
SUBSTITUTE HOUSE JOINT MEMORIAL 4008

State of Washington

61st Legislature

2009 Regular Session

By House Transportation (originally sponsored by Representatives Wallace, Simpson, Clibborn, Morris, Llias, Darneille, Moeller, Santos, and Wood)

READ FIRST TIME 02/23/09.

1 TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE SECRETARY OF THE
5 UNITED STATES DEPARTMENT OF TRANSPORTATION, AND TO THE SECRETARY OF THE
6 UNITED STATES DEPARTMENT OF EDUCATION, AND TO THE SECRETARY OF THE
7 UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES:

8 We, your Memorialists, the Senate and House of Representatives of
9 the State of Washington, in legislative session assembled, respectfully
10 represent and petition as follows:

11 WHEREAS, All people in Washington state should have access to
12 transportation services that not only support their basic human needs
13 but also provide them opportunities to lead a full and meaningful life;
14 and

15 WHEREAS, Persons with special transportation needs include the
16 elderly, children, persons with physical and other disabilities, and
17 persons who struggle financially to support their needs and the needs
18 of their family; and

19 WHEREAS, The population of persons with special transportation

1 needs is increasing in Washington state and is expected to increase
2 substantially in the foreseeable future; and

3 WHEREAS, Reliable mobility for persons with special transportation
4 needs is not simply about accessing necessary medical services, it is
5 also about experiencing and contributing to one's community, the
6 feeling of belonging to one's community, and enjoying a quality of life
7 that all persons should be able to enjoy; and

8 WHEREAS, The Washington state legislature provides significant
9 support to special transportation needs providers and programs that
10 serve this community, and the Washington state legislature continues to
11 seek ways in which to advance the coordination and efficiencies in
12 delivery of those services; and

13 WHEREAS, The Washington state legislature, despite its ongoing
14 efforts to balance all of the needs of the citizens of this state,
15 cannot meet the basic needs of this growing community alone; and

16 WHEREAS, The Washington state legislature applauds the past and
17 current congressional support in meeting this community's needs and is
18 mindful of the economic challenges facing our nation; and

19 WHEREAS, Notwithstanding the challenges facing this state and our
20 nation, the Washington state legislature believes that the successful
21 future of any community is dependent on the active participation of,
22 and individual contributions made by, all of its citizens, for which
23 mobility is a basic and often forgotten necessity that is not readily
24 available to all persons;

25 NOW, THEREFORE, Your Memorialists respectfully pray that Congress
26 will recognize and respond to this dire need for increased support of
27 these transportation programs and services by increasing federal
28 funding for these transportation programs and services and also by:

29 (1) Encouraging greater coordination of transportation services
30 among human service agencies, transportation agencies, and providers by
31 enacting legislation that establishes comparable planning requirements
32 for human service agencies as are established for use of public transit
33 funds authorized through SAFETEA-LU, the Safe, Accountable, Flexible,
34 Efficient Transportation Equity Act: A Legacy for Users, P.L. 109-59,
35 or its comparable successor, and specifically modifying existing
36 criteria to include a requirement that the award or use of Section 5311
37 funds (rural transportation) be dependent on a coordinated public
38 transit and human services transportation plan;

1 (2) Providing funding to support the transportation programs for
2 homeless students required under the McKinney Vento Act, reauthorized
3 as Title X, Part C, of the No Child Left Behind Act in January 2002,
4 the responsibility for which currently falls on our overburdened local
5 school districts;

6 (3) Allowing for more flexibility in the use of transportation
7 funding as it relates to special transportation needs and services, and
8 specifically:

9 (a) Subject to approval by the centers for medicare and medicaid
10 services, allowing for the commingling of federal, state, and local
11 special needs funding so that local communities may determine how best
12 to provide transportation in their communities; and

13 (b) Expressly authorizing the use of SAFETEA-LU funds appropriated
14 to support special needs transportation and coordinated transportation
15 programs to act as match funding to federal dollars allocated to states
16 through medicaid programs as it applies to 42 U.S.C. Sec. 1396a and
17 other relevant federal statutes and regulations;

18 (4) Supporting the Giving Incentives for Volunteers Everywhere
19 (GIVE) Act of 2009, which addresses the impact of high gas prices on
20 charitable volunteers by raising the volunteer deduction rate to
21 seventy percent of the standard business deduction rate and by
22 exempting from taxable income reimbursements for mileage traveled by a
23 volunteer at the same exemption rate provided to businesses;

24 (5) Allowing communities to demonstrate the potential of
25 coordinated transportation without being penalized by federal rules;

26 (6) Establishing consistent transportation definitions, performance
27 measurements, and reporting requirements for all transportation
28 programs, and providing funding for tracking and reporting
29 requirements;

30 (7) Directing federal agencies that support or provide
31 transportation services to work in partnership to resolve barriers to
32 coordinated special needs transportation, and specifically requiring
33 that any federal regulatory proposals made by federal agencies outside
34 of the United States department of transportation that affect
35 nonemergency medical transportation, or any other human service
36 transportation programs, be brought to the interagency coordinating
37 council on accessibility and mobility for review and discussion about

1 their impacts on coordination before these proposals are submitted to
2 the office of management budget or released to the public for comment;

3 (8) Permitting a state to test, or demonstrate on a pilot project
4 basis, broker and cost allocation models for nonemergency medical
5 transportation, under either a medical services or administrative
6 services waiver, that include auditable accounting and tracking systems
7 that ensure that funds appropriated for the medicaid brokerage program
8 are used only for their intended purpose but which may combine and
9 share funds, programs, or services to maximize coordination and
10 efficiencies; and

11 (9) Issuing an executive order directing the United States
12 department of health and human services to establish rules and
13 guidelines, and to identify any necessary specific statutory
14 amendments, that carry out the policies of Executive Order 13330,
15 signed into law on February 24, 2004, which:

16 (a) Addresses enhancing access to transportation to improve
17 mobility, employment opportunities, and access to community services
18 for persons who are transportation-disadvantaged;

19 (b) Finds, among other things, that transportation resources "are
20 more costly than necessary due to inconsistent and unnecessary Federal
21 and State program rules and restrictions" (Executive Order 13330,
22 Section 1(a)); and

23 (c) Creates the interagency transportation coordinating council on
24 access and mobility with the following purposes, which your
25 Memorialists agree are critical but respectfully believe have not been
26 achieved, and cannot be achieved, due to unnecessary system barriers:

27 (i) Promote interagency cooperation and the establishment of
28 appropriate mechanisms to minimize duplication and overlap of federal
29 programs and services so that transportation-disadvantaged persons have
30 access to more transportation services;

31 (ii) Facilitate access to the most appropriate, cost-effective
32 transportation services within existing resources; and

33 (iii) Encourage enhanced customer access to the variety of
34 transportation services at all levels.

35 BE IT RESOLVED, That copies of this Memorial be immediately
36 transmitted to the Honorable Barack Obama, President of the United
37 States, the President of the United States Senate, the Speaker of the
38 House of Representatives, each member of Congress from the State of

1 Washington, the Secretary of the United States Department of
2 Transportation, the Secretary of the United States Department of
3 Education, and the Secretary of the United States Department of Health
4 and Human Services.

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