
HOUSE BILL 2704

State of Washington 62nd Legislature 2012 Regular Session

By Representatives Billig, Clibborn, Armstrong, Liias, and Asay

Read first time 01/25/12. Referred to Committee on Transportation.

1 AN ACT Relating to a road user future funding task force; adding
2 new sections to chapter 47.01 RCW; creating a new section; and
3 providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) An efficient and effective transportation system is critical
7 for Washington's economy and quality of life. Continued efficiency and
8 effectiveness depend on a stable and reliable source of revenue to fund
9 the system's maintenance, operation, preservation, and improvements.

10 (b) The motor vehicle fuel and special fuel taxes have been a
11 fundamental means of paying for state roads, ferries, and the
12 Washington state patrol for over ninety years, and the taxes still
13 provide well over fifty percent of ongoing state revenue for
14 transportation purposes. Until recently, these taxes have been a
15 source of revenue that has had stable growth.

16 (c) Since the year 2000, the average annual growth in the
17 consumption of gasoline and diesel in Washington, upon which the motor
18 vehicle fuel and special fuel taxes are based, has been less than one-

1 twentieth of one percent. At the same time, the average annual growth
2 in the cost of maintaining one lane mile in the state highway system
3 has been 2.8 percent.

4 (d) Changing conditions in the fuel market since the year 2000 have
5 driven changes in consumers' tastes in the vehicle market, with an
6 emphasis toward vehicles with superior fuel economy and vehicles that
7 rely on alternative fuels.

8 (e) The Washington transportation revenue forecasts anticipate
9 continued movement towards vehicles with improved fuel economies,
10 contributing to an expected decline in gasoline consumption over time.

11 (f) Washington transportation forecasters expect slow but positive
12 growth in vehicle miles traveled upon the state and local
13 transportation system to continue.

14 (g) Those persons and businesses that use the transportation system
15 have an obligation to help support the system through taxes or fees.
16 Until recently, fuel taxes have served as a good proxy for user fees
17 for the system. With increasing fuel economy in many newer vehicle
18 models, including some that do not rely on conventional fuels at all,
19 there is a growing discrepancy between the use of the transportation
20 system and payments to support the system.

21 (h) Other states and the federal government face the same
22 difficulty of stagnating fuel tax revenues. A number of other states,
23 as well as the Puget Sound regional council, have embarked on pilot
24 projects and other efforts over the last decade to evaluate potential
25 new systems for the assessment and collection of taxes or fees for the
26 use of a transportation system. Such efforts have shown that new
27 systems to assess a fee based on usage of state and local roads are
28 indeed technologically feasible today.

29 (i) Despite the technological success of recent pilot projects in
30 Washington and elsewhere, the transition away from the current system
31 of fuel taxation to a new system is likely to create a number of
32 fiscal, legal, constitutional, implementation, and public concern
33 issues, requiring a number of years to resolve.

34 (j) The transportation commission is tasked with transportation
35 policy development under RCW 47.01.075 and should continue to play a
36 vital role in the development of a new revenue collection system.

37 (2) Therefore, it is the intent of the legislature to establish the
38 governance structure and groundwork needed to transition from the

1 current system of motor vehicle fuel and special fuel taxation to a new
2 system of revenue collection. To this end, this act provides for the
3 creation of a statutory task force to guide the first stages of the
4 transition, focusing on determining the feasibility and optimal methods
5 of implementation for a system based on a vehicle miles traveled fee,
6 over the next ten years.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01 RCW
8 to read as follows:

9 (1) A road user future funding task force is established, the
10 purpose of which is to assist the commission and the legislature in
11 developing the policy for a new system of revenue collection for
12 Washington's roads and highways. It is the intent of the legislature
13 that the new revenue collection system be developed to assess a fee
14 based on usage of state and local roads.

15 (2) The task force must consist of seventeen voting members
16 appointed as provided in this subsection:

17 (a) One member from each of the two largest caucuses of the house
18 of representatives, appointed by the speaker of the house of
19 representatives;

20 (b) One member from each of the two largest caucuses of the senate,
21 appointed by the president of the senate;

22 (c) Two members from the commission, appointed by the chair of the
23 commission;

24 (d) The following nine members, appointed by the governor:

25 (i) One elected county official;

26 (ii) One elected city official;

27 (iii) One representative from an association that represents the
28 interests of the motoring public;

29 (iv) One representative from an association that represents
30 businesses at large;

31 (v) One representative from an association that represents trucking
32 interests;

33 (vi) One representative from an association that represents public
34 transportation interests;

35 (vii) One representative from an association that represents
36 environmental interests;

1 (viii) One representative from an association or group that
2 represents vehicle tolling or user fee technology development; and

3 (ix) One citizen at large;

4 (e) The secretary or his or her designee; and

5 (f) The director of licensing or his or her designee.

6 (3)(a) The term of a legislator appointed to the task force under
7 subsection (2)(a) or (b) of this section is four years, except that the
8 legislator ceases to be a member of the task force when the legislator
9 ceases to be a legislator. A legislator may be reappointed to the task
10 force.

11 (b) The term of a member of the commission appointed to the task
12 force under subsection (2)(c) of this section is four years, except
13 that the member ceases to be a member of the task force when the member
14 ceases to be a member of the commission. A member of the commission
15 may be reappointed to the task force.

16 (c) The term of a member of the task force appointed under
17 subsection (2)(d)(i) or (ii) of this section is four years, except that
18 the member ceases to be a member of the task force when the member
19 ceases to be a city or county elected official. A city or county
20 elected official may be reappointed to the task force.

21 (d) Except as provided in (a) through (c) of this subsection, the
22 term of a member of the task force is four years and the member may be
23 reappointed.

24 (4) The task force shall meet as often as deemed necessary by its
25 membership, but no less than three times each year.

26 (5) At its first meeting, the task force must be convened by one of
27 the transportation commissioners appointed to the task force and shall
28 select a chair from among its membership. The term of the chair is two
29 years. After the expiration of a chair's term, the task force shall
30 select a new chair at its next meeting.

31 (6) Official action by the task force requires the approval of a
32 majority of the members of the task force.

33 (7) Legislative members of the task force may be reimbursed for
34 travel expenses in accordance with RCW 44.04.120. Nonlegislative
35 members are entitled to compensation and may be reimbursed for travel
36 expenses as provided in RCW 43.03.220 and 43.03.050.

37 (8) The commission shall provide staff support to the task force.

1 As needed, the department of transportation and department of licensing
2 shall also provide staff support to the task force.

3 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.01 RCW
4 to read as follows:

5 (1) The task force created under section 2 of this act shall:

6 (a) Research and review efforts and studies in other states, at the
7 federal level, and in other nations to evaluate methods of
8 transitioning to vehicle miles traveled fee or mileage-based user fee
9 systems of paying for transportation systems;

10 (b) In conjunction with the commission, department of licensing,
11 and department of transportation, make recommendations on the design
12 for a system trial or trials. The recommendation must be submitted to
13 the governor and the legislature by October 1, 2014. In arriving at
14 its recommendation, the task force shall:

15 (i) Enumerate and characterize potential vehicle miles traveled fee
16 implementation options, such as metering mileage, collecting fees, and
17 protecting privacy;

18 (ii) Determine and apply criteria for identifying the most
19 promising vehicle miles traveled fee implementation options to evaluate
20 in the trials;

21 (iii) Identify uncertainties that would need to be resolved in
22 order to develop a technically feasible, politically viable, and cost-
23 effective system of vehicle miles traveled fees;

24 (iv) Determine which of these issues could be resolved or informed
25 through suitably structured trials;

26 (v) Solicit input from stakeholders and subject matter experts;

27 (vi) Sequence the trials as necessary to build public acceptance in
28 a new system;

29 (vii) Synthesize findings to outline possible options for funding,
30 organizing, structuring, managing, and conducting the trials;

31 (viii) Address the possibility of joint trials with neighboring
32 states; and

33 (ix) Propose legislation, jointly with the commission, department
34 of licensing, and department of transportation, that would enable the
35 conduct of the trial or trials;

36 (c) In conjunction with the commission, assess public perspectives
37 concerning a transition to a new system and to create a plan to

1 optimize public acceptance of a new vehicle miles traveled fee system.
2 Implementation of the plan must be coordinated with the development and
3 implementation of a system of trial or trials and, pending the success
4 of the trial or trials, the requirements of the transitional process
5 thereafter;

6 (d) Pending legislative approval and funding of a system trial or
7 trials, evaluate the success of the trials; and

8 (e) Pending the success of a system trial or trials, propose
9 legislation jointly with the commission, and with the department of
10 licensing and department of transportation that would implement such a
11 system.

12 (2) The task force shall report, by December 1st of each year
13 beginning in 2012, to the governor and to the legislature on the work
14 of the task force.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.01 RCW
16 to read as follows:

17 (1) The budget for the task force created under section 2 of this
18 act must be submitted by the commission.

19 (2) The commission may solicit and accept grants and assistance
20 from the United States government and its agencies and from any other
21 source, public or private, for the purposes of the task force.

22 (3) The commission may accept gifts or donations of equipment
23 necessary to carry out research and system trials under section 3 of
24 this act.

25 NEW SECTION. **Sec. 5.** A new section is added to chapter 47.01 RCW
26 to read as follows:

27 The authority for the task force created under section 2 of this
28 act to continue operations terminates on June 30, 2022.

29 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act expire June
30 30, 2023.

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