
SENATE BILL 5762

State of Washington

57th Legislature

2001 Regular Session

By Senators Prentice, Swecker, Oke, Horn, Haugen and Kohl-Welles; by request of The Blue Ribbon Commission on Transportation

Read first time 02/01/2001. Referred to Committee on Transportation.

1 AN ACT Relating to environmental mitigation in transportation
2 projects; amending RCW 36.79.090; reenacting and amending RCW
3 46.68.090; and adding a new section to chapter 47.26 RCW.

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

5 **Sec. 1.** RCW 36.79.090 and 1988 c 26 s 5 are each amended to read
6 as follows:

7 Upon receipt of a county's revised six-year program, the board as
8 soon as practicable shall review and may revise the construction
9 program as it relates to rural arterials and the construction of
10 replacement bridges funded by the federal bridge replacement program on
11 access roads in rural areas for which rural arterial trust account
12 moneys are requested as necessary to conform to (1) the priority rating
13 of the proposed project, based upon the factors in RCW 36.79.080, in
14 relation to proposed projects in all other rural arterial construction
15 programs submitted by the counties and within each region; and (2) the
16 amount of rural arterial trust account funds that the board estimates
17 will be apportioned to the region.

18 Counties shall include in their six-year program submittal to the
19 board, documentation addressing the environmental mitigation actions

1 needed for each individual project, specifying the amounts to be spent
2 on the environmental permitting process and the actual mitigation
3 action.

4 **Sec. 2.** RCW 46.68.090 and 1999 c 269 s 2 and 1999 c 94 s 6 are
5 each reenacted and amended to read as follows:

6 (1) All moneys that have accrued or may accrue to the motor vehicle
7 fund from the motor vehicle fuel tax and special fuel tax shall be
8 first expended for purposes enumerated in (a) and (b) of this
9 subsection. The remaining net tax amount shall be distributed monthly
10 by the state treasurer in the proportions set forth in (c) through (l)
11 of this subsection.

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

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

19 (c) For distribution to the motor vehicle fund an amount equal to
20 44.387 percent to be expended for highway purposes of the state as
21 defined in RCW 46.68.130;

22 (d) For distribution to the special category C account, hereby
23 created in the motor vehicle fund, an amount equal to 3.2609 percent to
24 be expended for special category C projects. Special category C
25 projects are category C projects that, due to high cost only, will
26 require bond financing to complete construction.

27 The following criteria, listed in order of priority, shall be used
28 in determining which special category C projects have the highest
29 priority:

30 (i) Accident experience;

31 (ii) Fatal accident experience;

32 (iii) Capacity to move people and goods safely and at reasonable
33 speeds without undue congestion; and

34 (iv) Continuity of development of the highway transportation
35 network.

36 Moneys deposited in the special category C account in the motor
37 vehicle fund may be used for payment of debt service on bonds the

1 proceeds of which are used to finance special category C projects under
2 this subsection (1)(d);

3 (e) For distribution to the Puget Sound ferry operations account in
4 the motor vehicle fund an amount equal to 2.3283 percent;

5 (f) For distribution to the Puget Sound capital construction
6 account in the motor vehicle fund an amount equal to 2.3726 percent;

7 (g) For distribution to the urban arterial trust account in the
8 motor vehicle fund an amount equal to 7.5597 percent;

9 (h) For distribution to the transportation improvement account in
10 the motor vehicle fund an amount equal to 5.6739 percent and expended
11 in accordance with RCW 47.26.086;

12 (i) For distribution to the cities and towns from the motor vehicle
13 fund an amount equal to 10.6961 percent in accordance with RCW
14 46.68.110;

15 (j) For distribution to the counties from the motor vehicle fund an
16 amount equal to 19.2287 percent: (i) Out of which there shall be
17 distributed from time to time, as directed by the department of
18 transportation, those sums as may be necessary to carry out the
19 provisions of RCW 47.56.725; and (ii) less any amounts appropriated to
20 the county road administration board to implement the provisions of RCW
21 47.56.725(4), with the balance of such county share to be distributed
22 monthly as the same accrues for distribution in accordance with RCW
23 46.68.120;

24 (k) For distribution to the county arterial preservation account,
25 hereby created in the motor vehicle fund an amount equal to 1.9565
26 percent. These funds shall be distributed by the county road
27 administration board to counties in proportions corresponding to the
28 number of paved arterial lane miles in the unincorporated area of each
29 county and shall be used for improvements to sustain the structural,
30 safety, and operational integrity of county arterials. The county road
31 administration board shall adopt reasonable rules and develop policies
32 to implement this program (~~and~~) to assure that a pavement management
33 system is used, and that environmental mitigation actions applied to
34 county road projects are cost-effective and, at a minimum, are
35 presented to the board as a percentage of overall project costs;

36 (l) For distribution to the rural arterial trust account in the
37 motor vehicle fund an amount equal to 2.5363 percent and expended in
38 accordance with RCW 36.79.020.

1 (2) Nothing in this section or in RCW 46.68.130 may be construed so
2 as to violate any terms or conditions contained in any highway
3 construction bond issues now or hereafter authorized by statute and
4 whose payment is by such statute pledged to be paid from any excise
5 taxes on motor vehicle fuel and special fuels.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.26 RCW
7 to read as follows:

8 If a city or county is to be considered by the transportation
9 improvement board for funding under this chapter, the city or county
10 must include in its application submittal, documentation addressing the
11 environmental mitigation actions needed for the project to be
12 considered, specifying the amounts to be spent on the environmental
13 permitting process and the actual mitigation action.

--- END ---