

NEW SECTION. Sec. 5. As soon as practicable after the effective date of this section, the department of corrections shall attempt to advise the following persons of the time limit specified in sections 1 and 2 of this act: Every person who, on the effective date of this section, is serving a term of incarceration, probation, parole, or community supervision pursuant to conviction of a felony.

NEW SECTION. Sec. 6. Sections 1 and 2 of this act apply only to petitions and motions filed more than one year after the effective date of this section.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. Sections 1, 2, 4, and 9 of this act are each added to chapter 10.73 RCW.

NEW SECTION. Sec. 9. If a person has previously filed a petition for personal restraint, the court of appeals will not consider the petition unless the person certifies that he or she has not filed a previous petition on similar grounds, and shows good cause why the petitioner did not raise the new grounds in the previous petition. Upon receipt of a personal restraint petition, the court of appeals shall review the petition and determine whether the person has previously filed a petition or petitions and if so, compare them. If upon review, the court of appeals finds that the petitioner has previously raised the same grounds for review, or that the petitioner has failed to show good cause why the ground was not raised earlier, the court of appeals shall dismiss the petition on its own motion without requiring the state to respond to the petition. Upon receipt of a first or subsequent petition, the court of appeals shall, whenever possible, review the petition and determine if the petition is based on frivolous grounds. If frivolous, the court of appeals shall dismiss the petition on its own motion without first requiring the state to respond to the petition.

Passed the House April 19, 1989.

Passed the Senate April 13, 1989.

Approved by the Governor May 13, 1989.

Filed in Office of Secretary of State May 13, 1989.

CHAPTER 396

[House Bill No. 1438]

PUBLIC TRANSPORTATION SYSTEMS—REPORTING REQUIREMENTS

AN ACT Relating to public transportation reporting requirements; and adding new sections to chapter 35.58 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 35.58 RCW to read as follows:

By April 1st of each year, the legislative authority of each municipality, as defined in RCW 35.58.272, shall prepare a six-year transit development and financial program for that calendar year and the ensuing five years. The program shall contain information as to how the municipality intends to meet state and local long-range priorities for public transportation, capital improvements, significant operating changes planned for the system, and how the municipality intends to fund program needs. Each municipality shall file the six-year program with the state department of transportation, the transportation improvement board, and cities, counties, and regional planning councils within which the municipality is located.

In developing its program, the municipality shall consider those policy recommendations affecting public transportation contained in the state transportation policy plan approved by the state transportation commission and, where appropriate, adopted by the legislature. The municipality shall conduct one or more public hearings while developing its program and for each annual update.

NEW SECTION. Sec. 2. A new section is added to chapter 35.58 RCW to read as follows:

The department of transportation shall develop an annual report summarizing the status of public transportation systems in the state. By September 1st of each year, copies of the report shall be submitted to the legislative transportation committee and to each municipality, as defined in RCW 35.58.272, and to individual members of the municipality's legislative authority. The department shall prepare and submit a preliminary report by December 1, 1989.

To assist the department with preparation of the report, each municipality shall file a system report by April 1st of each year with the state department of transportation identifying its public transportation services for the previous calendar year and its objectives for improving the efficiency and effectiveness of those services. The system report shall address those items required for each public transportation system in the department's report.

The department report shall describe individual public transportation systems, including contracted transportation services and dial-a-ride services, and include a state-wide summary of public transportation issues and data. The descriptions shall include the following elements and such other elements as the department deems appropriate after consultation with the municipalities and the legislative transportation committee:

- (1) Equipment and facilities, including vehicle replacement standards;
- (2) Services and service standards;
- (3) Revenues, expenses, and ending balances, by fund source;

(4) Policy issues and system improvement objectives, including community participation in development of those objectives and how those objectives address state-wide transportation priorities;

(5) Operating indicators applied to public transportation services, revenues, and expenses. Operating indicators shall include operating cost per passenger trip, operating cost per revenue vehicle service hour, passenger trips per revenue service hour, passenger trips per vehicle service mile, vehicle service hours per employee, and farebox revenue as a percent of operating costs.

Passed the House April 17, 1989.

Passed the Senate April 11, 1989.

Approved by the Governor May 13, 1989.

Filed in Office of Secretary of State May 13, 1989.

CHAPTER 397

[House Bill No. 1467]

TRANSPORTATION CAPITAL FACILITIES ACCOUNT

AN ACT Relating to the transportation capital facilities account; creating a new chapter in Title 47 RCW; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The transportation capital facilities account is created in the state treasury. All receipts from transactions by the department of transportation involving capital facility sales, transfers, and property leases shall be deposited into the account. The department may make expenditures from the account subject to appropriation for the purchase, acquisition, exchange, sale, construction, repair, replacement, maintenance, and operation of real property, buildings, or structures necessary or convenient for the planning, design, construction, operation, maintenance, and administration of the state transportation system under the jurisdiction of the department.

NEW SECTION. Sec. 2. By July 1, 1991, the department shall set and charge reasonable rental rates for the use of its real property, buildings, or structures. The department shall deposit receipts from the charges in the transportation capital facilities account.

The department may transfer to the account all federal moneys made available for the purpose of purchase, acquisition, exchange, sale, construction, repair, replacement, maintenance, or operation of real property, buildings, or structures necessary or convenient for the planning, design, construction, operation, maintenance, or administration of the state transportation system under the jurisdiction of the department.