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ENGROSSED SENATE BILL 5205

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State of Washington                      62nd Legislature                      2011 Regular Session

By Senators Kilmer, Sheldon, Rockefeller, and White

Read first time 01/18/11. Referred to Committee on Transportation.

1            AN ACT Relating to high capacity transportation system plan  
2 components and review; and amending RCW 81.104.100 and 81.104.110.

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

4            **Sec. 1.** RCW 81.104.100 and 1992 c 101 s 23 are each amended to  
5 read as follows:

6            To assure development of an effective high capacity transportation  
7 system, local authorities shall follow the following planning process  
8 only if their system plan includes a rail fixed guideway system  
9 component or if their system plan proposes to convert or appropriate  
10 existing highway capacity:

11            (1) Regional, multimodal transportation planning is the ongoing  
12 urban transportation planning process conducted in each urbanized area  
13 by its regional transportation planning organization. During this  
14 process, regional transportation goals are identified, travel patterns  
15 are analyzed, and future land use and travel are projected. The  
16 process provides a comprehensive view of the region's transportation  
17 needs but does not select specified modes to serve those needs. The  
18 process shall identify a priority corridor or corridors for further

1 study of high capacity transportation facilities if it is deemed  
2 feasible by local officials.

3 (2) High capacity transportation system planning is the detailed  
4 evaluation of a range of high capacity transportation system options,  
5 including: Do nothing, low capital, and ranges of higher capital  
6 facilities. To the extent possible this evaluation shall take into  
7 account the urban mass transportation administration's requirements  
8 identified in subsection (3) of this section.

9 High capacity transportation system planning shall proceed as  
10 follows:

11 (a) Organization and management. The responsible local transit  
12 agency or agencies shall define roles for various local agencies,  
13 review background information, provide for public involvement, and  
14 develop a detailed work plan for the system planning process.

15 (b) Development of options. Options to be studied shall be  
16 developed to ensure an appropriate range of technologies and service  
17 policies can be evaluated. A do-nothing option and a low capital  
18 option that maximizes the current system shall be developed. Several  
19 higher capital options that consider a range of capital expenditures  
20 for several candidate technologies shall be developed.

21 (c) Analysis methods. The local transit agency shall develop  
22 reports describing the analysis and assumptions for the estimation of  
23 capital costs, operating and maintenance costs, methods for travel  
24 forecasting, a financial plan and an evaluation methodology.

25 (d) The system plan submitted to the voters pursuant to RCW  
26 81.104.140 shall address, but is not limited to the following issues:

27 (i) Identification of level and types of high capacity  
28 transportation services to be provided;

29 (ii) A plan of high occupancy vehicle lanes to be constructed;

30 (iii) Identification of route alignments and station locations with  
31 sufficient specificity to permit calculation of costs, ridership, and  
32 system impacts;

33 (iv) Performance characteristics of technologies in the system  
34 plan;

35 (v) Patronage forecasts;

36 (vi) A financing plan describing: Phasing of investments; capital  
37 and operating costs and expected revenues; cost-effectiveness  
38 represented by a total cost per system rider and new rider estimate;

1 estimated ridership and the cost of service for each individual high  
2 capacity line; and identification of the operating revenue to operating  
3 expense ratio.

4 The financing plan shall specifically differentiate the proposed  
5 use of funds between high capacity transportation facilities and  
6 services, and high occupancy vehicle facilities;

7 (vii) Description of the relationship between the high capacity  
8 transportation system plan and adopted land use plans;

9 (viii) An assessment of social, economic, and environmental  
10 impacts; and

11 (ix) Mobility characteristics of the system presented, including  
12 but not limited to: Qualitative description of system/service  
13 philosophy and impacts; qualitative system reliability; travel time and  
14 number of transfers between selected residential, employment, and  
15 activity centers; and system and activity center mode splits.

16 (3) High capacity transportation project planning is the detailed  
17 identification of alignments, station locations, equipment and systems,  
18 construction schedules, environmental effects, and costs. High  
19 capacity transportation project planning shall proceed as follows: The  
20 local transit agency shall analyze and produce information needed for  
21 the preparation of environmental impact statements. The impact  
22 statements shall address the impact that development of such a system  
23 will have on abutting or nearby property owners. The process of  
24 identification of alignments and station locations shall include  
25 notification of affected property owners by normal legal publication.  
26 At minimum, such notification shall include notice on the same day for  
27 at least three weeks in at least two newspapers of general circulation  
28 in the county where such project is proposed. Special notice of  
29 hearings by the conspicuous posting of notice, in a manner designed to  
30 attract public attention, in the vicinity of areas identified for  
31 station locations or transfer sites shall also be provided.

32 In order to increase the likelihood of future federal funding, the  
33 project planning processes shall follow the urban mass transportation  
34 administration's requirements as described in "Procedures and Technical  
35 Methods for Transit Project Planning", published by the United States  
36 department of transportation, urban mass transportation administration,  
37 September 1986, or the most recent edition. Nothing in this subsection

1 shall be construed to preclude detailed evaluation of more than one  
2 corridor in the planning process.

3 The department of transportation shall provide system and project  
4 planning review and monitoring in cooperation with the expert review  
5 panel identified in RCW 81.104.110. In addition, the local transit  
6 agency shall maintain a continuous public involvement program and seek  
7 involvement of other government agencies.

8 **Sec. 2.** RCW 81.104.110 and 2005 c 319 s 136 are each amended to  
9 read as follows:

10 (1) The legislature recognizes that the planning processes  
11 described in RCW 81.104.100 provide a recognized framework for guiding  
12 high capacity transportation studies. However, the process cannot  
13 guarantee appropriate decisions unless key study assumptions are  
14 reasonable.

15 (2) To assure appropriate system plan assumptions and to provide  
16 for review of system plan results, an expert review panel shall be  
17 appointed to provide independent technical review for development of  
18 any system plan which:

19 (a) Is to be funded in whole or in part by the imposition of any  
20 voter-approved local option funding sources enumerated in RCW  
21 81.104.140; and

22 (b) Includes a rail fixed guideway system component or proposes to  
23 convert or appropriate existing highway capacity.

24 ~~((+1))~~ (3) The expert review panel shall consist of five to ten  
25 members who are recognized experts in relevant fields, such as transit  
26 operations, planning, emerging transportation technologies,  
27 engineering, finance, law, the environment, geography, economics, and  
28 political science.

29 ~~((+2))~~ (4) The expert review panel shall be selected cooperatively  
30 by the chairs of the senate and house transportation committees, the  
31 secretary of the department of transportation, and the governor to  
32 assure a balance of disciplines. In the case of counties adjoining  
33 another state or Canadian province the expert review panel membership  
34 shall be selected cooperatively with representatives of the adjoining  
35 state or Canadian province.

36 ~~((+3))~~ (5) The chair of the expert review panel shall be  
37 designated by the appointing authorities.

1        ~~((4))~~ (6) The expert review panel shall serve without  
2 compensation but shall be reimbursed for expenses according to RCW  
3 43.03.050 and 43.03.060. Reimbursement shall be paid from within the  
4 existing resources of the local authority planning under this chapter.  
5        ~~((5))~~ (7) The panel shall carry out the duties set forth in  
6 subsections ~~((6))~~ (8) and ~~((7))~~ (9) of this section until the date  
7 on which an election is held to consider the high capacity  
8 transportation system and financing plans.  
9        ~~((6))~~ (8) The expert panel shall review all reports required in  
10 RCW 81.104.100(2) and shall concentrate on service modes and concepts,  
11 costs, patronage and financing evaluations.  
12        ~~((7))~~ (9) The expert panel shall provide timely reviews and  
13 comments on individual reports and study conclusions to the department  
14 of transportation, the regional transportation planning organization,  
15 the joint regional policy committee, and the submitting lead transit  
16 agency. In the case of counties adjoining another state or Canadian  
17 province, the expert review panel shall provide its reviews, comments,  
18 and conclusions to the representatives of the adjoining state or  
19 Canadian province.  
20        ~~((8))~~ (10) The local authority planning under this chapter shall  
21 contract for consulting services for expert review panels. The amount  
22 of consultant support shall be negotiated with each expert review panel  
23 by the local authority and shall be paid from within the local  
24 authority's existing resources.

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