
SUBSTITUTE SENATE BILL 5457

State of Washington

62nd Legislature

2011 Regular Session

By Senate Transportation (originally sponsored by Senators White, Shin, Murray, Kohl-Welles, Harper, Nelson, Keiser, Prentice, Kline, and McAuliffe)

READ FIRST TIME 02/25/11.

1 AN ACT Relating to providing a congestion reduction charge to fund
2 the operational and capital needs of transit agencies; adding a new
3 section to chapter 82.80 RCW; adding a new section to chapter 46.68
4 RCW; creating a new section; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that public
7 transportation provides many benefits to the citizens of the state and
8 the environment, including through public transportation's ability to
9 alleviate congestion and offset the burdens placed by general vehicular
10 traffic on the state's transportation infrastructure. In these
11 challenging economic times, many transit agencies find themselves
12 struggling to continue to provide a level of service that reduces
13 congestion.

14 The legislature further recognizes that King county conducted a
15 regional transit task force in 2010 that considered a policy framework
16 for the potential future growth and, if necessary, contraction of King
17 county's transit system. The task force members were selected to
18 represent a broad diversity of interests and perspectives. The task
19 force recommendations, which were unanimously accepted, addressed key

1 elements, such as the adoption of performance measures, controlling
2 operating costs, developing policy guidance for making service
3 reductions, and clear and transparent guidelines for service
4 allocation. As a result of the work done by the task force and King
5 county's commitment to comply with the recommendations, it is the
6 intent of the legislature that King county be provided the opportunity
7 to impose a temporary congestion reduction charge, which is separate
8 and distinct from the base motor vehicle license fee, that can help
9 address its revenue shortfalls during this economic crisis and allow it
10 to continue reducing congestion and the corresponding burdens placed on
11 the highway system on some of the state's most crowded corridors.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.80 RCW
13 to read as follows:

14 (1)(a) Except as provided in subsection (2) of this section, the
15 governing body of a county that has assumed the rights, powers,
16 functions, and obligations of a metropolitan municipal corporation
17 under chapter 36.56 RCW and is operating a public transportation system
18 or the voters within that county may impose by majority vote an annual
19 congestion reduction charge of up to twenty dollars per vehicle
20 registered in the boundaries of the county for each vehicle subject to
21 vehicle license fees under RCW 46.17.350(1) (a), (c), (d), (e), (g),
22 (h), (j), (n), (o), (p), or (q) and for each vehicle subject to gross
23 weight license fees under RCW 46.17.355 with an unladen weight of six
24 thousand pounds or less.

25 (b) Prior to the imposition of a congestion reduction charge
26 authorized under (a) of this subsection, a governing body must complete
27 a congestion reduction plan indicating the proposed expenditures of the
28 proceeds of the congestion reduction charge.

29 (c) If a governing body that imposes a congestion reduction charge
30 authorized under (a) of this subsection completed a regional transit
31 task force evaluating system improvements and efficiencies within two
32 years prior to the imposition of the charge, the proceeds from the
33 charge must be expended in a manner consistent with the recommendations
34 of the regional transit task force.

35 (d) A governing body that imposes a congestion reduction charge
36 authorized under (a) of this subsection must complete a report by July

1 1, 2012, detailing the expenditures of the proceeds of the congestion
2 reduction charge through June 1, 2012.

3 (e) A governing body that imposes a congestion reduction charge
4 authorized under (a) of this subsection must complete a report by June
5 1, 2014, detailing the expenditures of the proceeds of the congestion
6 reduction charge.

7 (2) The governing body of a county that has assumed the rights,
8 powers, functions, and obligations of a metropolitan municipal
9 corporation under chapter 36.56 RCW and is operating a public
10 transportation system may not impose a congestion reduction charge
11 authorized under subsection (1)(a) of this section for a passenger-only
12 ferry transportation improvement, unless the charge is first approved
13 by a majority of the voters within that county.

14 (3) The governing body of a county that has assumed the rights,
15 powers, functions, and obligations of a metropolitan municipal
16 corporation under chapter 36.56 RCW and is operating a public
17 transportation system shall contract with the department of licensing
18 as provided under section 3 of this act for the collection of the
19 congestion reduction charge.

20 (4) A congestion reduction charge imposed under this section may
21 not be assessed until six months after approval.

22 (5) A congestion reduction charge imposed under this section
23 applies only for vehicle registration renewals and is effective upon
24 the registration renewal date as provided by the department of
25 licensing.

26 (6) The following vehicles are exempt from the congestion reduction
27 charge imposed under this section:

28 (a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and
29 46.04.181;

30 (b) Off-road vehicles as defined in RCW 46.04.365;

31 (c) Nonhighway vehicles as defined in RCW 46.09.310;

32 (d) Vehicles registered under chapter 46.87 RCW and the
33 international registration plan; and

34 (e) Snowmobiles as defined in RCW 46.04.546.

35 (7) The authority to impose a congestion reduction charge
36 authorized in subsection (1)(a) of this section expires with vehicle
37 registrations that expire two years after the imposition of the charge
38 or no later than June 30, 2014, whichever comes first.

1 (8) A congestion reduction charge authorized under subsection
2 (1)(a) of this section may only be imposed after June 30, 2014, if
3 approved by a majority of the voters within a county that has assumed
4 the rights, powers, functions, and obligations of a metropolitan
5 municipal corporation under chapter 36.56 RCW and is operating a public
6 transportation system.

7 (9) This section expires December 31, 2014.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.68 RCW
9 to read as follows:

10 Whenever the department enters into a contract with the governing
11 body of a county that has assumed the rights, powers, functions, and
12 obligations of a metropolitan municipal corporation under chapter 36.56
13 RCW and is operating a public transportation system for the collection
14 of congestion reduction charges authorized under section 2 of this act:

15 (1) The contract must require that the governing body provide any
16 information specified by the department to identify the vehicle owners
17 who owe the congestion reduction charges, and must specify that it is
18 the responsibility of the governing body to ensure that the congestion
19 reduction charges are appropriately applied;

20 (2) The department is not responsible for the collection of
21 congestion reduction charges until a date agreed to by both parties as
22 specified in the contract;

23 (3) The department shall deduct a percentage amount as provided in
24 the contract, not to exceed three percent of the charges collected,
25 necessary to reimburse the department for the costs incurred for the
26 collection of the congestion reduction charges; and

27 (4) The department shall remit remaining proceeds to the custody of
28 the state treasurer. The state treasurer shall distribute the proceeds
29 to the governing body on a monthly basis.

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