

HOUSE BILL REPORT

HB 1980

As Reported by House Committee On:
Transportation

Title: An act relating to allowing certain private employer transportation services to use certain public transportation facilities.

Brief Description: Allowing certain private employer transportation services to use certain public transportation facilities.

Sponsors: Representatives Zahn, Salahuddin, Parshley, Springer, Timmons, Street, Berg, Leavitt, Thai and Low.

Brief History:

Committee Activity:

Transportation: 2/24/25, 2/27/25 [DPS].

Brief Summary of Substitute Bill

- Allows local authorities, with approval from public transportation providers, to authorize private employer transportation services to use business access and transit-only designated lanes in counties with a population greater than 2 million people, if the local authority has established a fee-for-use process for applying to do so and operational performance metrics of the lanes continue to be met.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Fey, Chair; Bernbaum, Vice Chair; Donaghy, Vice Chair; Reed, Vice Chair; Barkis, Ranking Minority Member; Low, Assistant Ranking Minority Member; Mendoza, Assistant Ranking Minority Member; Schmidt, Assistant Ranking Minority Member; Bronoske, Dent, Duerr, Entenman, Griffey, Hunt, Klicker, Ley, Nance, Orcutt, Paul, Ramel, Richards, Stuebe, Taylor, Timmons, Volz, Wylie and Zahn.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Jennifer Harris (786-7143).

Background:

The Washington State Department of Transportation (WSDOT) and local authorities are authorized to designate any portion of a roadway under their respective jurisdictions for the exclusive or preferential use of:

- public transportation vehicles;
- motorcycles;
- private motor vehicles carrying a specified minimum number of passengers; and
- certain categories of private transportation provider vehicles, if the vehicle has a carrying capacity of at least eight passengers and such use does not interfere with the efficiency, reliability, and safety of public transportation operations.

The following private transportation provider vehicles may qualify for exclusive or preferential use of these roadways:

- private employer transportation service vehicles, when such limitation will increase the efficient utilization of the highway facility or will aid in the conservation of energy resources;
- auto transportation company vehicles;
- passenger charter carrier vehicles, except stretch limousines and stretch sport utility vehicles; and
- private nonprofit transportation provider vehicles.

Regulations authorizing preferential use of a highway facility may be in effect at all times, at specified times of day, or on specified days.

Transit-only lanes that allow other vehicles to access abutting businesses, also known as business access and transit (BAT) lanes, may not be authorized for the use of private transportation provider vehicles. Local authorities are encouraged to establish a process for private transportation providers to apply for the use of limited access facilities that are reserved for the exclusive or preferential use of public transportation vehicles.

"Private employer transportation service" is defined as a regularly scheduled, fixed-route transportation service that is similarly marked or identified to display the business name or logo on the driver and passenger sides of the vehicle, meets the annual certification requirements of the WSDOT, and is offered by an employer for the benefit of its employees.

Summary of Substitute Bill:

In counties with a population over 2 million people, local authorities may, with the approval of the public transportation provider, grant a fee-for-use permit authorizing private

transportation employer services to use transit-only lanes that allow other vehicles to use BAT lanes. The local authority must establish operational performance measures and standards for transit-only lanes to ensure the lanes continue to provide for efficient, reliable, and safe public transportation operations.

Local authorities are required to obtain the approval of public transportation providers to establish a process for private transportation providers to apply for the use of transit-only lanes, and to include public transportation providers in the development of a list of facilities that are unavailable for use by private transportation providers.

Local authorities must prepare an annual report and, with input from public transportation providers, assess if established performance measures and standards are being met. Permits must be revoked if at least one of the performance measures or standards is not being met until all performance measures and standards are again being met.

Revenues generated by the fee-for-use permit are required to be used as follows:

1. The local authority issuing the permit must receive the amount of revenue required to recover the administrative costs of issuing the permit.
2. Any additional revenue must be used for the maintenance and improvement of the transit-only lane, consistent with public transportation provider plans.

Substitute Bill Compared to Original Bill:

The substitute bill requires local authorities to obtain the approval of public transportation providers to grant a fee-for-use permit to authorize private transportation employer services to use transit-only lanes that allow other vehicles to access abutting businesses, provided the local authority has established operational performance measures and standards for the transit-only lanes to ensure they continue to provide for efficient, reliable, and safe public transportation operations. It mandates that revenues generated from the fee-for-use permit be directed to the local authority issuing the permit for recovery of administrative costs for permit issuance, with the remainder to be used for the maintenance and improvement of the transit-only lane, consistent with public transportation-provider plans.

In addition, the substitute bill requires local authorities to obtain the approval of public transportation providers to establish a process for private transportation providers to apply for the use of transit-only lanes, and to include public transportation providers in the development of a list of facilities that are unavailable for use by private transportation providers. It mandates that local authorities prepare an annual report and, with input from public transportation providers, assess if the established performance measures and standards are being met; and it directs that permits be revoked if at least one of the performance measures or standards is not being met until all performance measures and standards are being met.

The substitute bill also removes the requirement that the permit application and review

processes be uniform and provide for an expeditious response by the local authority.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill allows King County to establish a permit process, but does not require the county to do so. New transit-only lanes are being actively planned. Authorizing employer-provided shuttles to operate alongside transit vehicles would fully maximize use of the lanes.

These shuttles provide transportation for thousands of employees. Their reliability will make their use more attractive than the alternative of driving alone and can help the industry attract competitive job applicants. Shuttle riders can lower their daily travel time by 90 minutes.

Current law prevents the use of BAT lanes by employer-provided shuttles. Allowing these shuttles to use these lanes can enable them to provide faster commute times without slowing down transit buses. A city can work with King County Metro (Metro) to measure transit route times and, if delays occur, adjust the number of permits authorized.

Cities are asked to sacrifice scarce arterial roadway lanes for BAT lanes. Allowing employer-provided shuttles to use them provides for extra utilization of these lanes, creating a mode that can be of great utility for major employers. This will enable cities to manage their own rights-of-way, and can result in lower vehicle emissions.

(Opposed) No sideboards are provided for the permit process if the use of employer-provided shuttles interferes with the reliability or safety of transit vehicles. Business and access transit lanes are different than the usual transit lanes. A BAT lane goes through multiple local jurisdictions. Metro should be involved in all of these permitting processes.

(Other) This policy makes a great deal of sense to further the goal of commute trip reduction. However, Metro needs to be able to prevent degradation of transit service as part of its permitting process. A fee should be paid to obtain a permit that is used to improve maintenance or provide for pedestrian safety improvements.

Persons Testifying: (In support) Representative Janice Zahn, prime sponsor; Jodie Alberts, Bellevue Chamber of Commerce; Lynne Robinson, Mayor, City of Bellevue; Brooke

Davies, TechNet; Jeremy Burdett, TransWest; Matt Jack, Bellevue Downtown Association; and Kevin Wallace, Wallace Properties, Inc.

(Opposed) Michael Shaw, Washington State Transit Association.

(Other) Kelli Refer, Move Redmond.

Persons Signed In To Testify But Not Testifying: None.