
HOUSE BILL 3164

State of Washington 56th Legislature 2000 1 Special Session

By Representatives McIntire, Edmonds and Haigh

Read first time 03/21/2000. Referred to Committee on Finance.

1 AN ACT Relating to vehicle taxes; amending RCW 82.44.020,
2 82.44.110, and 35.58.273; adding a new section to chapter 82.44 RCW;
3 creating a new section; repealing RCW 82.44.041, 82.44.155, 82.44.157,
4 and 82.44.160; providing an effective date; and providing for
5 submission of this act to a vote of the people.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.44 RCW
8 to read as follows:

9 The department of revenue shall prepare at least once each year a
10 depreciation schedule or schedules for use in the determination of fair
11 market value for the purposes of this chapter. The schedule shall be
12 based upon information available to the department of revenue
13 pertaining to the current fair market value of motor vehicles. The
14 fair market value of a motor vehicle for the purposes of this chapter
15 shall be based on the most recent purchase price depreciated according
16 to the year of the most recent purchase of the motor vehicle. The most
17 recent purchase price is the consideration, whether money, credit,
18 rights, or other property expressed in terms of money, paid or given or

1 contracted to be paid or given by the purchaser to the seller for the
2 motor vehicle.

3 **Sec. 2.** RCW 82.44.020 and 1998 c 321 s 3 (Referendum Bill No. 49)
4 are each amended to read as follows:

5 (1) An excise tax is imposed for the privilege of using in the
6 state any motor vehicle, except those operated under reciprocal
7 agreements, the provisions of RCW 46.16.160, or dealer's licenses. The
8 annual amount of such excise tax shall be two and two-tenths percent of
9 the value of such vehicle, but not more than one hundred dollars.

10 (2) A clean air excise tax is imposed in addition to any other tax
11 imposed by this section for the privilege of using in the state any
12 motor vehicle as defined in RCW 82.44.010, except that farm vehicles as
13 defined in RCW 46.04.181 shall not be subject to the tax imposed by
14 this subsection. The annual amount of additional excise tax shall be
15 two dollars.

16 (3) An additional excise tax is imposed on truck-type power units
17 that are used in combination with a trailer to transport loads in
18 excess of forty thousand pounds combined gross weight. The annual
19 amount of such additional excise tax shall be fifty-eight one-
20 hundredths of one percent of the value of the vehicle.

21 The department shall distribute the additional tax collected under
22 this subsection as follows:

23 (a) For each trailing unit subject to subsection (4) of this
24 section, an amount equal to the clean air excise tax prescribed in
25 subsection (2) of this section shall be distributed in the manner
26 prescribed in RCW 82.44.110(2);

27 (b) The remainder of the additional excise tax collected under this
28 subsection shall be distributed in the manner prescribed in RCW
29 82.44.110(1). This tax shall not apply to power units used exclusively
30 for hauling logs.

31 (4) The excise taxes imposed by subsections (1) and (2) of this
32 section shall not apply to trailing units which are used in combination
33 with a power unit subject to the additional excise tax imposed by
34 subsection (3) of this section. This subsection shall not apply to
35 trailing units used for hauling logs.

36 (5) In no case shall the total tax be less than two dollars except
37 for proportionally registered vehicles and except for vehicles on which
38 a credit is granted under RCW 82.44.022.

1 (6) Washington residents, as defined in RCW 46.16.028, who license
2 motor vehicles in another state or foreign country and avoid Washington
3 motor vehicle excise taxes are liable for such unpaid excise taxes.
4 The department of revenue may assess and collect the unpaid excise
5 taxes under chapter 82.32 RCW, including the penalties and interest
6 provided therein.

7 **Sec. 3.** RCW 82.44.110 and 1998 c 321 s 5 (Referendum Bill No. 49)
8 are each amended to read as follows:

9 The county auditor shall regularly, when remitting license fee
10 receipts, pay over and account to the director of licensing for the
11 excise taxes collected under the provisions of this chapter. The
12 director shall forthwith transmit the excise taxes to the state
13 treasurer.

14 (1) The state treasurer shall deposit the excise taxes collected
15 under RCW 82.44.020(1) as follows:

16 (a) ~~((1.455))~~ 2.238 percent into the motor vehicle fund ~~((through~~
17 ~~June 30, 1999, and 1.71 percent beginning July 1, 1999,))~~ to defray
18 administrative and other expenses incurred by the department in the
19 collection of the excise tax.

20 (b) ~~((7.409))~~ 11.403 percent into the Puget Sound capital
21 construction account in the motor vehicle fund ~~((through June 30, 1999,~~
22 ~~and 8.712 percent beginning July 1, 1999))~~.

23 (c) ~~((3.70))~~ 5.695 percent into the Puget Sound ferry operations
24 account in the motor vehicle fund ~~((through June 30, 1999, and 4.351~~
25 ~~percent beginning July 1, 1999.~~

26 ~~(d) 5.345 percent into the city police and fire protection~~
27 ~~assistance account under RCW 82.44.155 through June 30, 1999, and 6.286~~
28 ~~percent beginning July 1, 1999.~~

29 ~~(e) 4.318 percent into the municipal sales and use tax equalization~~
30 ~~account created in RCW 82.14.210 through June 30, 1999, and 5.628~~
31 ~~percent beginning July 1, 1999.~~

32 ~~(f) 1.455 percent into the county sales and use tax equalization~~
33 ~~account created in RCW 82.14.200 through June 30, 1999, and 1.71~~
34 ~~percent beginning July 1, 1999.~~

35 ~~(g) 13.573 percent into the general fund through June 30, 1999))~~.

36 ~~((h) 43.605))~~ (d) 67.022 percent into the transportation fund
37 created in RCW 82.44.180 ~~((through June 30, 1999, and 51.203 percent~~
38 ~~beginning July 1, 1999))~~.

1 (~~((i) 5.426 percent into the county criminal justice assistance~~
2 ~~account created in RCW 82.14.310 through June 30, 1999, and 3.892~~
3 ~~percent beginning July 1, 1999.~~

4 (~~j) 1.085 percent into the municipal criminal justice assistance~~
5 ~~account for distribution under RCW 82.14.320 through June 30, 1999, and~~
6 ~~0.778 percent beginning July 1, 1999.~~

7 (~~k) 1.085 percent into the municipal criminal justice assistance~~
8 ~~account for distribution under RCW 82.14.330 through June 30, 1999, and~~
9 ~~0.778 percent beginning July 1, 1999.~~

10 (~~l) 2.682 percent into the county public health account created in~~
11 ~~RCW 70.05.125 through June 30, 1999, and 3.153 percent beginning July~~
12 ~~1, 1999.~~

13 (~~m) 8.862)) (e) 13.642 percent into the motor vehicle fund~~
14 ~~((through June 30, 1999, and 10.422 percent beginning July 1, 1999.~~

15 (~~n) 1.377 percent into the distressed county assistance account~~
16 ~~under RCW 82.14.380 beginning July 1, 1999.~~

17 Notwithstanding ~~(i) through (k) of this subsection, for each fiscal~~
18 ~~year through fiscal year 1999, the amounts deposited into the accounts~~
19 ~~specified in (i) through (k) of this subsection shall not increase by~~
20 ~~more than the amounts deposited into those accounts in the previous~~
21 ~~fiscal year increased by the implicit price deflator for the previous~~
22 ~~fiscal year. Any revenues in excess of this amount shall be deposited~~
23 ~~into the violence reduction and drug enforcement account)).~~

24 (2) The state treasurer shall deposit the excise tax imposed by RCW
25 82.44.020(2) into the air pollution control account created by RCW
26 70.94.015.

27 **Sec. 4.** RCW 35.58.273 and 1998 c 321 s 25 (Referendum Bill No. 49)
28 are each amended to read as follows:

29 (1) A municipality is authorized to levy and collect a special
30 excise tax not exceeding .725 percent ~~((on))~~ multiplied by sixty-five
31 percent of the value, as determined under chapter 82.44 RCW, of every
32 motor vehicle owned by a resident of such municipality for the
33 privilege of using such motor vehicle provided that in no event shall
34 the tax be less than one dollar and, subject to RCW 82.44.150 (3) and
35 (4), the amount of such tax shall be credited against the amount of the
36 excise tax levied by the state under RCW 82.44.020(1). Before
37 utilization of any excise tax moneys collected under authorization of
38 this section for acquisition of right of way or construction of a mass

1 transit facility on a separate right of way the municipality shall
2 adopt rules affording the public an opportunity for "corridor public
3 hearings" and "design public hearings" as herein defined, which rule
4 shall provide in detail the procedures necessary for public
5 participation in the following instances: (a) Prior to adoption of
6 location and design plans having a substantial social, economic or
7 environmental effect upon the locality upon which they are to be
8 constructed or (b) on such mass rapid transit systems operating on a
9 separate right of way whenever a substantial change is proposed
10 relating to location or design in the adopted plan. In adopting rules
11 the municipality shall adhere to the provisions of the Administrative
12 Procedure Act.

13 (2) A "corridor public hearing" is a public hearing that: (a) Is
14 held before the municipality is committed to a specific mass transit
15 route proposal, and before a route location is established; (b) is held
16 to afford an opportunity for participation by those interested in the
17 determination of the need for, and the location of, the mass rapid
18 transit system; (c) provides a public forum that affords a full
19 opportunity for presenting views on the mass rapid transit system route
20 location, and the social, economic and environmental effects on that
21 location and alternate locations: PROVIDED, That such hearing shall
22 not be deemed to be necessary before adoption of an overall mass rapid
23 transit system plan by a vote of the electorate of the municipality.

24 (3) A "design public hearing" is a public hearing that: (a) Is
25 held after the location is established but before the design is
26 adopted; and (b) is held to afford an opportunity for participation by
27 those interested in the determination of major design features of the
28 mass rapid transit system; and (c) provides a public forum to afford a
29 full opportunity for presenting views on the mass rapid transit system
30 design, and the social, economic, environmental effects of that design
31 and alternate designs.

32 (4) A municipality imposing a tax under subsection (1) of this
33 section may also impose a sales and use tax, in addition to the tax
34 authorized by RCW 82.14.030, upon retail car rentals within the
35 municipality that are taxable by the state under chapters 82.08 and
36 82.12 RCW. The rate of tax shall not exceed 1.944 percent. The rate
37 of tax imposed under this subsection shall bear the same ratio to the
38 1.944 percent rate authorized that the rate imposed under subsection
39 (1) of this section bears to the rate authorized under subsection (1)

1 of this section. The base of the tax shall be the selling price in the
2 case of a sales tax or the rental value of the vehicle used in the case
3 of a use tax. The tax imposed under this section shall be deducted
4 from the amount of tax otherwise due under RCW 82.08.020(2). The
5 revenue collected under this subsection shall be distributed in the
6 same manner as special excise taxes under subsection (1) of this
7 section.

8 NEW SECTION. **Sec. 5.** The following acts or parts of acts are each
9 repealed:

10 (1) RCW 82.44.041 (Valuation of vehicles) and 1998 c 321 s 4 & 1990
11 c 42 s 303;

12 (2) RCW 82.44.155 (City police and fire protection assistance
13 account--Distribution to cities and towns--Apportionment) and 1998 c
14 321 s 40, 1993 c 492 s 254, 1991 c 199 s 223, & 1990 c 42 s 309;

15 (3) RCW 82.44.157 (Transfer of funds pursuant to government service
16 agreement) and 1994 c 266 s 14; and

17 (4) RCW 82.44.160 (Distribution to municipal research council) and
18 1999 c 309 s 931 & 1995 c 28 s 1.

19 NEW SECTION. **Sec. 6.** This act takes effect January 1, 2001.

20 NEW SECTION. **Sec. 7.** The secretary of state shall submit this act
21 to the people for their adoption and ratification, or rejection, at the
22 next general election to be held in this state, in accordance with
23 Article II, section 1 of the state Constitution and the laws adopted to
24 facilitate its operation.

25 NEW SECTION. **Sec. 8.** If the supreme court of the state of
26 Washington rules in a final decision that RCW 82.44.020 has been
27 effectively repealed by Initiative Measure No. 695, this act is null
28 and void in its entirety.

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