

1388

Sponsor(s): Representatives Woods, Ericksen, Ahern, Schindler, Jarrett, Bush, Shabro, Anderson, Bailey, Talcott, Clements, Chandler, Mielke, Boldt, Newhouse, Schoesler, Nixon, Pearson, Pflug and McMahan

Brief Description: Providing incentives to increase transportation revenues by reforming laws limiting the provision of passenger-only ferry service.

**HB 1388.E - DIGEST**

(DIGEST AS ENACTED)

Finds that the Washington state department of transportation should focus on its core ferry mission of moving automobiles on Washington state's marine highways.

Finds that current statutes impose barriers to entities other than the state operating passenger-only ferries.

Declares an intent to lift those barriers to allow entities other than the state to provide passenger-only ferry service.

Finds that the provision of this service and the improvement in the mobility of the citizens of Washington state is legally adequate consideration for the use of state facilities in conjunction with the provision of the service, and the legislature finds that allowing the operators of passenger-only ferries to use state facilities on the basis of legally adequate consideration does not evince donative intent on the part of the legislature.

Directs the department of transportation to make its terminal, dock, and pier space available to operators of passenger-only ferries if the space can be made available without limiting the operation of car ferries operated by the department. Charges for the equipment and space must be fair market value taking into account the public benefit derived from the passenger-only ferry service.

Provides that, in granting a certificate for passenger-only ferries and determining what conditions to place on the certificate, the commission shall consider and give substantial weight to the effect of its decisions on public agencies operating, or eligible to operate, passenger-only ferry service.

Declares that, until March 1, 2005, the commission shall not consider an application for passenger-only ferry service serving any county in Puget Sound, unless the public transportation benefit area authority or ferry district serving that county, by resolution, agrees to the application.

Authorizes the commission to cancel a certificate upon failure of a certificate holder for passenger-only ferry service in Puget Sound to initiate service by the conclusion of the twentieth month after the certificate has been granted.