

SENATE BILL REPORT

2SHB 1671

AS REPORTED BY COMMITTEE ON TRANSPORTATION, APRIL 3, 1991

**Brief Description:** Promoting growth strategies.

**SPONSORS:** 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**

**SENATE COMMITTEE ON TRANSPORTATION**

**Majority Report:** Do pass as amended.

Signed by Senators Patterson, Chairman; Nelson, Vice Chairman; von Reichbauer, Vice Chairman; Conner, Hansen, Madsen, Oke, Sellar, Snyder, Thorsness, and Vognild.

**Minority Report:** Do not pass as amended.

Signed by Senator Skratek.

**Staff:** Gene Baxstrom (786-7303); Brian McMorro (786-7304)

**Hearing Dates:** April 1, 1991; April 3, 1991

**BACKGROUND:**

Current controls for access to state highways are limited. Limited access highways are defined. Cities control access to state highways within city limits. Access to the remainder of the system is dealt with in terms of geometric 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 for one year prior to July 1, 1991, are grandfathered and existing permitted connections remain valid unless property use or the transportation facility is changed. Access permits in effect July 1, 1991 remain valid unless a significant change occurs in use, design, or traffic flow at the connection. New permittees are responsible for the cost of access alteration required due to increased traffic flows generated by changes in their facilities. Changes for safety are the responsibility of the department.

By July 1, 1993, the DOT is to develop and adopt an access classification system in consultation with counties, cities and planning organizations. The rules must address local land use and zoning, transportation needs, access needs, and other considerations.

By December 31, 1992, city and county design standards committees are to develop guidelines for access regulation to city and county arterials. Cities and counties are authorized to develop access management policies which may be based on these guidelines. Projects funded through the Transportation Improvement Account, the Urban Arterial Trust Account, and the rural arterial program must be consistent with guidelines developed by the design standards committees.

All public and private employers with 50 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 are included. The program will be implemented in two phases: 1) major employers with 100 or more employees must reduce single-occupancy trips by 15 percent by 1994, 25 percent by 1996, and 35 percent by 1998; and 2) major employers with 50 to 99 employees must reduce single-occupancy trips by 15 percent by 1996, 25 percent by 1998, and 35 percent by 2000. Jurisdictions implementing a commute trip reduction plan may impose civil penalties.

A task force of representatives of local, state and private employers and private citizens will establish guidelines for the counties and cities to insure their consistent implementation of TDM goals. The task force may develop alternate but equivalent criteria for phase 1 and phase 2 major employers, that cannot meet the goals of this chapter because of the unique nature of their business. The State Energy Office must create a technical assistance team to provide staff support for the task force, and training, information and assistance to employers.

The Department of General Administration must coordinate with an interagency task force in developing a trip reduction plan for state facilities.

State agencies, metropolitan planning organizations, and local governments may not approve a transportation plan, program or project unless they can demonstrate it conforms with the state implementation plan for air quality.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested

**Effective Date:** July 1, 1991

**SUMMARY OF PROPOSED SENATE AMENDMENT:**

Grandfathers unpermitted connections in existence as of July 1, 1990 and deletes reference to those in "continuous use" for one year.

The Department of Transportation is to develop an access classification system by January 1, 1993 instead of July 1, 1993. Access permit fees established by DOT may only be used to administer the access program. The provision that DOT is responsible for all access changes for safety reasons is deleted.

That cities will continue to control access to state highways within city limits is clarified. Access standards prepared by the department for city streets which are state highways shall have the City Design Standards Committee approval. Validity of access rights for connections identified on plats and subdivisions approved prior to July 1, 1991 are recognized.

Provisions related to local arterial access management and restrictions on state funding of local arterials are deleted.

For transportation demand management, the distinction between phase 1 and phase 2 employers is eliminated and major employer is defined as employers with 100 or more employees at a single work site who begin their workday between 6 a.m. and 9 a.m. on weekdays for more than 12 consecutive months. Trip reduction goal dates previously in place for phase 1 employers are delayed by one year and applied to major employers. Construction projects whose duration is less than two years are exempt.

An appeals process for businesses to obtain a waiver or modification to plan requirements is created and provision for full credit for TDM measures implemented by employers prior to 1992 is clarified. The Commuter Trip Reduction Task Force may review any waiver or modification granted by a local jurisdiction, but may not deny a waiver or modification. Appointment of the task force is modified to provide for gubernatorial appointment of most members. The task force is

to make recommendations in 1995 regarding extension of the program to employers of 50 or more.

Employers unable to implement a trip reduction program because of disagreements during a good faith collective bargaining process are exempt from civil penalties. The Energy Office and the DOT may contract with city and county associations for technical assistance to cities and counties.

Counties may require commute trip reduction programs for employers other than major employers only if the area is unable to comply with ambient standards for carbon monoxide and ozone. Limits on transportation planning and projects not involving federal funds are exempt from the requirement to demonstrate conformity with state air standards.

Minor adjustments are made in reporting dates. The requirement for General Administration to coordinate a trip reduction plan for state agencies is extended from July 1, 1992 to January 1, 1993.

**TESTIMONY FOR:**

Highway corridors are a resource which should be better managed to maintain safe and efficient operation. Transportation demand management will both reduce air pollution, save energy and reduce traffic congestion.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Kris Backes, Association of Washington Business; Jim Boldt, Washington Food Dealers; Gary Smith, Independent Business Association; Dick Watson, State Energy Office; Renee Montgelas; Penny Peabody, METRO; Charlie Howard, Department of Transportation; Kathleen Collins, Association of Washington Cities; Rick Wickman, Washington State Association of Counties; Richard Hayes, Kitsap Transit