

FINAL BILL REPORT

ESB 5894

C 557 L 09
Synopsis as Enacted

Brief Description: Authorizing the utilities and transportation commission to forbear from rate and service regulation of certain transportation services.

Sponsors: Senators Haugen and Parlette.

Senate Committee on Transportation
House Committee on Transportation

Background: An auto transportation company is a company that transports people between fixed termini or over a regular route on public highways for compensation, but does not operate exclusively within a city or town.

A charter party carrier receives compensation to transport a group of persons who, pursuant to a common purpose and under a single contract, travel together as a group to a specified destination or for a particular itinerary.

An excursion service carrier receives individually assessed fares to transport people from a city or town to elsewhere in the state and back to the point of origin, without picking up or dropping off passengers after leaving and before returning to the area of origin.

Under current law, the Utilities and Transportation Commission (UTC) must regulate the rates and service of auto transportation companies and commercial ferry service providers. In exchange for exclusive operating rights in a specified territory, an auto transportation company or commercial ferry service provider commits to a level of service and tariff. Changes to the level of service or tariff must be reviewed by the UTC.

UTC also regulates the safety and insurance of charter party carriers, excursion service carriers, and auto transportation companies.

The Department of Transportation (DOT) administers grant programs to some service providers that meet the statutory definition of an auto transportation company. Some state agencies contract with auto transportation companies, or charter or excursion carriers, to provide service.

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.

Summary: UTC may exempt a transportation service from the rate and service regulation applicable to auto transportation companies if the service does not serve an essential transportation purpose; is solely for recreation; and would not adversely affect the operations of a regulated auto transportation company. The company providing the service must obtain a permit under the passenger charter carriers chapter, and UTC continues to regulate the company with respect to safety and insurance requirements.

The rate and service regulations applicable to auto transportation companies do not apply to a transportation service if UTC finds that the service is pursuant to a contract with a state agency or a grant issued by DOT.

UTC may exempt a commercial ferry service provider from rate and service regulation if, after a hearing, the UTC finds that the service does not serve an essential transportation service; is solely for recreation; and would not adversely affect the rates of services of an existing operator.

Clarification is added regarding the inapplicability of ride sharing benefits to a non-profit transportation provider that has a contract or grant with DOT and is registered with UTC, but does not serve special needs clients.

Within existing resources, the UTC will study the appropriateness of rate and service regulation of commercial ferries operating on Lake Chelan.

Votes on Final Passage:

Senate	46	3	
House	97	0	(House amended)
Senate			(Senate refused to concur)
House	97	0	(House amended)
Senate	45	1	(Senate concurred)

Effective: July 26, 2009