
SENATE BILL 6393

State of Washington

59th Legislature

2006 Regular Session

By Senators Rasmussen, Schoesler, Shin, Swecker, Morton, Haugen, Doumit, Sheldon, Mulliken, Delvin, Deccio, Kastama, Honeyford, McAuliffe and Benton

Read first time 01/11/2006. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to excise tax exemptions for fuel used by farmers;
2 amending RCW 82.08.0255 and 82.12.0256; and providing an effective
3 date.

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

5 **Sec. 1.** RCW 82.08.0255 and 2005 c 443 s 5 are each amended to read
6 as follows:

7 (1) The tax levied by RCW 82.08.020 shall not apply to sales of:

8 (a) Dyed special fuel used by a farmer in the process of producing
9 agricultural products, as these terms are defined in RCW 82.04.213; and

10 (b) Motor vehicle and special fuel if:

11 ~~((a))~~ (i) The fuel is purchased for the purpose of public
12 transportation and the purchaser is entitled to a refund or an
13 exemption under RCW 82.36.275 or 82.38.080(3); or

14 ~~((b))~~ (ii) The fuel is purchased by a private, nonprofit
15 transportation provider certified under chapter 81.66 RCW and the
16 purchaser is entitled to a refund or an exemption under RCW 82.36.285
17 or 82.38.080(1)(h); or

18 ~~((c))~~ (iii) The fuel is taxable under chapter 82.36 or 82.38 RCW.

1 (2) Any person who has paid the tax imposed by RCW 82.08.020 on the
2 sale of special fuel delivered in this state shall be entitled to a
3 credit or refund of such tax with respect to fuel subsequently
4 established to have been actually transported and used outside this
5 state by persons engaged in interstate commerce. The tax shall be
6 claimed as a credit or refunded through the tax reports required under
7 RCW 82.38.150.

8 **Sec. 2.** RCW 82.12.0256 and 2005 c 443 s 6 are each amended to read
9 as follows:

10 The provisions of this chapter shall not apply in respect to the
11 use of:

12 (1)(a) Special fuel purchased in this state upon which a refund is
13 obtained as provided in RCW 82.38.180(2); and

14 (b) Dyed special fuel used by a farmer in the process of producing
15 agricultural products, as these terms are defined in RCW 82.04.213; and

16 (2) Motor vehicle and special fuel if:

17 (a) The fuel is used for the purpose of public transportation and
18 the purchaser is entitled to a refund or an exemption under RCW
19 82.36.275 or 82.38.080(3); or

20 (b) The fuel is purchased by a private, nonprofit transportation
21 provider certified under chapter 81.66 RCW and the purchaser is
22 entitled to a refund or an exemption under RCW 82.36.285 or
23 82.38.080(1)(h); or

24 (c) The fuel is taxable under chapter 82.36 or 82.38 RCW:
25 PROVIDED, That the use of motor vehicle and special fuel upon which a
26 refund of the applicable fuel tax is obtained shall not be exempt under
27 this subsection (2)(c), and the director of licensing shall deduct from
28 the amount of such tax to be refunded the amount of tax due under this
29 chapter and remit the same each month to the department of revenue.

30 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2006.

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