

2 **SSB 5876 - H COMM AMD ADOPTED AS AMENDED 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. The department shall adopt by rule a process
14 requiring annual recertification upon renewal for vehicles registered
15 under RCW 46.16.023 to discourage abuse of tax exemptions under RCW
16 82.08.0287, 82.12.0282, and 82.44.015. The department of licensing in
17 consultation with the department of transportation shall submit a
18 report to the legislative transportation committee and the house and
19 senate standing committees on transportation by July 1, 1996, assessing
20 the effectiveness of the department of licensing at limiting tax
21 exemptions to bona fide ride-sharing vehicles.

22 NEW SECTION. Sec. 7. 1987 c 175 s 1 (uncodified) is repealed."

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