

SENATE BILL REPORT

SB 5105

As Reported By Senate Committee On:
Transportation, February 21, 2005

Title: An act relating to certification of entities regulated by the utilities and transportation commission under Title 81 RCW.

Brief Description: Regarding certification of entities regulated by the utilities and transportation commission.

Sponsors: Senators Swecker, Jacobsen, Kastama and Oke; by request of Utilities & Transportation Commission.

Brief History:

Committee Activity: Transportation: 2/15/05, 2/21/05 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5105 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Swecker, Ranking Minority Member; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel and Weinstein.

Staff: Kelly Simpson (786-7403)

Background: Under current law, the Washington Utilities and Transportation Commission (WUTC) regulates certain passenger transportation providers including: private, nonprofit providers for persons with special needs; regular route bus services, including airporter service; charter and excursion services; and commercial ferry companies. The WUTC also regulates solid waste collection companies. An operator wishing to provide any of these services for compensation must first obtain a certificate from the WUTC. In order to revoke, suspend, or amend certain transportation company certificates, or to authorize certificates to new applicants, the WUTC must hold a public hearing. Hearings must be held in every circumstance of change regardless if the certificate holder agrees or objects to the changes.

Unlike other statutory provisions regulating transportation providers, Chapter 81.68 RCW, concerning bus services and airporters, does not provide for temporary certificates.

Summary of Substitute Bill: The WUTC may revoke, suspend, or amend certain transportation company certificates, or authorize certificates to new applicants, without a hearing, when the existing certificate holder does not object to the changes in the status of the certificate. Additionally, the WUTC may issue a certificate to operate commercial ferry service without a hearing, as long as proper notice and an opportunity for a hearing was originally provided and no objections are made regarding the issuance of the certificate.

The WUTC may issue temporary certificates for up to 180 days to bus service or airporter service providers.

RCW 81.68.045, regarding excursion service companies, is moved from the auto transportation companies regulation chapter to the excursion services chapter, 81.70 RCW.

Substitute Bill Compared to Original Bill: Emergency clause was removed.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: This legislation allows for administrative efficiencies in the event that the parties involved in a change in status regarding a certificate all agree to waive the need for a formal administrative hearing. The bill would also eliminate those hearings conducted solely for form. It would allow the WUTC to be more responsive to local community needs. Formal administrative hearings could still be demanded if a party, including the WUTC, so desires.

Testimony Against: None.

Who Testified: PRO: Senator Swecker, prime sponsor; Chris Rose, WA Utilities & Transportation Commission.