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HOUSE BILL 1798

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State of Washington

56th Legislature

1999 Regular Session

By Representatives K. Schmidt, Fisher, Mitchell, Ogden, Mielke, Cooper, Pflug, Hankins, Skinner, Fortunato, Wood, Haigh, Radcliff, Rockefeller, Kessler and Regala

Read first time 02/05/1999. Referred to Committee on Transportation.

1 AN ACT Relating to coordination of special needs transportation;  
2 amending RCW 47.06B.010, 47.06B.020, 47.06B.030, 47.06B.900, and  
3 47.06B.901; and adding new sections to chapter 47.06B RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 47.06B.010 and 1998 c 173 s 1 are each amended to read  
6 as follows:

7 The legislature finds that transportation systems for persons with  
8 special needs are not operated as efficiently as possible. (~~Lack of~~  
9 ~~coordination produces irrational situations, such as several different~~  
10 ~~vehicles arriving simultaneously at the same location to pick up~~  
11 ~~several different persons with special needs. When separate vehicles~~  
12 ~~arrive within minutes of each other to transport individuals with~~  
13 ~~special needs to similar destinations, resources are wasted and fewer~~  
14 ~~people are being served.)) In some cases, programs established by the  
15 legislature to assist persons with special needs can not be accessed  
16 due to these inefficiencies and coordination barriers.~~

17 It is the intent of the legislature that public transportation  
18 agencies, pupil transportation programs, private nonprofit  
19 transportation providers, and other public agencies sponsoring programs

1 that require transportation services coordinate those transportation  
2 services. Through coordination of transportation services, programs  
3 will achieve increased efficiencies and will expand services to a  
4 greater number of persons with special needs.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.06B RCW  
6 to read as follows:

7 The definitions in this section apply throughout this chapter.

8 (1) "Persons with special transportation needs" means those  
9 persons, including their personal attendants, who because of physical  
10 or mental disability, income status, or age are unable to transport  
11 themselves or purchase transportation.

12 (2) "Special needs coordinated transportation" is transportation  
13 for persons with special transportation needs that is developed through  
14 a collaborative community process involving transportation providers;  
15 human service programs and agencies; consumers; social, educational,  
16 and health service providers; employer and business representatives;  
17 and other affected parties.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.06B RCW  
19 to read as follows:

20 In order to increase efficiency, to reduce waste and duplication,  
21 to enable people to access social and health services, to provide a  
22 basic level of mobility, and to extend and improve transportation  
23 services to people with special transportation needs, the state shall  
24 implement the Program for Agency Coordinated Transportation. The  
25 program will improve transportation efficiency and effectiveness to  
26 maximize the use of community resources so that more people can be  
27 served within available funding levels.

28 The program must develop a coordinated transportation system that  
29 exhibits the following characteristics:

30 (1) Each agency and agency program or agency serving persons with  
31 special transportation needs shares responsibility for ensuring that  
32 its customers can access services.

33 (2) There is a single entry process for customers to use to have  
34 trips arranged and scheduled, so the customer does not have to contact  
35 different locations based on which sponsoring agency or program is  
36 paying for the trip.

1 (3) A process is in place so that when decisions are made on  
2 facility siting or program policy implementation, the costs of  
3 transportation and the potential effects on the transportation costs of  
4 other agencies or programs are considered. Other affected agencies are  
5 given an opportunity to influence the decision if the potential impact  
6 is negative.

7 (4) Open local market mechanisms permit all providers who meet  
8 minimum standards to participate in the program, and, in addition,  
9 allow for cost comparisons so that purchasers can select the least  
10 expensive trip suitable to the customer's needs.

11 (5) There is flexibility in using the available vehicles in a  
12 community so that the ability to transport people is not restricted by  
13 categorical claims to vehicles.

14 (6) There is maximum sharing of operating facilities and  
15 administrative services, to avoid duplication of costly program  
16 elements.

17 (7) Trip sponsors and service providers have agreed on a process  
18 for allocating costs and billing when they share use of vehicles.

19 (8) Minimum standards exist for at least safety, driver training,  
20 maintenance, vehicles, and technology to eliminate barriers that may  
21 prevent sponsors from using each other's vehicles or serving each  
22 other's clients.

23 (9) The system is user friendly. The fact that the system is  
24 supported by a multitude of programs and agencies with different  
25 eligibility, contracting, service delivery, payment, and funding  
26 structures does not effect the customer's ability to access service.

27 (10) Support is provided for research, technology improvements, and  
28 sharing of best practices from other communities, so that the system  
29 can be continually improved.

30 (11) There are performance goals and an evaluation process that  
31 leads to continuous system improvement.

32 **Sec. 4.** RCW 47.06B.020 and 1998 c 173 s 2 are each amended to read  
33 as follows:

34 (1) The agency council on coordinated transportation is created.  
35 The council is composed of ~~((nine voting))~~ three ex officio members,  
36 six members appointed by the governor, and eight ~~((nonvoting,))~~  
37 legislative members. All members have a vote on the council.

1       (2) The ~~((nine-voting))~~ three ex officio members are the  
2 superintendent of public instruction or a designee, the secretary of  
3 transportation or a designee, and the secretary of the department of  
4 social and health services or a designee~~((, and six members appointed~~  
5 ~~by the governor as follows:))~~.

6       (3) The six members appointed by the governor must represent a  
7 balance of transportation providers and users of the system, and be  
8 chosen from organizations such as:

9       (a) ~~((One representative from))~~ The office of the governor;

10       (b) ~~((Two persons who are consumers of special needs transportation~~  
11 ~~services))~~ The Washington Senior Lobby;

12       (c) ~~((One representative from))~~ The Governor's Committee on  
13 Disability Issues and Employment;

14       (d) The Washington Association of Pupil Transportation;

15       ~~((d) One representative from))~~ (e) The Washington State Transit  
16 Association; ((and

17       ~~(e) One of the following:~~

18       ~~(i) A representative from))~~ (f) The Community Transportation  
19 Association of the Northwest; ((or

20       ~~(ii) A representative from))~~ (g) The Community Action Council  
21 Association.

22       ~~((3))~~ (4) The eight ~~((nonvoting))~~ legislative members are  
23 ~~((legislators))~~ as follows:

24       (a) Four members from the house of representatives, two from each  
25 of the two largest caucuses, appointed by the speaker of the house of  
26 representatives, two who are members of the house transportation  
27 ~~((policy and budget))~~ committee and two who are members of the house  
28 appropriations committee; and

29       (b) Four members from the senate, two from each of the two largest  
30 caucuses, appointed by the president of the senate, two who are members  
31 of the transportation committee and two who are members of the ways and  
32 means committee.

33       ~~((4))~~ (5) Gubernatorial appointees of the council will serve  
34 ~~((two-year))~~ three-year terms, staggered so that two members are  
35 replaced or reappointed each year. Individual appointees shall not  
36 serve for a period of more than six consecutive years.

37       (6) Members may not receive compensation for their service on the  
38 council, but will be reimbursed for actual and necessary expenses

1 incurred in performing their duties as members as set forth in RCW  
2 43.03.220.

3 ~~((5) The secretary of transportation or a designee shall serve as~~  
4 ~~the))~~ (7) A council chair and vice-chair must be elected every two  
5 years from among the ex officio members, by vote of the council.

6 ~~((6))~~ (8) The council shall carry out its duties to administer  
7 the coordinated transportation program, to provide and manage grants to  
8 fund demonstration projects, and to provide assistance to community  
9 forums and planning processes with funds appropriated by the  
10 legislature or as provided for in subsection (10) of this section.

11 (9) The department of transportation shall provide necessary staff  
12 support for the council to supplement council resources as needed.

13 ~~((7))~~ (10) The council may receive gifts, grants, or endowments  
14 from public or private sources that are made from time to time, in  
15 trust or otherwise, for the use and benefit of the purposes of the  
16 council and spend gifts, grants, or endowments or income from the  
17 public or private sources according to their terms, unless the receipt  
18 of the gifts, grants, or endowments violates RCW 42.17.710.

19 **Sec. 5.** RCW 47.06B.030 and 1998 c 173 s 3 are each amended to read  
20 as follows:

21 To assure implementation of the special needs coordinated  
22 transportation program, the council, in coordination with stakeholders,  
23 shall:

24 (1) ~~Develop ((standards and strategies for coordinating special~~  
25 ~~needs transportation;~~

26 ~~(2) Identify and develop, fund as resources are made available, and~~  
27 ~~monitor coordinated transportation pilot projects;~~

28 ~~(3) Disseminate and encourage the widespread implementation of~~  
29 ~~successful demonstration projects;~~

30 ~~(4) Identify and address barriers to transportation coordination;~~

31 ~~(5) Recommend to the legislature changes in law to assist~~  
32 ~~coordination of transportation services;~~

33 ~~(6) Act as an information clearinghouse and advocate for~~  
34 ~~coordinated transportation;~~

35 ~~(7))~~ guidelines for local planning of coordinated transportation  
36 in accordance with this chapter;

37 (2) Initiate local planning processes by contacting the board of  
38 commissioners and county councils in each county and encouraging them

1 to convene local planning forums for the purpose of implementing  
2 special needs coordinated transportation programs at the community  
3 level;

4 (3) Work with local community forums to identify a local lead  
5 organization;

6 (4) Provide a forum at the state level in which state agencies will  
7 discuss and resolve coordination issues and program policy issues that  
8 may impact transportation coordination and costs;

9 (5) Provide guidelines for state agencies to use in creating  
10 policies, rules, or procedures to encourage the participation of their  
11 constituents in community-based planning and coordination, in  
12 accordance with this chapter;

13 (6) Facilitate state-level discussion and action on problems and  
14 barriers identified by the local forums that can only be resolved at  
15 either the state or federal level;

16 (7) Develop and test models for determining the impacts of facility  
17 siting and program policy decisions on transportation costs;

18 (8) Develop methodologies and provide support to local and state  
19 agencies in identifying transportation costs;

20 (9) Develop guidelines for setting performance measures and  
21 evaluating performance;

22 (10) Develop monitoring reporting criteria and processes to assess  
23 state and local level of participation with this chapter;

24 (11) Administer and manage grant funds to develop, test, and  
25 facilitate the implementation of coordinated systems;

26 (12) Develop minimum standards for safety, driver training, and  
27 vehicles, and provide models for processes and technology to support  
28 coordinated service delivery systems;

29 (13) Provide a clearinghouse for sharing information about  
30 transportation coordination best practices and experiences;

31 (14) Promote research and development of methods and tools to  
32 improve the performance of transportation coordination in the state;

33 (15) Provide technical assistance and support to communities.

34 (16) Facilitate, monitor, provide funding as available, and give  
35 technical support to local planning processes;

36 (17) Form, convene, and give staff support to stakeholder work  
37 groups as needed to continue work on removing barriers to coordinated  
38 transportation;

1        (18) Advocate for the coordination of transportation for people  
2 with special transportation needs at the federal, state, and local  
3 levels;

4        (19) Recommend to the legislature changes in laws to assist  
5 coordination of transportation services;

6        (20) Petition the office of financial management to make whatever  
7 changes are deemed necessary to identify transportation costs in all  
8 executive agency budgets;

9        ~~((+8))~~ (21) Report to the legislature by December 1, ((1998))  
10 2000, on council activities including, but not limited to, the progress  
11 of community planning processes, what demonstration projects have been  
12 undertaken, how coordination affected service levels, and whether these  
13 efforts produced savings that allowed expansion of services. Reports  
14 must be made once every two years thereafter, and other times as the  
15 council deems necessary.

16        NEW SECTION. Sec. 6. A new section is added to chapter 47.06B RCW  
17 to read as follows:

18        At the direction of the council, selected local county governments  
19 shall convene local planning forums and invite participation of all  
20 entities, including tribal governments, that serve or transport persons  
21 with special transportation needs. Counties are encouraged to  
22 coordinate and combine their forums and planning processes with other  
23 counties, as they find it appropriate. The local community forums  
24 must:

25        (1) Identify a lead organization to facilitate the community  
26 planning process on an ongoing basis;

27        (2) Identify functional boundaries for the local coordinated  
28 transportation system;

29        (3) Clarify roles and responsibilities of the various participants;

30        (4) Identify community resources and needs;

31        (5) Prepare a plan for developing a coordinated transportation  
32 system that meets the intent of this chapter, addresses community  
33 needs, and efficiently uses community resources;

34        (6) Implement the community coordinated transportation plan;

35        (7) Develop performance measures consistent with council  
36 guidelines;

37        (8) Develop a reporting process consistent with council guidelines;

1 (9) Raise issues and barriers to the council when resolution is  
2 needed at either the state or federal level;

3 (10) Develop a process for open discussion and input on local  
4 policy and facility siting decisions that may have an impact on the  
5 special needs transportation costs and service delivery of other  
6 programs and agencies in the community.

7 **Sec. 7.** RCW 47.06B.900 and 1998 c 173 s 6 are each amended to read  
8 as follows:

9 The agency council on coordinated transportation is terminated on  
10 June 30, (~~(2003)~~) 2007, as provided in RCW 47.06B.901.

11 **Sec. 8.** RCW 47.06B.901 and 1998 c 173 s 7 are each amended to read  
12 as follows:

13 The following acts or parts of acts, as now existing or hereafter  
14 amended, are each repealed, effective June 30, (~~(2004)~~) 2008:

15 (1) RCW 47.06B.010 and 1999 c ... s 1 (section 1 of this act) &  
16 1998 c 173 s 1;

17 (2) RCW 47.06B.--- and 1999 c ... s 2 (section 2 of this act);

18 (3) RCW 47.06B.--- and 1999 c ... s 3 (section 3 of this act);

19 (4) RCW 47.06B.020 and 1999 c ... s 4 (section 4 of this act) &  
20 1998 c 173 s 2; (~~and~~

21 (~~3~~)) (5) RCW 47.06B.030 and 1999 c ... s 5 (section 5 of this act)  
22 & 1998 c 173 s 3; and

23 (6) RCW 47.06B.--- and 1999 c ... s 6 (section 6 of this act).

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