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SENATE BILL 6695

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State of Washington

58th Legislature

2004 Regular Session

By Senators Jacobsen, Eide, Prentice, Kohl-Welles, Kline, Thibaudeau and Poulsen

Read first time 01/30/2004. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to regional transportation investment districts;  
2 and amending RCW 36.120.020 and 36.120.070.

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

4 **Sec. 1.** RCW 36.120.020 and 2002 c 56 s 102 are each amended to  
5 read as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Board" means the governing body of a regional transportation  
9 investment district.

10 (2) "Department" means the Washington state department of  
11 transportation.

12 (3) "Highway of statewide significance" means an existing or  
13 proposed state route or federal interstate designated as a highway of  
14 statewide significance by the transportation commission, its successor  
15 entity, or the legislature.

16 (4) "Lead agency" means a public agency that by law can plan,  
17 design, and build a transportation project and has been so designated  
18 by the district.

1 (5) "Regional transportation investment district" or "district"  
2 means a municipal corporation whose boundaries are coextensive with two  
3 or more contiguous counties and that has been created by county  
4 legislative authorities and a vote of the people under this chapter to  
5 implement a regional transportation investment plan.

6 (6) "Regional transportation investment district planning  
7 committee" or "planning committee" means the advisory committee created  
8 under RCW 36.120.030 to create and propose to county legislative  
9 authorities a regional transportation investment plan to develop,  
10 finance, and construct transportation projects.

11 (7) "Regional transportation investment plan" or "plan" means a  
12 plan to develop, construct, and finance a transportation project or  
13 projects.

14 (8) "Transportation project" means:

15 (a) A capital improvement or improvements relating to, or in  
16 support of, all or a portion of a highway that has been designated, in  
17 whole or in part, as a highway of statewide significance, (~~including~~  
18 ~~an extension, that:~~

19 ~~(i) Adds a lane or new lanes to an existing state or federal~~  
20 ~~highway; or~~

21 ~~(ii) Repairs or replaces a lane or lanes damaged by an event~~  
22 ~~declared an emergency by the governor before January 1, 2002.~~

23 ~~(b) A capital improvement or improvements to all or a portion of a~~  
24 ~~highway of statewide significance, including an extension,)) and may~~  
25 include the following associated (~~multimodal~~) capital improvements:

26 (i) Approaches to highways of statewide significance;

27 (ii) High-occupancy vehicle lanes;

28 (iii) Flyover ramps;

29 (iv) Park and ride lots;

30 (v) Bus pullouts;

31 (vi) Vans for vanpools;

32 (vii) Buses; and

33 (viii) Signalization, ramp metering, and other transportation  
34 system management improvements.

35 (~~(c)~~) (b) A capital improvement or improvements to all or a  
36 portion of a city street, county road, or existing highway or the  
37 creation of a new highway that intersects with a highway of statewide  
38 significance, (~~if all of the following conditions are met:~~

1       ~~(i) The project is included in a plan that makes highway~~  
2 ~~improvement projects that add capacity to a highway or highways of~~  
3 ~~statewide significance;~~

4       ~~(ii) The secretary of transportation determines that the project~~  
5 ~~would better relieve traffic congestion than investing that same money~~  
6 ~~in adding capacity to a highway of statewide significance;~~

7       ~~(iii) Matching money equal to one third of the total cost of the~~  
8 ~~project is provided by local entities, including but not limited to a~~  
9 ~~metropolitan planning organization, county, city, port, or private~~  
10 ~~entity in which a county participating in a plan is located. Local~~  
11 ~~entities may use federal grants to meet this matching requirement;~~

12       ~~(iv) In no case may the cumulative regional transportation~~  
13 ~~investment district contribution to all projects constructed under this~~  
14 ~~subsection (8)(c) exceed ten percent of the revenues generated by the~~  
15 ~~district;~~

16       ~~(v) In no case may the cumulative regional transportation~~  
17 ~~investment district contribution to all projects constructed under this~~  
18 ~~subsection (8)(c) exceed one billion dollars; and~~

19       ~~(vi) The specific projects are included within the plan and~~  
20 ~~submitted as part of the plan to a vote of the people.~~

21       ~~(d) Operations, preservation, and maintenance are excluded from~~  
22 ~~this definition and may not be included in a regional transportation~~  
23 ~~investment plan)) but only if the cumulative regional transportation~~  
24 ~~investment district contribution to all projects constructed under this~~  
25 ~~subsection (8)(b) does not exceed twenty percent of the revenues~~  
26 ~~generated by the district, or forty percent of the revenues generated~~  
27 ~~by the district for projects in a rural county. For purposes of this~~  
28 ~~subsection (8)(b), "rural county" means a county smaller than two~~  
29 ~~hundred twenty-five square miles or as defined in RCW 43.168.020.~~

30       ~~(c) Operations, preservation, and maintenance are excluded from the~~  
31 ~~definition of transportation project under this subsection, except for~~  
32 ~~operation, preservation, and maintenance costs of tolled facilities,~~  
33 ~~including the costs of collecting the tolls, if toll revenues have been~~  
34 ~~pledged for the payment of contracts.~~

35       (9) "Weighted vote" means a vote that reflects the population each  
36 board or planning committee member represents relative to the  
37 population represented by the total membership of the board or planning

1 committee. Population will be determined using the federal 2000 census  
2 or subsequent federal census data.

3 **Sec. 2.** RCW 36.120.070 and 2002 c 56 s 107 are each amended to  
4 read as follows:

5 (1) Two or more contiguous county legislative authorities, upon  
6 receipt of the regional transportation investment plan under RCW  
7 36.120.040, may certify the plan to the ballot, including  
8 identification of the tax options necessary to fund the plan. County  
9 legislative authorities may draft a ballot title, give notice as  
10 required by law for ballot measures, and perform other duties as  
11 required to put the plan before the voters of the proposed district for  
12 their approval or rejection as a single ballot measure that both  
13 approves formation of the district and approves the plan. Counties may  
14 negotiate interlocal agreements necessary to implement the plan. The  
15 electorate will be the voters voting within the boundaries of the  
16 participating counties. A simple majority of the total persons voting  
17 on the single ballot measure to approve the plan, establish the  
18 district, and approve the taxes and fees is required for approval.

19 (2) Voter approval under this section must be accorded substantial  
20 weight regarding the validity of a transportation project as defined in  
21 RCW 36.120.020.

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