

# SENATE BILL REPORT

## ESSB 5803

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As Passed Senate, March 12, 2007

**Title:** An act relating to authorizing the creation of regional transportation commissions.

**Brief Description:** Creating regional transportation commissions.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Murray, Haugen, Swecker, Kastama and Kohl-Welles).

**Brief History:**

**Committee Activity:** Transportation: 2/22/07, 3/01/07 [DPS, DNP].

Passed Senate: 3/12/07, 33-14.

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### SENATE COMMITTEE ON TRANSPORTATION

**Majority Report:** That Substitute Senate Bill No. 5803 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker, Ranking Minority Member; Berkey, Clements, Kastama, Kauffman, Sheldon and Spanel.

**Minority Report:** Do not pass.

Signed by Senators Benton, Delvin, Holmquist and Jacobsen.

**Staff:** Kelly Simpson (786-7403)

**Background:** Currently, many local transportation entities either exist, or are available to be created under current law, within the central Puget Sound region for the purposes of planning, funding, constructing, and/or operating transportation projects and services. The degree of coordination between the entities varies throughout the region. Some of the entities include:

- cities;
- counties;
- local transit districts;
- regional transit authorities (e.g., Sound Transit);
- regional transportation investment districts (RTID); and
- regional transportation planning organizations (e.g., Puget Sound Regional Council).

The final recommendations of the Blue Ribbon Commission on Transportation, submitted December 1, 2000, included Recommendation #6: "Provide regions with the ability to plan, select, fund, and implement (or contract for implementation of) projects identified to meet the region's transportation and land use goals." Additionally, the Regional Transportation Commission, established under legislation enacted last session, issued in its December 31,

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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.*

2006, final report, a primary recommendation stating that a single entity should be established in the central Puget Sound region "which has authority and responsibility for planning, prioritizing, and funding all modes of regional transportation . . ."

**Summary of Engrossed Substitute Bill:** A nonpartisan 12-member Regional Transportation Commission (RTC) must be created in King, Pierce, Snohomish, and Kitsap Counties, and its governing body constituted and empowered by January 1, 2009 (but not before January 1, 2008). The RTC's governing body is composed as follows: eight elected by electoral districts, and four appointed by the County Executives (or County Commission Chair in the case of Kitsap County) and confirmed by their respective legislative authorities (each County gets one pick). The RTC is responsible for planning, prioritizing, and financing all modes of regional transportation projects in the central Puget Sound region. The RTC must develop a "regional mobility investment plan" that includes a broad array of transportation projects, including highway and public transportation projects, to be submitted to regional voters. The plan must include revenue measures sufficient to finance the proposed projects; a broad list of local revenue options is available under the bill to support financing the plan. However, no revenue measures may be imposed in Kitsap County and in the Gig Harbor Peninsula area; those areas are included for state and federal regional planning purposes.

The RTC must serve as the regional transportation planning organization (RTPO) in the applicable area, replacing the existing RTPO, with authority to conduct regional transportation and land use planning functions. The RTC must also serve as the metropolitan planning organization (MPO) in the area for federal planning and funding purposes, if certain federal requirements are satisfied.

The RTC must create a Transportation Policy Board (TPB) to provide a forum for state, regional, and local officials, transportation providers, and private citizens to deliberate issues that affect transportation planning, prioritization, and funding within the RTC area. The TPB must formally review and comment on the regional mobility investment plan, the transportation improvement program prepared for federal purposes, and other documents relevant to the region before adoption and implementation by the full RTC. If permitted by the federal government, the TPB may serve as the policy board of an MPO. The TPB may allocate federal transportation dollars in the region, subject to RTC approval.

The RTID law is repealed, effective January 1, 2008, if no RTID exists by then. If an RTID exists by January 1, 2008, the following occurs: the RTID dissolves when the RTC is empowered, the RTC assumes the RTID obligations and project list, and the RTID law is repealed January 1, 2009. A single definition of "mobility project of regional significance" is provided, that includes both roads and transit projects and services. The regional mobility investment plan (project list) must be a comprehensive and integrated corridor-based multimodal package. The RTC planning authority is expanded to include conducting comprehensive and integrated corridor-based multimodal transportation planning and prioritizing activities. This includes coordinating and integrating transportation and land use planning, including concurrency requirements.

If a local or regional entity, including Sound Transit, intends to submit a ballot measure to finance regionally significant transportation projects within the RTC area, the RTC must first approve sending the ballot measure to voters. A local entity may choose, subject to RTC approval, to incorporate local ballot measures funding strictly localized projects into the RTC's regional mobility investment plan. The RTC is required to establish an incentives-based process of negotiating cooperative relationships with local jurisdictions within the RTC

area. The RTC may not spend a local jurisdiction's locally imposed funds, unless negotiated otherwise. The RTC, local planning offices, and a new WSDOT administrative region dedicated solely to King, Pierce, and Snohomish counties must negotiate a process that ensures the agencies are planning for a comprehensive and integrated corridor-based multimodal regional transportation system.

The RTC assumes Sound Transit's planning functions. The RTC has authority to approve Sound Transit's fares, routes, and classes of service. The RTC assumes the Puget Sound Regional Council's staff and Sound Transit's planning staff. The RTC must negotiate with the state and appropriate local jurisdictions to prioritize all state transportation projects in the region. The RTC may own, operate, construct, or maintain projects only if negotiated and agreed upon by applicable parties.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: This bill is intended to help solve some of the problems regarding establishing a truly integrated transportation system in the central Puget Sound region. Regional governments exist all over the world and function well.

CON: The timing of the effective date of this legislation is a problem, as it may disrupt the upcoming RTID/ST vote at the 2007 general election. Those two agencies are working well together, and establishing another governing entity would be disruptive. This bill is not a consolidation, rather it creates more layers of governance. The land use functions in the bill, to be truly effective, need more authority; however, this would impair existing local control policies. A concern exists that transit money will be shifted to highway projects.

OTHER: New governance is needed in the central Puget Sound region; however, this bill would be too disruptive to the upcoming regional vote at the general election. The bill is a good first step, but it lacks a general mission and purpose, and a way to meet the goals laid out in the bill. The bill should attempt to do no harm to existing operations and service.

**Persons Testifying:** PRO: Senator Murray, prime sponsor; Marc Frazer, Washington Roundtable; Dave Overstreet, AAA of Washington; Norman Rice, Reid Shockey, Regional Transportation Commission.

CON: Ashley Probart, Association of Washington Cities; Mark Olson, City of Everett, Sound Transit Board; Claudia Balducci, Bellevue City Councilmember; Steve Sheehy, Sound Transit.

OTHER: Lynne Griffith, Pierce Transit; Rick Olson, Puget Sound Regional Council; Julie Murray, Washington State Association of Counties; Genesee Adkins, Transportation Choices Coalition.