

ORDINANCE NO. **11033**

AN ORDINANCE establishing public transit policies, rules, procedures and penalties.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There is hereby established in the King County Code a new chapter which shall pertain to the provision of public transit services and which shall contain the provisions of this ordinance.

SECTION 2. Goals. It is the mission of the department's transit division to provide the best possible public transit service that improves the quality of life in King County.

The director shall, on at least an annual basis, report to the council on the performance of the public transit program, and shall propose goals and objectives for the following budget year.

SECTION 3. Definitions. The following words and phrases when used in this ordinance shall have the meanings hereinafter set forth in this section, whether appearing in capital or lower case form. If not defined below, the words and phrases used in this chapter shall have their common and ordinary meanings to the degree consistent with the technical subjects herein or the meanings set forth elsewhere in this title of the King County Code.

A. "Peak Period Trip" means any scheduled weekday trip that reaches its destination between 6:00 a.m. and 9:00 a.m. or leaves its origin between 3:00 p.m. and 6:00 p.m.

B. "Bus Shelters" shall mean those structures located in bus loading zones which provide cover to waiting passengers.

C. "Commercial Activities" shall mean the selling, offering for sale, displaying, distributing or providing of any goods, merchandise or services, advertising, distributing or conveying information or materials related to a commercial

1 enterprise, and carrying on any business activities of any kind  
2 or nature.

3 D. "Comprehensive Plan" shall mean the public  
4 transportation comprehensive plan adopted by Resolution No.  
5 1717 of the Metro Council and all amendments thereto.

6 E. "Flexitime Program" shall mean a program for employers  
7 who have at least twenty-five percent (25%) of their employees  
8 shifts beginning or ending at times other than 7:15-8:25 a.m.  
9 and 4:30-5:30 p.m.

10 F. "Government" shall refer to any agency of the federal  
11 or state government and any city, county or municipal  
12 corporation of the State of Washington.

13 G. "Marginal cost per service hour" shall mean the direct  
14 operating cost of providing an additional hour of service,  
15 including operator wages and benefits, customer service costs,  
16 fuel costs and vehicle maintenance costs.

17 H. "Newsracks" shall mean any stand, box, structure,  
18 rack, or other device which is designed and used for the sale  
19 of and/or distribution of newspapers, periodicals, magazines,  
20 or other publications or combinations of the same. The  
21 placement of newsracks in or on passenger facilities shall be  
22 governed by separate policies otherwise approved by the  
23 council.

24 I. "Off-peak trip" means any scheduled trip that is not a  
25 peak period trip.

26 J. "Park & Ride Lots" shall mean locations at which  
27 persons park their individual vehicles and transfer to a county  
28 vehicle or car/vanpool vehicles, including all physical  
29 improvements and landscaping.

30 K. "Person" shall mean any individual, firm, partnership,  
31 corporation, organization, association or entity of any kind.

32 L. "Persons with Disabilities" shall refer to those  
33 persons who, by reason of illness, injury, congenital  
34 malfunction, or other permanent or temporary incapacity or  
35 disability, including those who are non-ambulatory

1 wheelchair-bound and those with semi-ambulatory capabilities,  
 2 are unable without special facilities or special planning or  
 3 design to utilize mass transportation facilities and services  
 4 as effectively as persons who are not so affected.

5 M. "Public Communication Activities" shall mean the  
 6 posting or distributing of flyers, pamphlets, brochures, books  
 7 or other written material, collecting petition signatures,  
 8 political campaigning, demonstrating, displaying signs,  
 9 picketing, conducting surveys, soliciting or receiving of funds  
 10 or contributions of any kind for any purpose, or otherwise  
 11 communicating or attempting to communicate to the general  
 12 public.

13 N. "Public Transportation Services" shall include buses,  
 14 vanpools, paratransit vehicles and carpools.

15 O. "Transit Centers" shall mean locations where bus  
 16 routes have a common terminus and facilities are provided to  
 17 facilitate passenger boarding, deboarding, and transfers  
 18 between buses, including all physical improvements and  
 19 landscaping.

20 SECTION 4. RATES OF FARE FOR TRANSIT PROGRAM

21 A. The following fare categories and rates for regularly  
 22 scheduled public transportation service on bus, trolley, and  
 23 streetcar routes within the entire transit service area are  
 24 hereby established:

<b>Full Fares</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Cash	85¢	\$1.10	\$1.10	\$1.60
Monthly Pass	\$30.50	\$39.50	\$39.50	\$57.50
Three Month Pass	\$109.00	\$109.00	\$159.00	\$159.00
Annual Pass	\$336.00	\$435.00	\$435.00	\$633.00

<b>Weekend/Holiday All-Day Pass</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Cash	\$1.70	N/A	\$1.70	N/A

<b>Children's Fare</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Up to four children under age five ride free per Section A.3	Free	Free	Free	Free

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<b>Youth Fare</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Cash	75¢	75¢	75¢	75¢

<b>Family Fare</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Cash	85¢	N/A	\$1.10	N/A

<b>Senior Fares</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Cash	25¢	25¢	25¢	25¢
Monthly Pass	\$3.75	\$3.75	\$3.75	\$3.75
Annual Pass	\$45.00	\$45.00	\$45.00	\$45.00

<b>Fares for Persons with Disabilities</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Cash	25¢	25¢	25¢	25¢
Monthly Pass	\$3.75	\$3.75	\$3.75	\$3.75
Annual Pass	\$45.00	\$45.00	\$45.00	\$45.00

<b>Center Park</b>	<b>One-Zone Off-Peak</b>	<b>One-Zone Peak</b>	<b>Two-Zone Off-Peak</b>	<b>Two-Zone Peak</b>
Cash	85¢	85¢	85¢	85¢

Such fare categories and rates are subject to, and defined by, the following terms:

1. Monthly, three month and annual passes may be issued and sold at the rates set forth in this section, entitling the holder thereof to an unlimited number of rides subject to the zone and time-of-day limitations applicable to the type of pass held. The one- and two-zone trip limitations are set forth in Section 6 of this ordinance. The time-of-day limitations for peak period trips and off-peak period trips are set forth in Section 3 of this ordinance. Pass holders that have passes with a single-trip value less than the proper fare shall pay the cash difference.

2. A weekend/holiday All-Day Pass may be issued and sold to be valid only on Saturdays, Sundays or those legal holidays when reduced service schedules are in effect. Upon payment of the All-Day Pass fare set forth in this section, persons five years of age or older may receive an All-Day Pass which shall entitle the user to unlimited riding within the entire transit service area on regularly scheduled public transportation service and which shall be valid only for the day on which said pass is purchased.

1           3. When accompanied by a responsible person paying the  
2 proper fare as set forth in this section, up to four children  
3 under five years of age shall be entitled to ride free.

4           4. A youth fare at the rate set forth in this section  
5 shall be available to persons from five (5) through seventeen  
6 (17) years of age and persons over seventeen (17) years of age  
7 who attend regular sessions of junior or senior high school.  
8 The director is authorized to issue a monthly youth pass at a  
9 rate equal to twenty-four (24) times the youth fare, which pass  
10 shall entitle the holder to unlimited riding within the entire  
11 transit service area on regularly scheduled public  
12 transportation service.

13           5. A family fare on regularly scheduled public  
14 transportation service shall be valid on Sundays and on those  
15 legal holidays when reduced schedules are in effect. Upon  
16 payment of the proper fare as set forth in this section, any  
17 person eighteen years of age or older may be accompanied by up  
18 to four persons seventeen years of age or under without payment  
19 of any additional fare.

20           6. Persons at least sixty-five (65) years of age are  
21 eligible for reduced fare permits. Reduced fare permits shall  
22 entitle the holder to unlimited riding within the entire  
23 transit service area on regularly scheduled public  
24 transportation service upon payment of the senior fares set  
25 forth in this section.

26           7. Persons with disabilities who apply for and receive  
27 a reduced fare permit shall be entitled to unlimited riding  
28 within the entire transit service area on regularly scheduled  
29 public transportation service upon presentation of the permit  
30 and payment of the fare set forth in this section for persons  
31 with disabilities. An attendant, when accompanying a  
32 fare-paying person with a disability who can ride transit only  
33 with the assistance of such an attendant all or some of the  
34 time and who has been issued an "Attendant Ride Free" permit  
35 pursuant to this ordinance, shall be entitled to ride free.

1           8. The rate of fare for customized bus service to  
2 residents of Center Park, a facility of the Seattle Housing  
3 Authority located at 2121 - 26th Avenue South, Seattle, shall  
4 be equal to the full-fare, one-zone, off-peak cash transit  
5 fare.

6           B. The director is authorized to issue, sell and/or  
7 accept tickets, tokens, commodities or certificates at rates  
8 equal to the equivalent cash fare.

9           C. The director shall establish a system of transfers to  
10 permit a person paying the proper fare to ride regularly  
11 scheduled service in any direction subject to the zone and  
12 time-of-day limitations applicable to the transfer. The holder  
13 of a transfer of a lesser value than the proper fare shall pay  
14 the cash difference. The time limit for transfers shall not  
15 exceed two and one-half hours from time of issuance.

16           D. The executive or the director, if designated by the  
17 executive, is authorized to execute agreements with public and  
18 private employers for employer-subsidized annual or academic  
19 year passes; provided, that such agreements shall be subject to  
20 approval by the Metropolitan County Council. To qualify for  
21 employer subsidized passes, the employer shall subsidize at  
22 least fifty (50) percent of the cost of the passes and make the  
23 passes available to at least two hundred fifty (250) employees.  
24 The cost of the passes shall be based on average employee usage  
25 and administrative savings to the department from selling large  
26 quantities of the passes; provided that the rates charged to  
27 employers shall not be less than fifty (50) percent of the cost  
28 of annual passes as set forth in this section. The agreements  
29 shall have terms not exceeding twelve months, provide for  
30 periodic billing of employers for outstanding passes, allow the  
31 sale of additional passes at annualized rates during the terms  
32 of the agreements and may allow for rates to be adjusted to  
33 ensure the accuracy of average employee usage and  
34 administrative savings to the department.

1 E. The director is authorized to issue and sell  
2 visitor passes entitling the holders thereof to Transportation  
3 services as specified by the passes , provided such issuance is  
4 not expected to require the addition of regularly scheduled  
5 service. The director shall establish the rates of fare, the  
6 number of visitor passes and the extent of services available  
7 under said passes based on the estimated average visitor usage  
8 and the administrative costs of issuing the passes. Said  
9 passes may be valid for a period not to exceed seven (7)  
10 consecutive days. The director is further authorized to issue  
11 and sell said passes to travel, convention and special event  
12 groups for quantities over one hundred (100) at a rate that is  
13 not less than seventy (70) percent of the established visitor  
14 rate. Visitor pass privileges shall commence and terminate on  
15 the date(s) for which the passes are valid.

16 F. The director is authorized to establish rates of fare  
17 for vanpools, provided that the rates of fare are established  
18 at a level reasonably estimated to recover the operating and  
19 capital costs of, and at least twenty-five (25) percent of the  
20 cost of administering, the vanpool program.

21 G. The director is authorized to establish rates of fare  
22 for limited service to special or seasonal activities or  
23 events, provided such rates of fare and any contributions are  
24 established at a level reasonably estimated to recover at least  
25 twenty-five (25) percent of the marginal cost for the service  
26 hours provided. In addition, the rates of fare for limited  
27 service shall be established at a level at least equal to the  
28 rates of fare for equivalent regularly scheduled service. If,  
29 however, the limited service is not equivalent to any regular  
30 service, then the rates of fare shall be no less than one-half  
31 of the one-zone, off-peak cash fare set forth in this section.  
32 Such limited services shall be on an individual fare-paying  
33 basis and be scheduled according to such routes, schedules and  
34 dates as are determined by the director.

1           H.     The director is authorized to establish rates of  
2 fare for customized bus service, provided such rates of fare  
3 are established at a level reasonably estimated to recover at  
4 least eighty (80) percent of the marginal cost for the service  
5 hours provided. Such customized services shall be on an  
6 individual fare-paying basis and be regularly scheduled  
7 according to such routes, schedules and dates as are determined  
8 by the director. There shall be no zone fares charged on  
9 customized bus service. Senior citizens, disabled, employee or  
10 other special passes or permits may be honored on customized  
11 bus service insofar as consistent with overall cost recovery  
12 requirements set forth above. Transfers may be issued on  
13 customized bus service.

14           I.     The following procedure and rate of fare shall be used  
15 for animals riding on coaches. For small animals that do not  
16 occupy space other than the lap of the person accompanying the  
17 animal and for assistive animals, there shall be no fare  
18 charged. For all other animals, a fare equivalent to the fare  
19 paid by the individual accompanying the animal shall be charged  
20 and a transfer issued upon request except that no zone fare  
21 shall be charged. Animals riding on coaches shall be leashed  
22 or otherwise restrained and shall not pose a problem of health,  
23 injury to property or persons, or disturbance to other  
24 passengers.

25           J.     The executive or the director, if designated by the  
26 executive, is authorized to execute agreements with public  
27 school districts to supply students with passes in connection  
28 with special school programs; provided, that such agreements  
29 shall be subject to approval by the Metropolitan County  
30 Council.

31           K.     The executive or the director, if designated by the  
32 executive, is authorized to execute agreements with local,  
33 state and federal governmental entities to provide public  
34 transportation services to their employees; provided, that such



1 agreements shall be subject to approval by the Metropolitan  
2 County Council.

3 L. Notwithstanding any other provision in this section,  
4 general authority Washington peace officers employed by a  
5 general authority Washington law enforcement agency with  
6 officers in King County may ride regularly scheduled public  
7 transportation services without payment of fare provided such  
8 officers are in uniform or display their police badge(s) to the  
9 transit operator.

10 M. The executive or the director, if designated by the  
11 executive, is authorized to execute agreements to provide ride  
12 free services within geographic areas; provided, that such  
13 agreements shall be subject to approval by the Metropolitan  
14 County Council.

15 N. For the lease of a transit vehicle of the county for  
16 charter operation by others, the minimum rental shall be the  
17 marginal cost per service hour of such vehicle's operation as  
18 established from time to time by the director plus ten (10)  
19 percent thereof.

20 O. The executive or the director, if designated by the  
21 executive, is authorized to execute agreements with other  
22 transit agencies to establish a system of fare payment for  
23 passengers transferring between transportation systems or  
24 crossing jurisdictional boundaries; provided, that such  
25 agreements shall be subject to approval by the Metropolitan  
26 County Council to the extent such approval is required by the  
27 county charter, King County code and/or applicable law. Such  
28 agreements shall provide that the interjurisdictional full-fare  
29 be not less than ninety (90) percent of the two-zone peak fare  
30 set forth in this section.

31 P. For the purpose of attracting new ridership, relieving  
32 congestion, developing market strategies, testing prices or  
33 experimental service, and implementing other special transit  
34 programs or promotions, the director may waive or discount the  
35 fare or pass prices otherwise established in this section

1 whenever such waiver or discount is not expected to require the  
2 addition of regularly scheduled service and, in the judgement  
3 of the director, the value of the program or promotion and the  
4 benefit to the public exceeds the expected loss of revenue.  
5 The loss in revenue of all such programs, promotions and fare  
6 discounts shall, in the aggregate, be no greater than \$50,000  
7 annually.

8 Q. Notwithstanding the provisions of Section 4.B of this  
9 ordinance, the director is authorized to establish a program  
10 for the sale and distribution of tickets to human service  
11 agencies at twenty-five percent (25%) of their cash value for  
12 the purpose of meeting the transportation needs of low income  
13 and homeless populations. The total amount of the seventy-five  
14 percent (75%) discount provided under such program shall not  
15 exceed \$200,000 for any one year. The allocation of discount  
16 tickets under such program shall be made by the director in  
17 conjunction with local jurisdictions and the county. The local  
18 jurisdictions and the county shall determine the number of  
19 tickets from their respective allocations which shall be sold  
20 to the human service agencies eligible under such program.  
21 Tickets sold under such program are valid on all transit and  
22 paratransit service.

23 R. The director shall submit annually to the council, by  
24 no later than the date on which the executive transmits the  
25 executive proposed budget to the council, a report on all the  
26 services and fares authorized by subsections D through Q of  
27 this section.

28 SECTION 5. Transit Routes and Classes of Service.

29 The director shall implement the system of public transit  
30 routes and services described in this section.

31 A. Regular routes shall include numbered routes and  
32 descriptions therefor approved by the council. The regular  
33 routes, including implementation dates, duly approved by the  
34 Metro Council and in effect on December 31, 1993, which are  
35 described in a document called "Public Transit Regular Routes",

1 attached as Exhibit A to this ordinance, are hereby readopted  
2 and ratified effective January 1, 1994. The director shall  
3 ensure that the routes approved by said Metro Council shall be  
4 operated and implemented except as otherwise provided in this  
5 section.

6 B. Changes to regular routes shall be subject to approval  
7 by the council except as specifically provided in this Section  
8 5.B.

9 1. The director is authorized to approve and implement  
10 the following changes of established routes and schedules:

11 a. Any single change or cumulative changes in a  
12 service schedule which affect the established weekly service  
13 hours for a route by twenty-five percent (25%) or less.

14 b. Any change in route location which does not move  
15 the location of any route stop by more than one quarter mile.

16 2. In addition, if, in the opinion of the director, an  
17 emergency exists which requires any change to established  
18 routes, schedules or classes of service, the director may  
19 implement such change for such period as may be necessary in  
20 the director's judgment or until such time as the council shall  
21 establish otherwise. Such changes which the director intends  
22 to be permanent shall be reported in writing to the chair of  
23 the council.

24 C. Other routes, such as but not limited to tripper  
25 service, limited, special, customized and other types of  
26 transit routes, may be established by the director consistent  
27 with the adopted budget and comprehensive plan.

28 D. Schedule. The director shall establish transit  
29 schedules for all routes and classes of service consistent with  
30 the adopted budget and comprehensive plan.

31 E. The director shall periodically review and evaluate  
32 the effectiveness of all public transit routes and services,  
33 requests for changes to the routes and services, and the  
34 requirements of the comprehensive plan and shall prepare

1 recommendations to the council for changes to routes and  
2 services.

3 F. The director is authorized and directed to establish  
4 such guidelines, and procedures as may be necessary to  
5 implement the policies set forth in this ordinance. In  
6 establishing such guidelines and procedures, the director shall  
7 provide for consultation with citizens and each component  
8 jurisdiction in advance of any major route or service changes  
9 affecting such jurisdictions.

10 SECTION 6. Public Transit Zones. The system of zones for  
11 public transit service described in this section is hereby  
12 established. The director may provide for other special and  
13 buffer zones for particular periods of time or purposes and may  
14 impose special conditions, regulations or limitations on travel  
15 and fares within said zones. Public transit zones within the  
16 boundaries of the county shall be described as follows:

17 A. "Zone 1 Seattle" is that portion of King County lying  
18 east of Puget Sound and west of Lake Washington; and bounded on  
19 the north by a line beginning in Puget Sound on the westerly  
20 projection of Northwest 145th Street, thence easterly along  
21 said projection and Northwest 145th Street and North 145th  
22 Street and Northeast 145th Street including any straight line  
23 projections to discontinuous sections of said streets to Lake  
24 Washington; and bounded on the south by the following described  
25 line: beginning at a point where the City of Seattle-King  
26 County boundary intersects the shoreline of Puget Sound at  
27 Seola Beach Drive Southwest, thence northerly and easterly  
28 along the City of Seattle-King County boundary to Olson Place  
29 Southwest, thence northerly along Olson Place Southwest and 1st  
30 Avenue South to South Cloverdale Street, thence easterly along  
31 South Cloverdale Street to 14th Avenue South, thence northerly  
32 along 14th Avenue South and 16th Avenue South to East Marginal  
33 Way South, thence southerly along East Marginal Way South to  
34 South Boeing Access Road, thence easterly along South Boeing  
35 Access Road and South Ryan Way to the City of Seattle-King

1 County boundary at 51st Avenue South, thence easterly along the  
2 City of Seattle-King County boundary to the west shoreline of  
3 Lake Washington on the easterly projection of South Ryan  
4 Street.

5 B. "Zone 2 county" is that portion of King County lying  
6 outside the boundaries of Zone 1 Seattle.

7 SECTION 7. Commercial and Public Communication Activities  
8 in Transit Passenger Facilities.

9 A. In furtherance of its proprietary function as provider  
10 of public transportation, the county makes a variety of  
11 facilities available to persons who use public services.  
12 Although these facilities may be accessed by the general  
13 public, they are not open public forums either by nature or by  
14 designation. They are intended to be used solely for public-  
15 related activities and provide little, if any, space for other  
16 activities. Most commercial and public communication  
17 activities are prohibited in or on passenger facilities,  
18 regardless of viewpoint expressed, because they are  
19 incompatible with the county's legitimate interests, including  
20 but not limited to:

- 21 1. Securing the use of scarce parking spaces and  
22 shelter space for persons who are using public services;
- 23 2. Maintaining safe, clean and secure passenger  
24 facilities to retain existing, and attract new, users of public  
25 services;
- 26 3. Reducing litter pick-up and other maintenance or  
27 administrative expenses so as to maximize the provision of  
28 public services;
- 29 4. Preventing delays and inconvenience to passengers  
30 by minimizing congestion, and expediting their boarding,  
31 transferring, and deboarding of buses.

32 B. It is county policy to allow members of the general  
33 public to engage in public communications activities in or on  
34 passenger facilities to the extent such activities are  
35 compatible with the county's legitimate proprietary functions

1 and interests; however, county passenger facilities are  
2 expressly not designated as public forums. It is the purpose  
3 of this section to describe the limited extent to which the  
4 general public is allowed to engage in public communication  
5 activities on county public transit property. This section  
6 does not apply to county employees engaged in authorized  
7 activities in the course of their employment.

8 C. Transit centers, park & ride lots and bus shelters  
9 (herein referred to as "passenger facilities"), including those  
10 located on property owned by the county and those located on  
11 property used by the county under a lease, permit or other  
12 agreement, are the facilities governed by this section. This  
13 section does not apply to the county's activities. Further,  
14 this section does not cover public streets and sidewalks  
15 adjacent to passenger facilities. The downtown Seattle tunnel  
16 and related facilities are governed by the policies set forth  
17 in Section 9 of this ordinance.

18 D. Commercial activities are prohibited in or on  
19 passenger facilities except as authorized by the department in  
20 a written permit, concession contract or newsrack license  
21 agreement. However, posting of literature in accordance with  
22 department regulations is permitted on kiosks or bulletin  
23 boards installed by the department for use by the general  
24 public.

25 E. Public communication activities which are otherwise  
26 lawful are permitted in or on passenger facilities, subject to  
27 the following exceptions and limitations:

28 1. Posting or affixing flyers, pamphlets, brochures,  
29 leaflets, written or graphic material of any kind is  
30 prohibited. However, posting of literature in accordance with  
31 department regulations is permitted on kiosks or bulletin  
32 boards installed by the department for use by the general  
33 public.

34 2. Selling or offering for sale books, pamphlets, or  
35 any other written or printed material is prohibited.

- 1           3. Soliciting or receiving funds is prohibited.
- 2           4. Signs, banners, structures or other paraphernalia  
3 may not be affixed to or erected in or on passenger facilities.
- 4           5. Signs carried by or on a person are permitted  
5 provided the signs are not constructed of a size or material  
6 which could inadvertently or intentionally cause injury to a  
7 person or property. Signs may not be of a size that obstructs  
8 the free flow of pedestrians and may not exceed 36 inches by 36  
9 inches. A "sandwich board" sign may not extend significantly  
10 beyond the carrier's shoulders.
- 11           6. Public communication activities will not be  
12 permitted in parking areas or roadways. Public communication  
13 activities may not block any loading zone, signage, stairway,  
14 escalator, elevator, customer service counter, ticket or  
15 automatic teller machine, authorized commercial activity, any  
16 fire safety system component, telephone, information board or  
17 the normal pedestrian paths to and from such areas.
- 18           7. Public communication activities otherwise permitted  
19 under this section are prohibited if the number of persons  
20 engaged in the activities, their location or their manner of  
21 conducting the activities is found to create safety or security  
22 problems; interfere with the free flow of persons into, within  
23 or from passenger facilities; or interfere with the operation  
24 of the passenger facilities or public transportation services.  
25 A single group whose participants number four (4) or more shall  
26 be required to obtain a letter of authorization from the  
27 department, subject to the department's determination of a  
28 collective maximum number of individuals, representing the same  
29 or different group or cause, which may be authorized at each  
30 facility.
- 31           8. Persons engaged in public communication activities  
32 in or on passenger facilities shall not use any parking spaces  
33 provided at such facilities unless they are also using a public  
34 transportation service.

1 F. Any person engaged in commercial or public  
2 communication activities and found responsible for litter,  
3 damages or destruction of property, whether by accident or  
4 intent, shall be responsible for the clean-up and/or liable for  
5 the cost of repairing or replacing the property.

6 G. Nothing in this section or in the permission of public  
7 communication activities in or on passenger facilities shall  
8 create a duty to any person on the part of the county or form  
9 any basis for liability on the part of the county, the members  
10 of its council, its agents or employees. The obligation to  
11 comply with the requirements of this section is solely that of  
12 any persons engaging in commercial or public communication  
13 activities and the county's enforcement of this section is  
14 discretionary, not mandatory.

15 H. Notwithstanding the limitations and prohibitions  
16 contained in this section, the county reserves the right to  
17 enter into leases or other use agreements permitting non-county  
18 uses of passenger facilities which are found to be compatible  
19 with the county's proprietary public transit function and  
20 interests; provided, the executive shall comply with applicable  
21 King County Charter, King County Code and state law  
22 requirements in executing such leases and agreements.

23 I. The director is authorized to take such actions as may  
24 be necessary or appropriate to implement and enforce this  
25 section in furtherance of the county's interests.

26 SECTION 8. Paratransit Service Plan for Elderly and  
27 People with Disabilities.

28 A. The Paratransit Service Plan (plan) as adopted by the  
29 Metropolitan Council of the Municipality of Metropolitan  
30 Seattle by Resolution No. 6250, as amended by Resolution No.  
31 6493, is hereby re-adopted and ratified and incorporated herein  
32 by reference as part of the public transit function. Under the  
33 plan, paratransit services shall be provided to:

34 1. Eligible persons who are unable to use the mainline  
35 bus system due to a disability; and



1           2. Eligible low income senior citizens and persons  
2 with disabilities.

3           B. Paratransit services under the plan shall be provided  
4 by private carriers and/or private agencies. In accordance  
5 with the procurement and contracting requirements applicable to  
6 the department, the executive or the director, if designated by  
7 the executive, is hereby authorized to enter into contracts and  
8 agreements with such private carriers and private agencies to  
9 provide paratransit services within appropriations authorized  
10 by the council.

11           C. Individuals will be eligible for the paratransit  
12 services if a person:

13                 1. Meets the ADA Paratransit Eligibility Criteria set  
14 forth in 49 CFR part 37; or

15                 2. Is 65 years of age, or disabled, and their income  
16 is at or below seventy percent (70%) of the median income for  
17 the State of Washington, as determined from time-to-time by the  
18 Community Services Division of the Washington State Department  
19 of Social and Health Services.

20           D. The director is authorized to implement appropriate  
21 procedures for the certification of eligibility for paratransit  
22 services.

23           E. The fare for paratransit services shall be the one  
24 zone, off-peak fare set forth in Section 4 of this ordinance.  
25 Monthly and annual passes for paratransit services shall be  
26 available at the same rates as the one zone, off-peak monthly  
27 and annual passes set forth in Section 4 of this ordinance.

28           F. The director is hereby authorized and directed to  
29 prepare and submit the plan, and updates thereto, to the U.S.  
30 Department of Transportation's Federal Transit Administration,  
31 as required by federal regulations.

32           G. The director is also authorized and directed to take  
33 necessary and reasonable actions to carry out the policies set  
34 forth in this section and, in consultation with other local

1 agencies, to cause paratransit services to be monitored and  
2 report thereon from time-to-time to the council.

3 H. When subscription trip demand reaches the fifty percent  
4 (50%) limit established in 49 CFR part 37, priority for  
5 subscription trips shall be given to riders who meet the ADA  
6 eligibility criteria references in this section and federal  
7 regulations.

8 I. The director shall encourage social service agencies  
9 to purchase transportation services directly from the county's  
10 paratransit services broker in order to maximize the use of  
11 public funds and provide comprehensive transportation services  
12 to eligible riders.

13 SECTION 9. Rules and Guidelines Regarding Downtown  
14 Seattle Transit Bus Tunnel Facilities.

15 A. The council makes the following findings with respect  
16 to the underground stations providing access to the buses  
17 running in the downtown Seattle tunnel corridor and above  
18 ground plazas (together hereinafter referred to as "the transit  
19 way").

20 1. The safety, security, comfort and convenience of  
21 passengers will be directly affected by: a. the large number  
22 of passengers utilizing the transit way, particularly at peak  
23 commute hours; b. the ability to maintain precise scheduling of  
24 buses through the tunnel; c. the limited platform space and  
25 restricted bus lanes in the stations; d. the limited  
26 underground exits available in case of an emergency; and e. the  
27 limited space available on station mezzanine and plaza levels  
28 for general pedestrian circulation and for accessing/egressing  
29 station platforms.

30 2. The benefits of the transit way, including the  
31 reduction of general traffic congestion, vehicular and  
32 pedestrian accidents, deterioration of roadways and  
33 environmental pollution, are dependent upon full and efficient  
34 utilization of the transit way, which in turn requires that the

1 tunnel stations and plazas provide a safe, secure, and inviting  
2 atmosphere.

3 3. To provide for the safety, security, comfort and  
4 convenience of passengers, and to encourage their use of the  
5 transit way, public access to the tunnel stations must be  
6 limited, with authorized exceptions, to those using the  
7 facilities for transportation-related activities, and such  
8 activities must be regulated.

9 4. The outdoor plazas associated with the  
10 International District and Convention Place Stations will serve  
11 as both attractive open spaces for the public and as access  
12 points to the tunnel stations. Activities at these locations  
13 must be regulated to meet these dual purposes.

14 B. Public entry to and use of tunnel stations and related  
15 facilities shall be limited to public transportation purposes,  
16 with authorized exceptions, and shall be subject to the rules  
17 and regulations specified in this section, as amended from time  
18 to time by the council.

19 1. The following activities are prohibited within or  
20 upon the transit way unless otherwise excepted.

21 a. Vandalizing county property;

22 b. Carrying flammable liquids, flammable or  
23 nonflammable explosives, acid, illegal weapons, or any other  
24 article or material in a manner that is likely to cause harm to  
25 others; provided, that cigarette, cigar or pipe lighters, and  
26 firearms, weapons, or ammunition may be carried if in a form or  
27 manner that is not otherwise prohibited by law;

28 c. Obstructing the flow of bus or passenger  
29 traffic, access to tunnel stations, or otherwise interfering  
30 with the provision or use of transit services;

31 d. Unreasonably disturbing others by engaging in  
32 loud, raucous, unruly, harmful or harassing behavior;

33 e. Allowing any pet to run at large without a  
34 leash, to unreasonably disturb others, or obstruct the flow of

1 passenger or bus traffic; provided, that pet owners shall be  
2 responsible for cleaning up after their animals;

3 f. Rollerskating, skateboarding, or riding of  
4 bicycles, motorcycles or other vehicles; provided, that  
5 bicycles may be loaded and unloaded from bicycle rack equipped  
6 coaches only at the platform level of Convention Place and  
7 International District stations, may not be transported on  
8 escalators and must be walked when on station grounds;

9 g. Smoking or carrying a lighted or smoldering  
10 pipe, cigar, or cigarette; provided, that these activities are  
11 permitted only on the plaza level of Convention Place and  
12 International District stations;

13 h. Discarding litter other than in designated  
14 receptacles or throwing objects onto the transit roadway,  
15 platforms, or staging areas;

16 i. Spitting, urinating or defecating;

17 j. Eating or drinking on the platform level of  
18 stations; provided, that eating and drinking are permitted on  
19 mezzanine and plaza levels of stations, **except** that the  
20 consumption or possession of an open container of liquor is  
21 prohibited unless authorized as part of a scheduled special  
22 event;

23 k. Use of a public address system, loudspeaker or  
24 other sound amplifying device, except as authorized by the  
25 director;

26 l. Playing a radio, tape recorder, or any other  
27 sound-producing equipment, except when such equipment is  
28 connected to earphones that limit the sound to individual  
29 listeners; provided, that use of communication devices by  
30 county employees, county contractors or public safety officers  
31 in the line of duty is permitted, as is the use of private  
32 communication devices used to summon or notify individuals  
33 (e.g. "beepers" or portable telephones);

34 m. Sleeping, camping or storing personal property  
35 on benches, floors or other transit way property;

1 n. Entering or crossing the transit roadway, except  
2 when instructed to by county or public safety personnel;

3 o. Entering nonpublic areas, including but not  
4 limited to staging areas, equipment rooms, and the transit way,  
5 except when authorized by the director;

6 p. Selling or distributing goods or services,  
7 except as authorized by the director;

8 q. Distributing literature, public speaking,  
9 demonstrations, the unscheduled playing of musical instruments  
10 or other performances, and the solicitation of funds or  
11 petition signatures on the platform level of tunnel stations;  
12 provided, that these activities are permitted on the mezzanine  
13 and plaza levels of stations to the extent they are conducted  
14 in a manner consistent with guidelines issued by the director;  
15 in the case of playing musical instruments, the sound level  
16 must be in compliance with applicable City of Seattle noise  
17 ordinances;

18 r. Unauthorized posting or erecting of any sign,  
19 signboard, bulletin board or device of any kind for advertising  
20 or notification; provided, that the carrying of signs is  
21 permitted provided the signs do not obstruct or inconvenience  
22 the flow of passenger traffic or pose a safety risk; and

23 s. Use of tunnel facilities for non-public  
24 transportation purposes, except as authorized by the director;  
25 provided, that the use of station plaza or mezzanine levels for  
26 non-public transportation purposes (e.g. commercial, cultural,  
27 civic or other special events) shall be permitted when  
28 authorized by the director and conducted in a manner consistent  
29 with guidelines issued by the director.

30 2. Public entry to and use of the outdoor plazas at  
31 the International District and Convention Place stations shall  
32 be permitted for both public transportation and certain limited  
33 cultural, recreational, commercial and civic purposes. Public  
34 conduct on the plazas shall also be subject to applicable rules  
35 and guidelines specified in this section.

1 .3. Violation of the rules may result in the revocation  
2 of an individual's license of entry and shall, under certain  
3 conditions, be the basis for prosecution for criminal trespass  
4 under state and local law.

5 C. The director shall cause signs to be posted notifying  
6 the public of the general conditions of entry to the tunnel  
7 stations, plazas and related facilities, substantially in the  
8 form of:

9 *THIS FACILITY IS INTENDED FOR COUNTY TRANSPORTATION*  
10 *SERVICES AND CUSTOMERS. WHEN ON THE PREMISES, PERSONS*  
11 *MUST COMPLY WITH COUNTY LAWS AND APPLICABLE RULES AND*  
12 *REGULATIONS. FAILURE TO COMPLY CAN RESULT IN REMOVAL FROM*  
13 *THE PREMISES AND/OR ARREST FOR CRIMINAL TRESPASS. YOUR*  
14 *COOPERATION IS APPRECIATED.*

15 Rules that are easily presented through universal symbols or  
16 short phrases will be posted in various locations throughout  
17 the stations and plazas. Additionally, the rules will be  
18 posted at a given location at each station in their entirety.

19 D. Violation of a rule shall be grounds for expulsion  
20 from a station or plaza. Failure, upon request, to comply with  
21 a rule or leave the premises when a rule has been violated  
22 shall be grounds for prosecution for criminal trespass.  
23 Violations of existing law in or upon tunnel facilities will be  
24 handled by law enforcement officers in a manner authorized by  
25 law.

26 E. The director is authorized to take such actions as may  
27 be necessary or appropriate to implement and enforce these  
28 rules of conduct, including, but not limited to, the  
29 development and implementation of more detailed policies and  
30 programs consistent with the general rules of conduct adopted  
31 by this section.

32 SECTION 10. Mitigation of Adverse Impacts on Public  
33 Transportation.

34 A. To assist in mitigating the adverse impacts of new or  
35 existing developments on public transportation and to meet

1 requirements on new or existing developments established by  
2 local jurisdictions, the executive, or the director if  
3 designated by the executive, is authorized to enter into  
4 agreements with developers, employers, property owners and  
5 local jurisdictions under which such parties would donate  
6 property or cash to the department for public transportation  
7 purposes and/or compensate the department for services,  
8 including but not limited to certifying and administering  
9 carpool parking and monitoring private sector transportation  
10 management programs and actions; provided, that such agreements  
11 shall be approved by the council as required by the county  
12 charter, county code and/or applicable state law; and provided  
13 further, that such donations and agreements must be approved by  
14 the local jurisdiction imposing such requirements.

15 B. Each agreement shall include a termination for  
16 convenience provision and a term of not greater than five  
17 years.

18 C. The provisions of this section shall not supersede the  
19 terms of the Commuter Pool Transfer Agreement executed by the  
20 City of Seattle and Municipality of Metropolitan Seattle on  
21 March 15, 1984.

22 D. The director shall submit annual reports to the  
23 council on the number and nature of donations accepted and  
24 agreements entered into under this section.

25 SECTION 11. Alternative Fuel Systems.

26 A. It is the policy of the county to purchase, operate  
27 and maintain motor buses that use alternative fuel systems  
28 including electric trolleys where practical, as soon as such  
29 systems are available as production models from reputable  
30 manufacturer(s), are capable of meeting or exceeding the  
31 county's then current operating performance requirements, and  
32 are certified for air quality compliance by regulatory  
33 agencies.

34 B. The director or his/her designee is hereby directed to  
35 take actions necessary to implement said policy as soon as

1 practical and to prepare a transition plan that shall provide  
2 for development of fueling systems, facility modifications, and  
3 employee training prior to delivery of motor buses using  
4 alternative fuel systems. The director shall make periodic  
5 reports to the council on the progress of this plan.

6 SECTION 12. Historic Vehicle Fleet.

7 A. The department shall maintain the Historic Vehicle  
8 Fleet established by Metro.

9 B. The following criteria shall be employed by the  
10 director for making decisions on additions to the county's  
11 Historic Vehicle Fleet:

12 1. The vehicle must have been operated in public  
13 transit service in the Seattle/King County area by the county  
14 or one of its predecessor operators. It is the intent that the  
15 Historic Vehicle Fleet be limited to vehicles actually operated  
16 in the service area of the county.

17 2. A significant number of these vehicles should have  
18 operated in the Seattle/King County area for an extended period  
19 of time (at least 10 years).

20 3. The vehicle should have introduced a significant  
21 innovation in the transit industry or a significant feature  
22 benefiting transit riders in the Seattle/King County area.

23 4. The vehicle should be significant because of its  
24 rarity or uniqueness, either as a vehicle type or as a  
25 representative of a predecessor transit operator.

26 C. To be considered for historic vehicle status, a report  
27 will be prepared for submission to the director describing the  
28 vehicle and detailing the result of the application of each  
29 criterion. Final determination of historic vehicle status  
30 rests with the director.

31 D. Once a vehicle has been determined by the director to  
32 be an historic vehicle, it will be retained as a part of the  
33 Historic Vehicle Fleet.

34 E. If the council determines to dispose of or discontinue  
35 the Historic Vehicle Fleet, to the extent permitted by



1 applicable law, the Fleet or individual historic vehicles may  
2 be offered to the Metro Employees Historic Vehicle Association,  
3 as contemplated by the agreement entered into by Metro and said  
4 Association, or to a local museum.

5 SECTION 13. Public Restroom Policy for Public Transit  
6 Program.

7 A. The county will provide public restrooms at transit  
8 centers that meet the following criteria.

9 1. The transit center has been designed and sited  
10 principally to facilitate transfers between different routes.

11 2. The transit center is to be developed off-street on  
12 property that the county either owns or controls through a  
13 long-term lease.

14 3. County service through the transit center makes  
15 significant use of "timed meet" schedules.

16 4. The transit center has capacity for eight or more  
17 in-service coaches; layover bays or terminal space do not count  
18 toward meeting this capacity requirement.

19 5. There is adequate space on the transit center  
20 platform to provide a restroom facility without compromising  
21 operating requirements.

22 6. A daily platform population of 2,000 or more  
23 patrons is projected. This includes transfer activity as well  
24 as trips originating or terminating at the center.

25 7. At least 25 buses per peak hour pass through the  
26 transit center.

27 8. Independent of any decision to provide a public  
28 restroom, the level of operational activity at the transit  
29 center justifies the on-site assignment of a service supervisor  
30 for all or a portion of the operating day.

31 B. If these criteria are met, the public restroom will be  
32 a uni-sex facility that will be used both by county employees  
33 and by the general public. The restroom will only be available  
34 to the public for those hours when a service supervisor is  
35 scheduled to be on-site to manage the service. During those

1 hours, public access to the facility will be controlled by this  
2 supervisor.

3 C. If a local jurisdiction or adjacent property owners  
4 wish to expand hours of public access to the restroom beyond  
5 those available through the department's normal staff  
6 assignments, the local jurisdiction or property owner and the  
7 county may elect to enter into an agreement to share the  
8 additional operating costs for expanded restroom hours;  
9 provided, that such agreements shall be approved by the council  
10 as required by the King County Charter, the King County Code  
11 and/or applicable state law.

12 D. The department shall not provide public restrooms at  
13 any of the county's customer facilities that do not meet the  
14 criteria above, including the Downtown Seattle Tunnel.

15 E. The county will not staff its customer facilities  
16 simply to maintain or expand hours of access to public  
17 restrooms.

18 SECTION 14. Commute Trip Reduction Program. To assist  
19 local and state agencies in implementing RCW 70.94.521 et seq.,  
20 known as the Commute Trip Reduction Law, the director is  
21 authorized to develop and administer a commute trip reduction  
22 ("CTR") program to provide administrative services such as  
23 employer assistance, worksite identification and notification,  
24 database development, program review and reporting, and  
25 ordinance development to such agencies and/or employers. The  
26 executive or director, if designated by the executive, is  
27 authorized to enter into agreements with local and state  
28 agencies and/or employers in King County under which the  
29 department would provide and the agencies and/or employers  
30 would pay for such administrative services; provided, that the  
31 department shall recover its costs to the maximum extent  
32 practicable under such agreements; and provided further, that  
33 such agreements shall be approved by the Metropolitan County  
34 Council to the extent such approval is required by King County  
35 charter, King County code and/or applicable state law.

1 SECTION 15. The director is authorized to adopt such  
2 administrative rules and procedures as are necessary to  
3 implement the provisions of this ordinance.

4 SECTION 16. Effective date. The effective date of  
5 this ordinance is January 1, 1994.

6 SECTION 17. Severability. If any provision of this  
7 ordinance or its application to any person or circumstances is  
8 held invalid, the remainder of the ordinance or the application  
9 of the provision to other persons or circumstances is not  
10 affected.

11 INTRODUCED AND READ for the first time this 23<sup>rd</sup> day  
12 of August, 1993.

13 PASSED this 20<sup>th</sup> day of September, 1993

14 KING COUNTY COUNCIL  
15 KING COUNTY, WASHINGTON

*Cathie Sullivan*  
VICE Chair

16  
17  
18 ATTEST:

19 *Janet Mason*  
20 Clerk of the Council

21 APPROVED this 22<sup>ND</sup> day of September, 1993.

*D. Zieg*  
King County Executive

24 Attachments:  
25 A. Public Transit Regular Routes