

FINAL BILL REPORT

ESB 5371

C 253 L 99

Synopsis as Enacted

Brief Description: Developing intercity passenger rail service.

Sponsors: Senators Jacobsen, Horn, Haugen, Franklin, Costa and Kohl-Welles; by request of Department of Transportation.

Senate Committee on Transportation

House Committee on Transportation

Background: The Department of Transportation is granted a range of powers associated with developing and operating facilities for which it is responsible. These powers apply to highways, ferries and toll facilities, and airports and include the authority to acquire property, design and build facilities, and operate those facilities necessary to provide the modal service.

Statutory language which authorizes the intercity passenger rail program is more limited and provides broad directives for the department to implement a rail passenger program including station development, grade crossing improvements, track improvements, and contracting for services. It is not clear that existing statutes grant the department sufficient authority to engage in a partnership to improve the King Street Terminal in Seattle, or in other rail depot, parking, and maintenance facility projects.

Summary: Subject to legislative appropriation, the Department of Transportation is granted certain powers relative to real property used in association with the state intercity rail passenger program including, but not limited to depots, platforms, parking areas, and maintenance facilities.

These powers include: (1) acquiring such properties through purchase, lease, condemnation, or grant; and (2) constructing, improving, and operating such properties even if the real property is owned or controlled by another entity, provided that the expenditure of public funds must be directly related to public benefit of the rail program and the public investment must be secured with the owners of real property through written contract. The department may also accept and utilize gifts, grants and donations for the public benefit.

Votes on Final Passage:

Senate	35	13
House	95	0

Effective: July 25, 1999