

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5791**

Chapter 378, Laws of 2011

62nd Legislature  
2011 Regular Session

PARK AND RIDE LOTS--COMMERCIAL ACTIVITY

EFFECTIVE DATE: 07/22/11

Passed by the Senate April 21, 2011  
YEAS 47 NAYS 1

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House April 5, 2011  
YEAS 56 NAYS 39

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Approved May 16, 2011, 3:49 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5791** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

\_\_\_\_\_  
**Secretary**

FILED

May 17, 2011

**Secretary of State  
State of Washington**

---

**SUBSTITUTE SENATE BILL 5791**

---

AS AMENDED BY THE HOUSE

Passed Legislature - 2011 Regular Session

**State of Washington                      62nd Legislature                      2011 Regular Session**

**By** Senate Transportation (originally sponsored by Senators Hobbs, Fain, King, Haugen, and White)

READ FIRST TIME 02/25/11.

1            AN ACT Relating to commercial activity at certain park and ride  
2 lots; and adding a new section to chapter 47.04 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 47.04 RCW  
5 to read as follows:

6            (1) The department, or any local transit agency that has received  
7 state funding for a park and ride lot, may enter into a lease with  
8 private entities allowing them to operate food or beverage retailers,  
9 restaurants, grocery and convenience stores, or other private  
10 enterprises that are of benefit to the traveling public at park and  
11 ride lots owned by the department or local transit agency.

12            (2) The department or local transit agency must take all necessary  
13 action to ensure the most favorable lease rates for the state or local  
14 transit agency, whether by bid or other reasonable manner, and to  
15 require the lessee to enter into any other contract or agreement to  
16 protect the state and its citizens or the local transit agency from  
17 commercial harm or other type of harm. Any lease entered into under  
18 this section must ensure that the lease payments are at fair market  
19 value and comparable to market rates in the area of the park and ride

1 lot. Lease payments must first be applied towards maintenance and  
2 operations of the applicable park and ride lot and the remainder must  
3 be deposited into the multimodal transportation account created under  
4 RCW 47.66.070.

5 (3) The department must adopt and enforce such reasonable rules  
6 that are consistent with and necessary to carry out this section,  
7 including a flexible process to prioritize local business interests  
8 when entering into lease agreements.

Passed by the Senate April 21, 2011.

Passed by the House April 5, 2011.

Approved by the Governor May 16, 2011.

Filed in Office of Secretary of State May 17, 2011.