the study, the committee shall:

22 (a) Convene one or more meetings to consult with local and regional
23 special needs transportation providers, brokers, users of transit
24 services, representatives of nonprofit organizations that provide
25 related transportation services, including hopelink, and
26 representatives of other agencies and organizations, including the
27 department of social and health services;

28 (b) Identify federal funding and related program barriers to
29 improved coordination between state and federal programs and to
30 reasonable cost sharing for those programs;

31 (c) Review and consider other relevant model coordinated special
32 needs transportation systems throughout the nation as a source of best
33 practices for Washington state, including the ACCESS transportation
34 system in Pittsburgh, Pennsylvania;

35 (d) Evaluate using nontraditional service providers, such as public
36 utility districts;

37 (e) Evaluate methods to influence facility siting decisions for

1 state agencies serving persons with special transportation needs in
2 order to make facilities accessible; and

3 (f) Evaluate appropriate standards and strategies for a
4 decentralized broker system, including the state's role in this system.

5 (4) The committee shall provide a draft final report to the
6 transportation committees of the senate and the house of
7 representatives by December 15, 2008.

8 **Sec. 8.** RCW 47.06B.900 and 1999 c 385 s 7 are each amended to read
9 as follows:

10 The agency council on coordinated transportation is terminated on
11 June 30, (~~(2007)~~) 2010, as provided in RCW 47.06B.901.

12 **Sec. 9.** RCW 47.06B.901 and 1999 c 385 s 8 are each amended to read
13 as follows:

14 The following acts or parts of acts, as now existing or hereafter
15 amended, are each repealed, effective June 30, (~~(2008)~~) 2011:

16 (1) RCW 47.06B.010 and 2007 c ... s 1 (section 1 of this act), 1999
17 c 385 s 1, & 1998 c 173 s 1;

18 (2) RCW 47.06B.012 and 1999 c 385 s 2;

19 (~~(3) ((RCW 47.06B.015 and 1999 c 385 s 3;~~

20 ~~(4))~~ RCW 47.06B.020 and (~~(1999 c 385 s 4)~~) 2007 c ... s 2 (section
21 2 of this act) & 1998 c 173 s 2;

22 (~~(5))~~ (4) RCW 47.06B.030 and 2007 c ... s 3 (section 3 of this
23 act), 1999 c 385 s 5, & 1998 c 173 s 3; (~~and~~

24 ~~(6))~~ (5) RCW 47.06B.040 and 2007 c ... s 4 (section 4 of this act)
25 & 1999 c 385 s 6; and

26 (6) Section 6 of this act.

27 NEW SECTION. **Sec. 10.** 1999 c 372 s 13 is repealed.

28 NEW SECTION. **Sec. 11.** RCW 47.06B.015 (Program for Agency
29 Coordinated Transportation) and 1999 c 385 s 3 are each repealed.

Passed by the House April 19, 2007.

Passed by the Senate April 17, 2007.

Approved by the Governor May 11, 2007.

Filed in Office of Secretary of State May 11, 2007.