

HOUSE BILL REPORT

ESHB 2191

As Passed House:

February 8, 2024

Title: An act relating to adding two voting members that are transit users to the governing body of public transportation benefit areas.

Brief Description: Adding two voting members that are transit users to the governing body of public transportation benefit areas.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Timmons, Duerr, Reed, Ramel and Reeves).

Brief History:

Committee Activity:

Transportation: 1/22/24, 1/25/24 [DPS].

Floor Activity:

Passed House: 2/8/24, 57-40.

Brief Summary of Engrossed Substitute Bill

- Allows for the appointment of two transit-using members to the governing body of public transportation benefit areas (PTBAs) as voting members.
- Requires one of the transit-using members to represent an organization that serves transit-dependent individuals, if possible.
- Requires meetings of the governing body of certain PTBAs to be reasonably accessible by transit.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Fey, Chair; Donaghy, Vice Chair; Paul, Vice

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Chair; Timmons, Vice Chair; Berry, Chapman, Cortes, Doglio, Duerr, Hackney, Mena, Nance, Ramel, Ramos and Wylie.

Minority Report: Do not pass. Signed by 5 members: Representatives Hutchins, Assistant Ranking Minority Member; Robertson, Assistant Ranking Minority Member; Dent, Orcutt and Walsh.

Minority Report: Without recommendation. Signed by 7 members: Representatives Barkis, Ranking Minority Member; Low, Assistant Ranking Minority Member; Bronoske, Goehner, Griffey, Klicker and Schmidt.

Staff: David Munnecke (786-7315).

Background:

Public Transportation Benefit Area.

A public transportation benefit area (PTBA) is a type of municipal corporation created to provide regional transportation service to all or a portion of a county or multiple counties. It is authorized to construct, own, and operate a regional transportation system within its jurisdictional boundaries in accordance with specified statutory requirements. The creation of a PTBA requires the convening of a public transportation improvement conference attended by an elected official from each city and county falling within the jurisdiction of the proposed PTBA.

Governance.

The governance of a PTBA is provided by a governing body consisting of not more than nine (or 15 if the PTBA is multicounty) elected officials from the governments of the cities and counties participating in the PTBA. A PTBA must also include in its governing body a nonvoting member recommended by the labor organization or organizations representing its employees, if the authority has employees represented by a labor union.

Summary of Engrossed Substitute Bill:

The requirements for the governing body of a PTBA are modified to allow for the appointment of two transit-using members to the governing body of PTBAs as voting members. One of the transit-using members must represent an organization that serves primarily transit-dependent individuals, if possible, and the other must primarily rely on public transportation. If no organizational representative available to serve resides within the PTBA's service area, a second member who is primarily reliant on public transportation must be appointed instead. Transit-using members must be provided comprehensive training regarding the Open Public Meetings Act and the Public Records Act, as soon as is reasonably practicable after the member's appointment.

The meetings of the governing body of a PTBA, that has transit-using members of the governing body, must occur at a time and place that is reasonably accessible by transit.

The ability to appoint transit-using members to the governing body of a PTBA does not apply to any PTBA where there are retained citizen positions on the governing body, which were in existence at the time the PTBA assumed public transportation functions previously provided under the Interlocal Cooperation Act.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect on January 1, 2025.

Staff Summary of Public Testimony:

(In support) The appointment of two additional transit-using members to a PTBA board is optional. This is not a criticism of current PTBA boards, but an opportunity to improve them.

Transit takes people many places and the people using transit should have a say in how it is run, since it can otherwise be difficult to run for office while dependent on transit.

There is a place and a purpose to having transit users on the board, since they understand the system and can thus help the functioning of the board. There are often people making decisions about transit who do not use it, and this bill will ensure that some of the board members do use transit.

Having transit users as a part of the board might boost its approval, and it will give citizens an opportunity to be heard.

The PTBA boards undertake a board review every four years. The elected members do not run for office to serve on transit boards, so this bill would allow for greater board diversity.

It is important to include all communities on transit boards, including the blind. This bill will add to the diversity of boards, rather than take away, and if it had occurred earlier, might have led to the earlier adoption of items like large print signs and the use of braille.

People who rely on transit are passionate about it and want to make the system better. You need to be able to drive to get elected, so transit expertise is often left out.

Too many transit staff drive to work. Even people who receive free passes do not always use them.

(Opposed) None.

(Other) Whatcom Transportation Authority seeks input from riders by hosting various types of meetings, releasing surveys, and receiving input at board meetings. It seeks out particular feedback from impacted communities.

Public comment at board meetings, Community Advisory Committees (CACs), and quarterly meetings all allow for input. A CAC might have 20 members, which allows for users with particular concerns to be heard.

Community Transit seeks input from the community for major decisions, and this input informs decisions.

Transit entities already have CACs to receive feedback and advice. Transits are facing a tidal wave of change, with costs up and ridership down. Appointed boards have trouble with accountability, and this bill will not help.

Persons Testifying: (In support) Representative Joe Timmons, prime sponsor; Lindsey Schromen-Wawrin; Harry Kiick; Judy Jones; Kristina Sawycky; Kris Colcock; Kyle Parrish; Amin Hester; Anna Zivarts, Disability Rights Washington; Joe Kunzler; and Robert M. Wardell, Self Advocates in Leadership.

(Other) Maureen McCarthy, Whatcom Transportation Authority; Sanjay Bhatt, Kitsap Transit; Chelsea Ongaro, Community Transit; and Charles Prestrud, Washington Policy Center.

Persons Signed In To Testify But Not Testifying: None.