

---

ENGROSSED SUBSTITUTE HOUSE BILL 1923

---

State of Washington

69th Legislature

2025 Regular Session

**By** House Transportation (originally sponsored by Representatives Nance, Berry, Fitzgibbon, Simmons, Richards, Thomas, Scott, Parshley, Pollet, Shavers, and Davis)

READ FIRST TIME 02/28/25.

1       AN ACT Relating to increasing the availability of passenger-only  
2 ferries by establishing the mosquito fleet act; amending RCW  
3 36.57A.222; creating new sections; providing an effective date; and  
4 declaring an emergency.

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

6       NEW SECTION.       **Sec. 1.**       Passenger-only ferry service is the  
7 fastest way to get boats on the water and build the capacity  
8 necessary to respond to Washington state ferries' service  
9 disruptions, which will alleviate the negative impacts that those  
10 disruptions and cancellations have on the people of Washington state.  
11 Increased passenger-only ferry service will also ensure reliable  
12 access to health care, education, and work for communities that are  
13 dependent on ferry service.

14       Bolstering passenger-only ferry capacity ahead of the FIFA world  
15 cup will help to ensure its success and bridge the gap in ferry  
16 capacity before the next Washington state ferries procurement cycle  
17 puts boats in the water. This will help tourism-dependent small  
18 businesses across the state, while honoring our state's commitment to  
19 environmental progress and helping Washingtonians travel and connect  
20 without driving. Increased passenger-only ferry service will also  
21 support workforce development, by creating a workforce pipeline of

1 hard-working mariners who can upgrade their licenses to take on  
2 larger vessels, including Washington state ferries and private sector  
3 opportunities.

4 The legislature, therefore, finds that additional passenger-only  
5 ferry service is necessary in order to improve the lives of all  
6 Washingtonians, while also honoring Washington's maritime heritage  
7 and the original mosquito fleet that helped build the Washington we  
8 love.

9 The legislature further finds that the protection of the  
10 environment, and specifically southern resident orcas, must be  
11 considered in the expansion of passenger-only ferry service. In  
12 keeping with this, passenger-only ferries should not only follow all  
13 applicable existing laws designed to protect southern resident orcas,  
14 but also work to adopt best practices and the most effective  
15 technologies, such as whale reporting systems, automated ship  
16 identification systems, and advanced propulsion systems, in order to  
17 minimize impacts to the environment and southern resident orcas.

18 **Sec. 2.** RCW 36.57A.222 and 2015 3rd sp.s. c 44 s 313 are each  
19 amended to read as follows:

20 (1) A governing body of a county under Title 36 RCW, a port  
21 district under Title 53 RCW, a public transportation benefit area~~((~~  
22 ~~located in a county that only borders the western side of Puget Sound~~  
23 ~~with a population of more than two hundred thousand and contains one~~  
24 ~~or more Washington state ferries terminals))~~ under chapter 36.57A  
25 RCW, a city transit system under RCW 35.58.2721, a county  
26 transportation authority under chapter 36.57 RCW, a metropolitan  
27 municipal corporation transit system under chapter 36.56 RCW, an  
28 unincorporated transportation benefit area under RCW 36.57.100, or a  
29 regional transit authority under chapter 81.112 RCW, that borders  
30 Puget Sound or Grays Harbor, may establish one or more passenger-only  
31 ferry service districts within all or a portion of the boundaries of  
32 the ~~((public transportation benefit area))~~ entity establishing the  
33 passenger-only ferry service district. A passenger-only ferry service  
34 district may include all or a portion of a city or town as long as  
35 all or a portion of the city or town boundaries are within the  
36 boundaries of the establishing ~~((public transportation benefit area))~~  
37 entity. The members of the ~~((public transportation benefit area))~~  
38 governing body of the entity proposing to establish the passenger-  
39 only ferry service district, acting ex officio and independently,

1 constitutes the governing body of the passenger-only ferry service  
2 district.

3 (2) A passenger-only ferry service district may establish,  
4 finance, and provide passenger-only ferry service, and associated  
5 services to support and augment passenger-only ferry service  
6 operation, within its boundaries in the same manner as authorized for  
7 (~~((public transportation benefit areas under this chapter))~~) the entity  
8 establishing the district.

9 (3) A passenger-only ferry service district constitutes a body  
10 corporate and possesses all the usual powers of a corporation for  
11 public purposes as well as all other powers that may be conferred by  
12 statute including, but not limited to, the authority to hire  
13 employees, staff, and services, to enter into contracts, to acquire,  
14 hold, and dispose of real and personal property, and to sue and be  
15 sued. Public works contract limits applicable to the (~~((public~~  
16 ~~transportation benefit area))~~) entity that established the passenger-  
17 only ferry service district apply to the district. For purposes of  
18 this section, "passenger-only ferry service district" means a quasi-  
19 municipal corporation and independent taxing authority within the  
20 meaning of Article VII, section 1 of the state Constitution, and a  
21 taxing district within the meaning of Article VII, section 2 of the  
22 state Constitution, created by the (~~((legislative))~~) governing body of  
23 a county under Title 36 RCW, a port district under Title 53 RCW, a  
24 public transportation benefit area under chapter 36.57A RCW, a city  
25 transit system under RCW 35.58.2721, a county transportation  
26 authority under chapter 36.57 RCW, a metropolitan municipal  
27 corporation transit system under chapter 36.56 RCW, an unincorporated  
28 transportation benefit area under RCW 36.57.100, or a regional  
29 transit authority under chapter 81.112 RCW.

30 (4) Before a passenger-only ferry service district may provide  
31 passenger-only ferry service, it must develop a passenger-only ferry  
32 investment plan, including elements: To operate or contract for the  
33 operation of passenger-only ferry services; to purchase, lease, or  
34 rent ferry vessels and dock facilities for the provision of transit  
35 service; and to identify other activities necessary to implement the  
36 plan. The plan must set forth terminal locations to be served,  
37 projected costs of providing services, and revenues to be generated  
38 from tolls, locally collected tax revenues, and other revenue  
39 sources. The plan must ensure that services provided under the plan  
40 are for the benefit of the residents of the passenger-only ferry

1 service district. The passenger-only ferry service district may use  
2 any of its powers to carry out this purpose, unless otherwise  
3 prohibited by law. In addition, the passenger-only ferry service  
4 district may enter into: Contracts and agreements to operate  
5 passenger-only ferry service; public-private partnerships; and  
6 design-build, general contractor/construction management, or other  
7 alternative procurement processes substantially consistent with  
8 chapter 39.10 RCW.

9 (5) A passenger-only ferry service district may be dissolved by a  
10 majority vote of the governing body when all obligations under any  
11 general obligation bonds issued by the passenger-only ferry service  
12 district have been discharged and any other contractual obligations  
13 of the passenger-only ferry service district have either been  
14 discharged or assumed by another governmental entity.

15 NEW SECTION. **Sec. 3.** This act may be known and cited as the  
16 mosquito fleet act.

17 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
18 preservation of the public peace, health, or safety, or support of  
19 the state government and its existing public institutions, and takes  
20 effect July 1, 2025.

--- END ---