

2 **SSB 5876 - H COMM AMD ADOPTED 4-12-93**

3 By Committee on Transportation

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that ride sharing and  
8 vanpools are the fastest growing transportation choice because of their  
9 flexibility and cost-effectiveness. Ride sharing and vanpools  
10 represent an effective means for local jurisdictions, transit agencies,  
11 and the private sector to assist in addressing the requirements of the  
12 Commute Trip Reduction Act, the Growth Management Act, the Americans  
13 with Disabilities Act, and the Clean Air Act.

14 **Sec. 2.** RCW 82.08.0287 and 1980 c 166 s 1 are each amended to read  
15 as follows:

16 The tax imposed by this chapter shall not apply to sales of  
17 ~~((vans))~~ passenger motor vehicles which are to be used ~~((regularly))~~ as  
18 ride-sharing vehicles, as defined in RCW 46.74.010(3), by not less than  
19 ~~((seven))~~ five persons, including ~~((passengers and))~~ the driver, with  
20 a gross vehicle weight not to exceed 10,000 pounds where the primary  
21 usage is for commuter ride-sharing, as defined in RCW 46.74.010(1), or  
22 passenger motor vehicles where the primary usage is for ride-sharing  
23 for the elderly and the handicapped, as defined in RCW 46.74.010(2), if  
24 the ride-sharing vehicles are exempt under RCW 82.44.015 for thirty-six  
25 consecutive months beginning within thirty days of application for  
26 exemption under this section. If used as a ride-sharing vehicle for  
27 less than thirty-six consecutive months, the registered owner of one of  
28 these vehicles shall notify the department of revenue upon termination  
29 of primary use of the vehicle as a ride-sharing vehicle and is liable  
30 for the tax imposed by this chapter.

31 To qualify for the tax exemption, those passenger motor vehicles  
32 with five or six passengers, including the driver, used for commuter  
33 ride-sharing, must be operated either within the state's eight largest  
34 counties that are required to develop commute trip reduction plans as  
35 directed by chapter 70.94 RCW or in other counties, or cities and towns

1 within those counties, that elect to adopt and implement a commute trip  
2 reduction plan. Additionally at least one of the following conditions  
3 must apply: (1) The vehicle must be operated by a public  
4 transportation agency for the general public; or (2) the vehicle must  
5 be used by a major employer, as defined in RCW 70.94.524 as an element  
6 of its commute trip reduction program for their employees; or (3) the  
7 vehicle must be owned and operated by individual employees and must be  
8 registered either with the employer as part of its commute trip  
9 reduction program or with a public transportation agency serving the  
10 area where the employees live or work. Individual employee owned and  
11 operated motor vehicles will require certification that the vehicle is  
12 registered with a major employer or a public transportation agency.  
13 Major employers who own and operate motor vehicles for their employees  
14 must certify that the commuter ride-sharing arrangement conforms to a  
15 carpool/vanpool element contained within their commute trip reduction  
16 program.

17 **Sec. 3.** RCW 82.44.015 and 1982 c 142 s 1 are each amended to read  
18 as follows:

19 For the purposes of this chapter, in addition to the exclusions  
20 under RCW 82.44.010, "motor vehicle" shall not include: (1) ~~((Vans))~~  
21 Passenger motor vehicles used ~~((regularly))~~ primarily as ride-sharing  
22 vehicles, as defined in RCW 46.74.010(3), by not fewer than ~~((seven))~~  
23 five persons, including ~~((passengers and))~~ the driver, or not fewer  
24 than ~~((five))~~ four persons including the driver, when at least  
25 ~~((three))~~ two of those persons are confined to wheelchairs when riding;  
26 or (2) vehicles with a seating capacity greater than fifteen persons  
27 which otherwise qualify as ride-sharing vehicles under RCW 46.74.010(3)  
28 used exclusively for ride sharing for the elderly or the handicapped by  
29 not fewer than seven persons, including the driver. This exemption is  
30 restricted to passenger motor vehicles with a gross vehicle weight not  
31 to exceed 10,000 pounds where the primary usage is for commuter ride-  
32 sharing as defined in RCW 46.74.010(1). The registered owner of one of  
33 these vehicles shall notify the department of licensing upon  
34 termination of ~~((regular))~~ primary use of the vehicle as a ride-sharing  
35 vehicle and shall be liable for the tax imposed by this chapter,  
36 prorated on the remaining months for which the vehicle is licensed.

37 To qualify for the tax exemption, those passenger motor vehicles  
38 with five or six passengers, including the driver, used for commuter

1 ride-sharing, must be operated either within the state's eight largest  
2 counties that are required to develop commute trip reduction plans as  
3 directed by chapter 70.94 RCW or in other counties, or cities and towns  
4 within those counties, that elect to adopt and implement a commute trip  
5 reduction plan. Additionally at least one of the following conditions  
6 must apply: (1) The vehicle must be operated by a public  
7 transportation agency for the general public; or (2) the vehicle must  
8 be used by a major employer, as defined in RCW 70.94.524 as an element  
9 of its commute trip reduction program for their employees; or (3) the  
10 vehicle must be owned and operated by individual employees and must be  
11 registered either with the employer as part of its commute trip  
12 reduction program or with a public transportation agency serving the  
13 area where the employees live or work. Individual employee owned and  
14 operated motor vehicles will require certification that the vehicle is  
15 registered with a major employer or a public transportation agency.  
16 Major employers who own and operate motor vehicles for their employees  
17 must certify that the commuter ride-sharing arrangement conforms to a  
18 carpool/vanpool element contained within their commute trip reduction  
19 program.

20 **Sec. 4.** RCW 82.12.0282 and 1980 c 166 s 2 are each amended to read  
21 as follows:

22 The tax imposed by this chapter shall not apply with respect to the  
23 use of ~~((vans))~~ passenger motor vehicles used ((regularly)) as ride-  
24 sharing vehicles, as defined in RCW 46.74.010(3), by not less than  
25 ((seven)) five persons, including ~~((passengers and))~~ the driver, with  
26 a gross vehicle weight not to exceed 10,000 pounds where the primary  
27 usage is for commuter ride-sharing, as defined in RCW 46.74.010(1), or  
28 passenger motor vehicles where the primary usage is for ride-sharing  
29 for the elderly and the handicapped, as defined in RCW 46.74.010(2), if  
30 the ~~((vans))~~ vehicles are exempt under RCW 82.44.015 for thirty-six  
31 consecutive months beginning within thirty days of application for  
32 exemption under this section. If used as a ride-sharing vehicle for  
33 less than thirty-six consecutive months, the registered owner of one of  
34 these vehicles shall notify the department of revenue upon termination  
35 of primary use of the vehicle as a ride-sharing vehicle and is liable  
36 for the tax imposed by this chapter.

37 To qualify for the tax exemption, those passenger motor vehicles  
38 with five or six passengers, including the driver, used for commuter

1 ride-sharing, must be operated either within the state's eight largest  
2 counties that are required to develop commute trip reduction plans as  
3 directed by chapter 70.94 RCW or in other counties, or cities and towns  
4 within those counties, that elect to adopt and implement a commute trip  
5 reduction plan. Additionally at least one of the following conditions  
6 must apply: (1) The vehicle must be operated by a public  
7 transportation agency for the general public; or (2) the vehicle must  
8 be used by a major employer, as defined in RCW 70.94.524 as an element  
9 of its commute trip reduction program for their employees; or (3) the  
10 vehicle must be owned and operated by individual employees and must be  
11 registered either with the employer as part of its commute trip  
12 reduction program or with a public transportation agency serving the  
13 area where the employees live or work. Individual employee owned and  
14 operated motor vehicles will require certification that the vehicle is  
15 registered with a major employer or a public transportation agency.  
16 Major employers who own and operate motor vehicles for their employees  
17 must certify that the commuter ride-sharing arrangement conforms to a  
18 carpool/vanpool element contained within their commute trip reduction  
19 program.

20 **Sec. 5.** RCW 46.16.023 and 1987 c 175 s 2 are each amended to read  
21 as follows:

22 (1) Every owner or lessee of a vehicle seeking to apply for an  
23 excise tax exemption under RCW 82.08.0287, 82.12.0282, or 82.44.015  
24 shall apply to the director for, and upon satisfactory showing of  
25 eligibility, receive in lieu of the regular motor vehicle license  
26 plates for that vehicle, special plates of a distinguishing separate  
27 numerical series or design, as the director shall prescribe. In  
28 addition to paying all other initial fees required by law, each  
29 applicant for the special license plates shall pay an additional  
30 license fee of twenty-five dollars upon the issuance of such plates.  
31 The special fee shall be deposited in the motor vehicle fund.  
32 Application for renewal of the license plates shall be as prescribed  
33 for the renewal of other vehicle licenses. No renewal is required for  
34 vehicles exempted under RCW 46.16.020.

35 (2) Whenever the ownership of a vehicle receiving special plates  
36 under subsection (1) of this section is transferred or assigned, the  
37 plates shall be removed from the motor vehicle, and if another vehicle  
38 qualifying for special plates is acquired, the plates shall be

1 transferred to that vehicle for a fee of five dollars, and the director  
2 shall be immediately notified of the transfer of the plates. Otherwise  
3 the removed plates shall be immediately forwarded to the director to be  
4 canceled. Whenever the owner or lessee of a vehicle receiving special  
5 plates under subsection (1) of this section is for any reason relieved  
6 of the tax-exempt status, the special plates shall immediately be  
7 forwarded to the director along with an application for replacement  
8 plates and the required fee. Upon receipt the director shall issue the  
9 license plates that are otherwise provided by law.

10 (3) Any person who knowingly makes any false statement of a  
11 material fact in the application for a special plate under subsection  
12 (1) of this section is guilty of a gross misdemeanor.

13 NEW SECTION. Sec. 6. 1987 c 175 s 1 (uncodified) is repealed."

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