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HOUSE BILL 2941

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State of Washington                      52nd Legislature                      1992 Regular Session

By Representatives R. Fisher, Prentice, Day, Wood, Paris and Nelson

Read first time 02/03/92. Referred to Committee on Transportation.

1            AN ACT Relating to transit funding; amending RCW 82.44.180;  
2 reenacting and amending RCW 82.44.150; and adding a new chapter to  
3 Title 47 RCW.

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

5            **Sec. 1.** RCW 82.44.150 and 1991 c 309 s 5 and 1991 c 199 s 222 are  
6 each reenacted and amended to read as follows:

7            (1) The director of licensing shall, on the twenty-fifth day of  
8 February, May, August, and November of each year, advise the state  
9 treasurer of the total amount of motor vehicle excise taxes imposed by  
10 RCW 82.44.020 (1) and (2) remitted to the department during the  
11 preceding calendar quarter ending on the last day of March, June,  
12 September, and December, respectively, except for those payable under  
13 RCW 82.44.030, from motor vehicle owners residing within each

1 municipality which has levied a tax under RCW 35.58.273, which amount  
2 of excise taxes shall be determined by the director as follows:

3       The total amount of motor vehicle excise taxes remitted to the  
4 department, except those payable under RCW 82.44.020(3) and 82.44.030,  
5 from each county shall be multiplied by a fraction, the numerator of  
6 which is the population of the municipality residing in such county,  
7 and the denominator of which is the total population of the county in  
8 which such municipality or portion thereof is located. The product of  
9 this computation shall be the amount of excise taxes from motor vehicle  
10 owners residing within such municipality or portion thereof. Where the  
11 municipality levying a tax under RCW 35.58.273 is located in more than  
12 one county, the above computation shall be made by county, and the  
13 combined products shall provide the total amount of motor vehicle  
14 excise taxes from motor vehicle owners residing in the municipality as  
15 a whole. Population figures required for these computations shall be  
16 supplied to the director by the office of financial management, who  
17 shall adjust the fraction annually.

18       (2) On the first day of the months of January, April, July, and  
19 October of each year, the state treasurer based upon information  
20 provided by the department shall, from motor vehicle excise taxes  
21 deposited in the general fund, under RCW 82.44.110(~~((+7))~~)(1)(g), make  
22 the following deposits:

23       (a) To the high capacity transportation account created in RCW  
24 47.78.010, a sum equal to four and five-tenths percent of the special  
25 excise tax levied under RCW 35.58.273 by those municipalities  
26 authorized to levy a special excise tax within (i) each county with a  
27 population of two hundred ten thousand or more and (ii) each county  
28 with a population of from one hundred twenty-five thousand to less than  
29 two hundred ten thousand except for those counties that do not border

1 a county with a population as described in subsection (i) of this  
2 subsection;

3 (b) To the central Puget Sound public transportation account  
4 created in RCW 82.44.180, for revenues distributed after December 31,  
5 1992, within a county with a population of one million or more and a  
6 county with a population of from two hundred thousand to less than one  
7 million bordering a county with a population of one million or more, a  
8 sum equal to the difference between (i) the special excise tax levied  
9 and collected under RCW 35.58.273 by those municipalities authorized to  
10 levy and collect a special excise tax subject to the requirements of  
11 subsections (3) and (4) of this section and (ii) the special excise tax  
12 that the municipality would otherwise have been eligible to levy and  
13 collect at a tax rate of .815 percent (~~((and been able to match with  
14 locally generated tax revenues, other than the excise tax imposed under  
15 RCW 35.58.273, budgeted for any public transportation purpose))  
16 notwithstanding the requirements of subsections (3) through (6) of this  
17 section.~~ Before this deposit, the sum shall be reduced by an amount  
18 equal to the amount distributed under (a) of this subsection for each  
19 of the municipalities within the counties to which this subsection  
20 (2)(b) applies; (~~((however, any transfer under this subsection (2)(b)  
21 must be greater than zero;))~~))

22 (c) To the public transportation systems account created in RCW  
23 82.44.180, for revenues distributed after December 31, 1992, within  
24 counties not described in (b) of this subsection, a sum equal to the  
25 difference between (i) the special excise tax levied and collected  
26 under RCW 35.58.273 by those municipalities authorized to levy and  
27 collect a special excise tax subject to the requirements of subsections  
28 (3) and (4) of this section and (ii) the special excise tax that the  
29 municipality would otherwise have been eligible to levy and collect at  
30 a tax rate of .815 percent (~~((and been able to match with locally~~

1 ~~generated tax revenues, other than the excise tax imposed under RCW~~  
2 ~~35.58.273, budgeted for any public transportation purpose))~~  
3 notwithstanding the requirements of subsections (3) through (6) of this  
4 section. Before this deposit, the sum shall be reduced by an amount  
5 equal to the amount distributed under (a) of this subsection for each  
6 of the municipalities within the counties to which this subsection  
7 (2)(c) applies; (~~however, any transfer under this subsection (2)(c)~~  
8 ~~must be greater than zero;~~) and

9 (d) To the transportation fund created in RCW 82.44.180, for  
10 revenues distributed after June 30, 1991, and through December 31,  
11 1992, a sum equal to the difference between (i) the special excise tax  
12 levied and collected under RCW 35.58.273 by those municipalities  
13 authorized to levy and collect a special excise tax subject to the  
14 requirements of subsections (3) and (4) of this section and (ii) the  
15 special excise tax that the municipality would otherwise have been  
16 eligible to levy and collect at a tax rate of .815 percent  
17 notwithstanding the requirements set forth in subsections (3) through  
18 (6) of this section, reduced by an amount equal to distributions made  
19 under (a)(~~, (b), and (c)~~) of this subsection.

20 (3) On the first day of the months of January, April, July, and  
21 October of each year, the state treasurer, based upon information  
22 provided by the department, shall remit motor vehicle excise tax  
23 revenues imposed and collected under RCW 35.58.273 as follows:

24 (a) The amount required to be remitted by the state treasurer to  
25 the treasurer of any municipality levying the tax shall not exceed in  
26 any calendar year the amount of locally-generated tax revenues,  
27 excluding the excise tax imposed under RCW 35.58.273 for the purposes  
28 of this section, which shall have been budgeted by the municipality to  
29 be collected in such calendar year for any public transportation  
30 purposes including but not limited to operating costs, capital costs,

1 and debt service on general obligation or revenue bonds issued for  
2 these purposes; and

3 (b) In no event may the amount remitted in a single calendar  
4 quarter exceed the amount collected on behalf of the municipality under  
5 RCW 35.58.273 during the calendar quarter next preceding the  
6 immediately preceding quarter.

7 (4) At the close of each calendar year accounting period, but not  
8 later than April 1, each municipality that has received motor vehicle  
9 excise taxes under subsection (3) of this section shall transmit to the  
10 director of licensing and the state auditor a written report showing by  
11 source the previous year's budgeted tax revenues for public  
12 transportation purposes as compared to actual collections. Any  
13 municipality that has not submitted the report by April 1 shall cease  
14 to be eligible to receive motor vehicle excise taxes under subsection  
15 (3) of this section until the report is received by the director of  
16 licensing. If a municipality has received more or less money under  
17 subsection (3) of this section for the period covered by the report  
18 than it is entitled to receive by reason of its locally-generated  
19 collected tax revenues, the director of licensing shall, during the  
20 next ensuing quarter that the municipality is eligible to receive motor  
21 vehicle excise tax funds, increase or decrease the amount to be  
22 remitted in an amount equal to the difference between the locally-  
23 generated budgeted tax revenues and the locally-generated collected tax  
24 revenues. In no event may the amount remitted for a calendar year  
25 exceed the amount collected on behalf of the municipality under RCW  
26 35.58.273 during that same calendar year. At the time of the next  
27 fiscal audit of each municipality, the state auditor shall verify the  
28 accuracy of the report submitted and notify the director of licensing  
29 of any discrepancies.

1 (5) The motor vehicle excise taxes imposed under RCW 35.58.273 and  
2 required to be remitted under this section shall be remitted without  
3 legislative appropriation.

4 (6) Any municipality levying and collecting a tax under RCW  
5 35.58.273 which does not have an operating, public transit system or a  
6 contract for public transportation services in effect within one year  
7 from the initial effective date of the tax shall return to the state  
8 treasurer all motor vehicle excise taxes received under subsection (3)  
9 of this section.

10 **Sec. 2.** RCW 82.44.180 and 1991 c 199 s 224 are each amended to  
11 read as follows:

12 (1) The transportation fund is created in the state treasury.  
13 Revenues under RCW 82.44.020 (1) and (2), 82.44.110, 82.44.150, and the  
14 surcharge under RCW 82.50.510 shall be deposited into the fund as  
15 provided in those sections.

16 Moneys in the fund may be spent only after appropriation.  
17 Expenditures from the fund may be used only for transportation  
18 purposes.

19 (2) There is hereby created the central Puget Sound public  
20 transportation account within the transportation fund. Moneys  
21 deposited into the account under RCW 82.44.150(2)(b) shall be  
22 ~~((expended))~~ appropriated to the department of transportation and  
23 allocated under section 3 of this act to public transportation projects  
24 within the three-county region from which the funds are derived, solely  
25 for:

26 (a) Planning;

27 (b) Development of capital projects;

28 (c) Development of high capacity transportation systems as defined  
29 in RCW 81.104.010;

1       (~~(b)~~) (d) Development of high occupancy vehicle lanes and related  
2 facilities as defined in RCW 81.100.020; and

3       (~~(e)~~) (e) Public transportation system contributions required to  
4 fund projects under federal programs and those approved by the  
5 transportation improvement board.

6       (3) There is hereby created the public transportation systems  
7 account within the transportation fund. Moneys deposited into the  
8 account under RCW 82.44.150(2)(c) shall be (~~available to~~)  
9 appropriated to the department of transportation and allocated under  
10 section 3 of this act to public transportation projects submitted by  
11 the public transportation systems from which the funds are derived,  
12 solely for:

13       (a) Planning;

14       (b) Development of capital projects;

15       (c) Development of high capacity transportation systems as defined  
16 in RCW 81.104.010;

17       (~~(b)~~) (d) Development of high occupancy vehicle lanes and related  
18 facilities as defined in RCW 81.100.020;

19       (~~(e)~~) (e) Other public transportation system-related roadway  
20 projects on state highways, county roads, or city streets; and

21       (~~(d)~~) (f) Public transportation system contributions required to  
22 fund projects under federal programs and those approved by the  
23 transportation improvement board.

24       NEW SECTION. Sec. 3. A new chapter is added to Title 47 RCW to  
25 read as follows:

26       To help achieve the goals identified in the public transportation  
27 policy plan required by RCW 47.---.--- (section 1, chapter ---, Laws of  
28 1992 (HB--)), the department shall allocate to transit agencies amounts  
29 appropriated from the central Puget Sound public transportation account

1 created by RCW 82.44.180(2), and from the public transportation systems  
2 account created by RCW 82.44.180(3). The department shall make the  
3 allocations in accordance with the following procedures:

4 (1) By July 1, 1992, the department shall submit to the legislative  
5 transportation committee the management plan by which the allocation  
6 process will be governed, including identification of any local match  
7 requirements.

8 (2) By August 1, 1992, and by July 1st of each even-numbered year  
9 thereafter, transit agencies shall apply to the department for funding  
10 in the ensuing biennium from the appropriate account, for the types of  
11 projects identified in RCW 82.44.180(2) or (3).

12 (3) The department shall establish an advisory council of policy  
13 and technical experts to assist in the review and prioritization of  
14 requests from transit agencies. Council representation shall include  
15 transit agencies of varying size and from various geographic regions of  
16 the state.

17 (4) The department shall include in its biennial budget request  
18 submitted to the office of financial management and the legislative  
19 transportation committee the prioritized list of projects proposed to  
20 be funded from each account in the ensuing biennium.

21 To the extent possible, the department shall allocate the amount  
22 appropriated by the legislature from each account to transit agency  
23 projects in the order of priority for each account.

24 For the purposes of this chapter, "transit agency" means an agency  
25 that imposes a motor vehicle excise tax under RCW 35.58.273, and, if  
26 authorized by the legislature, regional transit authorities.