
HOUSE BILL 1762

State of Washington

58th Legislature

2003 Regular Session

By Representatives Murray, Hankins, Cooper, McDermott, Rockefeller, Gombosky, Santos and Haigh

Read first time 02/07/2003. Referred to Committee on Transportation.

1 AN ACT Relating to a motor vehicle registration fee to fund air
2 quality protection and improvement and motor vehicle related toxic
3 cleanup; adding a new section to chapter 46.16 RCW; adding a new
4 section to chapter 70.105D RCW; adding a new section to chapter 70.94
5 RCW; creating a new section; providing an effective date; and providing
6 an expiration date.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that:

9 (1) Air is an essential public resource that must be preserved,
10 protected, and enhanced for current and future generations. Improving
11 air quality is a matter of statewide concern and is in the public
12 interest.

13 (2) Air pollution can have adverse health effects on many
14 populations in the state of Washington, particularly children. Over
15 four hundred thousand students in the state risk their health breathing
16 exhaust from riding the bus to school every day. One out of every ten
17 children in our state suffers from asthma. Diesel exhaust is likely to
18 cause lung cancer in humans, chronic and acute bronchitis in children,
19 asthma attacks, and respiratory illnesses.

1 (3) Although stringent standards established by the United States
2 environmental protection agency for new diesel school buses will begin
3 with the 2007 model year, seventy-five percent of the more than eight
4 thousand five hundred buses on the road now in the state will continue
5 to be used for the next thirteen or more years.

6 (4) Solutions are available to address this health risk, including
7 installing filters and oxidation catalysts on school bus engines to
8 remove harmful emissions and using cleaner fuels such as ultra-low
9 sulfur diesel fuel, biodiesel fuel blends, and natural gas fuel.
10 Installation of these devices and the use of cleaner fuels will reduce
11 harmful fine particle and toxic air pollutant emissions by up to ninety
12 percent.

13 (5) Money deposited in the state air quality account will be used
14 for, among other purposes, installing filters and catalysts on school
15 bus engines to reduce harmful emissions and using ultra-low sulfur fuel
16 and biodiesel blends on the diesel school buses currently used
17 throughout the state.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.16 RCW
19 to read as follows:

20 (1) In addition to all other fees imposed under this chapter, the
21 following registration fees shall be imposed at the time of initial
22 registration:

- 23 (a) Ten dollars for all campers, motorcycles, or trailers;
- 24 (b) Twenty dollars for all passenger cars and for hire vehicles;
- 25 (c) Thirty dollars for all trucks, motor homes, combination of
26 vehicles, commercial vehicles, and travel trailers.

27 (2) Vehicles licensed under chapter 46.87 RCW are exempt from the
28 fees imposed under subsection (1) of this section.

29 (3) The proceeds from the fee imposed under subsection (1) of this
30 section shall be deposited in the state air quality account created
31 under section 3 of this act.

32 (4) This section expires July 1, 2040.

33 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.105D
34 RCW to read as follows:

35 (1) The state air quality account is hereby created in the state
36 treasury. The following money shall be deposited into the state air

1 quality account: (a) Money which is raised by the fee imposed under
2 section 2 of this act; and (b) any other money appropriated or
3 transferred to the account by the legislature.

4 (2) Money in the account may be used for any purpose allowable
5 under chapter 70.94 RCW, and the purposes of this chapter as it relates
6 to air pollution, including but not limited to the following
7 activities:

8 (a) The hazardous waste cleanup program required under this chapter
9 as it relates to air pollution;

10 (b) Reducing air contaminant emissions and cleaning up air
11 pollution;

12 (c) Reducing and eliminating toxic air contaminants;

13 (d) Addressing and mitigating the impact of climate change;

14 (e) Retrofitting motor vehicles, including school buses and transit
15 fleets, with exhaust emission control devices;

16 (f) Providing funding for the differential costs of cleaner and
17 alternative fuels and vehicles which reduce air emissions and allow
18 advanced exhaust emission control devices to be used, including
19 ultra-low sulfur diesel fuel, biodiesel, and natural gas;

20 (g) Providing funding for infrastructure necessary to allow fleets
21 to use alternative, cleaner fuels; and

22 (h) Administrative and operating costs of air pollution control
23 authorities and, where there is no air pollution control agency, the
24 department, to develop and oversee the air pollution cleanup programs
25 identified in this section.

26 (3) Money deposited in the state air quality account shall be
27 subject to distribution as follows:

28 (a) Eighty percent of the funds shall be distributed to the air
29 pollution control authorities created under chapter 70.94 RCW. The
30 funds shall be distributed in direct proportion with the amount of fees
31 imposed under section 2 of this act that are collected within the
32 boundaries of each authority, however, an amount in direct proportion
33 with those fees collected in counties for which no air pollution
34 control authority exists shall be distributed to the department.

35 (b) Twenty percent of the money deposited in the state air quality
36 account shall be distributed to the department and shall be used by the
37 department for the following purposes:

1 (i) The hazardous waste cleanup program required under this chapter
2 as it relates to air pollution;

3 (ii) Reducing air contaminant emissions and cleaning up air
4 pollution;

5 (iii) Reducing and eliminating toxic air contaminants;

6 (iv) Addressing and mitigating the impact of climate change;

7 (v) Retrofitting motor vehicles, including school buses and transit
8 fleets, with exhaust emission control devices;

9 (vi) Providing funding for the differential costs of cleaner and
10 alternative fuels and vehicles which reduce air emissions and allow
11 advanced exhaust emission control devices to be used, including
12 ultra-low sulfur diesel fuel, biodiesel, and natural gas;

13 (vii) Providing funding for infrastructure necessary to allow
14 fleets to use alternative, cleaner fuels;

15 (viii) Administrative and operating costs of air pollution control
16 authorities and, where there is no air pollution control agency, the
17 department, to develop and oversee the air pollution cleanup programs
18 identified in this section; and

19 (ix) Hazardous waste cleanup programs related to toxic pollution or
20 potential toxic pollution of land, air, or water caused by motor
21 vehicles in their use, recycling, storage, or destruction.

22 (4) Money in the state air quality account may be spent by the
23 department only after appropriation.

24 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.94 RCW
25 to read as follows:

26 Notwithstanding RCW 39.36.020(1), air pollution control authorities
27 created under this chapter may at any time contract indebtedness or
28 borrow money for any lawful authority purpose and may issue general
29 obligation bonds or other evidences of indebtedness, secured by the
30 pledge of one or more of the taxes, charges, or fees authorized to be
31 imposed or received by the authority, including, without limitation,
32 the state air quality account moneys to be distributed to the authority
33 under section 2 of this act and money received from other private or
34 public sources, in an amount not exceeding, together with any existing
35 indebtedness of the authority not authorized by the voters, one and
36 one-half percent of the value of the taxable property within the
37 boundaries of the authority; and with the assent of three-fifths of the

1 voters voting at an election called for that purpose, may contract
2 indebtedness or borrow money for authority purposes and may issue
3 general obligation bonds or other evidences of indebtedness provided
4 the total indebtedness of the authority does not exceed five percent of
5 the value of the taxable property. The bonds shall be issued and sold
6 in accordance with chapter 39.46 RCW. In no circumstance shall this
7 debt be the obligation of the cities or counties within the boundaries
8 of the authority.

9 NEW SECTION. **Sec. 5.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 6.** This act takes effect September 1, 2003.

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