

SENATE BILL REPORT

SB 5392

As Reported by Senate Committee On:
Transportation, February 21, 2017

Title: An act relating to ferry advisory committees.

Brief Description: Concerning ferry advisory committees.

Sponsors: Senators Rolfes, Sheldon, Ranker and Bailey.

Brief History:

Committee Activity: Transportation: 2/08/17, 2/21/17 [DP, w/oRec].

Brief Summary of Bill

- Makes various changes to the statutes regarding ferry advisory committees including involvement with fare setting, levels of service, planning, and the composition of ferry advisory committees and their Executive Council.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators King, Chair; Sheldon, Vice Chair; Hobbs, Ranking Minority Member; Cleveland, Ericksen, Fortunato, Hawkins, O'Ban, Saldaña, Takko, Van De Wege, Walsh and Wilson.

Minority Report: That it be referred without recommendation.

Signed by Senator Liias, Assistant Ranking Minority Member.

Staff: Hayley Gamble (786-7452)

Background: Washington State Ferries and Ferry Advisory Committees. The Washington State Department of Transportation (WSDOT) Marine Division operates and maintains the public ferry system in Puget Sound, known as the Washington State Ferry (WSF) system. WSF serves eight counties, one Canadian province, and operates up to 22 vessels at 20 terminals and one maintenance facility. Ferry advisory committees (FACs) represent the interests and concerns of users of the ferry system. The county authorities of San Juan,

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.

Skagit, Clallam, and Jefferson counties may select one five-member FAC per county. The remaining counties with ferry terminals may select three-member FACs for each terminal area within the county. The exception is Vashon Island, which has two terminals but is allowed only one FAC, and its members may be appointed by the Vashon/Maury Island Community Council within 90 days of a vacancy, and by King County after that.

There are currently 13 FACs representing the various routes served by the WSF system. The chairs of each FAC make up an executive committee of the Washington ferry users. The executive committee works directly with the WSF management on ferry issues including schedule development, customer problems, and regional issues. By law, the executive committee meets at least twice each year with the WSF representatives.

Survey of Users. The Washington State Transportation Commission (Commission), with the involvement of the WSDOT, conducts a survey of ferry users. The survey must be updated at least every two years and the Commission may provide an opportunity for FACs to provide input into the development of the survey.

Fares and Service Levels. The WSDOT must review ferry fares and pricing policies annually. The WSDOT is directed to consult with affected ferry users by public hearing and by review with the affected FACs before making a substantial change to ferry service.

Summary of Bill: The bill makes various changes to the statutes regarding ferry advisory committees, including fare setting, levels of service, planning, and the composition of ferry advisory committees and their Executive Council.

Survey of Ferry Riders. The user survey administered by the Commission may be developed only after providing the FACs an opportunity to provide input on survey topical areas and questions. The Commission is permitted to finalize the survey only after providing an opportunity for the FAC Executive Council to offer input. The FAC review must occur early enough in the process to allow feedback and changes and the review process must be clearly documented.

Fares and Pricing Policies. A new committee is established consisting of certain FAC members to participate in WSDOT's review of fare related issues. WSDOT ferry fares and pricing policies must be developed with input from this committee. Recommendations and votes of this committee must be presented to the Commission by the WSDOT, and variations from any WSDOT recommendations explained. WSDOT must provide background information to the committee on tariff changes. The FAC Executive Council must be consulted on fares and pricing policies if they request to be consulted.

Reviews, Plans and FAC Involvement. Ferry-related problems experienced in areas served by the WSF, quality of service, and implementation of adaptive management policies affecting riders must also be included in fare and pricing policy reviews. The review must include consultation with the FAC Executive Council, including review and input on surveys. The WSDOT is required to make written reviews within every three-year period with additional involvement from various communities and FACs. FACs must have the opportunity to comment on WSF planning components of: the statewide multimodal transportation plan; the state-owned facilities components of the statewide multimodal

transportation plan; level of service standards; operation strategies for asset utilization; the capital plan; and the vessel rebuild and replacement plan.

Revised Establishment, Appointment and Purpose of FACs. County legislative authorities may establish and appoint an FAC of five members or a number determined by the appointing authority for each WSF terminal within its boundaries, except that only one FAC may be created for Vashon Island and one for the San Juan Islands. If San Juan County appoints an FAC, four persons must each represent and reside on one of the four ferry-served islands. The FAC members must reside within the county in which the member is appointed. The FAC member terms must be four years or as otherwise appointed by the appointing authority.

The FACs must collaborate with the WSDOT in public outreach to riders and at least annually the FACs and the WSDOT must jointly chair a public meeting on each ferry route. An FAC Executive Council is created made up of the chairs of the various FACs. The Executive Council must coordinate all FACs in addressing systemwide ferry issues and local needs. The Executive Council must meet at least quarterly each year with the WSDOT representatives to review ferry system issues. One meeting must be with all of the FACs and the WSF senior leadership. The FAC members and Executive Council members must serve without fee or compensation unless a local jurisdiction chooses to provide reimbursement. Additional responsibilities of the FACs and Executive Council are listed.

Service Levels. The WSDOT is directed to consult with the affected FACs, or the FAC Executive Council if multiple routes are impacted, before a substantial change to the service levels provided to ferry users is made. If the affected FACs recommend it, the WSDOT must also hold a public hearing before any non-emergency, substantial change to service levels is made.

Appropriation: None.

Fiscal Note: Available.

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

Effective Date: The bill takes effect on January 1, 2018.

Staff Summary of Public Testimony: PRO: This bill is a housekeeping bill and codifies operations of the FACS. FACs are already doing a lot of the work in the bill. This allows ferry communities to be involved early in the fare setting process. The bill partially fulfills the Governor's Results Washington goals and also addresses the goals of meetings with WSF, including updating the FAC RCWs. This bill took over a year of drafting and formalizes processes that should already be in operation today. The work of the FAC does not replace the fare work done by the Transportation Commission.

OTHER: Transportation Commission ferry rider surveys are intended in part to capture the view of the 'silent majority' of riders who do not attend FAC meetings. The bill could be simplified and the process not oversubscribed in law. The Commission uses a market research firm to write survey questions. There is some concern about outreach fatigue.

WSF is committed to providing safe and reliable service and values its relationship with the 13 FAC committees and appreciates the time FACs donate to this. WSF has concerns relating to WSF time and resources required under the bill. Additional staff resources would be required to respond to the information expected from WSF under the bill. Public meetings require additional staff time and travel throughout Puget Sound. WSF recommends continuing the current FAC-T tariff review committee. WSF and the Transportation Commission would like to work with the sponsor of this bill.

Persons Testifying: PRO: Senator Christine Rolfes, Prime Sponsor; David Hoogerwerf, Ferry advisory Committee; Walt Elliott, Executive Council of Ferry Advisory Committees; Frank Nelson, Chairman Bremerton Ferry Advisory Committee.

OTHER: John Vezina, Washington State Ferries; Reema Griffith, WSTC.

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