

**INTERCITY TRANSIT  
RESOLUTION NO. 01-2024  
Providing for the Community Van Program**

**RESOLUTION 06-03**, which established the Community Van program through which Intercity Transit leases vans to qualifying organizations which meet public transportation needs, is hereby amended as follows:

**WHEREAS**, Intercity Transit is a public transportation benefit area (PTBA), operating under the authority of Chap. 36.57A RCW. The central purpose and authority of a PTBA is to provide public transportation services within its area. See RCW 36.57A.020 and 080. The area of Intercity Transit includes the cities of Olympia, Lacey, Tumwater and Yelm, most of the urban growth areas around those cities, and a corridor between Lacey and Yelm.

**WHEREAS**, even with its recent increase in tax revenues, Intercity Transit does not have the means or revenue to meet all the public transportation needs within its area. A significant part of these unmet public transportation needs is found in the members, clients, or other users of the services supplied by many nonprofit organizations and community groups in areas not served by fixed routes, as well as users of services provided by local governments.

**WHEREAS**, the leasing of vans to these organizations and to certain governmental agencies would fulfill many of these unmet public transportation needs and would thus provide better public transportation services within Intercity Transit's area. This program would increase the mobility, access and transportation options of residents of the PTBA and would tend to reduce the use of private vehicles.

**WHEREAS**, Intercity Transit has surplus vanpool vans which are suited to this purpose.

**WHEREAS**, to ensure that this program serves public, not private transportation needs, only government agencies and private nonprofit organizations qualifying under 26 USC 501(c)(3) will be eligible to participate. To ensure that the benefits to public transportation are both tangible and accountable, applicants will be required to describe the population and area to be served, the purpose of the transportation provided, the extent of vehicle use, the expected number of passenger trips, how the transportation will be coordinated with other community programs and with Intercity Transit and how the public transportation needs of the organization are presently not met. Only those applicants which the General Manager deems to serve

an unmet public transportation need will be allowed to participate in the program.

**WHEREAS**, to further ensure that the program provides tangible benefits to public transportation, the staff shall also develop a set of monitoring requirements to ensure that participants continue to serve these purposes.

**WHEREAS**, the public transportation function of Intercity Transit is served by providing trips within its area and trips that originate within its area. This purpose is not served by a participant providing trips which originate outside its area and thus serve a population outside Intercity Transit. For this reason, all participants must demonstrate that they would provide trips originating within Intercity Transit's area.

**WHEREAS**, to further ensure that this program is used to meet a public transportation need of Intercity Transit, and not serve predominantly private purposes, trips supplied through this program must remain within a 150-mile radius of the Intercity Transit PTBA.

**WHEREAS**, this program is not intended to make gifts or donations to any person or organization. Intercity Transit will charge participants a rate per mile which is sufficient to cover maintenance, fuel, insurance and other operating costs. The purposes of this program will ensure that a participant in this program supplies tangible and valuable services to Intercity Transit through the provision of public transportation. These services, together with the mile rate paid to Intercity Transit, constitute payment of true and full value for the leased vans.

**WHEREAS**, to ensure compliance with RCW 42.17A.555, the vans should not be made available to political organizations or for assisting a campaign for election or for the promotion of or opposition to any ballot proposition.

**NOW, THEREFORE, BE IT RESOLVED BY THE INTERCITY TRANSIT AUTHORITY AS FOLLOWS:**

1. The General Manager or designee shall implement a program in which Intercity Transit leases or rents surplus vanpool vans to eligible organizations ("User Groups") for uses which will help satisfy unmet public transportation needs in Intercity Transit's area. Eligible organizations are limited to government agencies and private nonprofit organizations qualifying under 26 USC 501(c)(3).
2. The General Manager or designee shall require qualified agencies to sign a contract whereby the User Group agrees to assume risk for their drivers and

agrees to Intercity Transit's terms of service before reserving a van.

3. The General Manager or designee shall provide potential users of Community Van service with an application form which requires applicants to describe the population and area to be served, the purpose of the transportation provided, the extent of vehicle use, the expected number of passenger trips, how the transportation will be coordinated with other community programs and with Intercity Transit, how the public transportation needs of the organization are presently not met, and any other relevant information.
4. Based on the information described in Sec. 2, above, the General Manager or designee will select participants which will serve unmet public transportation needs in the Intercity Transit PTBA. Qualified participants will be chosen on a first come, first served basis. The General Manager or designee shall also verify that User Groups develop a set of monitoring requirements to ensure that participants continue to serve these purposes.
5. Participating organizations shall be charged a rate per mile which will reimburse Intercity Transit for maintenance, fuel, insurance and other operating costs.
6. Participating organizations are responsible for providing drivers, publicizing the program, scheduling trips, and submitting required reports. Only individuals who have completed training and have been verified as trained by Intercity Transit are eligible to serve as drivers. Intercity Transit will provide training. User Groups will review the driving records of potential drivers and provide those records to Intercity Transit for review. Intercity Transit reserves the right to deny driving privileges to any driver applicant, by providing written notice thereof to the User Group..
7. Intercity Transit will provide insurance for the vehicle through the Washington State Transit Insurance Pool. Participating organizations will be required to sign a hold harmless agreement and provide liability insurance acceptable to Intercity Transit.
8. Vans under this program may only be used to provide trips which originate within the Intercity Transit PTBA. In addition, trips under this program must remain within a 150-mile radius of the Intercity Transit PTBA.

9. To ensure compliance with Chap. 36.57A and to ensure that charter services are not authorized, participating organizations shall only provide transportation to their clients, members, guests or other similar users with vans supplied under this program. They shall not provide transportation to the general public.

**ADOPTED: This 3<sup>rd</sup> day of January 2024**

**INTERCITY TRANSIT AUTHORITY**

*Clark Gilman*  
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**Clark Gilman, Chair**

**ATTEST:**

*Patricia Messmer*  
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**Pat Messmer**  
**Executive Assistant/Clerk of the Board**

**APPROVED AS TO FORM**

*Jeffrey S. Myers*  
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**Jeffrey S. Myers**  
**Legal Counsel**