

---

HOUSE BILL 2707

---

State of Washington

53rd Legislature

1994 Regular Session

By Representatives R. Fisher and Johanson; by request of Transportation Improvement Board

Read first time 01/21/94. Referred to Committee on Transportation.

1 AN ACT Relating to transportation improvement funding procedures;  
2 amending RCW 35.77.010, 36.81.121, 46.68.090, 46.68.095, 46.68.100,  
3 47.26.040, 47.26.080, 47.26.084, 47.26.090, 47.26.121, 47.26.140,  
4 47.26.160, 47.26.170, 47.26.185, 47.26.190, 47.26.260, 47.26.270,  
5 47.26.305, 47.26.425, 47.26.4252, 47.26.4254, 47.26.440, 47.26.450,  
6 47.26.460, 47.26.500, 47.26.505, and 82.36.025; adding new sections to  
7 chapter 47.26 RCW; and repealing RCW 47.26.042, 47.26.043, 47.26.180,  
8 47.26.220, 47.26.230, 47.26.240, 47.26.265, 47.26.310, 47.26.315, and  
9 47.26.430.

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

11 **Sec. 1.** RCW 35.77.010 and 1990 1st ex.s. c 17 s 59 are each  
12 amended to read as follows:

13 (1) The legislative body of each city and town, pursuant to one or  
14 more public hearings thereon, shall prepare and adopt a comprehensive  
15 street program for the ensuing six calendar years. If the city or town  
16 has adopted a comprehensive plan pursuant to chapter 35.63 or 35A.63  
17 RCW, the inherent authority of a first class city derived from its  
18 charter, or chapter 36.70A RCW, the program shall be consistent with  
19 this comprehensive plan.

1       The program shall be filed with the secretary of transportation not  
2 more than thirty days after its adoption. Annually thereafter the  
3 legislative body of each city and town shall review the work  
4 accomplished under the program and determine current city street needs.  
5 Based on these findings each such legislative body shall prepare and  
6 after public hearings thereon adopt a revised and extended  
7 comprehensive street program before July 1st of each year, and each  
8 one-year extension and revision shall be filed with the secretary of  
9 transportation not more than thirty days after its adoption. The  
10 purpose of this section is to assure that each city and town shall  
11 perpetually have available advanced plans looking to the future for not  
12 less than six years as a guide in carrying out a coordinated street  
13 construction program. The program may at any time be revised by a  
14 majority of the legislative body of a city or town, but only after a  
15 public hearing.

16       (~~The six year program of each city lying within an urban area  
17 shall contain a separate section setting forth the six year program for  
18 arterial street construction based upon its long range construction  
19 plan and formulated in accordance with rules of the transportation  
20 improvement board. The six year program for arterial street  
21 construction shall be submitted to the transportation improvement board  
22 forthwith after its annual revision and adoption by the legislative  
23 body of the city. The six year program for arterial street  
24 construction shall be based upon estimated revenues available for such  
25 construction together with such additional sums as the legislative  
26 authority may request for urban arterials from the urban arterial trust  
27 account or the transportation improvement account for the six year  
28 period. The arterial street construction program shall provide for a  
29 more rapid rate of completion of the long range construction needs of  
30 principal arterial streets than for minor and collector arterial  
31 streets, pursuant to rules of the transportation improvement board:  
32 PROVIDED, That urban arterial trust funds made available to the group  
33 of incorporated cities lying outside the boundaries of federally  
34 approved urban areas within each region need not be divided between  
35 functional classes of arterials but shall be available for any  
36 designated arterial street.))~~

37       (2) Each six-year program forwarded to the secretary in compliance  
38 with subsection (1) of this section shall contain information as to how  
39 a city or town will expend its moneys, including funds made available

1 pursuant to chapter 47.30 RCW, for bicycle, pedestrian, and equestrian  
2 purposes.

3 **Sec. 2.** RCW 36.81.121 and 1990 1st ex.s. c 17 s 58 are each  
4 amended to read as follows:

5 (1) Before July 1st of each year, the legislative authority of each  
6 county with the advice and assistance of the county road engineer, and  
7 pursuant to one or more public hearings thereon, shall prepare and  
8 adopt a comprehensive road program for the ensuing six calendar years.  
9 If the county has adopted a comprehensive plan pursuant to chapter  
10 35.63 or 36.70 RCW, the inherent authority of a charter county derived  
11 from its charter, or chapter 36.70A RCW, the program shall be  
12 consistent with this comprehensive plan.

13 The program shall include proposed road and bridge construction  
14 work, and for those counties operating ferries shall also include a  
15 separate section showing proposed capital expenditures for ferries,  
16 docks, and related facilities. Copies of the program shall be filed  
17 with the county road administration board and with the state secretary  
18 of transportation not more than thirty days after its adoption by the  
19 legislative authority. The purpose of this section is to assure that  
20 each county shall perpetually have available advanced plans looking to  
21 the future for not less than six years as a guide in carrying out a  
22 coordinated road construction program. The program may at any time be  
23 revised by a majority of the legislative authority but only after a  
24 public hearing thereon.

25 ~~(2) ((The six year program of each county having an urban area  
26 within its boundaries shall contain a separate section setting forth  
27 the six year program for arterial road construction based upon its  
28 long range construction plan and formulated in accordance with  
29 regulations of the transportation improvement board. The six year  
30 program for arterial road construction shall be submitted to the  
31 transportation improvement board forthwith after its annual revision  
32 and adoption by the legislative authority of each county. The six year  
33 program for arterial road construction shall be based upon estimated  
34 revenues available for such construction together with such additional  
35 sums as the legislative authority of each county may request for urban  
36 arterials from the urban arterial trust account or the transportation  
37 improvement account for the six year period. The arterial road  
38 construction program shall provide for a more rapid rate of completion~~

1 of the long range construction needs of principal arterial roads than  
2 for minor and collector arterial roads, pursuant to regulations of the  
3 transportation improvement board.

4 (3)) Each six-year program forwarded to the secretary in  
5 compliance with subsection (1) of this section shall contain  
6 information as to how a county will expend its moneys, including funds  
7 made available pursuant to chapter 47.30 RCW, for bicycles,  
8 pedestrians, and equestrian purposes.

9 **Sec. 3.** RCW 46.68.090 and 1991 c 342 s 56 are each amended to read  
10 as follows:

11 (1) All moneys that have accrued or may accrue to the motor vehicle  
12 fund from the motor vehicle fuel tax and special fuel tax shall be  
13 first expended for the following purposes:

14 (a) For payment of refunds of motor vehicle fuel tax and special  
15 fuel tax that has been paid and is refundable as provided by law;

16 (b) For payment of amounts to be expended pursuant to  
17 appropriations for the administrative expenses of the offices of state  
18 treasurer, state auditor, and the department of licensing of the state  
19 of Washington in the administration of the motor vehicle fuel tax and  
20 the special fuel tax, which sums shall be distributed monthly;

21 (c) From April 1, 1992, through March 31, 1996, for distribution to  
22 the transfer relief account, hereby created in the motor vehicle fund,  
23 an amount not to exceed three hundred twenty-five one-thousandths of  
24 one percent;

25 (d) For distribution to the rural arterial trust account in the  
26 motor vehicle fund, an amount as provided in RCW 82.36.025(2) and  
27 46.68.095(3);

28 (e) For distribution to the urban arterial trust account in the  
29 motor vehicle fund, an amount as provided in RCW 46.68.100(4) and  
30 82.36.025(3);

31 (f) For distribution to the transportation improvement account in  
32 the motor vehicle fund, an amount as provided in RCW 46.68.095(1);

33 (g) For distribution to the special category C account, hereby  
34 created in the motor vehicle fund, an amount as provided in RCW  
35 46.68.095(2);

36 (h) For distribution to the county arterial preservation account,  
37 hereby created in the motor vehicle fund, an amount as provided in RCW  
38 46.68.095(4);

1 (i) For distribution to the motor vehicle fund to be allocated to  
2 cities and towns as provided in RCW 46.68.110, an amount as provided in  
3 RCW 46.68.095(5);

4 (j) For distribution to the motor vehicle fund to be allocated to  
5 counties as provided in RCW 46.68.120, an amount as provided in RCW  
6 46.68.095(6);

7 (k) For expenditure for highway purposes of the state as defined in  
8 RCW 46.68.130, an amount as provided in RCW 82.36.025(4) and  
9 46.68.095(7);

10 (l) For distribution to the small city account, hereby created in  
11 the motor vehicle fund, an amount as provided for in RCW 46.68.095(1),  
12 46.68.100(9), and 82.36.025(3).

13 (2) The amount accruing to the motor vehicle fund by virtue of the  
14 motor vehicle fuel tax and the special fuel tax and remaining after  
15 payments, distributions, and expenditures as provided in this section  
16 shall, for the purposes of this chapter, be referred to as the "net tax  
17 amount."

18 **Sec. 4.** RCW 46.68.095 and 1990 c 42 s 103 are each amended to read  
19 as follows:

20 All moneys that have accrued or may accrue to the motor vehicle  
21 fund from the motor vehicle fuel tax and special fuel tax imposed by  
22 RCW 82.36.025(5) shall be distributed monthly by the state treasurer in  
23 the following proportions:

24 (1) Through June 30, 1995, one and one-half cents shall be  
25 deposited in the transportation improvement account and expended in  
26 accordance with RCW 47.26.084. After June 30, 1995, eighty-seven  
27 percent of one and one-half cents shall be deposited in the  
28 transportation improvement account and expended in accordance with  
29 section 11 of this act and thirteen percent of one and one-half cents  
30 shall be deposited in the small city account and expended in accordance  
31 with section 9 of this act.

32 (2) From April 1, 1991, seventy-five one-hundredths of one cent  
33 shall be deposited in the special category C account in the motor  
34 vehicle fund for special category C projects. Special category C  
35 projects are category C projects as defined in RCW 47.05.030(3) that,  
36 due to high cost only, will require bond financing to complete  
37 construction.

1 The following criteria, listed in order of priority, shall be used  
2 in determining which special category C projects have the highest  
3 priority:

4 (a) Accident experience; and

5 (b) Fatal accident experience; and

6 (c) Capacity to move people and goods safely and at reasonable  
7 speeds without undue congestion; and

8 (d) Continuity of development of the highway transportation  
9 network.

10 Moneys deposited in the special category C account in the motor  
11 vehicle fund may be used for payment of debt service on bonds the  
12 proceeds of which are used to finance special category C projects under  
13 this subsection.

14 (3) Twenty-five one-hundredths of one cent shall be deposited in  
15 the rural arterial trust account in the motor vehicle fund.

16 (4) Forty-five one-hundredths of one cent shall be deposited in the  
17 county arterial preservation account. These funds shall be distributed  
18 by the county road administration board to counties in proportions  
19 corresponding to the number of paved arterial lane miles in the  
20 unincorporated area of each county and shall be used for improvements  
21 to sustain the structural, safety, and operational integrity of county  
22 arterials. The county road administration board shall adopt reasonable  
23 rules and develop policies to implement this program and to assure that  
24 a pavement management system is used.

25 (5) One-half of one cent shall be allocated to cities and towns as  
26 provided in RCW 46.68.110.

27 (6) From April 1, 1990, through March 31, 1991, thirty one-  
28 hundredths of one cent and after March 31, 1991, fifty-five one-  
29 hundredths of one cent shall be allocated to counties as provided in  
30 RCW 46.68.120.

31 (7) One cent shall be deposited in the motor vehicle fund and shall  
32 be expended for highway purposes of the state as defined in RCW  
33 46.68.130.

34 **Sec. 5.** RCW 46.68.100 and 1991 c 310 s 2 are each amended to read  
35 as follows:

36 From the net tax amount in the motor vehicle fund there shall be  
37 paid monthly as funds accrue the following sums:

1 (1) To the cities and towns, to be distributed as provided by RCW  
2 46.68.110, sums equal to six and ninety-two hundredths percent of the  
3 net tax amount;

4 (2) To the cities and towns, to be expended as provided by RCW  
5 46.68.115, sums equal to four and sixty-one hundredths percent of the  
6 net tax amount;

7 (3) To the counties, sums equal to twenty-two and seventy-eight  
8 hundredths percent of the net tax amount (a) out of which there shall  
9 be distributed from time to time, as directed by the department of  
10 transportation, those sums as may be necessary to carry out the  
11 provisions of RCW 47.56.725, and (b) less any amounts appropriated to  
12 the county road administration board to implement the provisions of RCW  
13 47.56.725(4), with the balance of such county share to be distributed  
14 monthly as the same accrues for distribution in accordance with RCW  
15 46.68.120;

16 (4) To the urban arterial trust account in the motor vehicle fund,  
17 (a) through June 30, 1995, sums equal to seven and twelve hundredths  
18 percent of the net tax amount, (b) and after June 30, 1995, ninety-five  
19 percent of seven and twelve hundredths percent of the net tax amount;

20 (5) To the state, to be expended as provided by RCW 46.68.130, sums  
21 equal to forty-five and twenty-six hundredths percent of the net tax  
22 amount;

23 (6) To the state, to be expended as provided by RCW 46.68.150 as  
24 now or hereafter amended, sums equal to six and ninety-five hundredths  
25 percent of the net tax amount;

26 (7) To the Puget Sound capital construction account in the motor  
27 vehicle fund sums equal to three and twenty-one hundredths percent of  
28 the net tax amount;

29 (8) To the Puget Sound ferry operations account in the motor  
30 vehicle fund sums equal to three and fifteen hundredths percent of the  
31 net tax amount;

32 (9) After June 30, 1995, to the small city account in the motor  
33 vehicle fund, sums equal to five percent of seven and twelve hundredths  
34 percent of the net tax amount.

35 Nothing in this section or in RCW 46.68.090 or 46.68.130 may be  
36 construed so as to violate any terms or conditions contained in any  
37 highway construction bond issues now or hereafter authorized by statute  
38 and whose payment is by such statute pledged to be paid from any excise  
39 taxes on motor and special vehicle fuels.

1        NEW SECTION.    **Sec. 6.**    A new section is added to chapter 47.26 RCW  
2 to read as follows:

3        The term "board" as used in this chapter means the transportation  
4 improvement board.

5        **Sec. 7.**    RCW 47.26.040 and 1984 c 7 s 153 are each amended to read  
6 as follows:

7        The term "urban area" as used in this chapter means every area of  
8 this state designated as an urban area by the department (~~(with the~~  
9 ~~approval of the federal secretary of transportation in accordance with~~  
10 ~~federal law, hereafter referred to as federally approved urban areas,~~  
11 ~~or areas within incorporated cities)) in cooperation with the board and  
12 regional transportation planning organizations.~~

13        **Sec. 8.**    RCW 47.26.080 and 1991 sp.s. c 32 s 32 are each amended to  
14 read as follows:

15        There is hereby created in the motor vehicle fund the urban  
16 arterial trust account. The intent of the urban arterial trust account  
17 program is to improve the urban arterial street system of the state by  
18 improving mobility and safety while supporting an environment essential  
19 to the quality of life of the citizens of the state of Washington. To  
20 be eligible to receive these funds, a project must be consistent with  
21 the Growth Management Act, the Clean Air Act including conformity, and  
22 the Commute Trip Reduction Law. The project shall consider safety,  
23 mobility, and physical characteristics of the roadway and must be  
24 partially funded by local government.

25        All moneys deposited in the motor vehicle fund to be credited to  
26 the urban arterial trust account shall be expended for the construction  
27 and improvement of city arterial streets (~~(and))~~, county arterial  
28 roads, and other transportation-related facilities within urban areas,  
29 for expenses of the transportation improvement board in accordance with  
30 RCW 47.26.140, or for the payment of principal or interest on bonds  
31 issued for the purpose of constructing or improving city arterial  
32 streets (~~(and))~~, county arterial roads, and other transportation-  
33 related facilities within urban areas, or for reimbursement to the  
34 state, counties, cities, and towns in accordance with RCW 47.26.4252  
35 and 47.26.4254, the amount of any payments made on principal or  
36 interest on urban arterial trust account bonds from motor vehicle or



1 special fuel tax revenues which were distributable to the state,  
2 counties, cities, and towns.

3 The board shall not allocate funds, nor make payments of the funds  
4 under RCW 47.26.260, to any county, city, or town identified by the  
5 governor under RCW 36.70A.340.

6 NEW SECTION. **Sec. 9.** A new section is added to chapter 47.26 RCW  
7 to read as follows:

8 The intent of the small city account program is to preserve and  
9 improve the roadway system consistent with local needs of incorporated  
10 cities and towns with a population of less than five thousand. The  
11 board shall adopt rules and procedures to govern the allocation of  
12 funds distributed to the small city account. All moneys deposited in  
13 the motor vehicle fund to be credited to the small city account must be  
14 expended for transportation-related projects, for expenses of the  
15 board, or for the payment of principal or interest on bonds issued for  
16 the purpose of constructing or improving transportation facilities or  
17 for reimbursement to the state, counties, cities, and towns in  
18 accordance with RCW 47.26.4252 and 47.26.4254, the amount of any  
19 payments made on principal or interest on urban arterial trust account  
20 bonds from motor vehicle or special fuel tax revenues that were  
21 distributable to the state, counties, cities, and towns. The board  
22 shall not allocate funds, nor make payments of the funds under RCW  
23 47.26.260, to a city or town identified by the governor under RCW  
24 36.70A.340.

25 **Sec. 10.** RCW 47.26.084 and 1988 c 167 s 2 are each amended to read  
26 as follows:

27 The transportation improvement account is hereby created in the  
28 motor vehicle fund. The board shall adopt rules and procedures which  
29 shall govern the allocation of funds in the transportation improvement  
30 account at such time as funds become available. All projects selected  
31 for funding before the fiscal year 1996 transportation improvement  
32 account program are governed by this section.

33 The board shall allocate funds from the account by June 30<sup>th</sup> of  
34 each year for the ensuing fiscal year and shall endeavor to provide  
35 geographical diversity in selecting improvement projects to be funded  
36 from the account.

1 Of the amount made available to the transportation improvement  
2 board from the transportation improvement account for improvement  
3 projects:

4 (1) Eighty-seven percent shall be allocated to urban counties, to  
5 cities with a population of (~~over~~) five thousand and over, and to  
6 transportation benefit districts. Improvement projects may include,  
7 but are not limited to, multi-agency projects and (~~suburban~~) arterial  
8 improvement projects in fast-growing areas.

9 To be eligible to receive these funds, a project must be (a)  
10 consistent with state, regional, and local transportation plans and  
11 consideration shall be given to the project's relationship, both actual  
12 and potential, with rapid mass transit and at such time as a rail plan  
13 is developed by the rail development commission, projects must be  
14 consistent therewith, (b) necessitated by existing or reasonably  
15 foreseeable congestion levels attributable to economic development or  
16 growth, and (c) partially funded by local government or private  
17 contributions, or a combination of such contributions. The board  
18 shall, for those projects meeting the eligibility criteria, determine  
19 what percentage of each project is funded by local and/or private  
20 contribution. Priority consideration shall be given to those projects  
21 with the greatest percentage of local and/or private contribution.

22 Within one year after board approval of an application for funding,  
23 a county, city, or transportation benefit district shall provide  
24 written certification to the board of the pledged local and/or private  
25 funding. Funds allocated to an applicant that does not certify its  
26 funding within one year after approval may be reallocated by the board.

27 (2) Thirteen percent shall be allocated by the board to cities and  
28 towns with a population of less than five thousand (~~or less~~) for  
29 street improvement projects in a manner determined by the board.

30 NEW SECTION. Sec. 11. A new section is added to chapter 47.26 RCW  
31 to read as follows:

32 Transportation improvement account projects selected for funding  
33 programs after fiscal year 1995 are governed by the requirements of  
34 this section.

35 The board shall allocate funds from the account by June 30th of  
36 each year for the ensuing fiscal year to urban counties, cities with a  
37 population of five thousand and over, and to transportation benefit  
38 districts. Projects may include, but are not limited to, multi-agency

1 projects and arterial improvement projects in fast-growing areas. The  
2 board shall endeavor to provide geographical diversity in selecting  
3 improvement projects to be funded from the account.

4 The intent of the program is to improve mobility of people and  
5 goods in Washington state by supporting economic development and  
6 environmentally responsive solutions to our state-wide transportation  
7 system needs.

8 To be eligible to receive these funds, a project must be consistent  
9 with the Growth Management Act, the Clean Air Act including conformity,  
10 and the Commute Trip Reduction Law and consideration shall be given to  
11 the project's relationship, both actual and potential, with the state-  
12 wide rail passenger program and rapid mass transit. When a rail plan  
13 is developed by the regional transit authority, projects must be  
14 consistent with it, must consider existing or reasonably foreseeable  
15 congestion levels attributable to economic development or growth and  
16 all modes of transportation and safety, and must be partially funded by  
17 local government or private contributions, or a combination of such  
18 contributions. Priority consideration shall be given to those projects  
19 with the greatest percentage of local or private contribution, or both.

20 Within one year after board approval of an application for funding,  
21 the lead agency shall provide written certification to the board of the  
22 pledged local and private funding for the phase of the project  
23 approved. Funds allocated to an applicant that does not certify its  
24 funding within one year after approval may be reallocated by the board.

25 **Sec. 12.** RCW 47.26.090 and 1988 c 167 s 14 are each amended to  
26 read as follows:

27 The term "arterial" as used in this chapter means any state  
28 highway, county road, or city street, in an urban area, that is  
29 functionally classified (~~by the federal highway administration~~) as a  
30 principal arterial, minor arterial, or collector street by the  
31 department in cooperation with the board, regional transportation  
32 planning organizations, cities, and counties. The board shall develop  
33 criteria and procedures for designating arterials in the incorporated  
34 cities and towns lying outside urban areas.

35 **Sec. 13.** RCW 47.26.121 and 1993 c 172 s 1 are each amended to read  
36 as follows:

1 (1) There is hereby created a transportation improvement board of  
2 eighteen members, six of whom shall be county members and six of whom  
3 shall be city members. The remaining members shall be: (a) One  
4 representative appointed by the governor who shall be a state employee  
5 with responsibility for transportation policy, planning, or funding;  
6 (b) the assistant secretary of the department of transportation whose  
7 primary responsibilities relate to planning and public transportation;  
8 (c) the assistant secretary for local programs of the department of  
9 transportation; (d) a representative of a public transit system; (e) a  
10 private sector representative; and (f) a public member.

11 (2) Of the county members of the board, one shall be a county  
12 engineer or public works director; one shall be the executive director  
13 of the county road administration board; one shall be a county planning  
14 director or planning manager; one shall be a county executive,  
15 councilmember, or commissioner from a county with a population of one  
16 hundred twenty-five thousand or more; one shall be a county executive,  
17 councilmember, or commissioner of a county who serves on the board of  
18 a public transit system; and one shall be a county executive,  
19 councilmember, or commissioner from a county with a population of less  
20 than one hundred twenty-five thousand. All county members of the  
21 board, except the executive director of the county road administration  
22 board, shall be appointed. Not more than one county member of the  
23 board shall be from any one county. No more than two of the three  
24 county-elected officials may represent counties located in either the  
25 eastern or western part of the state as divided north and south by the  
26 summit of the Cascade mountains.

27 (3) Of the city members of the board one shall be a chief city  
28 engineer, public works director, or other city employee with  
29 responsibility for public works activities, of a city with a population  
30 of twenty thousand or more; one shall be a chief city engineer, public  
31 works director, or other city employee with responsibility for public  
32 works activities, of a city of less than twenty thousand population;  
33 one shall be a city planning director or planning manager; one shall be  
34 a mayor, commissioner, or city councilmember of a city with a  
35 population of twenty thousand or more; one shall be a mayor,  
36 commissioner, or city councilmember of a city who serves on the board  
37 of a public transit system; and one shall be a mayor, commissioner, or  
38 councilmember of a city of less than twenty thousand population. All  
39 of the city members shall be appointed. Not more than one city member

1 of the board shall be from any one city. No more than two of the three  
2 city-elected officials may represent cities located in either the  
3 eastern or western part of the state as divided north and south by the  
4 summit of the Cascade mountains.

5 (4) The transit member shall be a general manager, executive  
6 director, or transit director of a public transit system.

7 (5) The private sector member shall be a citizen with business,  
8 management, and transportation related experience and shall be active  
9 in a business community-based transportation organization.

10 (6) The public member shall have professional experience in  
11 transportation or land use planning, a demonstrated interest in  
12 transportation issues, and involvement with community groups or grass  
13 roots organizations.

14 (7) Appointments of county, city, transit, private sector, and  
15 public representatives shall be made by the secretary of the department  
16 of transportation. Appointees shall be chosen from a list of two  
17 persons for each position nominated by the Washington state association  
18 of counties for county members, the association of Washington cities  
19 for city members, and the Washington state transit association for the  
20 transit member. The private sector and public members shall be sought  
21 through classified advertisements in selected newspapers collectively  
22 serving all urban areas of the state, and other appropriate means.  
23 Persons applying for the private sector or the public member position  
24 must provide a letter of interest and a resume to the secretary of the  
25 department of transportation. In the case of a vacancy, the  
26 appointment shall be only for the remainder of the unexpired term in  
27 which the vacancy has occurred. A vacancy shall be deemed to have  
28 occurred on the board when any member elected to public office  
29 completes that term of office or is removed therefrom for any reason or  
30 when any member employed by a political subdivision terminates such  
31 employment for whatsoever reason or when a private sector or public  
32 member resigns or is unable or unwilling to serve.

33 (8) Appointments shall be for terms of four years. Terms of all  
34 appointed members shall expire on June 30th of even-numbered years.  
35 The initial term of appointed members may be for less than four years.  
36 No appointed member may serve more than two consecutive four-year  
37 terms.

38 (9) The board shall elect a chair from among its members for a two-  
39 year term.

1 (10) Expenses of the board(~~(, including administration of the~~  
2 ~~transportation improvement program,)~~) shall be paid (~~(from the urban~~  
3 ~~arterial account)~~) in accordance with RCW 47.26.140.

4 (11) For purposes of this section, "public transit system" means a  
5 city-owned transit system, county transportation authority,  
6 metropolitan municipal corporation, public transportation benefit area,  
7 or regional transit authority.

8 **Sec. 14.** RCW 47.26.140 and 1988 c 167 s 16 are each amended to  
9 read as follows:

10 The transportation improvement board shall appoint an executive  
11 director, who shall serve at its pleasure and whose salary shall be set  
12 by the board, and may employ additional staff as it deems appropriate.  
13 All costs associated with staff, together with travel expenses in  
14 accordance with RCW 43.03.050 and 43.03.060, shall be paid from the  
15 urban arterial trust account, small city account, city hardship  
16 assistance account, and the transportation improvement account in the  
17 motor vehicle fund as determined by the biennial appropriation.

18 **Sec. 15.** RCW 47.26.160 and 1988 c 167 s 18 are each amended to  
19 read as follows:

20 The transportation improvement board shall:

21 (1) Adopt rules necessary to implement the provisions of this  
22 chapter relating to the allocation of funds;

23 (2) Adopt reasonably uniform design standards for city and county  
24 arterials (~~(that meet the requirements for urban development;~~

25 ~~(3) Report biennially on the first day of November of the even-~~  
26 ~~numbered years to the department and to the chairs of the house and~~  
27 ~~senate transportation committees, including one copy to the staff of~~  
28 ~~each of the committees, regarding progress of cities and counties in~~  
29 ~~developing long range plans for their urban arterial construction,~~  
30 ~~programming of urban arterial construction work, and the allocation of~~  
31 ~~funds)).~~

32 **Sec. 16.** RCW 47.26.170 and 1988 c 167 s 19 are each amended to  
33 read as follows:

34 (~~(The legislative authority of))~~ Each county ((or city lying within  
35 or)) having within its boundaries an urban area and cities and towns  
36 shall prepare(~~(, adopt,))~~) and submit to the transportation improvement

1 board ~~((a long range plan for arterial construction, taking into~~  
2 ~~account the comprehensive land use plan of each such jurisdiction and~~  
3 ~~setting forth arterial construction needs through a six year advance~~  
4 ~~planning period. The long range arterial construction plans shall be~~  
5 ~~revised by)) arterial inventory data required to determine the long-  
6 range arterial construction needs. The counties ~~((and)),~~ cities, and  
7 towns shall revise the arterial inventory data every ~~((two))~~ four years  
8 to show the current arterial construction needs through the advanced  
9 planning period, and as revised shall ~~((be submitted))~~ submit them to  
10 the transportation improvement board during the first week of January  
11 ~~((of))~~ every ~~((even numbered))~~ four years beginning in 1996. The  
12 ~~((long range plans))~~ inventory data shall be prepared pursuant to  
13 guidelines established by the transportation improvement board. ~~((Upon~~  
14 ~~receipt of the long range arterial construction plans of the several~~  
15 ~~counties and cities, the transportation improvement board shall revise~~  
16 ~~the construction needs for urban arterials set forth in the plans as~~  
17 ~~necessary to conform with its uniform standards for establishing~~  
18 ~~construction needs of the counties and cities.))~~ As information is  
19 updated, it shall be made available to the commission and the  
20 legislative transportation committee.~~

21 **Sec. 17.** RCW 47.26.185 and 1988 c 167 s 21 are each amended to  
22 read as follows:

23 The transportation improvement board may adopt rules establishing  
24 qualifications for cities and counties administering and supervising  
25 the design and construction of projects financed in part from ~~((the~~  
26 ~~urban arterial trust account or the transportation improvement~~  
27 ~~account))~~ funds administered by the board. The rules establishing  
28 qualification shall take into account the resources and population of  
29 the city or county, its permanent engineering staff, its design and  
30 construction supervision experience, and other factors the board deems  
31 appropriate. Any city or county failing to meet the qualifications  
32 established by the board for administering and supervising a project  
33 shall contract with a qualified city or county or the department for  
34 the administration and supervision of the design and construction of  
35 any approved project as a condition for receiving ~~((account))~~ funds for  
36 the project.

1       **Sec. 18.** RCW 47.26.190 and 1988 c 167 s 22 are each amended to  
2 read as follows:

3       ~~((1) At the beginning of each biennium for the urban arterial~~  
4 ~~trust account, the transportation improvement board shall establish~~  
5 ~~apportionment percentages for the five regions defined in RCW 47.26.050~~  
6 ~~in the following manner:~~

7       ~~(a) One third in the ratio which the population of the urban areas~~  
8 ~~of each region bears to the total population of all of the urban areas~~  
9 ~~of the state as last determined by the office of financial management;~~

10       ~~(b) One third in the ratio which the vehicle to mile ratio traveled~~  
11 ~~on the classified arterial system prescribed in RCW 47.26.180, within~~  
12 ~~the urban areas of each region bears to the total vehicle to mile ratio~~  
13 ~~traveled on all classified urban arterials; and~~

14       ~~(c) One third in the ratio which the city and county urban arterial~~  
15 ~~needs within the urban areas of each region bears to the total urban~~  
16 ~~arterial needs on city and county urban arterials within all urban~~  
17 ~~areas of the state as last revised by the transportation improvement~~  
18 ~~board.~~

19       ~~Except as otherwise provided in subsection (3) of this section,~~  
20 ~~such apportionment percentages shall be used once each calendar quarter~~  
21 ~~by the transportation improvement board to apportion funds credited to~~  
22 ~~the urban arterial trust account which are available for expenditure~~  
23 ~~for urban arterial projects: PROVIDED, That any funds credited to the~~  
24 ~~urban arterial trust account subsequent to July 1, 1987, resulting from~~  
25 ~~bond sales in accordance with RCW 47.26.420 through 47.26.427 shall be~~  
26 ~~apportioned according to the percentages for the five regions~~  
27 ~~established for the biennium when the bonding authority was obligated~~  
28 ~~to projects.~~

29       ~~(2) All amounts credited to the urban arterial trust account,~~  
30 ~~except those provided for in subsection (3) of this section and any~~  
31 ~~excise tax revenues that may be required to repay the three series of~~  
32 ~~urban arterial bonds or the interest thereon when due, after~~  
33 ~~apportionment to each region, shall be divided on the basis of relative~~  
34 ~~population established at the beginning of each biennium by the office~~  
35 ~~of financial management between (a) the group of cities and that~~  
36 ~~portion of those counties within federally approved urban areas and (b)~~  
37 ~~the group of incorporated cities outside the boundaries of federally~~  
38 ~~approved urban areas: PROVIDED, That funds credited to the urban~~  
39 ~~arterial trust account subsequent to July 1, 1987, resulting from the~~



1 sale of bonds in accordance with RCW 47.26.420 through 47.26.427 shall  
2 be divided on the basis of relative population percentages established  
3 for the biennium when the bonding authority was obligated to projects.  
4 Within each region, funds divided between the groups identified under  
5 (a) and (b) of this subsection shall then be allocated by the  
6 transportation improvement board to incorporated cities and counties,  
7 as the case may be, for the construction of specific urban arterial  
8 projects in accordance with the procedures set forth in RCW 47.26.240.

9 (3) At the beginning of each biennium the transportation  
10 improvement board shall establish apportionment percentages for each of  
11 the five regions for the apportionment of the proceeds from the sale of  
12 fifteen million dollars of series II bonds and sixteen million dollars  
13 of series III bonds authorized by RCW 47.26.420, as now or hereafter  
14 amended, in the ratio which the population of the incorporated cities  
15 and towns lying outside the boundaries of federally approved urban  
16 areas of each region bears to the total population of all incorporated  
17 cities and towns of the state lying outside the boundaries of federally  
18 approved urban areas, as such populations are determined at the  
19 beginning of each biennium by the office of financial management. Such  
20 apportionment percentages shall be used once each calendar quarter by  
21 the transportation improvement board to apportion funds credited to the  
22 urban arterial trust account which are available for expenditure for  
23 urban arterial projects under this subsection: PROVIDED, That any  
24 funds credited to the urban arterial trust account subsequent to July  
25 1, 1987, resulting from the sale of bonds in accordance with RCW  
26 47.26.420 through 47.26.427 shall be apportioned with percentages for  
27 the five regions established for the biennium when the bonding  
28 authority was obligated to projects. Funds apportioned to each region  
29 shall be allocated by the transportation improvement board to  
30 incorporated cities lying outside the boundaries of federally approved  
31 urban areas, for the construction of specific urban arterial projects  
32 in accordance with the procedures set forth in RCW 47.26.240.)) The  
33 board shall adopt rules that provide geographical diversity in  
34 selecting improvement projects to be funded from the urban arterial  
35 trust account and small city account funds.

36 **Sec. 19.** RCW 47.26.260 and 1988 c 167 s 26 are each amended to  
37 read as follows:

1       (~~(1)~~) Upon completion of a preliminary proposal, the county, city,  
2 or transportation benefit district submitting said proposal shall  
3 submit to the transportation improvement board its voucher for payment  
4 of the urban arterial trust account or transportation improvement  
5 account, both hereinafter referred to in this section as account, share  
6 of the cost. Upon the completion of an approved construction project,  
7 the county, city, or transportation benefit district constructing the  
8 project shall submit to the transportation improvement board its  
9 voucher for the payment of the appropriate account share of the cost.  
10 The chairman of the transportation improvement board or his designated  
11 agent shall approve such voucher when proper to do so, for payment from  
12 the appropriate account to the county, city, or transportation benefit  
13 district submitting the voucher.

14       (2)) The transportation improvement board ((may)) shall adopt  
15 ((regulations)) rules providing for the approval of payments of funds  
16 in the accounts to a county, city, town, or transportation benefit  
17 district for costs of ((preliminary proposal)) predesign, design,  
18 engineering, and costs of construction of an approved project from time  
19 to time as work progresses. These payments shall at no time exceed the  
20 account share of the costs ((of construction)) incurred to the date of  
21 the voucher covering such payment.

22       **Sec. 20.** RCW 47.26.270 and 1988 c 167 s 27 are each amended to  
23 read as follows:

24       Counties ((and)), cities, towns, and transportation benefit  
25 districts receiving funds from the ((urban arterial trust account for  
26 construction of arterials)) board shall provide such matching funds as  
27 ((shall be)) established by ((regulations)) rules adopted by the  
28 transportation improvement board. ((Matching requirements shall be  
29 established after appropriate studies by the board taking into  
30 account)) When determining matching requirements, the board shall  
31 consider (1) financial resources available to counties and cities to  
32 meet arterial needs, (2) the amounts and percentages of funds available  
33 for road or street construction traditionally expended by counties and  
34 cities on arterials, (3) in the case of counties, the relative needs of  
35 arterials lying outside urban areas, and (4) the requirements necessary  
36 to avoid diversion of funds traditionally expended for arterial  
37 construction to other street or road purposes or to nonhighway  
38 purposes((: PROVIDED HOWEVER, That for projects funded subsequent to

1 July 1, 1977, cities and counties may use as matching funds any moneys  
2 received from any source, except such moneys which by law may not be  
3 used for the purposes set forth in this chapter)).

4 **Sec. 21.** RCW 47.26.305 and 1988 c 167 s 28 are each amended to  
5 read as follows:

6 ((Each city and county eligible for receipt of urban arterial trust  
7 funds is hereby authorized and directed to establish a system of  
8 bicycle routes throughout its jurisdiction. — Such)) Bicycle routes  
9 shall, when established in accordance with ((standards adopted by the  
10 transportation improvement board,)) RCW 47.06.100 be eligible for  
11 establishment, improvement, and upgrading with ((urban arterial trust))  
12 board funds ((when accomplished in connection with an arterial  
13 project)). The board shall adopt rules and procedures that will  
14 encourage the development of a system of bicycle routes within  
15 counties, cities, and towns.

16 **Sec. 22.** RCW 47.26.425 and 1977 ex.s. c 317 s 20 are each amended  
17 to read as follows:

18 Any funds required to repay the first authorization of two hundred  
19 million dollars of bonds authorized by RCW 47.26.420, as amended by  
20 section 18, chapter 317, Laws of 1977 ex. sess. or the interest thereon  
21 when due, shall be taken from that portion of the motor vehicle fund  
22 which results from the imposition of excise taxes on motor vehicle and  
23 special fuels and which is distributed to the urban arterial trust  
24 account in the motor vehicle fund and the certain sums received by the  
25 small city account in the motor vehicle fund imposed by RCW  
26 82.36.025(3) and 46.68.100(9), and shall never constitute a charge  
27 against any allocations of any other such funds in the motor vehicle  
28 fund to the state, counties, cities, and towns unless and until the  
29 amount of the motor vehicle fund arising from the excise tax on motor  
30 vehicle and special fuels and distributed to the urban arterial trust  
31 account and the small city account proves insufficient to meet the  
32 requirements for bond retirement or interest on any such bonds.

33 **Sec. 23.** RCW 47.26.4252 and 1983 1st ex.s. c 49 s 23 are each  
34 amended to read as follows:

35 Any funds required to repay the authorization of series II bonds  
36 authorized by RCW 47.26.420, as reenacted by section 3, chapter 5, Laws

1 of 1979, or the interest thereon when due, shall first be taken from  
2 that portion of the motor vehicle fund which results from the  
3 imposition of excise taxes on motor vehicle and special fuels imposed  
4 by chapters 82.36, 82.37, and 82.38 RCW and which is distributed to the  
5 urban arterial trust account in the motor vehicle fund and the certain  
6 sums received by the small city account in the motor vehicle fund  
7 imposed by RCW 82.36.025(3) and 46.68.100(9), subject, however, to the  
8 prior lien of the first authorization of bonds authorized by RCW  
9 47.26.420, as reenacted by section 3, chapter 5, Laws of 1979. If the  
10 moneys distributed to the urban arterial trust account and the small  
11 city account shall ever be insufficient to repay the first  
12 authorization bonds together with interest thereon, and the series II  
13 bonds or the interest thereon when due, the amount required to make  
14 such payments on such bonds or interest thereon shall next be taken  
15 from that portion of the motor vehicle fund which results from the  
16 imposition of excise taxes on motor vehicle and special fuels and which  
17 is distributed to the state, counties, cities, and towns pursuant to  
18 RCW 46.68.100 as now existing or hereafter amended. Any payments on  
19 such bonds or interest thereon taken from motor vehicle or special fuel  
20 tax revenues which are distributable to the state, counties, cities,  
21 and towns, shall be repaid from the first moneys distributed to the  
22 urban arterial trust account not required for redemption of the first  
23 authorization bonds or series II and series III bonds or interest on  
24 those bond issues.

25 **Sec. 24.** RCW 47.26.4254 and 1988 c 167 s 30 are each amended to  
26 read as follows:

27 (1) Any funds required to repay series III bonds authorized by RCW  
28 47.26.420, or the interest thereon, when due shall first be taken from  
29 that portion of the motor vehicle fund that results from the imposition  
30 of excise taxes on motor vehicle and special fuels imposed by chapters  
31 82.36, 82.37, and 82.38 RCW and that is distributed to the urban  
32 arterial trust account in the motor vehicle fund and the certain sums  
33 received by the small city account in the motor vehicle fund imposed by  
34 RCW 82.36.025(3) and RCW 46.68.100(9), subject, however, to the prior  
35 lien of the first authorization of bonds authorized by RCW 47.26.420.  
36 If the moneys so distributed to the urban arterial trust account and  
37 the small city account, after first being applied to administrative  
38 expenses of the transportation improvement board and to the

1 requirements of bond retirement and payment of interest on first  
2 authorization bonds and series II bonds as provided in RCW 47.26.425  
3 and 47.26.4252, are insufficient to meet the requirements for bond  
4 retirement or interest on any series III bonds, the amount required to  
5 make such payments on series III bonds or interest thereon shall next  
6 be taken from that portion of the motor vehicle fund that results from  
7 the imposition of excise taxes on motor vehicle and special fuels and  
8 that is distributed to the state, counties, cities, and towns pursuant  
9 to RCW 46.68.100, subject, however, to subsection (2) of this section.

10 (2) To the extent that moneys so distributed to the urban arterial  
11 trust account and the small city account are insufficient to meet the  
12 requirements for bond retirement or interest on any series III bonds,  
13 sixty percent of the amount required to make such payments when due  
14 shall first be taken from that portion of the motor vehicle fund that  
15 results from the imposition of excise taxes on motor vehicle and  
16 special fuels and that is distributed to the state. The remaining  
17 forty percent shall first be taken from that portion of the motor  
18 vehicle fund that results from the imposition of excise taxes on motor  
19 vehicle and special fuels and that is distributed to the cities and  
20 towns pursuant to RCW 46.68.100(1) and to the counties pursuant to RCW  
21 46.68.100(~~((+2))~~)(3). Of the counties', cities', and towns' share of  
22 any additional amounts required in the fiscal year ending June 30,  
23 1984, fifteen percent shall be taken from the counties' distributive  
24 share and eighty-five percent from the cities' and towns' distributive  
25 share. Of the counties', cities', and towns' share of any additional  
26 amounts required in each fiscal year thereafter, the percentage thereof  
27 to be taken from the counties' distributive share and from the cities'  
28 and towns' distributive share shall correspond to the percentage of  
29 funds authorized for specific county projects and for specific city and  
30 town projects, respectively, from the proceeds of series III bonds, for  
31 the period through the first eleven months of the prior fiscal year as  
32 determined by the chairman of the transportation improvement board and  
33 reported to the state finance committee and the state treasurer not  
34 later than the first working day of June.

35 (3) Any payments on such bonds or interest thereon taken from motor  
36 vehicle or special fuel tax revenues that are distributable to the  
37 state, counties, cities, and towns shall be repaid from the first  
38 moneys distributed to the urban arterial trust account and the small

1 city account not required for redemption of the first authorization  
2 bonds, series II bonds, or series III bonds or interest on these bonds.

3 **Sec. 25.** RCW 47.26.440 and 1988 c 167 s 32 are each amended to  
4 read as follows:

5 Not later than November 1st of each even-numbered year the  
6 transportation improvement board shall prepare and present to the  
7 commission for comment and recommendation an adopted budget for  
8 expenditures from ~~((the urban arterial trust account and the~~  
9 ~~transportation improvement account))~~ funds administered by the board  
10 during the ensuing biennium. The budget shall contain an estimate of  
11 the revenues to be credited to the ~~((urban arterial trust account and~~  
12 ~~the transportation improvement))~~ several accounts and the amount, if  
13 any, of bond proceeds which the board determines should be made  
14 available ~~((to the urban arterial trust account))~~ through the sale of  
15 bonds in the ensuing biennium.

16 ~~((The commission shall include the budget for the transportation~~  
17 ~~improvement board as a separate section of the transportation budget~~  
18 ~~which it shall submit to the governor and the legislature at the time~~  
19 ~~of its convening.))~~

20 **Sec. 26.** RCW 47.26.450 and 1988 c 167 s 33 are each amended to  
21 read as follows:

22 ~~((At the time the transportation improvement board reviews the six-~~  
23 ~~year program of each county and city each even numbered year, it shall~~  
24 ~~consider and shall approve for inclusion in its recommended budget, as~~  
25 ~~required by RCW 47.26.440, the portion of the urban arterial~~  
26 ~~construction program scheduled to be performed during the biennial~~  
27 ~~period beginning the following July 1st.))~~ The board shall adopt rules  
28 and procedures to govern the allocation of funds subject to the  
29 appropriations actually approved by the legislature~~((, the board shall~~  
30 ~~as soon as feasible approve urban arterial trust account funds to be~~  
31 ~~spent during the ensuing biennium for preliminary proposals in priority~~  
32 ~~sequence as established pursuant to RCW 47.26.240. In the case of~~  
33 ~~projects whose total cost exceeds one million dollars as reflected in~~  
34 ~~the six year program, the agency with jurisdiction shall furnish to the~~  
35 ~~board a value engineering study performed by an interagency team~~  
36 ~~approved by the board, to determine whether the proposed improvement~~  
37 ~~provides a cost effective solution for the project before the board may~~

1 approve urban arterial trust funds for either the preliminary or  
2 construction phase of the project. The board may authorize a variance  
3 from the value engineering study upon a determination that the study is  
4 not warranted. The board may also require a value engineering study  
5 for a project whose total cost is less than one million dollars upon a  
6 determination by the board that the study is warranted.

7 The board shall authorize urban arterial trust account funds for  
8 the construction project portion of a project previously authorized for  
9 a preliminary proposal in the sequence in which the preliminary  
10 proposal has been completed and the construction project is to be  
11 placed under contract. At such time the board may reserve urban  
12 arterial trust account funds for expenditure in future years as may be  
13 necessary for completion of preliminary proposals and construction  
14 projects to be commenced in the ensuing biennium.

15 The board may, within the constraints of available urban arterial  
16 trust funds, consider additional projects for authorization upon a  
17 clear and conclusive showing by the submitting local government that  
18 the proposed project is of an emergent nature and that its need was  
19 unable to be anticipated at the time the six year program of the local  
20 government was developed. Such proposed projects shall be evaluated on  
21 the basis of the priority rating factors specified in RCW 47.26.220)).

22 The board shall develop rules and procedures to require value  
23 engineering studies performed by an interagency team for certain board  
24 funded projects. When determining the process, the board shall  
25 consider the project cost, length, and complexity.

26 **Sec. 27.** RCW 47.26.460 and 1969 ex.s. c 171 s 7 are each amended  
27 to read as follows:

28 ((Whenever the board approves an urban arterial project it shall  
29 determine the amount of urban arterial trust account funds to be  
30 allocated for such project. The allocation shall be based upon  
31 information contained in the six year plan submitted by the county or  
32 city seeking approval of the project and upon such further  
33 investigation as the board deems necessary.)) The board shall adopt  
34 reasonable ((regulations)) rules pursuant to which ((urban arterial  
35 trust account)) funds allocated to a project may be increased upon a  
36 subsequent application of the county ((or)), city, town, or  
37 transportation benefit district constructing the project. The  
38 ((regulations)) rules adopted by the board shall ((take into account,

1 ~~but shall not be limited to,~~) consider the following factors: (1) The  
2 financial effect of increasing the original allocation for the project  
3 upon other urban arterial projects either approved or requested; (2)  
4 whether the project for which an additional ~~((allocation))~~  
5 authorization is requested can be reduced in scope while retaining a  
6 usable segment; (3) whether the ~~((original))~~ cost of the project shown  
7 in the ~~((applicant's six-year program))~~ original application was based  
8 upon reasonable engineering estimates; and (4) whether the requested  
9 additional ~~((allocation))~~ authorization is to pay for an expansion in  
10 the scope of work originally approved.

11 **Sec. 28.** RCW 47.26.500 and 1993 c 440 s 1 are each amended to read  
12 as follows:

13 In order to provide funds necessary to meet the urgent construction  
14 needs on state, county, and city transportation projects ~~((within urban  
15 areas))~~, there are hereby authorized for issuance general obligation  
16 bonds of the state of Washington in the sum of fifty million dollars,  
17 which shall be issued and sold in such amounts and at such times as  
18 determined to be necessary by the state transportation improvement  
19 board. The amount of such bonds issued and sold under the provisions  
20 of RCW 47.26.500 through 47.26.507 in any biennium shall not exceed the  
21 amount of a specific appropriation therefor, from the proceeds of such  
22 bonds, for the construction of state, county, and city transportation  
23 projects ~~((in urban areas))~~. The issuance, sale, and retirement of the  
24 bonds shall be under the supervision and control of the state finance  
25 committee which, upon request being made by the ~~((state transportation  
26 commission on behalf of the transportation improvement))~~ board, shall  
27 provide for the issuance, sale, and retirement of coupon or registered  
28 bonds to be dated, issued, and sold from time to time in such amounts  
29 as shall be requested by the ~~((state transportation))~~ board. The board  
30 shall report all bond sale requests to the commission.

31 **Sec. 29.** RCW 47.26.505 and 1993 c 440 s 6 are each amended to read  
32 as follows:

33 Any funds required to repay such bonds, or the interest thereon  
34 when due, shall be taken from that portion of the motor vehicle fund  
35 which results from the imposition of excise taxes on motor vehicle and  
36 special fuels and which is distributed to the transportation  
37 improvement account in the motor vehicle fund and the sums received by



1 the small city account in the motor vehicle fund under RCW 46.68.095,  
2 and shall never constitute a charge against any allocations of any  
3 other such funds in the motor vehicle fund to the state, counties,  
4 cities, and towns unless and until the amount of the motor vehicle fund  
5 arising from the excise tax on motor vehicle and special fuels and  
6 distributed to the transportation improvement account proves  
7 insufficient to meet the requirements for bond retirement or interest  
8 on any such bonds.

9 **Sec. 30.** RCW 82.36.025 and 1991 c 342 s 57 are each amended to  
10 read as follows:

11 The motor vehicle fuel tax rate shall be computed as the sum of the  
12 tax rate provided in subsection (1) of this section and the additional  
13 tax rates provided in subsections (2) through (5) of this section.

14 (1) A motor vehicle fuel tax rate of seventeen cents per gallon  
15 shall apply to the sale, distribution, or use of motor vehicle fuel.

16 (2) An additional motor vehicle fuel tax rate of one-third cent per  
17 gallon shall apply to the sale, distribution, or use of motor vehicle  
18 fuel, and the proceeds from this additional tax rate, reduced by an  
19 amount equal to the sum of the payments under RCW 46.68.090 (1) (a),  
20 (b), and (c) multiplied by the additional tax rate prescribed by this  
21 subsection divided by the motor vehicle fuel tax rate provided in this  
22 section, shall be deposited in the rural arterial trust account in the  
23 motor vehicle fund for expenditures under RCW 36.79.020.

24 (3) An additional motor vehicle fuel tax rate of one-third cent per  
25 gallon shall apply to the sale, distribution, or use of motor vehicle  
26 fuel, and the proceeds from this additional tax rate, reduced by an  
27 amount equal to the sum of the payments under RCW 46.68.090 (1) (a),  
28 (b), and (c) multiplied by the additional tax rate prescribed by this  
29 subsection divided by the motor vehicle fuel tax rate provided in this  
30 section, shall be deposited in the urban arterial trust account in the  
31 motor vehicle fund. After June 30, 1995, ninety-five percent of this  
32 revenue shall be deposited in the urban arterial trust account in the  
33 motor vehicle fund and five percent shall be deposited in the small  
34 city account in the motor vehicle fund.

35 (4) An additional motor vehicle fuel tax rate of one-third cent per  
36 gallon shall be applied to the sale, distribution, or use of motor  
37 vehicle fuel, and the proceeds from this additional tax rate, reduced  
38 by an amount equal to the sum of the payments under RCW 46.68.090 (1)

1 (a), (b), and (c) multiplied by the additional tax rate prescribed by  
2 this subsection divided by the motor vehicle fuel tax rate provided in  
3 this section, shall be deposited in the motor vehicle fund to be  
4 expended for highway purposes of the state as defined in RCW 46.68.130.

5 (5) An additional motor vehicle fuel tax rate of four cents per  
6 gallon from April 1, 1990, through March 31, 1991, and five cents per  
7 gallon from April 1, 1991, applies to the sale, distribution, or use of  
8 motor vehicle fuel. The proceeds from the additional tax rate under  
9 this subsection, reduced by an amount equal to the sum of the payments  
10 under RCW 46.68.090 (1) (a), (b), and (c) multiplied by the additional  
11 tax rate prescribed by this subsection divided by the motor fuel tax  
12 rate provided in this section, shall be deposited in the motor vehicle  
13 fund and shall be distributed by the state treasurer according to RCW  
14 46.68.095.

15 NEW SECTION. **Sec. 31.** The following acts or parts of acts are  
16 each repealed:

17 (1) RCW 47.26.042 and 1973 1st ex.s. c 126 s 4;

18 (2) RCW 47.26.043 and 1973 1st ex.s. c 126 s 5;

19 (3) RCW 47.26.180 and 1988 c 167 s 20, 1979 ex.s. c 122 s 8, 1977  
20 ex.s. c 317 s 13, 1975 1st ex.s. c 253 s 2, & 1967 ex.s. c 83 s 24;

21 (4) RCW 47.26.220 and 1989 c 160 s 1, 1988 c 167 s 23, & 1967 ex.s.  
22 c 83 s 28;

23 (5) RCW 47.26.230 and 1988 c 167 s 24, 1984 c 7 s 158, & 1967 ex.s.  
24 c 83 s 29;

25 (6) RCW 47.26.240 and 1988 c 167 s 25, 1977 ex.s. c 317 s 15, &  
26 1967 ex.s. c 83 s 30;

27 (7) RCW 47.26.265 and 1988 c 167 s 3;

28 (8) RCW 47.26.310 and 1988 c 167 s 29, 1984 c 7 s 160, & 1974 ex.s.  
29 c 141 s 3;

30 (9) RCW 47.26.315 and 1974 ex.s. c 141 s 6; and

31 (10) RCW 47.26.430 and 1988 c 167 s 31, 1981 c 315 s 12, & 1967  
32 ex.s. c 83 s 53.

--- END ---