

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2003-09

Adoption of the 2003 State Legislative Program

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Board	1/23/03	Discussion/Possible Action	Ric Ilgenfritz, Director of Communications Patrice Hardy, State Government Relations Specialist	(206) 398-5239 (206) 689-4928

Contract/Agreement Type:	3	Requested Action:	3
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Memorandum of Agreement		Contingency Funds Required	
Purchase/Sale Agreement		Budget Amendment Required	

4 Applicable to proposed transaction.

OBJECTIVE OF ACTION

- To adopt the State Legislative Program for the 2003 State Session.

ACTION

- Adoption of the Sound Transit 2003 State Legislative Program and directing staff to continue evaluating issues for impact to the agency.
- Regularly report status of, and seek policy guidance on, issues as they develop.

KEY FEATURES

This action would authorize Sound Transit staff and Olympia lobbyists to advocate and/or pursue the following positions during the upcoming legislative session.

- Support funding for a balanced statewide transportation package that includes funding for signal and track improvements for the north segment of Sounder Commuter Rail.

For the past four years, the legislature has been reviewing statewide transportation funding for both capital and operating transportation programs. In 2002, the legislature enacted HB 2969 increasing the gas tax, weight fees and sales tax on new and used vehicles. This measure was placed before the voters in the fall of 2002 as Referendum 51 and was defeated. Among the projects to be funded through Referendum 51 was \$31 million in backfill funds appropriated for signal and track improvements for the Sounder Commuter Rail program.

Since the failure of Referendum 51, many discussions have been underway as to what type of transportation package might win approval in the legislature while providing meaningful transportation projects to the state. In addition to these discussions, Sound

Transit continues to analyze methods for overcoming the \$31 million funding shortfall created by the passage of I-695.

- Support partner jurisdictions interested in amending Regional Transportation Investment District legislation.

In 2002, the legislature enacted SB 6140, the Regional Transportation Investment District (RTID) bill. SB 6140 allows the Central Puget Sound region to implement additional taxes and fees to help pay for large transportation projects. Included in the projects eligible to receive funding through RTID is highways of statewide significance which add lane capacity, multi-modal capital improvements including HOV lanes, park and ride lots, fly-over ramps, bus pullouts, buses, vans, ramp metering and other transportation system management improvements. Sound Transit supports expanding the definition in RTID to allow funding of high capacity transit projects.

- Seek amendments to unlawful bus conduct statutes that broaden the definition of “Municipal Transit Vehicle” to include commuter rail and light rail vehicles.

State law (RCW 9.91.025) spells out what activities are considered “unlawful bus conduct” on municipal transit vehicles. These activities include smoking, littering, playing radios, spitting, carrying flammable, explosive, or dangerous materials, harassing or disturbing others and destroying or damaging property.

The current definition of “Municipal Transit Vehicle” for the purpose of enforcing the unlawful bus conduct statutes includes metropolitan municipal corporations (Metro’s), Public Transportation Benefit Areas (PTBA’s) and County Transportation Authorities (CTA’s). When the law was initially drafted the legislature did not envision a regional transit authority operating commuter rail and light rail vehicles. As such, unlawful bus conduct statutes across the three lines of service of Sound Transit will need to seek amendments to extend the definition to rail vehicles.

- Oppose legislation which requires a public agency to pay for private utility relocation costs when the private utility is located within the public right of way.

During the 2001 and 2002 legislative sessions, bills were introduced into the House and Senate that would have required Sound Transit to pay for utility relocation in the public right of way. While recent court decisions have upheld Sound Transit’s position, we are anticipating private utilities to introduce legislation which would ultimately transfer those costs to the public.

- Oppose legislation which amends and changes the Sound Transit enabling statutes without the consent and advice of the Sound Transit Board of Directors.

Over the past six years numerous bills have been introduced aimed at dissolving Sound Transit and ultimately eliminating the many projects underway in the region and approved by the voters. Since the inception of Sound Transit the Board has consistently maintained a strong position of opposing all legislation which amends Sound Transit’s enabling statutes without consultation and consent of the Board.

- Support legislation or regulations that ensure transit operations on high occupancy vehicle facilities.

During the last few legislative sessions, several bills have been introduced which have proposed significant operational changes to the HOV lane system. Sound Transit

Regional Express service relies on the smooth operation of these systems to provide its service to citizens in the region. In addition to express bus service, Sound Transit is also constructing HOV direct access ramps that serve the HOV lanes. Significant changes to HOV operations may undermine the agency's ability to provide reliable service and undermine our investment in direct access ramps.

- Monitor coordination legislation which may affect Sound Transit projects.

There is growing interest in the legislature to introduce legislation directing coordination of transit agencies in the Central Puget Sound region. While Sound Transit welcomes greater coordination between systems, it is important that we monitor the proposed legislation to insure that it does not affect our ability to deliver on projects and service.

BUDGET IMPACT SUMMARY

Project Description: Adoption of the 2003 State Legislative Program

Current Status: N/A

Projected Completion Date: N/A

Action Outside of Adopted Budget:	Y/N	Y Requires Comment
This Line of Business	N	
This Project	N	
This Phase	N	
This Task	N	
Budget amendment required	N	
Key Financial Indicators:	Y/N	Y Requires Comment
Contingency funds required	N	
Subarea impacts	N	
Funding required from other parties other than what is already assumed in financial plan	N	

N = Action is assumed in current Board-adopted budget. Requires no budget action or adjustment to financial plan

BUDGET DISCUSSION

Adoption of the State Legislative Program does not create a budget or financial impact to the agency or any of its programs. Advocacy of the State Legislative Program is fully funded through the Communication Department budget.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

There are no financial impacts. Advocacy of the State Legislative Program is fully funded through the Communication Department budget.

M/W/DBE – SMALL BUSINESS PARTICIPATION

N/A

HISTORY OF PROJECT

The Sound Transit Board has annually adopted a State Legislative Program. The program has typically included issue and policy guidance to staff that assists them in representing the agency's interests to the state.

CONSEQUENCES OF DELAY

Sound Transit's interests are better served at the State Legislature if the Board of Directors adopts a State Legislative Program for the legislative session. Delaying adoption well into session could minimize our effectiveness advocating issues important to the agency.

REGIONAL PARTNERSHIP AND COOPERATION

N/A

PUBLIC INVOLVEMENT

N/A

LEGAL REVIEW

BN 1-21-03

SOUND TRANSIT

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A motion of the Board of the Central Puget Sound Regional Transit Authority adopting the 2003 State Legislative Program, and directing staff to (1) further evaluate issues for impact to Sound Transit; and (2) regularly report status of and seek policy guidance on issues as they develop.


Background:

To provide policy guidance to Sound Transit staff and consultants in Olympia, the Board annually adopts a State Legislative Program and directs staff to regularly report on activities affecting the agency prior to and during legislative session.

Motion:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority adopting the attached 2003 State Legislative Program, and directing staff to (1) further evaluate issues for impact to Sound Transit; and (2) regularly report status of and seek policy guidance on issues as they develop.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on January 23, 2003.



Ron Sims
Board Chair

ATTEST:



Marcia Walker
Board Administrator

Motion No. M2003-09 Attachment

Amendments

Sponsored by Board Member Dwight Pelz

Amendment #1

2. Support partner jurisdictions interested in amending Regional Transportation Investment District legislation.

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~~Over the past 8 months, jurisdictions are compiling their respective lists of projects that would be eligible for funding through RTID. Initial lists included funding for signal and track improvements. However, legal analysis indicates that signal and track improvements are not included in the definition of projects eligible to receive funding in the RTID legislation. In order to fund this project an amendment expanding the definition to high capacity projects may be necessary.~~

Amendment #2

6. ~~Oppose legislation which adversely affects transit operations on High Occupancy Vehicle (HOV) facilities.~~ Support legislation or regulations that ensure transit operations on high occupancy vehicle facilities.

During the last few legislative sessions, several bills have been introduced which have proposed significant operational changes to the HOV lane system. Sound Transit Regional Express service relies on the smooth operation of these systems to provide its service to citizens in the region. In addition to express bus service, Sound Transit is also constructing HOV direct access ramps that serve the HOV lanes. Significant changes to HOV operations may undermine the agency's ability to provide reliable service and undermine our investment in direct access ramps.

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conduct statutes across the three lines of service of Sound Transit will need to seek amendments to extend the definition to rail vehicles.

4. Oppose legislation which requires a public agency to pay for private utility relocation costs when the private utility is located within the public right of way.

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5. Oppose legislation which amends and changes the Sound Transit enabling statutes without the consent and advice of the Sound Transit Board of Directors.

Over the past six years numerous bills have been introduced aimed at dissolving Sound Transit and ultimately eliminating the many projects underway in the region and approved by the voters. Since the inception of Sound Transit the Board has consistently maintained a strong position of opposing all legislation which amends Sound Transit's enabling statutes without consultation and consent of the Board.

6. Support legislation or regulations that ensure transit operations on high occupancy vehicle facilities.

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7. Monitor coordination legislation which may affect Sound Transit projects.

There is growing interest in the legislature to introduce legislation directing coordination of transit agencies in the Central Puget Sound region. While Sound Transit welcomes greater coordination between systems, it is important that we monitor the proposed legislation to insure that it does not affect our ability to deliver on projects and service.

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