

To the County Council:

Barbara Brenner, Sam Crawford, Kathy Kershner, Bill Knutzen, Pete Kremen, Ken Mann, and Carl Weimer

The Lummi Island Ferry Advisory Committee, after further and extensive review of an amendment to the ferry's Unified Fee Schedule to include a "Ferry Non-Payment Fee" – a proposed \$30 flat-fee penalty (AB2013-289), we recommend that you vote "NO."

We previously recommended, upon very short notice and with no time to review thoroughly, that you delay introduction of this amendment. Introduction was premature.

It is not in the County's best interest to establish a non-payment fee/penalty/fine at this time because:

1. It is introduced out of context, without electronic fare collection. (Explanation to follow.)
2. An ordinance already is in place for a penalty of \$30 for the only means of paying a ferry fare other than cash (NSF, i.e., bounced check).
3. The methodology for pursuing the collection is not practical for ferry deck operators in current collection circumstances, and would add costs for administration of the penalty collections.

Re: Item 1: This proposed action was presented originally to the Council Committee for Public Works, Health, and Safety months ago in the context of establishing electronic means for fare collection. Within that context, a fine or penalty for non-payment once aboard the ferry – with all reasonable means of payment in place – might have reasonable application.

With cash (and check) as the only means of payment, any given ferry user reasonably could assume payment is acceptable by credit or debit card, similar to other ferry systems and major means of transportation.

We addressed the issue with ferry operators and in public meetings with islanders (and received many phone calls and emails from islanders protesting the action). Ferry operators in consensus do not perceive a severe problem with uncollected fares.

We believe firmly that it is not in the County's best interest to enact the proposed amendment, for reasons of (a.) impractical applications, (b.) fairness to ferry users who have limited options for payment, (c.) financial costs to the County (administering the reporting and collection of fines/penalties), and (d.) public relations.

Please refer to the previously submitted recommendation by LIFAC that Council decline to introduce the proposed ordinance amendment, a recommendation subverted by a hasty decision by one Council member that amounted to “let’s do it because we can.” Therefore, it was introduced without due diligence in review, research, and consideration of its ramifications and context by both LIFAC and Council.

Thank you.
Respectfully submitted by,

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