
HOUSE BILL 2688

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Farrell, Ryu, Fitzgibbon, Riccelli, and Pollet

Read first time 01/27/14. Referred to Committee on Transportation.

1 AN ACT Relating to expanding transportation demand management
2 through community trip reduction; amending RCW 70.94.524 and 70.94.527;
3 adding a new section to chapter 70.94 RCW; and providing an effective
4 date.

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

6 **Sec. 1.** RCW 70.94.524 and 2006 c 329 s 1 are each amended to read
7 as follows:

8 Unless the context clearly requires otherwise, the definitions in
9 this section apply throughout this chapter.

10 (1) "A major employer" means a private or public employer,
11 including state agencies, that employs one hundred or more full-time
12 employees at a single worksite who begin their regular workday between
13 6:00 a.m. and 9:00 a.m. on weekdays for at least twelve continuous
14 months during the year.

15 (2) "Major worksite" means a building or group of buildings that
16 are on physically contiguous parcels of land or on parcels separated
17 solely by private or public roadways or rights-of-way, and at which
18 there are one hundred or more full-time employees, who begin their

1 regular workday between 6:00 a.m. and 9:00 a.m. on weekdays, for at
2 least twelve continuous months.

3 (3) "Major employment installation" means a military base or
4 federal reservation, excluding tribal reservations, at which there are
5 one hundred or more full-time employees, who begin their regular
6 workday between 6:00 a.m. and 9:00 a.m. on weekdays, for at least
7 twelve continuous months during the year.

8 (4) (~~("Person hours of delay" means the daily person hours of delay~~
9 ~~per mile in the peak period of 6:00 a.m. to 9:00 a.m., as calculated~~
10 ~~using the best available methodology by the department of~~
11 ~~transportation.~~

12 (+5)) "Commute trip" means trips made from a worker's home to a
13 worksite during the peak period of 6:00 a.m. to 9:00 a.m. on weekdays.

14 ((+6)) (5) "Proportion of single-occupant vehicle commute trips"
15 means the number of commute trips made by single-occupant automobiles
16 divided by the number of full-time employees.

17 ((+7)) (6) "Commute trip vehicle miles traveled per employee"
18 means the sum of the individual vehicle commute trip lengths in miles
19 over a set period divided by the number of full-time employees during
20 that period.

21 ((+8)) (7) "Base year" means the twelve-month period commencing
22 when a major employer is determined to be participating by the local
23 jurisdiction, on which commute trip reduction goals (~~(shall)~~) must be
24 based.

25 ((+9)) (8) "Growth and transportation efficiency center" means a
26 defined, compact, mixed-use urban area that contains jobs or housing
27 and supports multiple modes of transportation. For the purpose of
28 funding, a growth and transportation efficiency center must meet
29 minimum criteria established by the commute trip reduction board under
30 RCW 70.94.537, and must be certified by a regional transportation
31 planning organization as established in RCW 47.80.020.

32 ((+10)) (9)(a) "Affected urban growth area" means:

33 (i) An urban growth area, designated pursuant to RCW 36.70A.110,
34 (~~(whose boundaries contain a state highway segment exceeding the one~~
35 ~~hundred person hours of delay threshold calculated by the department of~~
36 ~~transportation, and any contiguous urban growth areas)) which meets or
37 exceeds the threshold for affected areas, as defined in department of
38 transportation rules; and~~

1 (ii) An urban growth area, designated pursuant to RCW 36.70A.110,
2 which meets or exceeds the threshold for affected areas, as defined in
3 department of transportation rules, containing a jurisdiction with a
4 population over seventy thousand that adopted a commute trip reduction
5 ordinance before the year 2000, and any contiguous urban growth areas.

6 (b) Affected urban growth areas (~~will~~) must be listed by the
7 department of transportation in the rules for chapter 329, Laws of 2006
8 using the criteria identified in (a) of this subsection.

9 (~~(11)~~) (10) "Certification" means a determination by a regional
10 transportation planning organization that a locally designated growth
11 and transportation efficiency center program meets the minimum criteria
12 developed in a collaborative regional process and the rules established
13 by the department of transportation.

14 **Sec. 2.** RCW 70.94.527 and 2006 c 329 s 2 are each amended to read
15 as follows:

16 (1) (~~Each county containing an urban growth area, designated~~
17 ~~pursuant to RCW 36.70A.110, and each city within an urban growth area~~
18 ~~with a state highway segment exceeding the one hundred person hours of~~
19 ~~delay threshold calculated by the department of transportation, as well~~
20 ~~as those counties and cities located in any contiguous urban growth~~
21 ~~areas, shall adopt a commute trip reduction plan and ordinance for~~
22 ~~major employers in the affected urban growth area by a date specified~~
23 ~~by the commute trip reduction board. Jurisdictions located within an~~
24 ~~urban growth area with a population greater than seventy thousand that~~
25 ~~adopted a commute trip reduction ordinance before the year 2000, as~~
26 ~~well as any jurisdiction within contiguous urban growth areas, shall~~
27 ~~also adopt a commute trip reduction plan and ordinance for major~~
28 ~~employers in the affected urban growth area by a date specified by the~~
29 ~~commute trip reduction board.)) Cities and counties with urban growth
30 areas that meet or exceed the threshold for affected areas, as defined
31 in department of transportation rules, must adopt a commute trip
32 reduction plan and ordinance. Jurisdictions containing a major
33 employment installation in a county with an affected growth area,
34 designated pursuant to RCW 36.70A.110, (~~shall~~) must adopt a commute
35 trip reduction plan and ordinance for major employers in the major
36 employment installation by a date specified by the commute trip
37 reduction board. The ordinance (~~shall~~) must establish the~~

1 requirements for major employers and provide an appeals process by
2 which major employers, who as a result of special characteristics of
3 their business or its locations would be unable to meet the
4 requirements of the ordinance, may obtain waiver or modification of
5 those requirements. The plan (~~shall~~) must be designed to achieve
6 reductions in the proportion of single-occupant vehicle commute trips
7 and be consistent with the rules established by the department of
8 transportation. The county, city, or town (~~shall~~) must submit its
9 adopted plan to the regional transportation planning organization. The
10 county, city, or town plan (~~shall~~) must be included in the regional
11 commute trip reduction plan for regional transportation planning
12 purposes, consistent with the rules established by the department of
13 transportation in RCW 70.94.537.

14 (2) All other counties, cities, and towns may adopt and implement
15 a commute trip reduction plan consistent with department of
16 transportation rules established under RCW 70.94.537. Tribal
17 governments are encouraged to adopt a commute trip reduction plan for
18 their lands. State investment in voluntary commute trip reduction
19 plans (~~shall be~~) is limited to those areas that meet criteria
20 developed by the commute trip reduction board.

21 (3) The department of ecology may, after consultation with the
22 department of transportation, as part of the state implementation plan
23 for areas that do not attain the national ambient air quality standards
24 for carbon monoxide or ozone, require municipalities other than those
25 identified in subsection (1) of this section to adopt and implement
26 commute trip reduction plans if the department determines that such
27 plans are necessary for attainment of said standards.

28 (4) A commute trip reduction plan (~~shall~~) must be consistent with
29 the rules established under RCW 70.94.537 and (~~shall~~) must include
30 but is not limited to: (a) Goals for reductions in the proportion of
31 single-occupant vehicle commute trips consistent with the state goals
32 established by the commute trip reduction board under RCW 70.94.537 and
33 the regional commute trip reduction plan goals established in the
34 regional commute trip reduction plan; (b) a description of the
35 requirements for major public and private sector employers to implement
36 commute trip reduction programs; (c) a commute trip reduction program
37 for employees of the county, city, or town; and (d) means, consistent
38 with rules established by the department of transportation, for

1 determining base year values and progress toward meeting commute trip
2 reduction plan goals. The plan (~~shall~~) must be developed in
3 consultation with local transit agencies, the applicable regional
4 transportation planning organization, major employers, and other
5 interested parties.

6 (5) The commute trip reduction plans adopted by counties, cities,
7 and towns under this chapter (~~shall~~) must be consistent with and may
8 be incorporated in applicable state or regional transportation plans
9 and local comprehensive plans and (~~shall~~) must be coordinated, and
10 consistent with, the commute trip reduction plans of counties, cities,
11 or towns with which the county, city, or town has, in part, common
12 borders or related regional issues. Such regional issues (~~shall~~)
13 must include assuring consistency in the treatment of employers who
14 have worksites subject to the requirements of this chapter in more than
15 one jurisdiction. Counties, cities, and towns adopting commute trip
16 reduction plans may enter into agreements through the interlocal
17 cooperation act or by resolution or ordinance as appropriate with other
18 jurisdictions, local transit agencies, transportation management
19 associations or other private or nonprofit providers of transportation
20 services, or regional transportation planning organizations to
21 coordinate the development and implementation of such plans. Transit
22 agencies (~~shall~~) must work with counties, cities, and towns as a part
23 of their six-year transit development plan established in RCW
24 35.58.2795 to take into account the location of major employer
25 worksites when planning and prioritizing transit service changes or the
26 expansion of public transportation services, including rideshare
27 services. Counties, cities, or towns adopting a commute trip reduction
28 plan (~~shall~~) must review it annually and revise it as necessary to be
29 consistent with applicable plans developed under RCW 36.70A.070.
30 Regional transportation planning organizations (~~shall~~) must review
31 the local commute trip reduction plans during the development and
32 update of the regional commute trip reduction plan.

33 (6)(a) Each affected regional transportation planning organization
34 (~~shall~~) must adopt a commute trip reduction plan for its region
35 consistent with the rules and deadline established by the department of
36 transportation under RCW 70.94.537. The plan (~~shall~~) must include,
37 but is not limited to: (~~(a)~~) (i) Regional program goals for commute
38 trip reduction in urban growth areas and all designated growth and

1 transportation efficiency centers; ~~((b))~~ (ii) a description of
2 strategies for achieving the goals; ~~((e))~~ (iii) a sustainable
3 financial plan describing projected revenues and expenditures to meet
4 the goals; ~~((d))~~ (iv) a description of the way in which progress
5 toward meeting the goals will be measured; and ~~((e))~~ (v) minimum
6 criteria for growth and transportation efficiency centers.

7 ~~((i))~~ (b) Regional transportation planning organizations
8 ~~((shall))~~ must review proposals from local jurisdictions to designate
9 growth and transportation efficiency centers and ~~((shall))~~ must
10 determine whether the proposed growth and transportation efficiency
11 center is consistent with the criteria defined in the regional commute
12 trip reduction plan.

13 ~~((ii))~~ (c) Growth and transportation efficiency centers certified
14 as consistent with the minimum requirements by the regional
15 transportation planning organization ~~((shall))~~ must be identified in
16 subsequent updates of the regional commute trip reduction plan. These
17 plans ~~((shall))~~ must be developed in collaboration with all affected
18 local jurisdictions, transit agencies, and other interested parties
19 within the region. The plan ~~((will))~~ must be reviewed and approved by
20 ~~((the))~~ the commute trip reduction board as established under RCW
21 70.94.537. Regions without an approved regional commute trip reduction
22 plan ~~((shall not be))~~ are not eligible for state commute trip reduction
23 program funds.

24 (d) The regional commute trip reduction plan ~~((shall))~~ must be
25 consistent with and incorporated into transportation demand management
26 components in the regional transportation plan as required by RCW
27 47.80.030.

28 (7) Each regional transportation planning organization implementing
29 a regional commute trip reduction program ~~((shall))~~ must, consistent
30 with the rules and deadline established by the department of
31 transportation, submit its plan as well as any related local commute
32 trip reduction plans and certified growth and transportation efficiency
33 center programs, to the commute trip reduction board established under
34 RCW 70.94.537. The commute trip reduction board ~~((shall))~~ must review
35 the regional commute trip reduction plan and the local commute trip
36 reduction plans. The regional transportation planning organization
37 ~~((shall))~~ must collaborate with the commute trip reduction board to
38 evaluate the consistency of local commute trip reduction plans with the

1 regional commute trip reduction plan. Local and regional plans must be
2 approved by the commute trip reduction board in order to be eligible
3 for state funding provided for the purposes of this chapter.

4 (8) Each regional transportation planning organization implementing
5 a regional commute trip reduction program (~~((shall))~~) must submit an
6 annual progress report to the commute trip reduction board established
7 under RCW 70.94.537. The report (~~((shall-be))~~) is due at the end of each
8 state fiscal year for which the program has been implemented. The
9 report (~~((shall))~~) must describe progress in attaining the applicable
10 commute trip reduction goals and (~~((shall))~~) must highlight any problems
11 being encountered in achieving the goals. The information (~~((shall))~~)
12 must be reported in a form established by the commute trip reduction
13 board.

14 (9) Any waivers or modifications of the requirements of a commute
15 trip reduction plan granted by a jurisdiction (~~((shall))~~) must be
16 submitted for review to the commute trip reduction board established
17 under RCW 70.94.537. The commute trip reduction board may not deny the
18 granting of a waiver or modification of the requirements of a commute
19 trip reduction plan by a jurisdiction but they may notify the
20 jurisdiction of any comments or objections.

21 (10) Plans implemented under this section (~~((shall))~~) do not apply to
22 commute trips for seasonal agricultural employees.

23 (11) Plans implemented under this section (~~((shall))~~) do not apply to
24 construction worksites when the expected duration of the construction
25 project is less than two years.

26 (~~((12) If an affected urban growth area has not previously
27 implemented a commute trip reduction program and the state has funded
28 solutions to state highway deficiencies to address the area's exceeding
29 the person hours of delay threshold, the affected urban growth area
30 shall be exempt from the duties of this section for a period not
31 exceeding two years.))~~)

32 NEW SECTION. Sec. 3. A new section is added to chapter 70.94 RCW
33 to read as follows:

34 (1) A city or county may establish a transportation demand
35 management program to substantially reduce vehicle miles traveled and
36 drive alone trips, and to improve the mobility of people and goods

1 through the use of locally determined strategies to reduce work commute
2 or other driving trips.

3 (2) The plan may modify or waive employer administrative
4 requirements defined in this chapter for commute trip reduction plans,
5 while maintaining the requirement and ordinance that major employers
6 provide a commute trip reduction program for their employees.

7 (3) The community trip reduction plan must be developed in
8 consultation with local transit agencies, the applicable regional
9 transportation planning organization, and other interested parties.
10 The plan must be consistent with and incorporated into the same plans
11 and processes expected of commute trip reduction plans in RCW
12 70.94.527.

13 (4) In order to be eligible to apply for state funds provided for
14 purposes of this section, the plan must be approved by the commute trip
15 reduction board as consistent with department of transportation rules
16 and the program purposes to reduce automobile-related air pollution,
17 energy consumption, and traffic congestion. Once board approved, a
18 community trip reduction plan may be implemented as a substitute for a
19 commute trip reduction plan. The request for funds to implement their
20 board-approved plan must take the form of an application.

21 (5) A city or county that has established a community trip
22 reduction plan must support trip reduction activities in its
23 jurisdiction. As appropriate, the implementing jurisdiction must adopt
24 policies, ordinances, and funding strategies that will lead to
25 attainment of program goals.

26 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2014.

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