



JOINT TRANSPORTATION COMMITTEE

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September 21, 2010

TO: Members of the House and Senate Transportation Committees

SUBJECT: Joint Transportation Committee, Activity Update

The Joint Transportation Committee has a very full and interesting 2010 interim workplan. It includes four studies with consultants and three more projects with staff taking the lead. All studies and projects are currently underway. Summaries of the following are attached:

- Local transportation agency efficiencies (CRAB, TIB, FMSIB, WSDOT's Highways & Local Programs (p. 3)
- Identifying the state role in public transportation (p. 4)
- Evaluation of state-level transportation plans (p. 5)
- Ferry system studies (p. 6):
 - Evaluating compensating injured marine workers through state industrial insurance rather than federal Jones Act, and
 - Comparison of labor claim processing by PERC and MEC
- Fuel tax refunds for non-highway or off-road use (p. 7)
- Vehicle and vessel licensing statute rewrite (p. 8)
- Update of the Transportation Resource Manual (p. 9)

The JTC has met four times so far in the 2010 interim – March 10 in Olympia, May 11 in Dupont, June 23 in Vancouver, and July 15 in Redmond; four more meetings are planned before the 2011 legislative session begins (October, November, December, January). Meetings to date have included a tour of rail projects in Pierce County funded from the \$590 million in federal stimulus grants the state was recently awarded, a tour of the Columbia River Crossing project, and a meeting in Vancouver in conjunction with the Association of Washington Cities annual conference. Upcoming events include a possible day-tour on the MV Chetzemoka, the newest vessel in the Washington State Ferries fleet; and a Spokane meeting in November, held in conjunction with the Washington State Association of Counties annual conference.

Thanks to the seventeen members of the House and Senate who have participated in one or more JTC meetings already this interim. Your participation is invaluable, and contributes to the richness of discussion and the thoroughness of our work.

The JTC website provides links to all current and past studies, including meeting presentations and reports. <http://www.leg.wa.gov/JTC/Meetings/Pages/default.aspx>.

If you have any questions, please contact the JTC staff:

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Senator Mary Margaret Haugen

Co-Chair



Representative Judy Clibborn

Co-Chair



Senator Dan Swecker



Representative Mike Armstrong

Enclosures: JTC Studies

Summaries of 2010 Joint Transportation Committee Studies

September 21, 2010

Local Transportation Agency Efficiencies

The Legislature has directed JTC to identify efficiencies in the delivery of transportation services and funding to local governments, while meeting local governments' needs. This study will evaluate four state agencies, to identify opportunities to streamline agency management, governance and organization; and to identify whether there are more efficient ways to provide services and distribute funds to local governments. The study will consider ways to facilitate partnerships among jurisdictions, stakeholders and funding sources.

The four state agencies involved in the study are:

- The County Road Administration Board (CRAB)
- The Transportation Improvement Board (TIB)
- The Freight Mobility Strategic Investment Board (FMSIB), and
- WSDOT's Highways and Local Programs division.

On May 11, a consultant team from Berk & Associates, led by project manager Brian Murphy, began work. The team held a kick-off meeting on May 13 with JTC and legislative staff. Three of six-planned meetings of a larger "technical staff workgroup" were held on May 25, July 20 and September 13; this workgroup includes the leadership of the four entities under study, as well as representatives from the cities, counties and ports associations, and legislative staff. A separate Policy Workgroup comprised of legislators and a member of the Governor's staff met on June 23, and August 6th. Two more meetings are planned.

In the early weeks of the study, the consultant team focused on analyzing each agency, developing an agency and customer profile, documenting the grant-making process, analyzing funding levels and flows and technical and regulatory assistance, and assessing the functions and performance of the governing board, as well as agency management and organizational structure.

The second phase of the study addresses customer outreach to explore the end-user's assessment of assistance received from each agency. This was initiated with a panel of three representative cities and the Association of Washington Cities during the June 23 JTC meeting, and continues with focus groups in September with representatives from the cities, counties (engineers and commissioners) and public ports.

As the study progresses throughout the Fall, the team will evaluate the advantages and disadvantages of the current agency/program structure, and consider alternative models to organize and manage the agencies, and provide services and funding to local governments.

A draft report is due in late November, and will be presented to the JTC at the December 8, 2010 meeting.

Study origin:	2010 Transportation Budget, ESSB 6381, Sec. 204(8)
Report:	Final report due December 15, 2010
Appropriation:	\$200,000
Expenditure:	\$70,000 through August 31, 2010
Project Manager:	Mary Fleckenstein (360)786-7312
STC Staff:	Amanda Cecil (360)786-7429
HTC Staff:	Christie Parker (360)786-7322 and Debbie Driver (360) 786-7143

Identifying the state role in public transportation

The Washington State Legislature, in the 2010 Supplemental Transportation Budget, directed the JTC to develop a statewide blueprint to guide future state investments in public transportation programs. This study is to:

- Identify unmet public transportation capital and operating needs;
- Assess the current state role in public transportation;
- Identify efficiency and accountability measures to inform future state investment in public transportation; and
- Create a blueprint to establish state investment priorities in public transportation

To assist the study, a 29-member Advisory Panel was appointed by the JTC. Its membership, specified in the budget's study proviso, includes legislators, transit managers, riders, major employers, labor, private operators, and others.

The Parsons Brinckerhoff consultant team began working on this project in May, with a kick-off meeting with staff on May 27th. The first of four Advisory Panel meetings was held on June 29th, where the results of consultant one-on-one interviews with Advisory Panel members were reported and a briefing on the study approach and the study team was presented. The next Panel meeting on August 6th focused on the state's role in public transportation. The agenda included an update on federal transportation funding and a discussion of the current state role in public transportation and other states roles. Panel breakout groups discussed how well the state addresses different groups needs, and what the state role should be.

The September 29th Panel meeting will continue the discussion of the state role in public transportation and begin addressing performance and efficiency measures designed to inform state public transportation investments. A fourth Advisory Panel meeting is currently scheduled for October 27th to discuss report findings and recommendations.

As the study progresses throughout the fall, the team will continue to develop and refine four report working papers on Public Transportation Unmet Needs, The Current State Role, Efficiency and Accountability Measures, and a Blueprint Identifying the State Role in Public Transportation. The Draft Report is due on November 29th, and will be presented to the JTC at the December 8, 2010 meeting.

Study origin:	2010 Transportation Budget, ESSB 6381, Sec. 204(5).
Report:	Final report due December 15, 2010
Appropriation:	\$350,000
Contract:	\$307,516
Expenditure:	\$157,300 through August 13, 2010
Project Manager:	Gene Baxstrom (360) 786-7398
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Evaluation of state-level transportation plans

The 2010 supplemental transportation budget directed the JTC to evaluate preparation of state-level transportation plans. The first step in the study requires a review of federal and state planning requirements. Based upon that review the study will analyze:

- Allocation of state-level planning responsibilities;
- The efficiency of the planning process; and
- The utility of planning documents.

The key objectives of the study are to recommend appropriate assignment and coordination of state-level planning responsibilities and identify: 1) necessary or desirable planning elements; and 2) methods to develop state level plans more efficiently.

The consultant team of Cedar River Group and Lund Consulting was under contract by late July. The JTC staff will work with consultants to review the current planning requirements in federal and state law. The consultants will review current planning roles and responsibilities; the utilization of plans in investment and policy decisions; and resources used for state level transportation planning. A draft white paper on these topics will be delivered in late September, with a final draft presented to the JTC on October 12, 2010.

The study will then focus on analysis and recommendations concerning the following questions:

- What is the state trying to achieve through transportation planning?
- How can the state best prepare for potential shifts in federal planning direction?
- What statewide plans should be produced?
- What organizational structures and best practices can be gleaned from other states?
- How should planning responsibility for the recommend statewide plans be allocated among state agencies?
- What legislation should be considered to modify planning requirements and assign planning responsibility?
- What are the financial impacts of the proposed modifications to planning requirements and assignment of planning responsibility?

The consultants will produce a draft report by November 15th, which will be presented for review and comment at the December 8, 2010 JTC meeting.

Study origin:	2010 Transportation Budget, ESSB 6381, Sec. 204(7).
Report:	Final report due December 15, 2010.
Appropriation:	\$125,000
Contract:	\$120,000
Expenditure:	\$ 4,900 through July 31, 2010
Project Manager:	Paul Neal (360) 786-7327
STC Staff:	Kelly Simpson (360) 786-7403
HTC Staff:	David Munnecke (360) 786-7315

Ferry system studies: Industrial insurance, and comparison of PERC and MEC

From 2006 through 2009, the JTC conducted an extensive review of the Washington State Ferry (WSF) system and its financing. That review produced a number of recommendations, some of which were adopted in statute. The 2009-11 transportation budget directed the JTC to monitor implementation of those recommendations and directions. That work was mostly completed by the end of the 2010 session, so the Legislature enacted a proviso in the supplemental transportation budget identifying two additional areas of study. In addition to continuing to monitor the WSF reservation system and assist the Senate and House Transportation Committees on ferry issues as needed, the JTC was directed to study:

- Comparison of benefits and costs of providing compensation to ferry workers for work-related injuries under either the Federal Jones Act or Washington's Industrial Insurance Act;
- Compare relative processing times for grievances and hearings for the Marine Employees Commission (MEC) and the Public Employees Relations Commission (PERC), including an analysis of whether PERC has the necessary expertise to process claims currently administered by MEC.

The staff will report on the results to the full Committee by December 15, 2010.

Study origin:	2009-11 Transportation Budget Agency Detail, Report, p. 39, and 2010 Transportation Budget, ESSB 6381, Sec. 204(9).
Report:	Reservation Proposal Delivered December 15, 2009
Appropriation:	\$200,000 for ferry studies specified in 2009 and 2010 budget
Expenditures to Date:	\$170,000 through August 2010
Project Manager:	Paul Neal (360) 786-7327
STC Staff:	Janice Baumgardt (360) 786-7319
HTC Staff:	Debbie Driver (360) 786-7143

Fuel tax refunds for non-highway or off-road use

Fuel taxes are a user fee collected to support the public highway system. Some fuel taxes are paid for non-highway use such as on fuel used in snowmobiles, boats and off-road vehicles. State law provides for a portion of the fuel taxes paid by these users to be refunded and/or transferred to state programs to benefit these users.

The Legislature has directed the JTC to review fuel tax refunds for non-highway or off-road use, and to describe the programs funded from these refunds, analyze funding and expenditures from the various accounts, and to document future identified off-road, snowmobile and marine funding needs.

Programs included in this review are:

- Refund of taxes paid on marine fuels, Chapter 79A.25 RCW
- Refund of taxes paid on fuel used for off-road vehicles, Chapter 46.09 RCW
- Refund of taxes paid on fuel used by snowmobiles, Chapter 46.10 RCW

A staff working group representing legislative and executive branch agencies met on June 28, and has produced an overview of these programs, documented how funds are distributed to the various treasury accounts, analyzed historical funding and expenditures, projected revenue for the next 10 years, and has begun to document future needs.

Stakeholders met with the staff working group on August 5th. Agency personnel have consulted with stakeholders in developing and reviewing program descriptions, and documenting past unmet needs. Stakeholders are developing lists of identified future funding needs, and will have the opportunity to review and comment on report drafts as the study progresses. An October 19th meeting is planned with stakeholders and staff to review study progress to date.

A final meeting will be held in November to review draft reports and proposed lists of funding needs. A draft report will be available in late November, for presentation to the JTC on December 8.

Study origin:	2010 Transportation Budget, ESSB 5352, Sec. 204(4).
Report:	Final report due December 15, 2010.
Appropriation:	Within existing funds
Project Manager:	Mary Fleckenstein (360) 786-7312
HTC Staff:	Jerry Long (360) 786-7306
STC Staff:	Amanda Cecil (360) 786-7429

Vehicle and vessel licensing statute rewrite

The 2010 Legislature significantly revised vehicle licensing statutes in 2010 by enacting SB 6379. The intent of the bill was to clarify and streamline the statutes without changing their substantive effect, except as noted. To insure there were no unintended consequences, the bill's effective date was delayed until July 1, 2011. The Legislature then directed the JTC to work with the Code Reviser, the Department of Licensing and STC and HTC staff to evaluate whether there are any unintended effects of SB 6379 and draft corrective legislation, if any, by December 1, 2010.

The JTC staff workgroup has gathered input from stakeholders to accomplish this project. The group identified a handful of statutes where further clarification would be beneficial. DOL staff agreed to work with the Code Reviser to provide an initial bill draft by the end of September. That draft will be circulated to stakeholders for comment. Staff plan to report to the full committee in December.

Project origin:	ESSB 6381 §204 (6)
Report:	December 1, 2010
Appropriation:	Within existing funds
Project Manager:	Paul Neal (360) 786-7327
STC Staff:	Kelly Simpson
HTC Staff:	Jerry Long

Update of the Transportation Resource Manual

The Transportation Resource Manual compiles and tracks information for use by policy makers in understanding Washington's transportation system and making informed decisions. It includes a comprehensive overview of the structure of transportation governance in Washington and traces transportation revenues from sources through expenditures. The manual is designed to provide policy makers with the most up-to-date information going into biennial budget sessions. It is updated every two years to incorporate changes in transportation law, including a summary of the most recent Transportation Budget.

Legislative Transportation Committee staff began producing the Transportation Resource Manual in 1989, with biennial updates thereafter. Shortly after its formation in 2005, the JTC assumed responsibility for maintaining and updating the Transportation Resource Manual. While the JTC acts as clearinghouse and project leader on the update, much of the work is done by transportation agency staff. Without their assistance the manual might not get updated.

Updates of non-budget sections are currently underway and due back to the JTC for compilation in December. The budget projections will be updated following the November forecast. A final document will be available both in hard copy and on-line prior to the start of the 2011 legislative session.

Project origin:	Updates are a recurring responsibility of the JTC
Report:	Update manual due the first week of January
Appropriation:	Within existing funds
Project Manager:	Paul Neal (360) 786-7327
STC Staff:	Kelly Simpson (360) 786-7403
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