
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-1631.1/17

ATTY/TYPIST: BP:akl

BRIEF DESCRIPTION: Expanding high occupancy vehicle lane access to blood-collecting or distributing establishment vehicles.

1 AN ACT Relating to expanding high occupancy vehicle lane access
2 to blood-collecting or distributing establishment vehicles; amending
3 RCW 46.61.165 and 47.52.025; creating a new section; and providing an
4 expiration date.

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

6 **Sec. 1.** RCW 46.61.165 and 2013 c 26 s 2 are each amended to read
7 as follows:

8 (1) The state department of transportation and the local
9 authorities are authorized to reserve all or any portion of any
10 highway under their respective jurisdictions, including any
11 designated lane or ramp, for the exclusive or preferential use of one
12 or more of the following: (a) Public transportation vehicles; (b)
13 motorcycles; (c) private motor vehicles carrying no fewer than a
14 specified number of passengers; (d) vehicles that deliver or collect
15 blood, tissue, or blood components for a blood-collecting or
16 distributing establishment regulated under chapter 70.335 RCW; or
17 ~~((d))~~ (e) the following private transportation provider vehicles if
18 the vehicle has the capacity to carry eight or more passengers,
19 regardless of the number of passengers in the vehicle, and if such
20 use does not interfere with the efficiency, reliability, and safety
21 of public transportation operations: (i) Auto transportation company

1 vehicles regulated under chapter 81.68 RCW; (ii) passenger charter
2 carrier vehicles regulated under chapter 81.70 RCW, except marked or
3 unmarked stretch limousines and stretch sport utility vehicles as
4 defined under department of licensing rules; (iii) private nonprofit
5 transportation provider vehicles regulated under chapter 81.66 RCW;
6 and (iv) private employer transportation service vehicles, when such
7 limitation will increase the efficient utilization of the highway or
8 will aid in the conservation of energy resources.

9 (2) Any transit-only lanes that allow other vehicles to access
10 abutting businesses that are authorized pursuant to subsection (1) of
11 this section may not be authorized for the use of private
12 transportation provider vehicles as described under subsection (1) of
13 this section.

14 (3) The state department of transportation and the local
15 authorities authorized to reserve all or any portion of any highway
16 under their respective jurisdictions, for exclusive or preferential
17 use, may prohibit the use of a high occupancy vehicle lane by the
18 following private transportation provider vehicles: (a) Auto
19 transportation company vehicles regulated under chapter 81.68 RCW;
20 (b) passenger charter carrier vehicles regulated under chapter 81.70
21 RCW, and marked or unmarked limousines and stretch sport utility
22 vehicles as defined under department of licensing rules; (c) private
23 nonprofit transportation provider vehicles regulated under chapter
24 81.66 RCW; and (d) private employer transportation service vehicles,
25 when the average transit speed in the high occupancy vehicle lane
26 fails to meet department of transportation standards and falls below
27 forty-five miles per hour at least ninety percent of the time during
28 the peak hours, as determined by the department of transportation or
29 the local authority, whichever operates the facility.

30 (4) Regulations authorizing such exclusive or preferential use of
31 a highway facility may be declared to be effective at all times or at
32 specified times of day or on specified days. Violation of a
33 restriction of highway usage prescribed by the appropriate authority
34 under this section is a traffic infraction.

35 (5) Local authorities are encouraged to establish a process for
36 private transportation providers, as described under subsections (1)
37 and (3) of this section, to apply for the use of public
38 transportation facilities reserved for the exclusive or preferential
39 use of public transportation vehicles. The application and review
40 processes should be uniform and should provide for an expeditious

1 response by the local authority. Whenever practicable, local
2 authorities should enter into agreements with such private
3 transportation providers to allow for the reasonable use of these
4 facilities.

5 (6) For the purposes of this section, "private employer
6 transportation service" means regularly scheduled, fixed-route
7 transportation service that is similarly marked or identified to
8 display the business name or logo on the driver and passenger sides
9 of the vehicle, meets the annual certification requirements of the
10 department of transportation, and is offered by an employer for the
11 benefit of its employees.

12 **Sec. 2.** RCW 47.52.025 and 2013 c 26 s 3 are each amended to read
13 as follows:

14 (1) Highway authorities of the state, counties, and incorporated
15 cities and towns, in addition to the specific powers granted in this
16 chapter, shall also have, and may exercise, relative to limited
17 access facilities, any and all additional authority, now or hereafter
18 vested in them relative to highways or streets within their
19 respective jurisdictions, and may regulate, restrict, or prohibit the
20 use of such limited access facilities by various classes of vehicles
21 or traffic. Such highway authorities may reserve any limited access
22 facility or portions thereof, including designated lanes or ramps for
23 the exclusive or preferential use of (a) public transportation
24 vehicles, (b) privately owned buses, (c) motorcycles, (d) private
25 motor vehicles carrying not less than a specified number of
26 passengers, (e) vehicles that deliver or collect blood, tissue, or
27 blood components for a blood-collecting or distributing establishment
28 regulated under chapter 70.335 RCW, or ((+e)) (f) the following
29 private transportation provider vehicles if the vehicle has the
30 capacity to carry eight or more passengers, regardless of the number
31 of passengers in the vehicle, and if such use does not interfere with
32 the efficiency, reliability, and safety of public transportation
33 operations: (i) Auto transportation company vehicles regulated under
34 chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated
35 under chapter 81.70 RCW, except marked or unmarked stretch limousines
36 and stretch sport utility vehicles as defined under department of
37 licensing rules; (iii) private nonprofit transportation provider
38 vehicles regulated under chapter 81.66 RCW; and (iv) private employer
39 transportation service vehicles, when such limitation will increase

1 the efficient utilization of the highway facility or will aid in the
2 conservation of energy resources. Regulations authorizing such
3 exclusive or preferential use of a highway facility may be declared
4 to be effective at all time or at specified times of day or on
5 specified days.

6 (2) Any transit-only lanes that allow other vehicles to access
7 abutting businesses that are reserved pursuant to subsection (1) of
8 this section may not be authorized for the use of private
9 transportation provider vehicles as described under subsection (1) of
10 this section.

11 (3) Highway authorities of the state, counties, or incorporated
12 cities and towns may prohibit the use of limited access facilities by
13 the following private transportation provider vehicles: (a) Auto
14 transportation company vehicles regulated under chapter 81.68 RCW;
15 (b) passenger charter carrier vehicles regulated under chapter 81.70
16 RCW, and marked or unmarked limousines and stretch sport utility
17 vehicles as defined under department of licensing rules; (c) private
18 nonprofit transportation provider vehicles regulated under chapter
19 81.66 RCW; and (d) private employer transportation service vehicles,
20 when the average transit speed in the high occupancy vehicle travel
21 lane fails to meet department standards and falls below forty-five
22 miles per hour at least ninety percent of the time during the peak
23 hours for two consecutive months.

24 (4)(a) Local authorities are encouraged to establish a process
25 for private transportation providers, described under subsections (1)
26 and (3) of this section, to apply for the use of limited access
27 facilities that are reserved for the exclusive or preferential use of
28 public transportation vehicles.

29 (b) The process must provide a list of facilities that the local
30 authority determines to be unavailable for use by the private
31 transportation provider and must provide the criteria used to reach
32 that determination.

33 (c) The application and review processes must be uniform and
34 should provide for an expeditious response by the authority.

35 (5) For the purposes of this section, "private employer
36 transportation service" means regularly scheduled, fixed-route
37 transportation service that is similarly marked or identified to
38 display the business name or logo on the driver and passenger sides
39 of the vehicle, meets the annual certification requirements of the

1 department, and is offered by an employer for the benefit of its
2 employees.

3 NEW SECTION. **Sec. 3.** The department of transportation shall
4 provide a report detailing the impacts of the pilot program under
5 sections 1 and 2 of this act to the transportation committees of the
6 legislature by January 1, 2019.

7 NEW SECTION. **Sec. 4.** This act expires August 1, 2019.

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