

**HB 2641** - S COMM AMD

By Committee on Transportation

**ADOPTED 03/06/2020**

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

3 "NEW SECTION. **Sec. 1.** (1) Any city having a boundary located on  
4 Puget Sound or Lake Washington may establish, finance, and provide  
5 passenger-only ferry service, including associated services to  
6 support and augment passenger-only ferry service operation, within  
7 its boundaries. For the purposes of this chapter, Puget Sound has the  
8 same meaning as described in RCW 36.57A.200.

9 (2) Before a city may provide passenger-only ferry service, it  
10 must develop a passenger-only ferry investment plan, which must  
11 include elements regarding operating or contracting for the operation  
12 of passenger-only ferry services; the purchase, lease, or rental of  
13 ferry vessels and dock facilities for the provision of transit  
14 service; consultation with potentially affected federally recognized  
15 Indian treaty fishing tribes and other federally recognized treaty  
16 tribes with potentially affected interests to ensure impacts to  
17 tribal fishing are minimized; and identifying other activities  
18 necessary to implement the plan. The passenger-only ferry investment  
19 plan must also set forth terminal locations to be served, consistency  
20 with any study developed through the Puget Sound regional council for  
21 regional service, projected costs of providing services, and revenues  
22 to be generated from tolls, locally collected tax revenues, and other  
23 revenue sources. The passenger-only ferry investment plan may  
24 recommend additional revenue authority that has not yet been  
25 authorized under state law.

26 (3) The passenger-only ferry investment plan must ensure that  
27 services provided under the plan are for the benefit of the residents  
28 of the city. The city may use any of its powers to carry out this  
29 purpose, unless otherwise prohibited by law. In addition, the city  
30 may enter into contracts and agreements to operate passenger-only  
31 ferry service, as well as appropriate public-private partnerships

1 including, but not limited to, design-build, general contractor/  
2 construction management, or other alternative procurement processes  
3 substantially consistent with chapter 39.10 RCW.

4 (4) The passenger-only ferry investment plan must show design and  
5 funding considerations for propulsion types and technologies that  
6 meet low, ultra-low, and zero emission targets in relation to any  
7 operations and business plan to ensure a viable route. Considerations  
8 should include vessel design, electrification, as well as shoreside  
9 infrastructure. The investment plan must also show best management  
10 practices and technologies available and considered to reduce impacts  
11 to water quality, prevention of strikes, and underwater noise that  
12 impact the southern resident killer whale population, other marine  
13 mammals, and aquatic life.

14 NEW SECTION. **Sec. 2.** Section 1 of this act constitutes a new  
15 chapter in Title 35 RCW."

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16 On page 1, line 2 of the title, after "service;" strike the  
17 remainder of the title and insert "and adding a new chapter to Title  
18 35 RCW."

EFFECT: Requires that a passenger-only ferry investment plan: (1)  
Include consultation with treaty tribes to ensure impacts to tribal  
fishing are minimized; (2) show design and funding considerations for  
propulsion types and technologies that meet low, ultra-low, and zero  
emission targets; and (3) show best management practices and  
technologies available and considered to reduce impacts to water  
quality, prevention of strikes, and underwater noise that impact the  
Southern Resident Killer Whale population, other marine mammals, and  
aquatic life.

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