

FINAL BILL REPORT

2SHB 1671

PARTIAL VETO

C 202 L 91

Brief Description: Changing provisions relating to growth strategies.

By House Committee on Transportation (originally sponsored by Representatives R. Fisher, Riley, R. Meyers, Jacobsen, Heavey, Roland, Hine, O'Brien, Rust, Betrozoff, Paris, Scott, Fraser and Wineberry).

House Committee on Transportation
House Committee on Transportation
Senate Committee on Transportation

Background: Current access controls to state highways are limited. There are some limited access highways. Cities control access to state highways within city limits. Access to the remainder of the system is dealt with in terms of consideration for points of access including safety and capacity considerations. Control of access to city and county roads rests with those jurisdictions.

Motor vehicles in Washington's metropolitan areas are a major source of emissions or air contaminants and traffic congestion on the state's roads and highways.

Transportation Demand Management (TDM) is a concept describing transportation strategies for reducing the number of vehicles on the roads and highways, particularly single-occupant vehicles. Examples of these strategies are car pools, van pools, employer-subsidized transit passes and parking fees at market rates.

Summary: The Department of Transportation (DOT) is directed to establish an access program for all state highways. Legislative findings recognize property owners' rights to reasonable access to the system but make those rights subordinate to the public right to a safe and efficient highway system. Permits are required for access to highways, except that unpermitted connections to state highways in use prior to July 1, 1990, are grandfathered, and existing permitted connections remain valid unless property use is changed.

By January 1, 1993, the DOT is to adopt rules governing implementation of an access classification system in

consultation with counties, cities and planning organizations. Access standards for state highways within cities must be approved by the City Design Standards Committee. Cities retain permitting authority for non-limited access highways within cities. The rules must address local land use and zoning, transportation needs, access needs, and other considerations.

All public and private employers with 100 or more employees who commute during rush hour must develop a program for reducing the number of single-occupancy trips by their employees. The program applies to counties whose populations are greater than 150,000. Currently, King, Pierce, Snohomish, Clark, Spokane, Kitsap, Thurston, and Yakima counties meet this definition. Employers must reduce single-occupancy trips by 15 percent by 1995, 25 percent by 1997 and 35 percent by 1999. Jurisdictions implementing a commute trip reduction plan will review and monitor employers' work plans and may impose civil penalties if an employer fails to implement or make necessary changes to its trip reduction program.

A task force of representatives of local, state and private employers or owners of major work sites, and private citizens must establish guidelines for the counties and cities to ensure their consistent implementation of transportation demand management (TDM) goals. The task force may also grant waivers or permit modified trip reduction programs for those employers who, as a result of special characteristics of their business, are unable to meet the requirements of a commute trip reduction plan. The task force must review progress toward implementing commute trip reduction plans and programs and must make recommendations to the Legislature by December 1, 1995, and December 1, 1999. The December 1, 1995 report must include recommendations regarding the extension of the commute trip reduction program to employers with 50 or more full-time employees.

Counties and cities may require commute trip reduction programs for employers with 10 or more employees in federally designated non-attainment areas for carbon monoxide and ozone. Counties and cities must develop the programs in cooperation with affected employers and provide technical assistance to employers in implementing their programs.

The State Energy Office must create a technical assistance team to provide staff support for the task force, and to provide training, information and assistance to employers.

The Department of General Administration must coordinate with an interagency task force to develop a trip reduction plan for state facilities qualifying for the program in the designated counties.

If TDM does not receive funding from the Clean Air Act, then the trip reduction requirements are no longer valid.

Votes on Final Passage:

House	84	14	
Senate	45	1	(Senate amended)
House	94	0	(House concurred)

Effective: July 1, 1991

Partial Veto Summary: The governor vetoed the sections of the bill providing codification instructions and directing that the Transportation Demand Management (TDM) requirements would not be valid if funding was not provided. The governor's veto message stated that these vetoes were to ensure that the revenue raised in the clean air bill could be used for the TDM activities prescribed in 2SHB 1671.

The TDM requirements were originally part of the clean air bill, ESHB 1028, and were to be codified in the Washington Clean Air Act. When the TDM requirements were moved from ESHB 1028 to 2SHB 1671, codification of these sections was changed to other RCW chapters. However, as enacted, ESHB 1028 permits expenditures only for the clean air bill and the relevant chapters of the Washington Clean Air Act. The governor vetoed the TDM codification directions in 2SHB 1671 and requested the code reviser to place the TDM sections of the bill into the Clean Air Act. He also vetoed the null and void clause that applied to the TDM sections of the bill.