
ENGROSSED SUBSTITUTE HOUSE BILL 2871

State of Washington

59th Legislature

2006 Regular Session

By House Committee on Transportation (originally sponsored by Representatives Murray, Dickerson, Appleton and Simpson)

READ FIRST TIME 02/08/06.

1 AN ACT Relating to regional transportation governance; amending RCW
2 35.58.250, 35.58.260, 36.120.020, 36.120.030, 36.120.040, 36.120.070,
3 29A.36.071, 36.120.080, 36.120.110, 81.112.030, 35.95A.080, 35.95A.110,
4 36.120.050, 81.100.080, 81.100.060, 82.14.430, 47.56.076, 36.73.015,
5 and 36.73.020; reenacting and amending RCW 43.79A.040, 43.84.092, and
6 43.84.092; adding a new section to chapter 36.120 RCW; adding a new
7 section to chapter 82.80 RCW; adding a new section to chapter 47.56
8 RCW; adding a new section to chapter 47.01 RCW; adding a new chapter to
9 Title 36 RCW; creating a new section; providing an effective date; and
10 providing an expiration date.

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

12 NEW SECTION. **Sec. 1.** The legislature finds that effective
13 transportation planning in urbanized regions requires stronger and
14 clearer lines of responsibility and accountability.

15 The legislature further finds that integrated, multimodal
16 transportation planning will help reduce transportation congestion and
17 improve safety, and that streamlined decision making will help reduce
18 political congestion.

1 The legislature further finds that coordinated planning of,
2 investment in, and operation of transportation systems will have
3 significant benefit to the citizens of Washington, and that it is the
4 will of the people to fund regional transportation solutions, including
5 improving transit service in urbanized areas and among existing,
6 fragmented transit agencies in the region. Although equity
7 considerations must be respected, transportation problems are broader
8 and deeper than the sum of geographic subareas.

9 It is therefore the policy of the state of Washington to create a
10 regional transportation commission to develop a proposal for a regional
11 transportation governing entity more directly accountable to the
12 public, and to develop a comprehensive regional transportation finance
13 plan for the citizens of the Puget Sound metropolitan region.

14 NEW SECTION. **Sec. 2.** (1) The regional transportation commission
15 is established.

16 (2) The commission shall consist of nine commissioners. Three of
17 the nine commissioners shall comprise the county executives of each of
18 those contiguous counties of the Puget Sound metropolitan region
19 comprising a county with a population over one million five hundred
20 thousand persons and the immediately adjacent counties each with a
21 population over five hundred thousand persons. The remaining six
22 commissioners shall be appointed by the governor by June 1, 2006.
23 Appointments of commissioners shall reflect geographical balance and
24 diversity of populations within the Puget Sound region and, to the
25 extent possible, include commissioners with special expertise in
26 relevant fields such as funding, planning, and construction of
27 transportation improvement projects and operation of transportation
28 systems. Vacancies for any appointed commission seat shall be filled
29 in the same manner as the original appointments were made.

30 (3) Each person appointed by the governor shall hold office until
31 the commission dissolves under section 6 of this act or until a
32 successor is appointed and qualified as set forth in subsection (4) of
33 this section, whichever is earlier.

34 (4) The term of office for a commissioner begins seven days
35 following appointment by the governor. A commissioner must be a
36 qualified elector under the state Constitution when his or her term of
37 office begins.

1 (5) The commission chair presides over the commission and sets the
2 commission agenda subject to general rules established by the
3 commission. Except as provided otherwise in this chapter, the
4 commission chair appoints all members of the committees, councils, and
5 boards created by the rules of the commission. The commission chair
6 shall be designated by the governor from among the six commissioners
7 appointed under subsection (2) of this section.

8 (6) Each member of the commission is eligible to receive
9 compensation in an amount not to exceed two hundred fifty dollars for
10 each day during which the member attends an official meeting of the
11 group or performs statutorily prescribed duties approved by the chair.
12 A person shall not receive compensation for a day of service under this
13 section if the person (a) occupies a position normally regarded as full
14 time in nature, in any agency of the federal government, Washington
15 state government, or Washington state local government, and (b)
16 receives any compensation from such government for working that day.
17 A commissioner may be compensated under this subsection only if the
18 compensation is necessarily incurred in the course of authorized
19 business, consistent with the responsibilities of the commission
20 established by this chapter.

21 (7) The commission may be entitled to state funding, as
22 appropriated by the legislature, to pay for expenses incurred by the
23 commission and the department of transportation and through contracts
24 in carrying out the duties authorized in this chapter.

25 NEW SECTION. **Sec. 3.** The commission has the following duties:

26 (1) Evaluate transportation governance in the central Puget Sound
27 area within the jurisdiction of the Puget Sound regional council. This
28 evaluation must include an assessment of the current roles of regional
29 transportation agencies, including regional transportation and
30 metropolitan planning organizations, the regional transit authority,
31 regional transportation investment districts, county and municipal
32 agencies operating transit services, and cities, counties, and other
33 public agencies providing transportation services or facilities. The
34 commission shall assess and develop recommendations for what steps
35 should be taken to:

36 (a) Consolidate governance among agencies, including changes in
37 institutional powers, structures, and relationships and governance

1 needed to improve accountability for transportation decisions, while
2 enhancing the regional focus for transportation decisions and
3 maintaining equity among citizens in the region;

4 (b) Improve coordination in the planning of transportation
5 investments and services;

6 (c) Improve investment strategies;

7 (d) Coordinate transportation planning and investments with adopted
8 land use policies within the region;

9 (e) Enhance efficiency and coordination in the delivery of services
10 provided;

11 (f) Adjust boundaries for agencies or functions within the region
12 to address existing and future transportation and land use issues; and

13 (g) Improve coordination between regional investments and federal
14 funds, and state funding, including those administered by the
15 transportation improvement board, the county road administration board,
16 and the freight mobility strategic investment board;

17 (2) Develop a regional transportation governance proposal that
18 includes, at a minimum, the formation of a regional transportation
19 governing entity, of which all or a majority of its members must be
20 directly elected, the revenue sources that will be available to such
21 entity, and the scope of planning authority of such entity;

22 (3) Publicize the commission's proposal referenced in subsection
23 (2) of this section by November 15, 2006, and provide at least fifteen
24 days for public comment;

25 (4) Adopt the proposal referenced in subsection (2) of this section
26 and submit it to the legislature by January 1, 2007;

27 (5) Develop a comprehensive, integrated transportation finance plan
28 for the metropolitan Puget Sound region to be submitted to the affected
29 voters by the regional transportation governing entity;

30 (6) Conduct public meetings to assure active public participation
31 in the development of the recommendations, proposal, and finance plan
32 under this section.

33 NEW SECTION. **Sec. 4.** The department of transportation shall
34 provide staff support to the commission and, upon request of the
35 commission, contract with other parties for staff support to the
36 commission.

1 NEW SECTION. **Sec. 5.** (1) The governing body of a city with a
2 population of five hundred sixty thousand or more, in which a city
3 transportation authority has been formed under chapter 35.95A RCW, may
4 set and impose any tax authorized under chapter 35.95A RCW, but only
5 (a) for funding nonmonorail transit within the city; (b) after the debt
6 and obligations, including judgments, of the city transportation
7 authority have been satisfied; and (c) if the grant of such taxing
8 authority is contained in the integrated regional transportation
9 finance plan developed by the regional transportation commission and
10 approved by the voters, within the city and region wide, as part of an
11 integrated regional transportation ballot measure.

12 (2) The transit projects and services funded under subsection (1)
13 of this section must be consistent with the metropolitan transportation
14 plan adopted under RCW 35.58.240 and any integrated transportation
15 finance plan developed by the commission under section 3 of this act.

16 (3) For purposes of subsection (1)(b) of this section, the debt and
17 obligations of the city transportation authority are satisfied upon
18 receipt, by the governing body of the city, of a letter from the
19 governing body of the authority certifying that: (a) The debt is
20 retired; and (b) a contingency account has been funded in an amount
21 determined by the governing body of the authority to be sufficient to
22 resolve any existing and reasonably foreseeable legal claims against
23 the authority.

24 NEW SECTION. **Sec. 6.** Upon such time as the regional
25 transportation governing entity established by the legislature pursuant
26 to the commission's recommendations becomes fully operational: (1) All
27 of the powers, functions, and duties of the commission shall be
28 transferred to the regional transportation governing entity; (2) the
29 commission shall take such additional actions as needed to wind up its
30 affairs; and (3) the commission shall dissolve.

31 **Sec. 7.** RCW 35.58.250 and 1965 c 7 s 35.58.250 are each amended to
32 read as follows:

33 Except for a regional transit authority constructing or operating
34 a high capacity transportation service by contract under RCW
35 35.58.260(2) or in accordance with an agreement made as provided
36 herein, upon the effective date on which the metropolitan municipal

1 corporation commences to perform the metropolitan transportation
2 function, no person or private corporation shall operate a local public
3 passenger transportation service within the metropolitan area with the
4 exception of taxis, busses owned or operated by a school district or
5 private school, and busses owned or operated by any corporation or
6 organization solely for the purposes of the corporation or organization
7 and for the use of which no fee or fare is charged.

8 An agreement may be entered into between the metropolitan municipal
9 corporation and any person or corporation legally operating a local
10 public passenger transportation service wholly within or partly within
11 and partly without the metropolitan area and on said effective date
12 under which such person or corporation may continue to operate such
13 service or any part thereof for such time and upon such terms and
14 conditions as provided in such agreement. Where any such local public
15 passenger transportation service will be required to cease to operate
16 within the metropolitan area, the commission may agree with the owner
17 of such service to purchase the assets used in providing such service,
18 or if no agreement can be reached, the commission shall condemn such
19 assets in the manner provided herein for the condemnation of other
20 properties.

21 Wherever a privately owned public carrier operates wholly or partly
22 within a metropolitan municipal corporation, the Washington utilities
23 and transportation commission shall continue to exercise jurisdiction
24 over such operation as provided by law.

25 **Sec. 8.** RCW 35.58.260 and 1965 c 7 s 35.58.260 are each amended to
26 read as follows:

27 (1) Subject to subsection (2) of this section, if a metropolitan
28 municipal corporation shall be authorized to perform the metropolitan
29 transportation function, it shall, upon the effective date of the
30 assumption of such power, have and exercise all rights with respect to
31 the construction, acquisition, maintenance, operation, extension,
32 alteration, repair, control, and management of passenger transportation
33 which any component city shall have been previously empowered to
34 exercise and such powers shall not thereafter be exercised by such
35 component cities without the consent of the metropolitan municipal
36 corporation: PROVIDED, That any city owning and operating a public
37 transportation system on such effective date may continue to operate

1 such system within such city until such system shall have been acquired
2 by the metropolitan municipal corporation and a metropolitan municipal
3 corporation may not acquire such system without the consent of the city
4 council of such city.

5 (2) The governing body of a city with a population of five hundred
6 sixty thousand or more that sets and imposes any tax under section 5 of
7 this act may plan and direct the expenditure of revenues from such tax
8 through contracting with a metropolitan municipal corporation or a
9 regional transit authority for the construction, acquisition,
10 maintenance, operation, extension, alteration, repair, control, and
11 management of those transit projects and services for which tax
12 revenues may be spent under section 5 of this act. If the city
13 exercises such authority under this subsection, neither the
14 metropolitan municipal corporation nor the regional transit authority
15 shall, as a result, reduce the hours of transit service it provides
16 within the corporate limits of the city.

17 **Sec. 9.** RCW 36.120.020 and 2002 c 56 s 102 are each amended to
18 read as follows:

19 The definitions in this section apply throughout this chapter
20 unless the context clearly requires otherwise.

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

23 (2) "Department" means the Washington state department of
24 transportation.

25 (3) "Highway of statewide significance" means an existing or
26 proposed state route or federal interstate designated as a highway of
27 statewide significance by the transportation commission, its successor
28 entity, or the legislature.

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

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

1 (6) "Regional transportation investment district planning
2 committee" or "planning committee" means the advisory committee created
3 under RCW 36.120.030 to create and propose to county legislative
4 authorities a regional transportation investment plan to develop,
5 finance, and construct transportation projects.

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

9 (8) "Transportation project" means:

10 (a) A capital improvement or improvements to a highway that has
11 been designated, in whole or in part, as a highway of statewide
12 significance, including an extension, that:

13 (i) Adds a lane or new lanes to an existing state or federal
14 highway; or

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

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

20 (i) Approaches to highways of statewide significance;

21 (ii) High-occupancy vehicle lanes;

22 (iii) Flyover ramps;

23 (iv) Park and ride lots;

24 (v) Bus pullouts;

25 (vi) Vans for vanpools;

26 (vii) Buses; and

27 (viii) Signalization, ramp metering, and other transportation
28 system management improvements.

29 (c) A capital improvement or improvements to all or a portion of a
30 city street, county road, or existing highway or the creation of a new
31 highway that intersects with a highway of statewide significance, if
32 all of the following conditions are met:

33 (i) The project is included in a plan that makes highway
34 improvement projects that add capacity to a highway or highways of
35 statewide significance;

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

1 (iii) Matching money equal to (~~one-third~~) fifteen percent of the
2 total cost of the project is provided by local entities, including but
3 not limited to a metropolitan planning organization, county, city,
4 port, or private entity in which a county participating in a plan is
5 located. Local entities may use federal grants to meet this matching
6 requirement;

7 (iv) In no case may the cumulative regional transportation
8 investment district contribution to all projects constructed under this
9 subsection (8)(c) exceed ten percent of the revenues generated by the
10 district;

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

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

16 (d) Any project contained in the state transportation plan or a
17 regional transportation planning organization that is of statewide or
18 regional significance, including, without limitation, investment in new
19 or existing highways of statewide significance, principal arterials of
20 regional significance, high-capacity transportation, public
21 transportation, and other transportation projects of regional or
22 statewide significance, including transportation demand management.

23 (e) Operations, preservation, and maintenance (~~are excluded from~~
24 ~~this definition and~~) of any facility or program authorized by this
25 section may (~~not~~) be included in a regional transportation investment
26 plan.

27 (9) "Weighted vote" means a vote that reflects the population each
28 board or planning committee member represents relative to the
29 population represented by the total membership of the board or planning
30 committee. Population will be determined using the federal 2000 census
31 or subsequent federal census data.

32 **Sec. 10.** RCW 36.120.030 and 2002 c 56 s 103 are each amended to
33 read as follows:

34 Regional transportation investment district planning committees are
35 advisory entities that are created, convened, and empowered as follows:

36 (1) A county with a population over one million five hundred
37 thousand persons and any adjoining counties with a population over five

1 hundred thousand persons may create a regional transportation
2 investment district and shall convene a regional transportation
3 investment district planning committee.

4 (a) The boundaries of the district should include at least the
5 contiguous areas within the regional transit authority serving the
6 counties. A city must be entirely within or entirely outside district
7 boundaries. The boundaries must be proposed by the district and
8 approved by the county legislative authorities by ordinance before or
9 in conjunction with approval of a regional transportation investment
10 plan. Boundaries must follow contiguous parcels of land. However, any
11 portion of a county that is located on a peninsula may be exempt from
12 a regional transportation investment district in which more than one
13 county is included if (i) the portion of the county located on the
14 peninsula is connected to the other portion of the county by a bridge
15 improved under chapter 47.46 RCW, and (ii) the county has a national
16 park and a population of more than five hundred thousand persons, but
17 less than one million five hundred thousand persons.

18 (b) After voters within the district boundaries have approved a
19 plan under RCW 36.120.070, elections to add areas to the district
20 boundaries may be called by a resolution of the board, after
21 consultation with the regional transportation planning organization and
22 affected transit agencies and with the concurrence of the legislative
23 authority of the city or town if the area is incorporated or with the
24 concurrence of the county legislative authority if the area is
25 unincorporated. The election may include a single ballot measure
26 providing annexation to the district, approval of the plan, and
27 approval of revenue sources necessary to finance the plan. The
28 electorate are the voters voting within the proposed area to be
29 annexed. A simple majority of the persons voting on the single ballot
30 measure is required for approval of the measure. This option for
31 annexation applies to areas within the counties initially establishing
32 a district and also to areas within a county having a population over
33 two hundred thirty thousand persons and whose boundaries abut three
34 counties eligible to form a district under this subsection.

35 (2) The members of the legislative authorities participating in
36 planning under this chapter shall serve as the district planning
37 committee. Members of the planning committee receive no compensation,

1 but may be reimbursed for travel and incidental expenses as the
2 planning committee deems appropriate.

3 The secretary of transportation, or the appropriate regional
4 administrator of the department, as named by the secretary, shall serve
5 on the committee as a nonvoting member.

6 (3) A regional transportation investment district planning
7 committee may be entitled to state funding, as appropriated by the
8 legislature, for start-up funding to pay for salaries, expenses,
9 overhead, supplies, and similar expenses ordinarily and necessarily
10 incurred in selecting transportation projects and funding for those
11 transportation projects under this chapter. Upon creation of a
12 regional transportation investment district, the district shall within
13 one year reimburse the state for any sums advanced for these start-up
14 costs from the state.

15 (4) The planning committee shall conduct its affairs and formulate
16 a regional transportation investment plan as provided under RCW
17 36.120.040, except that it shall elect an executive board of seven
18 members to discharge the duties of the planning committee and formulate
19 a regional transportation investment plan, subject to the approval of
20 the full committee.

21 (5) At its first meeting, a regional transportation investment
22 district planning committee may elect officers and provide for the
23 adoption of rules and other operating procedures.

24 (6) Governance of and decisions by a regional transportation
25 investment district planning committee must be by a sixty-percent
26 weighted majority vote of the total membership.

27 (7) The planning committee may dissolve itself at any time by a
28 two-thirds weighted majority vote of the total membership of the
29 planning committee.

30 **Sec. 11.** RCW 36.120.040 and 2003 c 194 s 1 are each amended to
31 read as follows:

32 (1) A regional transportation investment district planning
33 committee shall adopt a regional transportation investment plan
34 providing for the development, construction, and financing of
35 transportation projects. The planning committee may consider the
36 following factors in formulating its plan:

37 (a) Land use planning criteria;

1 (b) The input of cities located within a participating county; and
2 (c) The input of regional transportation planning organizations
3 (~~in~~) of which a participating county is (~~located~~) a member. A
4 regional transportation planning organization in which a participating
5 county is located shall review its adopted regional transportation plan
6 and submit, for the planning committee's consideration, its list of
7 transportation improvement priorities.

8 (2) The planning committee may coordinate its activities with the
9 department, which shall provide services, data, and personnel to assist
10 in this planning as desired by the planning committee. In addition,
11 the planning committee may coordinate its activities with affected
12 cities, towns, and other local governments, including any regional
13 transit authority existing within the participating counties'
14 boundaries, that engage in transportation planning.

15 (3) The planning committee shall:

16 (a) Conduct public meetings that are needed to assure active public
17 participation in the development of the plan;

18 (b) Adopt a plan proposing the:

19 (i) Creation of a regional transportation investment district,
20 including district boundaries; and

21 (ii) Construction of transportation projects to improve mobility
22 within each county and within the region. Operations, maintenance, and
23 preservation of facilities or systems may (~~not~~) be part of the plan;

24 (c) Recommend sources of revenue authorized by RCW 36.120.050 and
25 a financing plan to fund selected transportation projects. The overall
26 plan of the district must leverage the district's financial
27 contributions so that the federal, state, local, and other revenue
28 sources continue to fund major congestion relief and transportation
29 capacity improvement projects in each county and the district. A
30 combination of local, state, and federal revenues may be necessary to
31 pay for transportation projects, and the planning committee shall
32 consider all of these revenue sources in developing a plan.

33 (4) The plan must use tax revenues and related debt for projects
34 that generally benefit a participating county in proportion to the
35 general level of tax revenues generated within that participating
36 county. This equity principle applies to all modifications to the
37 plan, appropriation of contingency funds not identified within the
38 project estimate, and future phases of the plan. During implementation

1 of the plan, the board shall retain the flexibility to manage
2 distribution of revenues, debt, and project schedules so that the
3 district may effectively implement the plan. Nothing in this section
4 should be interpreted to prevent the district from pledging district-
5 wide tax revenues for payment of any contract or debt entered into
6 under RCW 36.120.130.

7 (5) Before adopting the plan, the planning committee, with
8 assistance from the department, shall work with the lead agency to
9 develop accurate cost forecasts for transportation projects. This
10 project costing methodology must be integrated with revenue forecasts
11 in developing the plan and must at a minimum include estimated project
12 costs in constant dollars as well as year of expenditure dollars, the
13 range of project costs reflected by the level of project design,
14 project contingencies, identification of mitigation costs, the range of
15 revenue forecasts, and project and plan cash flow and bond analysis.
16 The plan submitted to the voters must provide cost estimates for each
17 project, including reasonable contingency costs. Plans submitted to
18 the voters must provide that the maximum amount possible of the funds
19 raised will be used to fund projects in the plan, including
20 environmental improvements and mitigation, and that administrative
21 costs be minimized. If actual revenue exceeds actual plan costs, the
22 excess revenues must be used to retire any outstanding debt associated
23 with the plan.

24 (6) If a county opts not to adopt the plan or participate in the
25 regional transportation investment district, but two or more contiguous
26 counties do choose to continue to participate, then the planning
27 committee may, within ninety days, redefine the regional transportation
28 investment plan and the ballot measure to be submitted to the people to
29 reflect elimination of the county, and submit the redefined plan to the
30 legislative authorities of the remaining counties for their decision as
31 to whether to continue to adopt the redefined plan and participate.
32 This action must be completed within sixty days after receipt of the
33 redefined plan.

34 (7) Once adopted by the planning committee, the plan must be
35 forwarded to the participating county legislative authorities to
36 initiate the election process under RCW 36.120.070. The planning
37 committee shall at the same time provide notice to each city and town
38 within the district, the governor, the chairs of the transportation

1 committees of the legislature, the secretary of transportation, and
2 each legislator whose legislative district is partially or wholly
3 within the boundaries of the district.

4 (8) If the ballot measure is not approved, the planning committee
5 may redefine the selected transportation projects, financing plan, and
6 the ballot measure. The county legislative authorities may approve the
7 new plan and ballot measure, and may then submit the revised
8 proposition to the voters at the next election or a special election.
9 If no ballot measure is approved by the voters by the third vote, the
10 planning committee is dissolved.

11 **Sec. 12.** RCW 36.120.070 and 2002 c 56 s 107 are each amended to
12 read as follows:

13 Beginning no sooner than the 2007 general election, and subject to
14 the approval of the regional transportation commission established in
15 section 2 of this act, or its successor entity, two or more contiguous
16 county legislative authorities, upon receipt of the regional
17 transportation investment plan under RCW 36.120.040, may (~~certify the~~
18 plan to the ballot, including identification of the tax options))
19 submit to the voters of the proposed district a single ballot measure
20 that approves formation of the district, approves the regional
21 transportation investment plan, and approves the revenue sources
22 necessary to ((fund)) finance the plan. ((County legislative
23 authorities)) For a county to participate in the plan, the county
24 legislative authorities shall, within ninety days after receiving the
25 plan, adopt an ordinance indicating the county's participation. The
26 planning committee may draft ((a ballot title,)) the ballot measure on
27 behalf of the county legislative authorities, and the county
28 legislative authorities may give notice as required by law for ballot
29 measures, and perform other duties as required to ((put the plan
30 before)) submit the measure to the voters of the proposed district for
31 their approval or rejection ((as a single ballot measure that both
32 approves formation of the district and approves the plan)). Counties
33 may negotiate interlocal agreements necessary to implement the plan.
34 The electorate will be the voters voting within the boundaries of the
35 ((participating counties)) proposed district. A simple majority of the
36 total persons voting on the single ballot measure ((to approve the

1 ~~plan, establish the district, and approve the taxes and fees))~~ is
2 required for approval.

3 **Sec. 13.** RCW 29A.36.071 and 2004 c 271 s 169 are each amended to
4 read as follows:

5 (1) Except as provided to the contrary in RCW 82.14.036, 82.46.021,
6 or 82.80.090, the ballot title of any referendum filed on an enactment
7 or portion of an enactment of a local government and any other question
8 submitted to the voters of a local government consists of three
9 elements: (a) An identification of the enacting legislative body and
10 a statement of the subject matter; (b) a concise description of the
11 measure; and (c) a question. The ballot title must conform with the
12 requirements and be displayed substantially as provided under RCW
13 29A.72.050, except that the concise description must not exceed
14 seventy-five words; however, a concise description submitted on behalf
15 of a regional transportation investment district may exceed seventy-
16 five words. If the local governmental unit is a city or a town, the
17 concise statement shall be prepared by the city or town attorney. If
18 the local governmental unit is a county, the concise statement shall be
19 prepared by the prosecuting attorney of the county. If the unit is a
20 unit of local government other than a city, town, or county, the
21 concise statement shall be prepared by the prosecuting attorney of the
22 county within which the majority area of the unit is located.

23 (2) A referendum measure on the enactment of a unit of local
24 government shall be advertised in the manner provided for nominees for
25 elective office.

26 (3) Subsection (1) of this section does not apply if another
27 provision of law specifies the ballot title for a specific type of
28 ballot question or proposition.

29 **Sec. 14.** RCW 36.120.080 and 2002 c 56 s 108 are each amended to
30 read as follows:

31 If the voters approve the plan, including creation of a regional
32 transportation investment district and imposition of taxes and fees,
33 the district will be declared formed. The county election officials of
34 participating counties shall, within fifteen days of the final
35 certification of the election results, publish a notice in a newspaper
36 or newspapers of general circulation in the district declaring the

1 district formed, and mail copies of the notice to the governor, the
2 secretary of transportation, the executive director of the regional
3 transit authority in which any part of the district is located, and the
4 executive director of the regional transportation planning organization
5 in which any part of the district is located. A party challenging the
6 procedure or the formation of a voter-approved district must file the
7 challenge in writing by serving the prosecuting attorney of the
8 participating counties and the attorney general within thirty days
9 after the final certification of the election. Failure to challenge
10 within that time forever bars further challenge of the district's valid
11 formation.

12 **Sec. 15.** RCW 36.120.110 and 2002 c 56 s 111 are each amended to
13 read as follows:

14 (1) The governing board of the district is responsible for the
15 execution of the voter-approved plan. The board shall:

16 (a) Impose taxes and fees authorized by district voters;

17 (b) Enter into agreements with state, local, and regional agencies
18 and departments as necessary to accomplish district purposes and
19 protect the district's investment in transportation projects;

20 (c) Accept gifts, grants, or other contributions of funds that will
21 support the purposes and programs of the district;

22 (d) Monitor and audit the progress and execution of transportation
23 projects to protect the investment of the public and annually make
24 public its findings;

25 (e) Pay for services and enter into leases and contracts, including
26 professional service contracts;

27 (f) Hire no more than ten employees, including a director or
28 executive officer, a treasurer or financial officer, a project manager
29 or engineer, a project permit coordinator, and clerical staff; and

30 (g) Coordinate its activities with affected cities, towns, and
31 other local governments, including any regional transit authority
32 existing either partially or entirely within the district area, that
33 engage in transportation planning; and

34 (h) Exercise other powers and duties as may be reasonable to carry
35 out the purposes of the district.

36 (2) It is the intent of the legislature that existing staff
37 resources of lead agencies be used in implementing this chapter. A

1 district may coordinate its activities with the department, which shall
2 provide services, data, and personnel to assist as desired by the
3 regional transportation investment district. Lead agencies for
4 transportation projects that are not state facilities shall also
5 provide staff support for the board.

6 (3) A district may not acquire, hold, or dispose of real property.

7 (4) Except as provided in section 9(8)(e) of this act, a district
8 may not own, operate, or maintain an ongoing facility, road, or
9 transportation system.

10 (5) A district may accept and expend or use gifts, grants, or
11 donations.

12 (6) It is the intent of the legislature that administrative and
13 overhead costs of a regional transportation investment district be
14 minimized. For transportation projects costing up to fifty million
15 dollars, administrative and overhead costs may not exceed three percent
16 of the total construction and design project costs per year. For
17 transportation projects costing more than fifty million dollars,
18 administrative and overhead costs may not exceed three percent of the
19 first fifty million dollars in costs, plus an additional one-tenth of
20 one percent of each additional dollar above fifty million. These
21 limitations apply only to the district, and do not limit the
22 administration or expenditures of the department.

23 (7) A district may use the design-build procedure for
24 transportation projects developed by it. As used in this section
25 "design-build procedure" means a method of contracting under which the
26 district contracts with another party for that party to both design and
27 build the structures, facilities, and other items specified in the
28 contract. The requirements and limitations of RCW 47.20.780 and
29 47.20.785 do not apply to the transportation projects under this
30 chapter.

31 **Sec. 16.** RCW 81.112.030 and 1994 c 44 s 1 are each amended to read
32 as follows:

33 Two or more contiguous counties each having a population of four
34 hundred thousand persons or more may establish a regional transit
35 authority to develop and operate a high capacity transportation system
36 as defined in chapter 81.104 RCW.

37 The authority shall be formed in the following manner:

1 (1) The joint regional policy committee created pursuant to RCW
2 81.104.040 shall adopt a system and financing plan, including the
3 definition of the service area. This action shall be completed by
4 September 1, 1992, contingent upon satisfactory completion of the
5 planning process defined in RCW 81.104.100. The final system plan
6 shall be adopted no later than June 30, 1993. In addition to the
7 requirements of RCW 81.104.100, the plan for the proposed system shall
8 provide explicitly for a minimum portion of new tax revenues to be
9 allocated to local transit agencies for interim express services. Upon
10 adoption the joint regional policy committee shall immediately transmit
11 the plan to the county legislative authorities within the adopted
12 service area.

13 (2) The legislative authorities of the counties within the service
14 area shall decide by resolution whether to participate in the
15 authority. This action shall be completed within forty-five days
16 following receipt of the adopted plan or by August 13, 1993, whichever
17 comes first.

18 (3) Each county that chooses to participate in the authority shall
19 appoint its board members as set forth in RCW 81.112.040 and shall
20 submit its list of members to the secretary of the Washington state
21 department of transportation. These actions must be completed within
22 thirty days following each county's decision to participate in the
23 authority.

24 (4) The secretary shall call the first meeting of the authority, to
25 be held within thirty days following receipt of the appointments. At
26 its first meeting, the authority shall elect officers and provide for
27 the adoption of rules and other operating procedures.

28 (5) The authority is formally constituted at its first meeting and
29 the board shall begin taking steps toward implementation of the system
30 and financing plan adopted by the joint regional policy committee. If
31 the joint regional policy committee fails to adopt a plan by June 30,
32 1993, the authority shall proceed to do so based on the work completed
33 by that date by the joint regional policy committee. Upon formation of
34 the authority, the joint regional policy committee shall cease to
35 exist. The authority may make minor modifications to the plan as
36 deemed necessary and shall at a minimum review local transit agencies'
37 plans to ensure feeder service/high capacity transit service

1 integration, ensure fare integration, and ensure avoidance of parallel
2 competitive services. The authority shall also conduct a minimum
3 thirty-day public comment period.

4 (6) If the authority determines that major modifications to the
5 plan are necessary before the initial ballot proposition is submitted
6 to the voters, the authority may make those modifications with a
7 favorable vote of two-thirds of the entire membership. Any such
8 modification shall be subject to the review process set forth in RCW
9 81.104.110. The modified plan shall be transmitted to the legislative
10 authorities of the participating counties. The legislative authorities
11 shall have forty-five days following receipt to act by motion or
12 ordinance to confirm or rescind their continued participation in the
13 authority.

14 (7) If any county opts to not participate in the authority, but two
15 or more contiguous counties do choose to continue to participate, the
16 authority's board shall be revised accordingly. The authority shall,
17 within forty-five days, redefine the system and financing plan to
18 reflect elimination of one or more counties, and submit the redefined
19 plan to the legislative authorities of the remaining counties for their
20 decision as to whether to continue to participate. This action shall
21 be completed within forty-five days following receipt of the redefined
22 plan.

23 (8) The authority shall place on the ballot within two years of the
24 authority's formation, a single ballot proposition to authorize the
25 imposition of taxes to support the implementation of an appropriate
26 phase of the plan within its service area. In addition to the system
27 plan requirements contained in RCW 81.104.100(2)(d), the system plan
28 approved by the authority's board before the submittal of a proposition
29 to the voters shall contain an equity element which:

30 (a) Identifies revenues anticipated to be generated by corridor and
31 by county within the authority's boundaries;

32 (b) Identifies the phasing of construction and operation of high
33 capacity system facilities, services, and benefits in each corridor.
34 Phasing decisions should give priority to jurisdictions which have
35 adopted transit-supportive land use plans; and

36 (c) Identifies the degree to which revenues generated within each
37 county will benefit the residents of that county, and identifies when
38 such benefits will accrue.

1 A simple majority of those voting within the boundaries of the
2 authority is required for approval. If the vote is affirmative, the
3 authority shall begin implementation of the projects identified in the
4 proposition. However, the authority may not submit any authorizing
5 proposition for voter-approved taxes prior to July 1, 1993; nor may the
6 authority issue bonds or form any local improvement district prior to
7 July 1, 1993.

8 (9) If the vote on a proposition fails, the board may redefine the
9 proposition, make changes to the authority boundaries, and make
10 corresponding changes to the composition of the board. If the
11 composition of the board is changed, the participating counties shall
12 revise the membership of the board accordingly. The board may then
13 submit the revised proposition or a different proposition to the
14 voters. No single proposition may be submitted to the voters more than
15 twice.

16 (10) Beginning no sooner than the 2007 general election, and
17 subject to the approval of the regional transportation commission
18 established in section 2 of this act, or its successor entity, the
19 authority may place additional propositions on the ballot to impose
20 taxes to support additional phases of plan implementation. In
21 conjunction with RCW 36.120.070, the proposition may be submitted to
22 the voters as a common ballot measure along with a proposed regional
23 transportation investment plan.

24 (11) If the authority is unable to achieve a positive vote on a
25 proposition within two years from the date of the first election on a
26 proposition, the board may, by resolution, reconstitute the authority
27 as a single-county body. With a two-thirds vote of the entire
28 membership of the voting members, the board may also dissolve the
29 authority.

30 **Sec. 17.** RCW 35.95A.080 and 2002 c 248 s 9 are each amended to
31 read as follows:

32 (1) Every authority has the power to levy and collect a special
33 excise tax not exceeding two and one-half percent on the value of every
34 motor vehicle owned by a resident of the authority area for the
35 privilege of using a motor vehicle. ~~((Before utilization of any excise~~
36 ~~tax money collected under this section for acquisition of right of way~~
37 ~~or construction of a public monorail transportation facility on a~~

1 ~~separate right of way, the authority must adopt rules affording the~~
2 ~~public an opportunity for corridor public hearings and design public~~
3 ~~hearings, which provide in detail the procedures necessary for public~~
4 ~~participation in the following instances:— (a) Prior to adoption of~~
5 ~~location and design plans having a substantial social, economic, or~~
6 ~~environmental effect upon the locality upon which they are to be~~
7 ~~constructed; or (b) on the public transportation facilities operating~~
8 ~~on a separate right of way whenever a substantial change is proposed~~
9 ~~relating to location or design in the adopted plan. In adopting rules~~
10 ~~the authority must adhere to the provisions of the administrative~~
11 ~~procedure act.~~

12 ~~(2) A "corridor public hearing" is a public hearing that:— (a) Is~~
13 ~~held before the authority is committed to a specific route proposal for~~
14 ~~the public transportation facility, and before a route location is~~
15 ~~established; (b) is held to afford an opportunity for participation by~~
16 ~~those interested in the determination of the need for, and the location~~
17 ~~of, the public transportation facility; and (c) provides a public forum~~
18 ~~that affords a full opportunity for presenting views on the public~~
19 ~~transportation facility route location, and the social, economic, and~~
20 ~~environmental effects on that location and alternate locations.~~
21 ~~However, the hearing is not deemed to be necessary before adoption of~~
22 ~~a transportation plan as provided in section 7 of this act or a vote of~~
23 ~~the qualified electors under subsection (5) of this section.~~

24 ~~(3) A "design public hearing" is a public hearing that:— (a) Is~~
25 ~~held after the location is established but before the design is~~
26 ~~adopted; (b) is held to afford an opportunity for participation by~~
27 ~~those interested in the determination of major design features of the~~
28 ~~public monorail transportation facility; and (c) provides a public~~
29 ~~forum to afford a full opportunity for presenting views on the public~~
30 ~~transportation system design, and the social, economic, and~~
31 ~~environmental effects of that design and alternate designs, including~~
32 ~~people mover technology.~~

33 ~~(4) An authority imposing a tax under subsection (1) of this~~
34 ~~section may also impose a sales and use tax, in addition to any tax~~
35 ~~authorized by RCW 82.14.030, upon retail car rentals within the city~~
36 ~~that are taxable by the state under chapters 82.08 and 82.12 RCW. The~~
37 ~~rate of tax must not exceed 1.944 percent of the base of the tax. The~~
38 ~~base of the tax will be the selling price in the case of a sales tax or~~

1 ~~the rental value of the vehicle used in the case of a use tax. The~~
2 ~~revenue collected under this subsection will be distributed in the same~~
3 ~~manner as sales and use taxes under chapter 82.14 RCW.~~

4 ~~(5) Before any authority may impose any of the taxes authorized~~
5 ~~under this section, the authorization for imposition of the taxes must~~
6 ~~be approved by the qualified electors of the authority area.)) An~~
7 ~~authority shall not decrease the tax rate levied as of January 1, 2006,~~
8 ~~and shall not levy or collect the special excise tax under this section~~
9 ~~once the debt and obligations, including judgments, of the authority~~
10 ~~have been satisfied.~~

11 (2) After the debt and obligations, including judgments, of the
12 city transportation authority have been satisfied as determined under
13 section 5 of this act: (a) The governing body of the authority shall
14 send to the governing body of the city with a population of five
15 hundred sixty thousand or more in which the authority is wholly located
16 a letter certifying that the debt is retired and a contingency account
17 has been funded in an amount determined by the governing body of the
18 authority to be sufficient to resolve any existing and reasonably
19 foreseeable legal claims against the authority; and (b) the governing
20 body of a city with a population of five hundred sixty thousand or more
21 may, upon approval by the voters as part of an integrated regional
22 transportation ballot measure, levy and collect a special excise tax
23 not exceeding two and one-half percent on the value of every motor
24 vehicle owned by a resident of the authority area for the privilege of
25 using a motor vehicle.

26 **Sec. 18.** RCW 35.95A.110 and 2002 c 248 s 12 are each amended to
27 read as follows:

28 (1) All taxes and fees levied and collected by an authority must be
29 used solely for the purpose of paying all or any part of ((the cost of
30 acquiring, designing, constructing, equipping, maintaining, or
31 operating public monorail transportation facilities or contracting for
32 the services thereof, or to pay or secure the payment of all or part
33 of)) the principal of or interest on any general obligation bonds or
34 revenue bonds issued for authority purposes. ((Until expended, money
35 accumulated in the funds and accounts of an authority may be invested
36 in the manner authorized by the governing body of the authority,
37 consistent with state law.))

1 If any of the revenue from any tax or fee authorized to be levied
2 by an authority has been pledged by the authority to secure the payment
3 of any bonds as herein authorized, then as long as that pledge is in
4 effect the legislature will not withdraw from the authority the
5 authorization to levy and collect the tax or fee.

6 (2) All taxes and fees levied and collected by a city under section
7 5 of this act must be used for funding nonmonorail transit within the
8 city.

9 **Sec. 19.** RCW 36.120.050 and 2003 c 350 s 4 are each amended to
10 read as follows:

11 (1) A regional transportation investment district planning
12 committee may, as part of a regional transportation investment plan,
13 recommend the imposition of some or all of the following revenue
14 sources, which a regional transportation investment district may impose
15 upon approval of the voters as provided in this chapter:

16 (a) A regional sales and use tax, as specified in RCW 82.14.430, of
17 up to ~~((0.5))~~ 0.1 percent of the selling price, in the case of a sales
18 tax, or value of the article used, in the case of a use tax, upon the
19 occurrence of any taxable event in the regional transportation
20 investment district;

21 (b) A local option vehicle license fee, as specified under RCW
22 82.80.100, of up to one hundred dollars per vehicle registered in the
23 district. As used in this subsection, "vehicle" means motor vehicle as
24 defined in RCW 46.04.320. Certain classes of vehicles, as defined
25 under chapter 46.04 RCW, may be exempted from this fee;

26 (c) A parking tax under RCW 82.80.030;

27 (d) A local motor vehicle excise tax under RCW 81.100.060 and
28 chapter 81.104 RCW;

29 (e) A local option fuel tax under RCW 82.80.120;

30 (f) An employer excise tax under RCW 81.100.030; and

31 (g) Vehicle tolls on new or reconstructed ~~((facilities-))~~ local or
32 regional arterials or state or federal highways within the boundaries
33 of the district, if the following conditions are met:

34 (i) Any such toll must be approved by the transportation commission
35 or its successor;

36 (ii) The regional transportation investment plan must identify the
37 facilities that may be tolled; and

1 (iii) Unless otherwise specified by law, the department shall
2 administer the collection of vehicle tolls on designated facilities,
3 and the state transportation commission, or its successor, shall be the
4 tolling authority.

5 (2) Taxes, fees, and tolls may not be imposed without an
6 affirmative vote of the majority of the voters within the boundaries of
7 the district voting on a ballot proposition as set forth in RCW
8 36.120.070. Revenues from these taxes and fees may be used only to
9 implement the plan as set forth in this chapter. A district may
10 contract with the state department of revenue or other appropriate
11 entities for administration and collection of any of the taxes or fees
12 authorized in this section.

13 (3) Existing statewide motor vehicle fuel and special fuel taxes,
14 at the distribution rates in effect on January 1, 2001, are not
15 intended to be altered by this chapter.

16 **Sec. 20.** RCW 81.100.080 and 1990 c 43 s 19 are each amended to
17 read as follows:

18 Funds collected under RCW 81.100.030 or 81.100.060 and any
19 investment earnings accruing thereon shall be used by the county or the
20 regional transportation investment district in a manner consistent with
21 the regional transportation plan only for costs of collection, costs of
22 preparing, adopting, and enforcing agreements under RCW 81.100.030(3),
23 for construction of high occupancy vehicle lanes and related
24 facilities, mitigation of environmental concerns that result from
25 construction or use of high occupancy vehicle lanes and related
26 facilities, by an investment district for projects contained in a plan
27 developed under chapter 36.120 RCW, payment of principal and interest
28 on bonds issued for the purposes of this section, for high occupancy
29 vehicle programs as defined in RCW 81.100.020(5), and for commuter rail
30 projects in accordance with RCW 81.104.120. Except for funds raised by
31 an investment district, no funds collected under RCW 81.100.030 or
32 81.100.060 after June 30, 2000, may be pledged for the payment or
33 security of the principal or interest on any bonds issued for the
34 purposes of this section. Not more than ten percent of the funds may
35 be used for transit agency high occupancy vehicle programs.

36 Priorities for construction of high occupancy vehicle lanes and
37 related facilities shall be as follows:

1 (1)(a) To accelerate construction of high occupancy vehicle lanes
2 on the interstate highway system, as well as related facilities;

3 (b) To finance or accelerate construction of high occupancy vehicle
4 lanes on the noninterstate state highway system, as well as related
5 facilities.

6 (2) To finance construction of high occupancy vehicle lanes on
7 local arterials, as well as related facilities.

8 Moneys received by ~~((an agency))~~ a county under this chapter shall
9 be used in addition to, and not as a substitute for, moneys currently
10 used by the ~~((agency))~~ county for the purposes specified in this
11 section.

12 Counties and investment districts may contract with cities or the
13 state department of transportation for construction of high occupancy
14 vehicle lanes and related facilities, and may issue general obligation
15 bonds to fund such construction and use funds received under this
16 chapter to pay the principal and interest on such bonds.

17 **Sec. 21.** RCW 81.100.060 and 2002 c 56 s 411 are each amended to
18 read as follows:

19 A county with a population of one million or more and a county with
20 a population of from two hundred ten thousand to less than one million
21 that is adjoining a county with a population of one million or more,
22 having within their boundaries existing or planned high-occupancy
23 vehicle lanes on the state highway system, or a regional transportation
24 investment district ~~((for capital improvements))~~, but only to the
25 extent that the surcharge has not already been imposed by the county,
26 may, with voter approval, impose a local surcharge of not more than
27 three-tenths of one percent in the case of a county, or six-tenths of
28 one percent in the case of a regional transportation investment
29 district, of the value on vehicles registered to a person residing
30 within the county or investment district and not more than 13.64
31 percent on the state sales and use taxes paid under the rate in RCW
32 82.08.020(2) on retail car rentals within the county or investment
33 district. A county may impose the surcharge only to the extent that it
34 has not been imposed by the district. No surcharge may be imposed on
35 vehicles licensed under RCW 46.16.070 except vehicles with an unladen
36 weight of six thousand pounds or less, RCW 46.16.079, 46.16.085, or
37 46.16.090.

1 Counties or investment districts imposing a tax under this section
2 shall contract, before the effective date of the resolution or
3 ordinance imposing a surcharge, administration and collection to the
4 state department of licensing, and department of revenue, as
5 appropriate, which shall deduct ((a~~n~~)) a percentage amount, as provided
6 by contract, not to exceed two percent of the taxes, for administration
7 and collection expenses incurred by the department. All administrative
8 provisions in chapters 82.03, 82.32, and 82.44 RCW shall, insofar as
9 they are applicable to motor vehicle excise taxes, be applicable to
10 surcharges imposed under this section. A local sales and use tax
11 change shall take effect no sooner than seventy-five days after the
12 department of revenue receives notice of the change and only on the
13 first day of January, April, July, or October. Notice includes
14 providing the department of revenue with the digital mapping and legal
15 descriptions of areas in which the tax will be collected. All
16 administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32
17 RCW shall, insofar as they are applicable to state sales and use taxes,
18 be applicable to surcharges imposed under this section.

19 If the tax authorized in RCW 81.100.030 is also imposed, the total
20 proceeds from tax sources imposed under this section and RCW 81.100.030
21 each year shall not exceed the maximum amount which could be collected
22 under this section.

23 **Sec. 22.** RCW 82.14.430 and 2002 c 56 s 405 are each amended to
24 read as follows:

25 (1) If approved by the majority of the voters within its boundaries
26 voting on the ballot proposition, a regional transportation investment
27 district may impose a sales and use tax of up to ((0.5)) 0.1 percent of
28 the selling price or value of the article used in the case of a use
29 tax. The tax authorized by this section is in addition to the tax
30 authorized by RCW 82.14.030 and must be collected from those persons
31 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
32 the occurrence of any taxable event within the taxing district. Motor
33 vehicles are exempt from the sales and use tax imposed under this
34 subsection.

35 (2) If approved by the majority of the voters within its boundaries
36 voting on the ballot proposition, a regional transportation investment
37 district may impose a tax on the use of a motor vehicle within a

1 regional transportation investment district. The tax applies to those
2 persons who reside within the regional transportation investment
3 district. The rate of the tax may not exceed (~~(0.5)~~) 0.1 percent of
4 the value of the motor vehicle. The tax authorized by this subsection
5 is in addition to the tax authorized under RCW 82.14.030 and must be
6 imposed and collected at the time a taxable event under RCW
7 82.08.020(1) or 82.12.020 takes place. All revenue received under this
8 subsection must be deposited in the local sales and use tax account and
9 distributed to the regional transportation investment district
10 according to RCW 82.14.050. The following provisions apply to the use
11 tax in this subsection:

12 (a) Where persons are taxable under chapter 82.08 RCW, the seller
13 shall collect the use tax from the buyer using the collection
14 provisions of RCW 82.08.050.

15 (b) Where persons are taxable under chapter 82.12 RCW, the use tax
16 must be collected using the provisions of RCW 82.12.045.

17 (c) "Motor vehicle" has the meaning provided in RCW 46.04.320, but
18 does not include farm tractors or farm vehicles as defined in RCW
19 46.04.180 and 46.04.181, off-road and nonhighway vehicles as defined in
20 RCW 46.09.020, and snowmobiles as defined in RCW 46.10.010.

21 (d) "Person" has the meaning given in RCW 82.04.030.

22 (e) The value of a motor vehicle must be determined under RCW
23 82.12.010.

24 (f) Except as specifically stated in this subsection (2), chapters
25 82.12 and 82.32 RCW apply to the use tax. The use tax is a local tax
26 imposed under the authority of chapter 82.14 RCW, and chapter 82.14 RCW
27 applies fully to the use tax.

28 NEW SECTION. **Sec. 23.** A new section is added to chapter 36.120
29 RCW to read as follows:

30 A regional transportation investment district may adopt system-wide
31 pricing policies and an implementation plan for the regional
32 transportation system within its boundaries. "System-wide pricing"
33 includes the tolling authority provided in RCW 36.120.050, network
34 value-pricing authority provided in section 24 of this act, the
35 authority to set regional transit fares as provided in RCW
36 81.112.080(4), and other system pricing tools as determined by the
37 district governing board. System-wide pricing charges authorized by

1 this act may be imposed to improve performance of the regional
2 transportation system, improve integration of transportation modes,
3 finance transportation improvements, and measure needed investments.
4 Pricing charges may vary for type of vehicle, time of day, traffic
5 conditions, and other factors.

6 NEW SECTION. **Sec. 24.** A new section is added to chapter 82.80 RCW
7 to read as follows:

8 (1) A regional transportation investment district may impose a
9 network value-pricing charge based upon vehicle travel. This charge
10 may be, but is not limited to, a charge upon the vehicle miles traveled
11 within the district by a vehicle, or upon vehicle miles traveled within
12 certain corridors in the district, or upon total vehicle miles traveled
13 by a vehicle registered to a person whose legal residence is within the
14 district. Network value-pricing charges imposed may vary by type of
15 vehicle, time of day, traffic conditions, and other factors.

16 (2) Charges imposed may be collected either periodically in a
17 manner prescribed by the district governing board or annually by the
18 department of licensing upon renewal of the vehicle license. The
19 district governing board may identify categories of miles driven that
20 are subject to or exempt from the charge including, but not limited to,
21 travel outside the district, travel in specified corridors, time of
22 travel, or exempt or maximum mileage charges.

23 (3) The mileage charge under this section is subject to the
24 approval of the transportation commission or its statutory successor.

25 (4) A district governing board imposing a mileage charge collected
26 annually by the department of licensing upon renewal of the vehicle
27 license shall enter into a contract with the department of licensing.
28 The contract must contain provisions that fully recover the costs to
29 the department of licensing for collection and administration of the
30 charge. The district governing board imposing this charge or
31 initiating an exemption process shall provide at least six months'
32 notice to the department of licensing before the implementation of any
33 changes in registration amounts or exemptions.

34 **Sec. 25.** RCW 47.56.076 and 2005 c 335 s 3 are each amended to read
35 as follows:

36 Upon approval of a majority of the voters within its boundaries

1 voting on the ballot proposition, and (~~only for the purposes~~
2 ~~authorized in RCW 36.120.050(1)(g))~~) with the approval of the state
3 transportation commission or its successor, a regional transportation
4 investment district may authorize and set vehicle tolls on a state
5 (~~routes where improvements financed in whole or in part by a regional~~
6 ~~transportation investment district add additional lanes to, or~~
7 ~~reconstruct lanes on, a highway of statewide significance)~~) or federal
8 highway within the boundaries of the district. The department shall
9 administer the collection of vehicle tolls authorized on designated
10 facilities unless otherwise specified in law or by contract, and the
11 (~~state transportation~~) commission(~~(7)~~) or its successor(~~(7)~~) shall
12 (~~be the tolling authority~~) set and impose the tolls in amounts
13 sufficient to implement the regional transportation investment plan
14 under RCW 36.120.020.

15 NEW SECTION. Sec. 26. A new section is added to chapter 47.56 RCW
16 to read as follows:

17 Notwithstanding any provision to the contrary in this chapter, a
18 regional transportation investment district may impose vehicle tolls on
19 either Lake Washington bridge within its boundaries and to implement a
20 regional transportation investment plan as authorized in chapter 36.120
21 RCW and RCW 47.56.076.

22 Sec. 27. RCW 43.79A.040 and 2005 c 424 s 18, 2005 c 402 s 8, 2005
23 c 215 s 10, and 2005 c 16 s 2 are each reenacted and amended to read as
24 follows:

25 (1) Money in the treasurer's trust fund may be deposited, invested,
26 and reinvested by the state treasurer in accordance with RCW 43.84.080
27 in the same manner and to the same extent as if the money were in the
28 state treasury.

29 (2) All income received from investment of the treasurer's trust
30 fund shall be set aside in an account in the treasury trust fund to be
31 known as the investment income account.

32 (3) The investment income account may be utilized for the payment
33 of purchased banking services on behalf of treasurer's trust funds
34 including, but not limited to, depository, safekeeping, and
35 disbursement functions for the state treasurer or affected state
36 agencies. The investment income account is subject in all respects to

1 chapter 43.88 RCW, but no appropriation is required for payments to
2 financial institutions. Payments shall occur prior to distribution of
3 earnings set forth in subsection (4) of this section.

4 (4)(a) Monthly, the state treasurer shall distribute the earnings
5 credited to the investment income account to the state general fund
6 except under (b) and (c) of this subsection.

7 (b) The following accounts and funds shall receive their
8 proportionate share of earnings based upon each account's or fund's
9 average daily balance for the period: The Washington promise
10 scholarship account, the college savings program account, the
11 Washington advanced college tuition payment program account, the
12 agricultural local fund, the American Indian scholarship endowment
13 fund, the foster care scholarship endowment fund, the foster care
14 endowed scholarship trust fund, the students with dependents grant
15 account, the basic health plan self-insurance reserve account, the
16 contract harvesting revolving account, the Washington state combined
17 fund drive account, the commemorative works account, the Washington
18 international exchange scholarship endowment fund, the developmental
19 disabilities endowment trust fund, the energy account, the fair fund,
20 the fruit and vegetable inspection account, the future teachers
21 conditional scholarship account, the game farm alternative account, the
22 grain inspection revolving fund, the juvenile accountability incentive
23 account, the law enforcement officers' and fire fighters' plan 2
24 expense fund, the local tourism promotion account, the produce railcar
25 pool account, the regional transportation investment district account,
26 the rural rehabilitation account, the stadium and exhibition center
27 account, the youth athletic facility account, the self-insurance
28 revolving fund, the sulfur dioxide abatement account, the children's
29 trust fund, the Washington horse racing commission Washington bred
30 owners' bonus fund account, the Washington horse racing commission
31 class C purse fund account, the individual development account program
32 account, the Washington horse racing commission operating account
33 (earnings from the Washington horse racing commission operating account
34 must be credited to the Washington horse racing commission class C
35 purse fund account), and the life sciences discovery fund. However,
36 the earnings to be distributed shall first be reduced by the allocation
37 to the state treasurer's service fund pursuant to RCW 43.08.190.

1 (c) The following accounts and funds shall receive eighty percent
2 of their proportionate share of earnings based upon each account's or
3 fund's average daily balance for the period: The advanced right of way
4 revolving fund, the advanced environmental mitigation revolving
5 account, the city and county advance right-of-way revolving fund, the
6 federal narcotics asset forfeitures account, the high occupancy vehicle
7 account, the local rail service assistance account, and the
8 miscellaneous transportation programs account.

9 (5) In conformance with Article II, section 37 of the state
10 Constitution, no trust accounts or funds shall be allocated earnings
11 without the specific affirmative directive of this section.

12 **Sec. 28.** RCW 43.84.092 and 2005 c 514 s 1105, 2005 c 353 s 3, 2005
13 c 339 s 22, 2005 c 314 s 109, 2005 c 312 s 7, and 2005 c 94 s 1 are
14 each reenacted and amended to read as follows:

15 (1) All earnings of investments of surplus balances in the state
16 treasury shall be deposited to the treasury income account, which
17 account is hereby established in the state treasury.

18 (2) The treasury income account shall be utilized to pay or receive
19 funds associated with federal programs as required by the federal cash
20 management improvement act of 1990. The treasury income account is
21 subject in all respects to chapter 43.88 RCW, but no appropriation is
22 required for refunds or allocations of interest earnings required by
23 the cash management improvement act. Refunds of interest to the
24 federal treasury required under the cash management improvement act
25 fall under RCW 43.88.180 and shall not require appropriation. The
26 office of financial management shall determine the amounts due to or
27 from the federal government pursuant to the cash management improvement
28 act. The office of financial management may direct transfers of funds
29 between accounts as deemed necessary to implement the provisions of the
30 cash management improvement act, and this subsection. Refunds or
31 allocations shall occur prior to the distributions of earnings set
32 forth in subsection (4) of this section.

33 (3) Except for the provisions of RCW 43.84.160, the treasury income
34 account may be utilized for the payment of purchased banking services
35 on behalf of treasury funds including, but not limited to, depository,
36 safekeeping, and disbursement functions for the state treasury and
37 affected state agencies. The treasury income account is subject in all

1 respects to chapter 43.88 RCW, but no appropriation is required for
2 payments to financial institutions. Payments shall occur prior to
3 distribution of earnings set forth in subsection (4) of this section.

4 (4) Monthly, the state treasurer shall distribute the earnings
5 credited to the treasury income account. The state treasurer shall
6 credit the general fund with all the earnings credited to the treasury
7 income account except:

8 (a) The following accounts and funds shall receive their
9 proportionate share of earnings based upon each account's and fund's
10 average daily balance for the period: The capitol building
11 construction account, the Cedar River channel construction and
12 operation account, the Central Washington University capital projects
13 account, the charitable, educational, penal and reformatory
14 institutions account, the common school construction fund, the county
15 criminal justice assistance account, the county sales and use tax
16 equalization account, the data processing building construction
17 account, the deferred compensation administrative account, the deferred
18 compensation principal account, the department of retirement systems
19 expense account, the developmental disabilities community trust
20 account, the drinking water assistance account, the drinking water
21 assistance administrative account, the drinking water assistance
22 repayment account, the Eastern Washington University capital projects
23 account, the education construction fund, the education legacy trust
24 account, the election account, the emergency reserve fund, The
25 Evergreen State College capital projects account, the federal forest
26 revolving account, the freight mobility investment account, the health
27 services account, the public health services account, the health system
28 capacity account, the personal health services account, the state
29 higher education construction account, the higher education
30 construction account, the highway infrastructure account, the high-
31 occupancy toll lanes operations account, the industrial insurance
32 premium refund account, the judges' retirement account, the judicial
33 retirement administrative account, the judicial retirement principal
34 account, the local leasehold excise tax account, the local real estate
35 excise tax account, the local sales and use tax account, the medical
36 aid account, the mobile home park relocation fund, the multimodal
37 transportation account, the municipal criminal justice assistance
38 account, the municipal sales and use tax equalization account, the

1 natural resources deposit account, the oyster reserve land account, the
2 perpetual surveillance and maintenance account, the public employees'
3 retirement system plan 1 account, the public employees' retirement
4 system combined plan 2 and plan 3 account, the public facilities
5 construction loan revolving account beginning July 1, 2004, the public
6 health supplemental account, the Puyallup tribal settlement account,
7 the real estate appraiser commission account, (~~the regional~~
8 ~~transportation investment district account,~~) the resource management
9 cost account, the rural Washington loan fund, the site closure account,
10 the small city pavement and sidewalk account, the special wildlife
11 account, the state employees' insurance account, the state employees'
12 insurance reserve account, the state investment board expense account,
13 the state investment board commingled trust fund accounts, the
14 supplemental pension account, the Tacoma Narrows toll bridge account,
15 the teachers' retirement system plan 1 account, the teachers'
16 retirement system combined plan 2 and plan 3 account, the tobacco
17 prevention and control account, the tobacco settlement account, the
18 transportation infrastructure account, the transportation partnership
19 account, the tuition recovery trust fund, the University of Washington
20 bond retirement fund, the University of Washington building account,
21 the volunteer fire fighters' and reserve officers' relief and pension
22 principal fund, the volunteer fire fighters' and reserve officers'
23 administrative fund, the Washington fruit express account, the
24 Washington judicial retirement system account, the Washington law
25 enforcement officers' and fire fighters' system plan 1 retirement
26 account, the Washington law enforcement officers' and fire fighters'
27 system plan 2 retirement account, the Washington school employees'
28 retirement system combined plan 2 and 3 account, the Washington state
29 health insurance pool account, the Washington state patrol retirement
30 account, the Washington State University building account, the
31 Washington State University bond retirement fund, the water pollution
32 control revolving fund, and the Western Washington University capital
33 projects account. Earnings derived from investing balances of the
34 agricultural permanent fund, the normal school permanent fund, the
35 permanent common school fund, the scientific permanent fund, and the
36 state university permanent fund shall be allocated to their respective
37 beneficiary accounts. All earnings to be distributed under this

1 subsection (4)(a) shall first be reduced by the allocation to the state
2 treasurer's service fund pursuant to RCW 43.08.190.

3 (b) The following accounts and funds shall receive eighty percent
4 of their proportionate share of earnings based upon each account's or
5 fund's average daily balance for the period: The aeronautics account,
6 the aircraft search and rescue account, the county arterial
7 preservation account, the department of licensing services account, the
8 essential rail assistance account, the ferry bond retirement fund, the
9 grade crossing protective fund, the high capacity transportation
10 account, the highway bond retirement fund, the highway safety account,
11 the motor vehicle fund, the motorcycle safety education account, the
12 pilotage account, the public transportation systems account, the Puget
13 Sound capital construction account, the Puget Sound ferry operations
14 account, the recreational vehicle account, the rural arterial trust
15 account, the safety and education account, the special category C
16 account, the state patrol highway account, the transportation 2003
17 account (nickel account), the transportation equipment fund, the
18 transportation fund, the transportation improvement account, the
19 transportation improvement board bond retirement account, and the urban
20 arterial trust account.

21 (5) In conformance with Article II, section 37 of the state
22 Constitution, no treasury accounts or funds shall be allocated earnings
23 without the specific affirmative directive of this section.

24 **Sec. 29.** RCW 43.84.092 and 2005 c 514 s 1106, 2005 c 353 s 4, 2005
25 c 339 s 23, 2005 c 314 s 110, 2005 c 312 s 8, and 2005 c 94 s 2 are
26 each reenacted and amended to read as follows:

27 (1) All earnings of investments of surplus balances in the state
28 treasury shall be deposited to the treasury income account, which
29 account is hereby established in the state treasury.

30 (2) The treasury income account shall be utilized to pay or receive
31 funds associated with federal programs as required by the federal cash
32 management improvement act of 1990. The treasury income account is
33 subject in all respects to chapter 43.88 RCW, but no appropriation is
34 required for refunds or allocations of interest earnings required by
35 the cash management improvement act. Refunds of interest to the
36 federal treasury required under the cash management improvement act
37 fall under RCW 43.88.180 and shall not require appropriation. The

1 office of financial management shall determine the amounts due to or
2 from the federal government pursuant to the cash management improvement
3 act. The office of financial management may direct transfers of funds
4 between accounts as deemed necessary to implement the provisions of the
5 cash management improvement act, and this subsection. Refunds or
6 allocations shall occur prior to the distributions of earnings set
7 forth in subsection (4) of this section.

8 (3) Except for the provisions of RCW 43.84.160, the treasury income
9 account may be utilized for the payment of purchased banking services
10 on behalf of treasury funds including, but not limited to, depository,
11 safekeeping, and disbursement functions for the state treasury and
12 affected state agencies. The treasury income account is subject in all
13 respects to chapter 43.88 RCW, but no appropriation is required for
14 payments to financial institutions. Payments shall occur prior to
15 distribution of earnings set forth in subsection (4) of this section.

16 (4) Monthly, the state treasurer shall distribute the earnings
17 credited to the treasury income account. The state treasurer shall
18 credit the general fund with all the earnings credited to the treasury
19 income account except:

20 (a) The following accounts and funds shall receive their
21 proportionate share of earnings based upon each account's and fund's
22 average daily balance for the period: The capitol building
23 construction account, the Cedar River channel construction and
24 operation account, the Central Washington University capital projects
25 account, the charitable, educational, penal and reformatory
26 institutions account, the common school construction fund, the county
27 criminal justice assistance account, the county sales and use tax
28 equalization account, the data processing building construction
29 account, the deferred compensation administrative account, the deferred
30 compensation principal account, the department of retirement systems
31 expense account, the developmental disabilities community trust
32 account, the drinking water assistance account, the drinking water
33 assistance administrative account, the drinking water assistance
34 repayment account, the Eastern Washington University capital projects
35 account, the education construction fund, the education legacy trust
36 account, the election account, the emergency reserve fund, The
37 Evergreen State College capital projects account, the federal forest
38 revolving account, the freight mobility investment account, the health

1 services account, the public health services account, the health system
2 capacity account, the personal health services account, the state
3 higher education construction account, the higher education
4 construction account, the highway infrastructure account, the high-
5 occupancy toll lanes operations account, the industrial insurance
6 premium refund account, the judges' retirement account, the judicial
7 retirement administrative account, the judicial retirement principal
8 account, the local leasehold excise tax account, the local real estate
9 excise tax account, the local sales and use tax account, the medical
10 aid account, the mobile home park relocation fund, the multimodal
11 transportation account, the municipal criminal justice assistance
12 account, the municipal sales and use tax equalization account, the
13 natural resources deposit account, the oyster reserve land account, the
14 perpetual surveillance and maintenance account, the public employees'
15 retirement system plan 1 account, the public employees' retirement
16 system combined plan 2 and plan 3 account, the public facilities
17 construction loan revolving account beginning July 1, 2004, the public
18 health supplemental account, the public works assistance account, the
19 Puyallup tribal settlement account, the real estate appraiser
20 commission account, (~~the regional transportation investment district
21 account, the resource management cost account,~~) the rural Washington
22 loan fund, the site closure account, the small city pavement and
23 sidewalk account, the special wildlife account, the state employees'
24 insurance account, the state employees' insurance reserve account, the
25 state investment board expense account, the state investment board
26 commingled trust fund accounts, the supplemental pension account, the
27 Tacoma Narrows toll bridge account, the teachers' retirement system
28 plan 1 account, the teachers' retirement system combined plan 2 and
29 plan 3 account, the tobacco prevention and control account, the tobacco
30 settlement account, the transportation infrastructure account, the
31 transportation partnership account, the tuition recovery trust fund,
32 the University of Washington bond retirement fund, the University of
33 Washington building account, the volunteer fire fighters' and reserve
34 officers' relief and pension principal fund, the volunteer fire
35 fighters' and reserve officers' administrative fund, the Washington
36 fruit express account, the Washington judicial retirement system
37 account, the Washington law enforcement officers' and fire fighters'
38 system plan 1 retirement account, the Washington law enforcement

1 officers' and fire fighters' system plan 2 retirement account, the
2 Washington public safety employees' plan 2 retirement account, the
3 Washington school employees' retirement system combined plan 2 and 3
4 account, the Washington state health insurance pool account, the
5 Washington state patrol retirement account, the Washington State
6 University building account, the Washington State University bond
7 retirement fund, the water pollution control revolving fund, and the
8 Western Washington University capital projects account. Earnings
9 derived from investing balances of the agricultural permanent fund, the
10 normal school permanent fund, the permanent common school fund, the
11 scientific permanent fund, and the state university permanent fund
12 shall be allocated to their respective beneficiary accounts. All
13 earnings to be distributed under this subsection (4)(a) shall first be
14 reduced by the allocation to the state treasurer's service fund
15 pursuant to RCW 43.08.190.

16 (b) The following accounts and funds shall receive eighty percent
17 of their proportionate share of earnings based upon each account's or
18 fund's average daily balance for the period: The aeronautics account,
19 the aircraft search and rescue account, the county arterial
20 preservation account, the department of licensing services account, the
21 essential rail assistance account, the ferry bond retirement fund, the
22 grade crossing protective fund, the high capacity transportation
23 account, the highway bond retirement fund, the highway safety account,
24 the motor vehicle fund, the motorcycle safety education account, the
25 pilotage account, the public transportation systems account, the Puget
26 Sound capital construction account, the Puget Sound ferry operations
27 account, the recreational vehicle account, the rural arterial trust
28 account, the safety and education account, the special category C
29 account, the state patrol highway account, the transportation 2003
30 account (nickel account), the transportation equipment fund, the
31 transportation fund, the transportation improvement account, the
32 transportation improvement board bond retirement account, and the urban
33 arterial trust account.

34 (5) In conformance with Article II, section 37 of the state
35 Constitution, no treasury accounts or funds shall be allocated earnings
36 without the specific affirmative directive of this section.

1 NEW SECTION. **Sec. 30.** A new section is added to chapter 47.01 RCW
2 to read as follows:

3 The department shall not commence construction on any part of the
4 state route number 520 bridge project until agreements have been
5 reached with the incorporated towns or cities that represent the
6 communities affected by the state route number 520 project. The
7 agreements must provide reasonable assurance that no further
8 degradation will occur to the citizens' current use and enjoyment of
9 their properties as a result of repairs and improvements made to the
10 state route number 520 bridge and its connecting roadways. Such
11 assurances may be achieved through engineering design choices,
12 mitigation measures, or a combination of both.

13 **Sec. 31.** RCW 36.73.015 and 2005 c 336 s 1 are each amended to read
14 as follows:

15 The definitions in this section apply throughout this chapter
16 unless the context clearly requires otherwise.

17 (1) "District" means a transportation benefit district created
18 under this chapter.

19 (2) "City" means a city or town.

20 (3) "Transportation improvement" means a project contained in the
21 transportation plan of the state or a regional transportation planning
22 organization (~~((that is of statewide or regional significance))~~). A
23 project may include investment in new or existing highways of statewide
24 significance, principal arterials of regional significance, high-
25 capacity transportation, public transportation, and other
26 transportation projects and programs of regional or statewide
27 significance including transportation demand management. Projects may
28 also include the operation, preservation, and maintenance of these
29 facilities or programs. (~~((Not more than forty percent of the revenues
30 generated by a district may be expended on city streets, county roads,
31 existing highways other than highways of statewide significance, and
32 the creation of a new highway that intersects with a highway of
33 statewide significance.))~~)

34 **Sec. 32.** RCW 36.73.020 and 2005 c 336 s 3 are each amended to read
35 as follows:

36 (1) The legislative authority of a county or city may establish a

1 transportation benefit district within the county or city area or
2 within the area specified in subsection (2) of this section, for the
3 purpose of acquiring, constructing, improving, providing, and funding
4 a transportation improvement within the district that is consistent
5 with any existing state, regional, and local transportation plans and
6 necessitated by existing or reasonably foreseeable congestion levels.
7 The transportation improvements shall be owned by the county of
8 jurisdiction if located in an unincorporated area, by the city of
9 jurisdiction if located in an incorporated area, or by the state in
10 cases where the transportation improvement is or becomes a state
11 highway. However, if deemed appropriate by the governing body of the
12 transportation benefit district, a transportation improvement may be
13 owned by a participating port district or transit district, unless
14 otherwise prohibited by law. Transportation improvements shall be
15 administered and maintained as other public streets, roads, highways,
16 and transportation improvements. To the extent practicable, the
17 district shall consider the following criteria when selecting
18 transportation improvements:

- 19 (a) Reduced risk of transportation facility failure and improved
20 safety;
- 21 (b) Improved travel time;
- 22 (c) Improved air quality;
- 23 (d) Increases in daily and peak period trip capacity;
- 24 (e) Improved modal connectivity;
- 25 (f) Improved freight mobility;
- 26 (g) Cost-effectiveness of the investment;
- 27 (h) Optimal performance of the system through time; and
- 28 (i) Other criteria, as adopted by the governing body.

29 (2) (~~Subject to subsection (6) of this section,~~) The district may
30 include area within more than one county, city, port district, county
31 transportation authority, or public transportation benefit area, if the
32 legislative authority of each participating jurisdiction has agreed to
33 the inclusion as provided in an interlocal agreement adopted pursuant
34 to chapter 39.34 RCW. However, the boundaries of the district shall
35 include all territory within the boundaries of the participating
36 jurisdictions comprising the district.

37 (3) The members of the legislative authority proposing to establish
38 the district, acting ex officio and independently, shall constitute the

1 governing body of the district: PROVIDED, That where a district
2 includes area within more than one jurisdiction under subsection (2) of
3 this section, the district shall be governed under an interlocal
4 agreement adopted pursuant to chapter 39.34 RCW. However, the
5 governing body shall be composed of at least five members including at
6 least one elected official from the legislative authority of each
7 participating jurisdiction.

8 (4) The treasurer of the jurisdiction proposing to establish the
9 district shall act as the ex officio treasurer of the district, unless
10 an interlocal agreement states otherwise.

11 (5) The electors of the district shall all be registered voters
12 residing within the district.

13 ~~((6) The authority under this section, regarding the establishment
14 of or the participation in a district, shall not apply to:~~

15 ~~(a) Counties with a population greater than one million five
16 hundred thousand persons and any adjoining counties with a population
17 greater than five hundred thousand persons;~~

18 ~~(b) Cities with any area within the counties under (a) of this
19 subsection; and~~

20 ~~(c) Other jurisdictions with any area within the counties under (a)
21 of this subsection.))~~

22 NEW SECTION. **Sec. 33.** (1) Prior to a regional transportation
23 public vote, the department of transportation must complete all of the
24 following requirements for both the Alaskan Way viaduct and Seattle
25 Seawall replacement project, and the state route number 520 bridge
26 replacement and HOV project: (a) In accordance with the national
27 environmental policy act, the department must designate the preferred
28 alternative, prepare a substantial project mitigation plan, and
29 complete a comprehensive cost estimate review using the department's
30 cost estimate validation process, for each project; (b) in accordance
31 with all applicable federal highway administration planning and project
32 management requirements, the department must prepare a project finance
33 plan for each project that clearly identifies secured and anticipated
34 fund sources, cash flow timing requirements, and project staging and
35 phasing plans if applicable; and (c) the department must report these
36 results for each project to the joint transportation committee.

1 (2) For purposes of this section, "regional transportation public
2 vote" means a public vote on: (a) Any integrated regional
3 transportation finance plan developed by the regional transportation
4 commission or its successor entity under section 3 of this act; (b) any
5 regional transportation investment plan developed by a regional
6 transportation investment district under RCW 36.120.070.

7 NEW SECTION. **Sec. 34.** Sections 1 through 6 of this act constitute
8 a new chapter in Title 36 RCW.

9 NEW SECTION. **Sec. 35.** Section 28 of this act expires July 1,
10 2006.

11 NEW SECTION. **Sec. 36.** Section 29 of this act takes effect July 1,
12 2006.

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