
HOUSE BILL 1736

State of Washington 59th Legislature 2005 Regular Session

By Representatives Simpson, O'Brien, Schindler, Cody, Woods and Chase

Read first time 02/03/2005. Referred to Committee on Local Government.

1 AN ACT Relating to ambulance services operated by cities and towns;
2 amending RCW 35.21.766 and 35.21.768; and declaring an emergency.

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

4 **Sec. 1.** RCW 35.21.766 and 2004 c 129 s 34 are each amended to read
5 as follows:

6 (1) Whenever a regional fire protection service authority (~~or the~~
7 ~~legislative authority of any city or town~~) determines that the fire
8 protection jurisdictions that are members of the authority (~~or the~~
9 ~~city or town or a substantial portion of the city or town is~~) are not
10 adequately served by existing private ambulance service, the governing
11 board of the authority may by resolution(~~, or the legislative~~
12 ~~authority of the city or town may by appropriate legislation,~~) provide
13 for the establishment of a system of ambulance service to be operated
14 by the authority as a public utility of the city or town, or operated
15 by contract after a call for bids.

16 (2) The legislative authority of any city or town may establish an
17 ambulance service as defined by RCW 18.73.030. However, the
18 legislative authority of the city or town shall not provide for the
19 establishment of an ambulance service that would compete with any

1 existing private ambulance service, unless the legislative authority of
2 the city or town determines that the city or town, or a substantial
3 portion of the city or town, is not adequately served by an existing
4 private ambulance service, and the existing private ambulance service
5 cannot be encouraged to expand its service by contract entered into
6 between the parties. In determining the adequacy of an existing
7 private ambulance service, the legislative authority of the city or
8 town, shall request the department of health to determine whether the
9 existing private ambulance service is meeting existing objective
10 service standards, as set forth by the department of health in law, or
11 any rules adopted thereunder. If the department of health determines
12 that the existing private ambulance service is routinely failing to
13 meet department of health standards, the legislative authority of the
14 city or town may, by appropriate legislation, provide for the
15 establishment of ambulance service to be operated by the authority of
16 the city or town, or operated by contract after a call for bids.

17 (3) The legislative authority of the city or town may, by
18 appropriate legislation, adopt procedures to set and collect reasonable
19 fees for an ambulance service established under subsection 2 of this
20 section; however, such fees shall be set in accordance with subsection
21 (4) of this section.

22 (4)(a) The legislative authority of the city or town is authorized
23 to set rates and collect charges for ambulance service costs which may
24 include costs necessary to: Purchase and maintain ambulance equipment;
25 operate, maintain, and construct ambulance system facilities; and
26 provide adequate ambulance service staffing. Any capital costs shall
27 be allocated and charged in accordance with generally accepted
28 accounting principles so that such costs are annualized based on
29 customary depreciation schedules.

30 (b) Beginning on the effective date of this act, the rate charged
31 for ambulance services, under (a) of this subsection, shall be:

32 (i) Uniform so that each physical property address located within
33 the geographic boundaries of the city or town, not otherwise exempt
34 from such charge by the legislative authority of the city or town, or
35 which the city or town is prohibited from taxing under the constitution
36 or laws of this state or of the United States, are billed the same
37 amount for ambulance services regardless of actual use of the service;
38 or

1 (ii) Billed to the individual using the ambulance service.

2 (5) Ambulance rates charged pursuant to this section shall not
3 constitute taxes or charges provided for under RCW 82.02.050 through
4 82.02.090, 35.21.768, or charges otherwise prohibited by law.

5 **Sec. 2.** RCW 35.21.768 and 1975 1st ex.s. c 24 s 2 are each amended
6 to read as follows:

7 The legislative authority of any city or town is authorized to
8 adopt ordinances (~~for the levy and collection of excise taxes and/or~~)
9 for the imposition of (~~an additional~~) a tax for the act or privilege
10 of engaging in the ambulance business. Such business and occupation
11 tax shall be imposed in such amounts as fixed and determined by the
12 legislative authority.

13 (~~The excise taxes other than the business and occupation tax~~
14 ~~authorized by this section shall be levied and collected from all~~
15 ~~persons, businesses, and industries who are served and billed for said~~
16 ~~ambulance service owned and operated or contracted for by the city or~~
17 ~~town in such amounts as shall be fixed and determined by the~~
18 ~~legislative authority of the city or town.))~~

19 All taxes authorized pursuant to this section shall be construed to
20 be taxes other than a retail sales tax defined in chapter 82.08 RCW and
21 a use tax defined in chapter 82.12 RCW, and the city or town shall
22 appropriate and use the proceeds derived from all taxes authorized by
23 this section only for the operation, maintenance and capital needs of
24 its municipally owned, operated, leased or contracted for ambulance
25 service.

26 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and takes effect
29 immediately.

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