

# HOUSE BILL REPORT

## SSB 6277

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### As Reported by House Committee On: Transportation

**Title:** An act relating to accommodating certain private transit providers at park and ride lots.

**Brief Description:** Providing for the accommodation of certain private transit providers at park and ride lots.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Haugen and Spanel).

#### Brief History:

##### Committee Activity:

Transportation: 2/27/08, 3/3/08 [DPA].

#### Brief Summary of Substitute Bill (As Amended by House Committee)

- Requires transit agencies that have received state funding for a park and ride lot to reasonably accommodate certain private transportation providers at the park and ride lot.
- Specifies that accommodation must be in the form of an agreement, and any agreement between the transit agency and private provider may include provisions relating to insurance, indemnification, and recovery of costs for use of the lot and related facilities.
- Provides that accommodation is not required if the transit agency determines that the use or capacity of the lot is or becomes incompatible with the private provider's demands.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 25 members: Representatives Clibborn, Chair; Flannigan, Vice Chair; Erickson, Ranking Minority Member; Appleton, Armstrong,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Campbell, Dickerson, Eddy, Herrera, Hudgins, Jarrett, Kristiansen, Loomis, Rodne, Rolfes, Sells, Simpson, Smith, Springer, Takko, Upthegrove, Wallace, Warnick, Williams and Wood.

**Staff:** Kathryn Leathers (786-7114).

**Background:**

Various local transit agencies own and operate park and ride lots as part of the agencies' public transportation services, and the transit agencies provide regularly scheduled service at these lots. Park and ride lots are not specifically established for the purpose of accommodating private transportation options, such as aeroporters, or special needs transportation providers. "Special needs transportation" means transportation provided to persons, including their attendants, who are unable to transport themselves or purchase appropriate transportation due to physical or mental disability, income status, or age.

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**Summary of Amended Bill:**

Local transit agencies that have received state funding for a park and ride lot must make reasonable accommodation for use of that lot by private auto transportation providers (like aeroporters) and by private, nonprofit special needs transportation providers. Accommodation must be made in the form of an agreement between the transit agency and the private transportation provider. The transit agency may require that the agreement include provisions to recover costs and fair market value for the use of the lot and its related facilities, to provide adequate insurance and indemnification of the transit agency, and other reasonable provisions to ensure that the private transportation provider's use does not unduly burden the transit agency. Accommodation is not required, and any agreement entered into may be terminated, if the transit agency determines that the use or capacity of the lot for public transportation purposes is or becomes incompatible with the demands of the private transit provider.

**Amended Bill Compared to Substitute Bill:**

Instead of requiring local transit agencies to accommodate private transportation providers at the park and ride lot to the greatest extent practicable, transit agencies are required to reasonably accommodate private transportation providers.

The requirement that any accommodation agreement must include provisions coordinating arrival and departure schedules is removed.

Transit agencies are permitted to include provisions to recover costs and fair market value for the use of the lot and its related facilities, to provide adequate insurance and indemnification of the transit agency, and other reasonable provisions to ensure that the private transportation provider's use does not unduly burden the transit agency.

It is established that accommodation is not required, and any agreement entered into may be terminated, if the transit agency determines that the use or capacity of the lot for public

transportation purposes is or becomes incompatible with the demands of the private transit provider.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) This legislation enables private transit providers to better serve the public by getting better and more efficient use out of the park and ride lots. Currently, some transit agencies accommodate private transportation providers at their park and ride lots, but others do not. Private transit providers are looking to get more use out of existing facilities, and not to overburden lots that are at capacity.

(With concerns) This would create competition for scarce parking spaces. Many park and ride lots are currently at capacity, and may not be able to accommodate private transportation providers. Continued transit ridership, with corresponding increased use of park and ride lots, is expected for years to come. The term "accommodate" is not defined in the bill, and it is not clear under what circumstances a public transit agency could decline to accommodate a private transit provider. The bill does not address increased cost and risk issues that would be inherent in shared use arrangements. This legislation would give a special class of transportation provider benefits from public investment without the public receiving compensation.

(Opposed) None.

**Persons Testifying:** (In support) Chris Van Dyk, Bainbridge Media Group and Taxi Cooperative Association.

(With concerns) Kevin Desmond, King County Metro Transit; and Peter Thein, Washington State Transit Association.

**Persons Signed In To Testify But Not Testifying:** None.