
HOUSE BILL 1421

State of Washington 59th Legislature 2005 Regular Session

By Representative Ericksen

Read first time 01/24/2005. Referred to Committee on Transportation.

1 AN ACT Relating to promotional fares offered by auto transportation
2 companies; amending RCW 81.68.010; adding a new section to chapter
3 81.68 RCW; and creating a new section.

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

5 **Sec. 1.** RCW 81.68.010 and 1989 c 163 s 1 are each amended to read
6 as follows:

7 The definitions set forth in this section shall apply throughout
8 this chapter, unless the context clearly indicates otherwise.

9 (1) "Corporation" means a corporation, company, association, or
10 joint stock association.

11 (2) "Person" means an individual, firm, or a copartnership.

12 (3) "Auto transportation company" means every corporation or
13 person, their lessees, trustees, receivers, or trustees appointed by
14 any court whatsoever, owning, controlling, operating, or managing any
15 motor propelled vehicle not usually operated on or over rails used in
16 the business of transporting persons, and baggage, mail, and express on
17 the vehicles of auto transportation companies carrying passengers, for
18 compensation over any public highway in this state between fixed

1 termini or over a regular route, and not operating exclusively within
2 the incorporated limits of any city or town.

3 (4) "Promotional fares" means rates, fares, charges, and tickets at
4 a free or reduced rate from existing or approved rates, fares, or
5 charges that are reasonably calculated to increase ridership and
6 revenues or decrease average costs per passenger in the long run, to
7 meet competitive demands, or to resolve passenger complaints or
8 compensate passengers for service quality issues.

9 (5) "Public highway" means every street, road, or highway in this
10 state.

11 ~~((+5))~~ (6) The words "between fixed termini or over a regular
12 route" mean the termini or route between or over which any auto
13 transportation company usually or ordinarily operates any motor
14 propelled vehicle, even though there may be departure from the termini
15 or route, whether the departures are periodic or irregular. Whether or
16 not any motor propelled vehicle is operated by any auto transportation
17 company "between fixed termini or over a regular route" within the
18 meaning of this section is a question of fact, and the finding of the
19 commission thereon is final and is not subject to review.

20 NEW SECTION. Sec. 2. A new section is added to chapter 81.68 RCW
21 to read as follows:

22 Notwithstanding the provisions of RCW 81.28.080, 81.28.180,
23 81.28.190, and 81.68.030, an auto transportation company may:

24 (1) Offer promotional fares. Promotions lasting more than fourteen
25 consecutive calendar days or offered to the same person or persons more
26 than twice in a calendar year must cover the incremental cost to the
27 company of the transportation and promotion.

28 (2) Increase or decrease aggregate revenues incrementally by up to
29 ten percent each year for passenger service between points for which
30 passengers have reasonable alternative means of public transportation
31 between the points. The incremental revenue increases or decreases
32 must be excluded from revenues if the commission undertakes a
33 traditional rate review or rate case under RCW 81.68.030, which rate
34 case or review must be limited to operations between points for which
35 passengers do not have reasonable alternative means of public
36 transportation. For purposes of this section, "reasonable alternative
37 means of public transportation" means alternatives that have reasonably

1 comparable costs to the passenger and quality of service and may
2 include the following or a combination of the following, whether
3 regulated by the commission or not: Another auto transportation
4 company, taxi service, public mass transit, airline, charter or
5 excursion company, but a "reasonable alternative means of public
6 transportation" does not have to be the same or lesser fare nor offer
7 the same speed or convenience to the passenger to be considered to be
8 "reasonably comparable" as used in this subsection.

9 NEW SECTION. **Sec. 3.** This act may be known and cited as the
10 Airport Ground Transportation Recovery Act.

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