

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2006-79

2007 State Legislative Program

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Board	11/2/06	Action	Ric Ilgenfritz, Chief of Corporate and Strategic Communications Melanie Smith, State Government Relations Specialist	(206) 398-5239 (206) 398-5318

PROJECT NAME

2007 State Legislative Program

PROPOSED ACTION

Adopting the Sound Transit 2007 State Legislative Program and directs staff to continue to evaluate issues for impact to the agency as it continues to successfully implement the regional transportation system.

KEY FEATURES of PROPOSED ACTION

This action would authorize Sound Transit staff and consultants in Olympia to advocate and/or pursue the following positions during the upcoming state legislative session:

- **Seek or support legislation needed to enable a successful joint ballot measure at the 2007 general election.**

As Sound Transit and the Regional Transportation Investment District (RTID) prepare for a joint ballot in November 2007, statutory changes may be determined to be necessary to ease the way toward success including, but not limited to, ballot, boundary and annexation requirements.

- **Monitor governance legislation that might alter the oversight, financing, construction and operation of Sound Transit projects.**

The Regional Transportation Commission was created in 2006 to study transportation funding and governance in the Puget Sound Region and make recommendations to the Legislature for reform. At a minimum, their recommendations are to include the formation of a directly-elected body. While, Sound Transit welcomes greater coordination between systems and service providers we will monitor proposed legislation to ensure there is not a negative impact on the agency's ability to continue to deliver its regional projects and services.

- **Seek legislation to continue Sound Transit's authority to utilize the Owner Controlled Insurance Program.**

Legislation was passed in 2000 to establish the Owner Controlled Insurance Program (OCIP) for Sound Transit to have the authority to obtain insurance consistent with the risks, hazards, and liabilities of their projects. Under OCIP, insurance for construction of projects whose cost exceeds \$100 million may be acquired by bid or negotiation through December 31, 2006. Legislation is required to extend or expand his program.

- **Clarify legislation that allows Sound Transit to benefit from state special fuel tax incentives.**

Sound Transit is committed to the protection of the environment for present and future generations as we provide high capacity transit to the Puget Sound region. In an effort to avoid environmental degradation, Sound Transit's fleet includes hybrid buses and natural gas buses. State law currently encourages use of alternative fuels by exempting all urban transportation systems from payment of special fuel taxes except for trips exceeding twenty-five road miles beyond the corporate limits of the county in which said trip originated. A Washington Department of Revenue audit of one of Sound Transit's partner agencies determined fuel used for ST Express routes is potentially subject to state special fuel taxes, with a projected cost to the agency of more than \$90,000 per year. Legislation is needed to extend the exemption to Sound Transit's regional bus routes.

- **Seek legislative changes necessary to ensure safe, secure and efficient operation of light rail facilities and equipment.**

Sound Transit's fare enforcement authority may need to be expanded to allow the Board to adopt policies designating fare-only zones at some facilities to ensure safety and security at underground light rail stations. State statute should also be examined for potential changes needed to ensure light rail vehicles operate reliably on city streets.

- **Seek legislative amendments to Sound Transit's statute to simplify annexation procedures and provide for automatic inclusion of areas subsequently annexed by local jurisdictions already within the RTA boundaries.**

Areas which may be considering annexation into Sound Transit's district in 2007 are currently required to vote for annexation at Sound Move tax rates and separately for the proposed ST2 package. Changes should be sought to simplify this process for these voters by allowing one vote to join the RTA at existing and proposed rates. Changes should also be sought to include areas subsequently added to jurisdictions within our boundaries.

- **Support a balanced statewide and regional transportation investment strategy package that addresses critical transportation infrastructure needs.**

During 2005, Sound Transit supported a balanced statewide package of transportation improvements. The Sound Transit Board continues to express support for a balanced approach to transportation funding, project planning and implementation and is preparing for a joint ballot with the Regional Transportation Investment District.

- **Support legislative efforts of Sound Transit’s partner agencies that would facilitate the cost effective delivery of transit projects and services.**

Sound Transit has historically supported the legislative efforts of our partners that facilitate the cost-effective delivery of transit projects and services.

- **Continue to support the State’s role in public transportation.**

The Legislature adopted legislation in 2005 to increase the State’s role in public transportation and created the Office of Transit Mobility. The Office’s new grant program aims to aid local governments in funding projects such as inter-county connectivity service, park and ride lots, rush hour transit service, and capital projects. Sound Transit supports the State’s efforts to promote public transit and improve the connectivity and efficiency of the transportation system and is submitting proposals for consideration.

- **Clarify state law to clarify that local jurisdiction impact fees do not apply to Sound Transit projects.**

Sound Transit is subject to the regulatory authority of cities and counties when it designs, sites and constructs its capital projects. Sound Transit’s projects qualify as “essential public facilities” under the Growth Management Act, so local jurisdictions cannot “preclude” their siting, but local jurisdictions may impose mitigation that makes it more difficult and expensive to construct projects. Washington law does not provide a uniform, consistent approach for the imposition of mitigation on transit projects. As regional high-capacity transportation improvements, Sound Transit’s projects are part of the traffic solution, not the problem.

- **Oppose legislation which amends Sound Transit enabling statutes without the consent and advice of the Sound Transit Board of Directors, and oppose legislation that would increase the costs of transit improvements and services or otherwise impair the agency’s ability to deliver its voter-approved regional transportation program.**

Having served more than 45 million riders in seven years of service, and with many capital projects built or under construction, the Sound Transit Board will continue to oppose legislation that would change the agency’s enabling statutes, or increase the cost of delivering Sound Transit’s regional projects and services.

BUDGET IMPACT SUMMARY

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

BUDGET and FINANCIAL PLAN 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 Executive Department Budget.

M/W/DBE – Small Business Participation

Not applicable to this action.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

Annually, the Sound Transit Board adopts a State Legislative Program. The program has typically included issues and policy guidance to staff and contract lobbyists to assist them in representing the agency's interests during the legislative session.

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 until the start of the session could minimize effective advocacy.

PUBLIC INVOLVEMENT

Not applicable to this action.

LEGAL REVIEW

SS 10/30/06

SOUND TRANSIT

MOTION NO. M2006-79

A motion of the Board of the Central Puget Sound Regional Transit Authority adopting the Sound Transit 2007 State Legislative Program and directing staff to continue to evaluate issues for impact to the agency as it continues to successfully implement the regional transportation system.

Background:

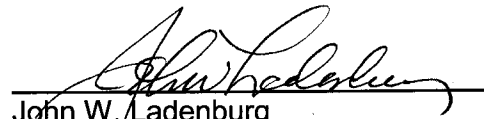
Annually, the Sound Transit Board adopts a State Legislative Program. The program has typically included issues and policy guidance to staff and contract lobbyists to assist them in representing the agency's interests during the legislative session. This action would authorize Sound Transit staff and consultants in Olympia to advocate and/or pursue the following positions during the upcoming state legislative session:

- Seek or support legislation needed to enable a successful joint ballot measure at the 2007 general election.
- Monitor governance legislation that might alter the oversight, financing, construction and operation of Sound Transit projects.
- Seek legislation to continue Sound Transit's authority to utilize the Owner Controlled Insurance Program.
- Clarify legislation that allows Sound Transit to benefit from state special fuel tax incentives.
- Seek legislative changes necessary to ensure safe, secure and efficient operation of light rail facilities and equipment.
- Seek legislative amendments to Sound Transit's statute to simplify annexation procedures and provide for automatic inclusion of areas subsequently annexed by local jurisdictions already within the RTA boundaries.
- Support a balanced statewide and regional transportation investment strategy package that addresses critical transportation infrastructure needs.
- Support legislative efforts of Sound Transit's partner agencies that would facilitate the cost effective delivery of transit projects and services.
- Continue to support the State's role in public transportation.
- Clarify state law to clarify that local jurisdiction impact fees do not apply to Sound Transit projects.
- Oppose legislation which amends Sound Transit enabling statutes without the consent and advice of the Sound Transit Board of Directors, and oppose legislation that would increase the costs of transit improvements and services or otherwise impair the agency's ability to deliver its voter-approved regional transportation program.

Motion:


It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority to adopt the Sound Transit 2007 State Legislative Program and directing staff to continue to evaluate issues for impact to the agency as it continues to successfully implement the regional transportation system.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on November 9, 2006.



John W. Ladenburg
Board Chair

ATTEST:



Marcia Walker
Board Administrator