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SENATE BILL 6612

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State of Washington

56th Legislature

2000 Regular Session

By Senators Rasmussen, Haugen and Horn

Read first time 01/20/2000. Referred to Committee on Transportation.

1 AN ACT Relating to use of local option transportation revenues; and  
2 amending RCW 82.80.070.

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

4 **Sec. 1.** RCW 82.80.070 and 1991 c 141 s 4 are each amended to read  
5 as follows:

6 (1) The proceeds collected pursuant to the exercise of the local  
7 option authority of RCW 82.80.010, 82.80.020, 82.80.030, and 82.80.050  
8 (hereafter called "local option transportation revenues") shall be used  
9 for transportation purposes only, including but not limited to the  
10 following: The operation and preservation of roads, streets, and other  
11 transportation improvements; new construction, reconstruction, and  
12 expansion of city streets, county roads, and state highways and other  
13 transportation improvements including but not limited to public parking  
14 garages; development and implementation of public transportation and  
15 high-capacity transit improvements and programs; and planning, design,  
16 and acquisition of right of way and sites for such transportation  
17 purposes. The proceeds collected from excise taxes on the sale,  
18 distribution, or use of motor vehicle fuel and special fuel under RCW

1 82.80.010 shall be used exclusively for "highway purposes" as that term  
2 is construed in Article II, section 40 of the state Constitution.

3 (2) The local option transportation revenues shall be expended for  
4 transportation uses consistent with the adopted transportation and land  
5 use plans of the jurisdiction expending the funds and consistent with  
6 any applicable and adopted regional transportation plan for  
7 metropolitan planning areas.

8 (3) Each local government with a population greater than eight  
9 thousand that levies or expends local option transportation funds, is  
10 also required to develop and adopt a specific transportation program  
11 that contains the following elements:

12 (a) The program shall identify the geographic boundaries of the  
13 entire area or areas within which local option transportation revenues  
14 will be levied and expended.

15 (b) The program shall be based on an adopted transportation plan  
16 for the geographic areas covered and shall identify the proposed  
17 operation and construction of transportation improvements and services  
18 in the designated plan area intended to be funded in whole or in part  
19 by local option transportation revenues and shall identify the annual  
20 costs applicable to the program.

21 (c) The program shall indicate how the local transportation plan is  
22 coordinated with applicable transportation plans for the region and for  
23 adjacent jurisdictions.

24 (d) The program shall include at least a six-year funding plan,  
25 updated annually, identifying the specific public and private sources  
26 and amounts of revenue necessary to fund the program. The program  
27 shall include a proposed schedule for construction of projects and  
28 expenditure of revenues. The funding plan shall consider the  
29 additional local tax revenue estimated to be generated by new  
30 development within the plan area if all or a portion of the additional  
31 revenue is proposed to be earmarked as future appropriations for  
32 transportation improvements in the program.

33 (4) Local governments with a population greater than eight thousand  
34 exercising the authority for local option transportation funds shall  
35 periodically review and update their transportation program to ensure  
36 that it is consistent with applicable local and regional transportation  
37 and land use plans and within the means of estimated public and private  
38 revenue available.

1 (5) In the case of expenditure for new or expanded transportation  
2 facilities, improvements, and services, priorities in the use of local  
3 option transportation revenues shall be identified in the  
4 transportation program and expenditures shall be made based upon the  
5 following criteria, which are stated in descending order of weight to  
6 be attributed:

7 (a) First, the project serves a multijurisdictional function;

8 (b) Second, it is necessitated by existing or reasonably  
9 foreseeable congestion;

10 (c) Third, it has the greatest person-carrying capacity;

11 (d) Fourth, it is partially funded by other government funds, such  
12 as from the state transportation improvement board, or by private  
13 sector contributions, such as those from the local transportation act,  
14 chapter 39.92 RCW; and

15 (e) Fifth, it meets such other criteria as the local government  
16 determines is appropriate.

17 (6) It is the intent of the legislature that as a condition of  
18 levying, receiving, and expending local option transportation revenues,  
19 no local government agency use the revenues to replace, divert, or loan  
20 any revenues currently being used for transportation purposes to  
21 nontransportation purposes. The association of Washington cities and  
22 the Washington state association of counties, in consultation with the  
23 legislative transportation committee, shall study the issue of  
24 nondiversion and make recommendations to the legislative transportation  
25 committee for language implementing the intent of this section by  
26 December 1, 1990.

27 (7) Local governments are encouraged to enter into interlocal  
28 agreements to jointly develop and adopt with other local governments  
29 the transportation programs required by this section for the purpose of  
30 accomplishing regional transportation planning and development.

31 (8) Local governments may use all or a part of the local option  
32 transportation revenues for the amortization of local government  
33 general obligation and revenue bonds issued for transportation purposes  
34 consistent with the requirements of this section.

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