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**SUBSTITUTE SENATE BILL 5729**

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**State of Washington**

**59th Legislature**

**2005 Regular Session**

**By** Senate Committee on Transportation (originally sponsored by Senators Rockefeller, Oke, Regala, Spanel, Sheldon, Shin, Poulsen, Jacobsen and Kohl-Welles)

READ FIRST TIME 03/04/05.

1 AN ACT Relating to ferry fares; and amending RCW 47.60.326.

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

3 **Sec. 1.** RCW 47.60.326 and 2003 c 374 s 4 are each amended to read  
4 as follows:

5 (1) In order to maintain an adequate, fair, and economically sound  
6 schedule of charges for the transportation of passengers, vehicles, and  
7 commodities on the Washington state ferries, the department of  
8 transportation each year shall conduct a full review of such charges.

9 (2) Prior to February 1st of each odd-numbered year the department  
10 shall transmit to the transportation commission a report of its review  
11 together with its recommendations for the revision of a schedule of  
12 charges for the ensuing biennium. The commission on or before July 1st  
13 of that year shall adopt as a rule, in the manner provided by the  
14 Washington administrative procedure act, a schedule of charges for the  
15 Washington state ferries for the ensuing biennium commencing July 1st.  
16 The schedule may initially be adopted as an emergency rule if necessary  
17 to take effect on, or as near as possible to, July 1st.

18 (3) The department in making its review and formulating

1 recommendations and the commission in adopting a schedule of charges  
2 may consider any of the following factors:

3 (a) The amount of subsidy available to the ferry system for  
4 maintenance and operation;

5 (b) The time and distance of ferry runs;

6 (c) The maintenance and operation costs for ferry runs with a  
7 proper adjustment for higher costs of operating outmoded or less  
8 efficient equipment;

9 (d) The efficient distribution of traffic between cross-sound  
10 routes;

11 (e) The desirability of reasonable (~~commutation~~) rates for  
12 persons using the ferry system to commute daily to work and other  
13 frequent users who live in ferry-dependent communities;

14 (f) The effect of proposed fares in increasing walk-on and  
15 vehicular passenger use;

16 (g) The effect of proposed fares in promoting all types of ferry  
17 use during nonpeak periods;

18 (h) The estimated revenues that are projected to be earned by the  
19 ferry system from commercial advertisements, parking, contracts,  
20 leases, and other sources;

21 (i) The prepurchase of multiple fares, whether for a single rider  
22 or multiple riders;

23 (j) Such other factors as prudent managers of a major ferry system  
24 would consider.

25 (4) If at any time during the biennium it appears that projected  
26 revenues from the Puget Sound ferry operations account and any other  
27 operating subsidy available to the Washington state ferries will be  
28 less than the projected total cost of maintenance and operation of the  
29 Washington state ferries for the biennium, the department shall  
30 forthwith undertake a review of its schedule of charges to ascertain  
31 whether or not the schedule of charges should be revised. The  
32 department shall, upon completion of its review report, submit its  
33 recommendation to the transportation commission which may in its sound  
34 discretion revise the schedule of charges as required to meet necessary  
35 maintenance and operation expenditures of the ferry system for the  
36 biennium or may defer action until the regular annual review and  
37 revision of ferry charges as provided in subsection (2) of this  
38 section.

1       (5) The provisions of RCW 47.60.330 relating to public  
2 participation shall apply to the process of revising ferry tolls under  
3 this section.

4       (6) Under RCW 43.135.055, the transportation commission may  
5 increase ferry tolls included in the schedule of charges adopted under  
6 this section by a percentage that exceeds the fiscal growth factor.

7       (7) Notwithstanding the provisions of this section and chapter  
8 81.28 RCW, and using sound business judgment, the chief executive  
9 officer of the ferry system may authorize the use of promotional,  
10 discounted, and special event fares to the general public and  
11 commercial enterprises for the purpose of maximizing capacity use and  
12 the revenues collected by the ferry system. The department shall  
13 report to the transportation commission a summary of the promotional,  
14 discounted, and special event fares offered during each fiscal year and  
15 the financial results from these activities.

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