

SHB 1694 - S AMD 553

By Senators Murray, Swecker

ADOPTED 04/17/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 47.06B.010 and 1999 c 385 s 1 are each amended to
4 read as follows:

5 The legislature finds that transportation systems for persons with
6 special needs are not operated as efficiently as possible. In ~~((some))~~
7 too many cases, programs established by the legislature to assist
8 persons with special needs can not be accessed due to these
9 inefficiencies and coordination barriers.

10 It is the intent of the legislature that public transportation
11 agencies, pupil transportation programs, private nonprofit
12 transportation providers, and other public agencies sponsoring programs
13 that require transportation services coordinate those transportation
14 services. Through coordination of transportation services, programs
15 will achieve increased efficiencies and will be able to provide more
16 rides to a greater number of persons with special needs.

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

19 (1) The agency council on coordinated transportation is created.
20 The council is composed of ~~((nine))~~ ten voting members and ~~((eight))~~
21 four nonvoting, legislative members.

22 (2) The ~~((nine))~~ ten voting members are the superintendent of
23 public instruction or a designee, the secretary of transportation or a
24 designee, the secretary of the department of social and health services
25 or a designee, and ~~((six))~~ seven members appointed by the governor as
26 follows:

27 (a) One representative from the office of the governor;

28 (b) ~~((Two))~~ Three persons who are consumers of special needs
29 transportation services, which must include:

1 (i) One person designated by the executive director of the
2 governor's committee on disability issues and employment; and

3 (ii) One person who is designated by the executive director of the
4 developmental disabilities council;

5 (c) One representative from the Washington association of pupil
6 transportation;

7 (d) One representative from the Washington state transit
8 association; and

9 (e) One of the following:

10 (i) A representative from the community transportation association
11 of the Northwest; or

12 (ii) A representative from the community action council
13 association.

14 (3) The ~~((eight))~~ four nonvoting members are legislators as
15 follows:

16 (a) ~~((Four))~~ Two members from the house of representatives, ~~((two))~~
17 one from each of the two largest caucuses, appointed by the speaker of
18 the house of representatives, ~~((two who are members of))~~ including at
19 least one member from the house transportation policy and budget
20 committee ~~((and two who are members of))~~ or the house appropriations
21 committee; and

22 (b) ~~((Four))~~ Two members from the senate, ~~((two))~~ one from each of
23 the two largest caucuses, appointed by the president of the senate,
24 ~~((two members of))~~ including at least one member from the senate
25 transportation committee ~~((and two members of))~~ or the senate ways and
26 means committee.

27 (4) Gubernatorial appointees of the council will serve two-year
28 terms. Members may not receive compensation for their service on the
29 council, but will be reimbursed for actual and necessary expenses
30 incurred in performing their duties as members as set forth in RCW
31 43.03.220.

32 (5) The secretary of transportation or a designee shall serve as
33 the chair.

34 (6) The department of transportation shall provide necessary staff
35 support for the council.

36 (7) The council may receive gifts, grants, or endowments from
37 public or private sources that are made from time to time, in trust or
38 otherwise, for the use and benefit of the purposes of the council and

1 spend gifts, grants, or endowments or income from the public or private
2 sources according to their terms, unless the receipt of the gifts,
3 grants, or endowments violates RCW 42.17.710.

4 (8) The meetings of the council must be open to the public, with
5 the agenda published in advance, and minutes kept and made available to
6 the public. The public notice of the meetings must indicate that
7 accommodations for persons with disabilities will be made available
8 upon request.

9 (9) All meetings of the council must be held in locations that are
10 readily accessible to public transportation, and must be scheduled for
11 times when public transportation is available.

12 (10) The council shall make an effort to include presentations by
13 and work sessions including persons with special transportation needs.

14 **Sec. 3.** RCW 47.06B.030 and 1999 c 385 s 5 are each reenacted and
15 amended to read as follows:

16 (1) To assure implementation of ((the Program for)) an effective
17 system of coordinated transportation that meets the needs of persons
18 with special transportation needs, the agency council on coordinated
19 transportation((, the council, in coordination with stakeholders,))
20 shall adopt a biennial work plan that must, at a minimum:

21 ((1) Develop guidelines for local planning of coordinated
22 transportation in accordance with this chapter;

23 (2) Initiate local planning processes by contacting the board of
24 commissioners and county councils in each county and encouraging them
25 to convene local planning forums for the purpose of implementing
26 special needs coordinated transportation programs at the community
27 level;

28 (3) Work with local community forums to designate a local lead
29 organization that shall cooperate and coordinate with private and
30 nonprofit transportation brokers and providers, local public
31 transportation agencies, local governments, and user groups;

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

35 (5) Provide guidelines for state agencies to use in creating
36 policies, rules, or procedures to encourage the participation of their

1 constituents in community based planning and coordination, in
2 accordance with this chapter;

3 (6) Facilitate state level discussion and action on problems and
4 barriers identified by the local forums that can only be resolved at
5 either the state or federal level;

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

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

10 (9) Develop guidelines for setting performance measures and
11 evaluating performance;

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

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

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

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

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

23 (15) Provide technical assistance and support to communities;

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

26 (17) Form, convene, and give staff support to stakeholder work
27 groups as needed to continue work on removing barriers to coordinated
28 transportation;

29 (18) Advocate for the coordination of transportation for people
30 with special transportation needs at the federal, state, and local
31 levels;

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

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

37 (21) Report to the legislature by December 1, 2000, on council
38 activities including, but not limited to, the progress of community

1 ~~planning processes, what demonstration projects have been undertaken,~~
2 ~~how coordination affected service levels, and whether these efforts~~
3 ~~produced savings that allowed expansion of services. Reports must be~~
4 ~~made once every two years thereafter, and other times as the council~~
5 ~~deems necessary))~~

6 (a) Focus on projects that identify and address barriers in laws,
7 policies, and procedures;

8 (b) Focus on results; and

9 (c) Identify and advocate for transportation system improvements
10 for persons with special transportation needs.

11 (2) The council shall, as necessary, convene work groups at the
12 state, regional, or local level to develop and implement coordinated
13 approaches to special needs transportation.

14 (3) To improve the service experienced by persons with special
15 transportation needs, the council shall develop statewide guidelines
16 for customer complaint processes so that information about policies
17 regarding the complaint processes is available consistently and
18 consumers are appropriately educated about available options. To be
19 eligible for funding on or after January 1, 2008, organizations
20 applying for state paratransit/special needs grants as described in
21 section 226(1), chapter 370, Laws of 2006 must implement a process
22 following the guidelines established by the council.

23 (4) The council shall represent the needs and interests of persons
24 with special transportation needs in statewide efforts for emergency
25 and disaster preparedness planning by advising the emergency management
26 council on how to address transportation needs for high-risk
27 individuals during and after disasters.

28 **Sec. 4.** RCW 47.06B.040 and 1999 c 385 s 6 are each amended to read
29 as follows:

30 ~~((The council may request, and may require as a condition of~~
31 ~~receiving coordination grants, selected county governments to convene~~
32 ~~local planning forums and invite participation of all entities,~~
33 ~~including tribal governments, that serve or transport persons with~~
34 ~~special transportation needs. Counties are encouraged to coordinate~~
35 ~~and combine their forums and planning processes with other counties, as~~
36 ~~they find it appropriate. The local community forums must:~~

- ~~(1) Designate a lead organization to facilitate the community planning process on an ongoing basis;~~
- ~~(2) Identify functional boundaries for the local coordinated transportation system;~~
- ~~(3) Clarify roles and responsibilities of the various participants;~~
- ~~(4) Identify community resources and needs;~~
- ~~(5) Prepare a plan for developing a coordinated transportation system that meets the intent of this chapter, addresses community needs, and efficiently uses community resources to address unmet needs;~~
- ~~(6) Implement the community coordinated transportation plan;~~
- ~~(7) Develop performance measures consistent with council guidelines;~~
- ~~(8) Develop a reporting process consistent with council guidelines;~~
- ~~(9) Raise issues and barriers to the council when resolution is needed at either the state or federal level;~~
- ~~(10) Develop a process for open discussion and input on local policy and facility siting decisions that may have an impact on the special needs transportation costs and service delivery of other programs and agencies in the community.)~~

The agency council on coordinated transportation shall review and recommend certification of local plans developed by regional transportation planning organizations based on meeting federal requirements. Each regional transportation planning organization must submit to the council an updated plan that includes the elements, consistent with federal planning requirements, identified by the council beginning on July 1, 2007, and every four years thereafter.

Each regional transportation planning organization must submit to the council every two years a prioritized regional human service and transportation project list.

Sec. 5. RCW 47.80.023 and 1998 c 171 s 8 are each amended to read as follows:

Each regional transportation planning organization shall have the following duties:

- (1) Prepare and periodically update a transportation strategy for the region. The strategy shall address alternative transportation modes and transportation demand management measures in regional

1 corridors and shall recommend preferred transportation policies to
2 implement adopted growth strategies. The strategy shall serve as a
3 guide in preparation of the regional transportation plan.

4 (2) Prepare a regional transportation plan as set forth in RCW
5 47.80.030 that is consistent with county-wide planning policies if such
6 have been adopted pursuant to chapter 36.70A RCW, with county, city,
7 and town comprehensive plans, and state transportation plans.

8 (3) Certify by December 31, 1996, that the transportation elements
9 of comprehensive plans adopted by counties, cities, and towns within
10 the region reflect the guidelines and principles developed pursuant to
11 RCW 47.80.026, are consistent with the adopted regional transportation
12 plan, and, where appropriate, conform with the requirements of RCW
13 36.70A.070.

14 (4) Where appropriate, certify that county-wide planning policies
15 adopted under RCW 36.70A.210 and the adopted regional transportation
16 plan are consistent.

17 (5) Develop, in cooperation with the department of transportation,
18 operators of public transportation services and local governments
19 within the region, a six-year regional transportation improvement
20 program which proposes regionally significant transportation projects
21 and programs and transportation demand management measures. The
22 regional transportation improvement program shall be based on the
23 programs, projects, and transportation demand management measures of
24 regional significance as identified by transit agencies, cities, and
25 counties pursuant to RCW 35.58.2795, 35.77.010, and 36.81.121,
26 respectively. The program shall include a priority list of projects
27 and programs, project segments and programs, transportation demand
28 management measures, and a specific financial plan that demonstrates
29 how the transportation improvement program can be funded. The program
30 shall be updated at least every two years for the ensuing six-year
31 period.

32 (6) Designate a lead planning agency to coordinate preparation of
33 the regional transportation plan and carry out the other
34 responsibilities of the organization. The lead planning agency may be
35 a regional organization, a component county, city, or town agency, or
36 the appropriate Washington state department of transportation district
37 office.

1 (7) Review level of service methodologies used by cities and
2 counties planning under chapter 36.70A RCW to promote a consistent
3 regional evaluation of transportation facilities and corridors.

4 (8) Work with cities, counties, transit agencies, the department of
5 transportation, and others to develop level of service standards or
6 alternative transportation performance measures.

7 (9) Submit to the agency council on coordinated transportation, as
8 provided in chapter 47.06B RCW, beginning on July 1, 2007, and every
9 four years thereafter, an updated plan that includes the elements
10 identified by the council. Each regional transportation planning
11 organization must submit to the council every two years a prioritized
12 regional human service and transportation project list.

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

15 The agency council on coordinated transportation shall submit a
16 progress report on council activities to the legislature by December 1,
17 2009, and every other year thereafter. The report must describe the
18 council's progress in attaining the applicable goals identified in the
19 council's biennial work plan and highlight any problems encountered in
20 achieving these goals. The information will be reported in a form
21 established by the council.

22 NEW SECTION. Sec. 7. (1) The joint transportation committee, in
23 consultation with the agency council on coordinated transportation and
24 the joint legislative audit and review committee, as deemed appropriate
25 by the committee, shall conduct a study and review the legal and
26 programmatic changes and best practices necessary for effective
27 coordination of transportation services at the regional level for
28 persons with special transportation needs.

29 (2) The study shall:

30 (a) Include a comprehensive, statewide survey of existing
31 transportation resources for persons with special transportation needs;

32 (b) Identify opportunities for improving coordination by
33 determining a uniform system of:

34 (i) Measuring and reporting trip costs;

35 (ii) Provider billing practices;

36 (iii) Provider agreements and reporting requirements; and

- 1 (iv) Sharing eligibility information and trip requirements; and
2 (c) Make recommendations for:
3 (i) Improving access to customer services;
4 (ii) Integrating services of transportation service providers and
5 brokers; and
6 (iii) Best practices to effectively coordinate transportation
7 services for persons with special transportation needs.
8 (3) In conducting the study, the committee shall:
9 (a) Convene one or more meetings to consult with local and regional
10 special needs transportation providers, brokers, users of transit
11 services, representatives of nonprofit organizations that provide
12 related transportation services, including hopelink, and
13 representatives of other agencies and organizations, including the
14 department of social and health services;
15 (b) Identify federal funding and related program barriers to
16 improved coordination between state and federal programs and to
17 reasonable cost sharing for those programs;
18 (c) Review and consider other relevant model coordinated special
19 needs transportation systems throughout the nation as a source of best
20 practices for Washington state, including the ACCESS transportation
21 system in Pittsburgh, Pennsylvania;
22 (d) Evaluate using nontraditional service providers, such as public
23 utility districts;
24 (e) Evaluate methods to influence facility siting decisions for
25 state agencies serving persons with special transportation needs in
26 order to make facilities accessible; and
27 (f) Evaluate appropriate standards and strategies for a
28 decentralized broker system, including the state's role in this system.
29 (4) The committee shall provide a draft final report to the
30 transportation committees of the senate and the house of
31 representatives by December 15, 2008.

32 **Sec. 8.** RCW 47.06B.900 and 1999 c 385 s 7 are each amended to read
33 as follows:

34 The agency council on coordinated transportation is terminated on
35 June 30, ((2007)) 2010, as provided in RCW 47.06B.901.

1 **Sec. 9.** RCW 47.06B.901 and 1999 c 385 s 8 are each amended to read
2 as follows:

3 The following acts or parts of acts, as now existing or hereafter
4 amended, are each repealed, effective June 30, (~~(2008)~~) 2011:

5 (1) RCW 47.06B.010 and 2007 c ... s 1 (section 1 of this act), 1999
6 c 385 s 1, & 1998 c 173 s 1;

7 (2) RCW 47.06B.012 and 1999 c 385 s 2;

8 (~~(3) ((RCW 47.06B.015 and 1999 c 385 s 3;~~

9 ~~(4))~~) RCW 47.06B.020 and (~~(1999 c 385 s 4)~~) 2007 c ... s 2 (section
10 2 of this act) & 1998 c 173 s 2;

11 (~~(5))~~) (4) RCW 47.06B.030 and 2007 c ... s 3 (section 3 of this
12 act), 1999 c 385 s 5, & 1998 c 173 s 3; (~~and~~

13 ~~(6))~~) (5) RCW 47.06B.040 and 2007 c ... s 4 (section 4 of this act)
14 & 1999 c 385 s 6; and

15 (6) Section 6 of this act.

16 NEW SECTION. Sec. 10. 1999 c 372 s 13 is repealed.

17 NEW SECTION. Sec. 11. RCW 47.06B.015 (Program for Agency
18 Coordinated Transportation) and 1999 c 385 s 3 are each repealed."

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By Senators Murray, Swecker

ADOPTED 04/17/2007

19 On page 1, line 2 of the title, after "transportation;" strike the
20 remainder of the title and insert "amending RCW 47.06B.010, 47.06B.020,
21 47.06B.040, 47.80.023, 47.06B.900, and 47.06B.901; reenacting and
22 amending RCW 47.06B.030; adding a new section to chapter 47.06B RCW;
23 creating a new section; repealing RCW 47.06B.015; and repealing 1999 c
24 372 s 13."

EFFECT: The agency council for coordinated transportation (ACCT)

is reauthorized for three years and the duties of the council are clarified. The membership of ACCT is modified and greater input sought from persons with special transportation needs. ACCT is directed to establish statewide guidelines for appropriate complaint processes; applicants for state paratransit and special needs grants must follow the guidelines. ACCT is directed to participate in state emergency and disaster planning. Regional transportation planning organizations must submit plans to ACCT every four years but update project lists every two years. A JTC study on improving coordination at the regional level is due December 15, 2008. A number of technical changes are made.

--- END ---