

Chapter 468-22 WAC

COUNTY FERRY FRANCHISES, TOLLS, AND FINANCIAL ASSISTANCE

WAC

468-22-010	Purpose.
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WAC 468-22-010 Purpose. 23 U.S.C. §129 and RCW 47.04.140 require that counties operating ferries which receive federal aid under Title 23 of the United States Code must obtain from the department a franchise authorizing such ferry operations and approving their tolls. RCW 47.56.720 and 47.56.725 permit the department to enter into continuing agreements to provide financial assistance for counties operating ferries. The purpose of this chapter is to provide procedures for the granting of such franchises and the provision of such financial assistance.

[Statutory Authority: Chapter 34.05 RCW. WSR 90-19-103 (Order 122), § 468-22-010, filed 9/19/90, effective 10/20/90.]

WAC 468-22-020 Application for franchise. At least ninety days before: Beginning operation of a ferry route; or first applying for federal aid under Title 23 U.S.C. for the construction, reconstruction, or modification of any county-operated ferry or approach(es) thereto, a county shall submit to the State Aid Office of the Department, Transportation Building, Olympia, Washington 98504, an application for a county ferry franchise, on a form obtainable upon request from the department. The county shall include with its application:

- (1) A map showing the location of the existing or proposed ferry route(s);
- (2) A schedule of proposed tolls and charges for the existing or proposed ferry route(s), together with a proposed revenue and expenditure statement;
- (3) A certification that the proposed ferry route(s) is/are not otherwise served by adequate transportation facilities; and
- (4) A certification that the proposed tolls and charges are consistent with the requirements of RCW 47.04.140(2) and 23 U.S.C. §129.

[Statutory Authority: Chapter 34.05 RCW. WSR 90-19-103 (Order 122), § 468-22-020, filed 9/19/90, effective 10/20/90.]

WAC 468-22-030 Review of franchise application by department. The department shall review a county's application for a ferry franchise, together with any accounting data required by WAC 468-22-060(3). If the department finds that the ferry route(s) described in the application is/are not otherwise served by adequate transportation facilities; and that the proposed tolls and charges are consistent with the require-

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ments of RCW 47.04.140(2) and 23 U.S.C. §129, it shall issue:

- (1) A county ferry franchise for the operation of such route(s); and
- (2) A toll certification, within sixty days of its receipt of the county's application.

[Statutory Authority: Chapter 34.05 RCW. WSR 90-19-103 (Order 122), § 468-22-030, filed 9/19/90, effective 10/20/90.]

WAC 468-22-040 Application for certification of toll changes. All counties possessing current ferry franchise(s) shall submit to the state aid office of the department an application for certification of toll changes at least sixty days before implementation of any changes in tolls and charges for its route(s). Application shall be made on a form obtainable upon request from the department. The county shall include with its application:

- (1) Schedules of both existing and proposed tolls and charges; and
- (2) A certification that the proposed tolls and charges are consistent with the requirements of RCW 47.04.140(2) and 23 U.S.C. §129.

[Statutory Authority: Chapter 34.05 RCW. WSR 90-19-103 (Order 122), § 468-22-040, filed 9/19/90, effective 10/20/90.]

WAC 468-22-050 Review of application for certification of toll changes. The department shall review a county's application for certification of toll changes, together with any accounting data required by WAC 468-22-060(3). If the department finds that the proposed tolls and charges are consistent with the requirements of RCW 47.04.140(2) and 23 U.S.C. §129, it shall issue a new toll certification. If the department finds that the proposed tolls and charges are not consistent with the requirements of RCW 47.04.140(2) and 23 U.S.C. §129, it shall:

- (1) So advise the county within thirty days of its receipt of the county's toll change application; and
- (2) Cancel the county's toll certification, until it receives a revised schedule of proposed tolls which is consistent with the requirements of RCW 47.04.140(2) and 23 U.S.C. §129 after which it shall issue a new toll certification.

[Statutory Authority: Chapter 34.05 RCW. WSR 90-19-103 (Order 122), § 468-22-050, filed 9/19/90, effective 10/20/90.]

WAC 468-22-060 Procedures for obtaining financial assistance. To obtain financial assistance for a ferry or ferry system under RCW 47.56.720 or 47.56.725, a county and the department shall comply with the following procedures:

- (1) Before receiving financial assistance, a county shall sign an agreement with the department, the form of which shall be agreed upon between the department, and the county.

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(2) County requests for reimbursement and department payments to counties shall be made in the manner specified in the agreement for financial assistance.

(3) No later than April 1 of each year, a county shall provide to the department, on a form prescribed by the department, a complete accounting of that county ferry's toll revenues and operation and maintenance expenditures for the previous county fiscal year.

[Statutory Authority: RCW 34.05.353 (1)(a) and (c). WSR 10-01-176, § 468-22-060, filed 12/22/09, effective 1/22/10. Statutory Authority: Chapter 34.05 RCW. WSR 90-19-103 (Order 122), § 468-22-060, filed 9/19/90, effective 10/20/90.]