

HOUSE BILL REPORT

HB 2105

As Reported By House Committee On:

Transportation Policy & Budget

Title: An act relating to the authority of a public transportation benefit district to contract with county, city, and town governments.

Brief Description: Extending authority of public transportation benefit districts to contract with counties, cities, and towns.

Sponsors: Representatives Sterk and D. Sommers.

Brief History:

Committee Activity:

Transportation Policy & Budget: 3/3/97, 3/10/97 [DPS].

HOUSE COMMITTEE ON TRANSPORTATION POLICY & BUDGET

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 20 members: Representatives K. Schmidt, Chairman; Hankins, Vice Chairman; Mielke, Vice Chairman; Mitchell, Vice Chairman; Blalock, Assistant Ranking Minority Member; Backlund; Buck; Cairnes; Chandler; DeBolt; Hatfield; Johnson; O'Brien; Radcliff; Robertson; Scott; Skinner; Sterk; Wood and Zellinsky.

Minority Report: Do not pass. Signed by 5 members: Representatives Fisher, Ranking Minority Member; Cooper, Assistant Ranking Minority Member; Constantine; Gardner and Romero.

Staff: Gene Baxstrom (786-7303).

Background: Public transportation benefit areas (PTBAs) are special purpose units of government authorized to perform public transit activities. They are governed by boards made up of city mayors or council members and members of county legislative authorities, with the exception of one agency board which includes appointive citizen members.

PTBAs are granted broad powers to contract with public and private agencies to carry out the PTBA functions. This can include the power to acquire, lease, construct, improve, maintain and operate transportation facilities within and without the PTBA boundaries. These may include railways, buses or other means of local

transportation, and such other facilities and properties as necessary for passenger and vehicle access to and from such terminal and parking facilities, together with all lands, rights of way, property and equipment necessary for such systems.

A 1988 Attorney General's Opinion found that though these powers are broad, they do not expressly grant authority for a PTBA to enter into agreements with cities and counties to contribute to the expense of repairing and maintaining public streets. It also found that since state law does expressly grant public street responsibilities to cities and counties, PTBAs do not have implied authority for such activities.

Certain municipalities are interested in utilizing PTBA funds for maintaining city streets and county roads upon which transit buses operate.

Summary of Substitute Bill: The powers of PTBA authorities are broadened to permit those agencies to contract with cities and counties for use of roads and streets for the purpose of planning, constructing or operating any facility or performing any service which a PTBA may be authorized to perform.

Substitute Bill Compared to Original Bill: The purposes for which a PTBA may contract are clarified. It is specified that these powers are in addition to current powers.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill authorizes, but does not require, transit agencies to contract with cities and counties to improve or maintain roads and facilities which are used by transit.

Testimony Against: There is no need for this legislation since many transit agencies currently fund projects.

Testified: Dave Mandyke, city of Spokane (pro); Mike Brewer, Spokane Transit Board (neutral); Dan Snow, Washington State Transit Association (concerns); Chuck Williams, C-TRAN (concerns); and Steve Lindstrom, Community Transit (concerns).