
HOUSE BILL 1557

State of Washington

58th Legislature

2003 Regular Session

By Representatives McDermott, Ericksen, Simpson, Armstrong, Lovick, Campbell, Sullivan, Dickerson, Cody and Santos

Read first time 01/30/2003. Referred to Committee on Transportation.

1 AN ACT Relating to the collection of voter-approved taxes by a city
2 transportation authority; amending RCW 35.95A.120; adding a new section
3 to chapter 35.95A RCW; prescribing penalties; and declaring an
4 emergency.

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

6 **Sec. 1.** RCW 35.95A.120 and 2002 c 248 s 13 are each amended to
7 read as follows:

8 The city transportation authority may be dissolved by a vote of the
9 people residing within the boundaries of the authority if the authority
10 is faced with significant financial problems. However, the authority
11 may covenant with holders of its bonds that it may not be dissolved and
12 shall continue to exist solely for the purpose of continuing to levy
13 and collect any taxes or assessments levied by it and pledged to the
14 repayment of debt and to take other actions, including the appointment
15 of a trustee, as necessary to allow it to repay any remaining debt.
16 Any referendum petition to dissolve the city transportation authority
17 must be filed with the city council and contain provisions for
18 dissolution of the authority. Within seven days, the city prosecutor
19 must review the validity of the petition and submit its report to the

1 petitioner and city council. If the petitioner's claims are deemed
2 valid by the city prosecutor, within ten days of the petitioner's
3 filing, the city council will confer with the petitioner concerning the
4 form and style of the petition, issue an identification number for the
5 petition, and write a ballot title for the measure. The ballot title
6 must be posed as a question and an affirmative vote on the measure
7 results in authority retention and a negative vote on the measure
8 results in the authority's dissolution. The petitioner will be
9 notified of the identification number and ballot title within this ten-
10 day period.

11 After this notification, the petitioner has ninety days in which to
12 secure on petition forms, the signatures of not less than fifteen
13 percent of the registered voters in the authority area and to file the
14 signed petitions with the filing officer. Each petition form must
15 contain the ballot title and the full text of the measure to be
16 referred. The filing officer will verify the sufficiency of the
17 signatures on the petitions. If sufficient valid signatures are
18 properly submitted, the filing officer shall submit the initiative to
19 the authority area voters at a general or special election held on one
20 of the dates provided in RCW 29.13.010 as determined by the city
21 council, which election will not take place later than one hundred
22 twenty days after the signed petition has been filed with the filing
23 officer.

24 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.95A RCW
25 to read as follows:

26 (1) It is a violation of this chapter for any resident of the
27 authority area to register a motor vehicle owned by the resident
28 outside the authority area where the registration is for the purpose of
29 evading the collection of the special excise tax levied by the
30 authority for the privilege of using a motor vehicle under RCW
31 35.95A.080(1). When a violation of this chapter occurs, the resident
32 of the authority area is subject to a civil penalty equal to three
33 times the amount of the evaded special excise tax. For purposes of
34 this subsection, each and every time a registration is made with the
35 intent to evade the special excise tax constitutes a separate and
36 distinct violation.

1 (2) A city transportation authority is authorized to impose civil
2 penalties in accordance with this chapter and the procedural
3 requirements providing for notice, hearing, and review contained in
4 chapter 34.05 RCW. An authority shall adopt a formal policy to
5 implement the required procedures.

6 (3) The penalty provided for in this section must be imposed by
7 written notice to the person against whom the civil penalty is assessed
8 and must describe the violation. The imposed penalty is due twenty-
9 eight days after the mailing of the written notice unless an
10 application for an adjudicative hearing is filed as provided for in
11 chapter 34.05 RCW and an authority's implementing policy.

12 (4) In addition to other remedies provided by law, a city
13 transportation authority may seek enforcement of a final order imposing
14 the civil penalty by filing a petition for civil enforcement in
15 accordance with RCW 34.05.578.

16 (5) Civil penalties collected must be placed into the general fund
17 of a city transportation authority and used for any lawful purpose of
18 the authority.

19 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and takes effect
22 immediately.

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