
SENATE BILL 6839

State of Washington

59th Legislature

2006 Regular Session

By Senator Haugen

Read first time 01/26/2006. Referred to Committee on Transportation.

1 AN ACT Relating to transportation accounts and revenue
2 distributions; amending RCW 46.68.035, 46.16.086, 46.16.162, 46.68.135,
3 and 46.68.290; adding a new section to chapter 46.68 RCW; and creating
4 a new section.

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

6 **Sec. 1.** RCW 46.68.035 and 2005 c 314 s 205 are each amended to
7 read as follows:

8 All proceeds from combined vehicle licensing fees received by the
9 director for vehicles licensed under RCW 46.16.070 and 46.16.085(~~(, the~~
10 ~~license fee under RCW 46.16.086, and the farm vehicle trip permit under~~
11 ~~RCW 46.16.162)) shall be forwarded to the state treasurer to be
12 distributed into accounts according to the following method:~~

13 (1) The sum of two dollars for each vehicle shall be deposited into
14 the multimodal transportation account, except that for each vehicle
15 registered by a county auditor or agent to a county auditor pursuant to
16 RCW 46.01.140, the sum of two dollars shall be credited to the current
17 county expense fund.

18 (2) The remainder and the proceeds from the license fee under RCW

1 46.16.086 and the farm vehicle trip permit under RCW 46.16.162 shall be
2 distributed as follows:

3 (a) (~~((24.00))~~) 22.36 percent shall be deposited into the state
4 patrol highway account of the motor vehicle fund;

5 (b) (~~((1.8))~~) 1.375 percent shall be deposited into the Puget Sound
6 ferry operations account of the motor vehicle fund;

7 (c) (~~((6.38))~~) 5.237 percent shall be deposited into the
8 transportation 2003 account (nickel account); (~~and~~)

9 (d) 11.533 percent shall be deposited into the transportation
10 partnership account created in RCW 46.68.290;

11 (e) On July 1, 2006, six million dollars shall be deposited into
12 the freight mobility investment account created in RCW 46.68.300 and
13 beginning on July 1, 2007, and every July 1st thereafter, three million
14 dollars shall be deposited into the freight mobility investment account
15 created in RCW 46.68.300; and

16 (~~((e))~~) (f) The remaining proceeds shall be deposited into the
17 motor vehicle fund.

18 **Sec. 2.** RCW 46.16.086 and 2005 c 314 s 203 are each amended to
19 read as follows:

20 In lieu of the license tab fees provided in RCW 46.16.0621, private
21 use single-axle trailers of two thousand pounds scale weight or less
22 may be licensed upon the payment of a license fee in the sum of fifteen
23 dollars, but only if the trailer is operated upon public highways. The
24 license fee must be collected annually for each registration year or
25 fraction of a registration year. This reduced license fee applies only
26 to trailers operated for personal use of the owners, and not trailers
27 held for rental to the public or used in any commercial or business
28 endeavor. The proceeds from the fees collected under this section
29 shall be distributed in accordance with RCW 46.68.035(2).

30 **Sec. 3.** RCW 46.16.162 and 2005 c 314 s 206 are each amended to
31 read as follows:

32 (1) The owner of a farm vehicle licensed under RCW 46.16.090
33 purchasing a monthly license under RCW 46.16.135 may, as an alternative
34 to the first partial month of the license registration, secure and
35 operate the vehicle under authority of a farm vehicle trip permit

1 issued by this state. The licensed gross weight may not exceed eighty
2 thousand pounds for a combination of vehicles nor forty thousand pounds
3 for a single unit vehicle with three or more axles.

4 (2) If a monthly license previously issued has expired, the owner
5 of a farm vehicle may, as an alternative to purchasing a full monthly
6 license, secure and operate the vehicle under authority of a farm
7 vehicle trip permit issued by this state. The licensed gross weight
8 may not exceed eighty thousand pounds for a combination of vehicles nor
9 forty thousand pounds for a single unit vehicle with three or more
10 axles.

11 (3) Each farm vehicle trip permit shall authorize the operation of
12 a single vehicle at the maximum legal weight limit for the vehicle for
13 the period remaining in the first month of monthly license, commencing
14 with the day of first use. No more than four such permits may be used
15 for any one vehicle in any twelve-month period. Every permit shall
16 identify, as the department may require, the vehicle for which it is
17 issued and shall be completed in its entirety and signed by the
18 operator before operation of the vehicle on the public highways of this
19 state. Correction of data on the permit such as dates, license number,
20 or vehicle identification number invalidates the permit. The farm
21 vehicle trip permit shall be displayed on the vehicle to which it is
22 issued as prescribed by the department.

23 (4) Vehicles operating under authority of farm vehicle trip permits
24 are subject to all laws, rules, and regulations affecting the operation
25 of like vehicles in this state.

26 (5) Farm vehicle trip permits may be obtained from the department
27 of licensing or agents and subagents appointed by the department. The
28 fee for each farm vehicle trip permit is six dollars and twenty-five
29 cents. Farm vehicle trip permits sold by the department's agents or
30 subagents are subject to fees specified in RCW 46.01.140 (4)(a),
31 (5)(b), or (6).

32 (6) The proceeds from farm vehicle trip permits received by the
33 director shall be forwarded to the state treasurer to be distributed as
34 provided in RCW 46.68.035(2).

35 (7) No exchange, credits, or refunds may be given for farm vehicle
36 trip permits after they have been purchased.

37 (8) The department of licensing may adopt rules as it deems
38 necessary to administer this section.

1 **Sec. 4.** RCW 46.68.135 and 2005 c 314 s 111 are each amended to
2 read as follows:

3 (~~Beginning~~) By July 1, ((2007)) 2006, and each year thereafter,
4 the state treasurer shall transfer (~~five~~) two and one-half million
5 dollars from the multimodal account to the transportation
6 infrastructure account created under RCW 82.44.190. The funds must be
7 distributed for rail capital improvements only.

8 **Sec. 5.** RCW 46.68.290 and 2005 c 314 s 104 are each amended to
9 read as follows:

10 (~~(1)~~) The transportation partnership account is hereby created in
11 the state treasury. All distributions to the account from RCW
12 46.68.090 must be deposited into the account. Money in the account may
13 be spent only after appropriation. Expenditures from the account must
14 be used only for projects or improvements identified as 2005
15 transportation partnership projects or improvements in the omnibus
16 transportation appropriations act, including any principal and interest
17 on bonds authorized for the projects or improvements.

18 (~~(2)~~) ~~If a regional transportation plan has not been adopted by~~
19 ~~January 2007, the legislature intends to reprioritize allocation of~~
20 ~~funding for the projects identified on the 2005 transportation~~
21 ~~partnership project list so that complete and functioning~~
22 ~~transportation projects can be constructed in a reasonable time.~~

23 (~~(3)~~) ~~By January 1, 2006, the transportation performance audit board~~
24 ~~must develop performance measures and benchmarks for the evaluation of~~
25 ~~the expenditures of the transportation partnership account. The board~~
26 ~~must also develop an audit plan and schedule for audits of the~~
27 ~~performance of the department of transportation's delivery of the plan~~
28 ~~as defined by project list, schedule, and budget enacted by the~~
29 ~~legislature.~~

30 (~~(4)~~) ~~The legislature finds that:~~

31 (~~(a)~~) ~~Citizens demand and deserve accountability of transportation-~~
32 ~~related programs and expenditures. Transportation related programs~~
33 ~~must continuously improve in quality, efficiency, and effectiveness in~~
34 ~~order to increase public trust;~~

35 (~~(b)~~) ~~Transportation related agencies that receive tax dollars must~~
36 ~~continuously improve the way they operate and deliver services so~~
37 ~~citizens receive maximum value for their tax dollars; and~~

1 ~~(c) Fair, independent, comprehensive performance audits of~~
2 ~~transportation-related agencies overseen by the elected state auditor~~
3 ~~are essential to improving the efficiency, economy, and effectiveness~~
4 ~~of the state's transportation system.~~

5 ~~(5) For purposes of chapter 314, Laws of 2005:~~

6 ~~(a) "Performance audit" means an objective and systematic~~
7 ~~assessment of a state agency or agencies or any of their programs,~~
8 ~~functions, or activities by the state auditor or designee in order to~~
9 ~~help improve agency efficiency, effectiveness, and accountability.~~
10 ~~Performance audits include economy and efficiency audits and program~~
11 ~~audits.~~

12 ~~(b) "Transportation-related agency" means any state agency, board,~~
13 ~~or commission that receives funding primarily for transportation-~~
14 ~~related purposes. At a minimum, the department of transportation, the~~
15 ~~transportation improvement board or its successor entity, the county~~
16 ~~road administration board or its successor entity, and the traffic~~
17 ~~safety commission are considered transportation-related agencies. The~~
18 ~~Washington state patrol and the department of licensing shall not be~~
19 ~~considered transportation-related agencies under chapter 314, Laws of~~
20 ~~2005.~~

21 ~~(6) Within the authorities and duties under chapter 43.09 RCW, the~~
22 ~~state auditor shall establish criteria and protocols for performance~~
23 ~~audits. Transportation-related agencies shall be audited using~~
24 ~~criteria that include generally accepted government auditing standards~~
25 ~~as well as legislative mandates and performance objectives established~~
26 ~~by state agencies. Mandates include, but are not limited to, agency~~
27 ~~strategies, timelines, program objectives, and mission and goals as~~
28 ~~required in RCW 43.88.090.~~

29 ~~(7) Within the authorities and duties under chapter 43.09 RCW, the~~
30 ~~state auditor may conduct performance audits for transportation-related~~
31 ~~agencies. The state auditor shall contract with private firms to~~
32 ~~conduct the performance audits.~~

33 ~~(8) The audits may include:~~

34 ~~(a) Identification of programs and services that can be eliminated,~~
35 ~~reduced, consolidated, or enhanced;~~

36 ~~(b) Identification of funding sources to the transportation-related~~
37 ~~agency, to programs, and to services that can be eliminated, reduced,~~
38 ~~consolidated, or enhanced;~~

1 ~~(c) Analysis of gaps and overlaps in programs and services and~~
2 ~~recommendations for improving, dropping, blending, or separating~~
3 ~~functions to correct gaps or overlaps;~~

4 ~~(d) Analysis and recommendations for pooling information technology~~
5 ~~systems used within the transportation-related agency, and evaluation~~
6 ~~of information processing and telecommunications policy, organization,~~
7 ~~and management;~~

8 ~~(e) Analysis of the roles and functions of the transportation-~~
9 ~~related agency, its programs, and its services and their compliance~~
10 ~~with statutory authority and recommendations for eliminating or~~
11 ~~changing those roles and functions and ensuring compliance with~~
12 ~~statutory authority;~~

13 ~~(f) Recommendations for eliminating or changing statutes, rules,~~
14 ~~and policy directives as may be necessary to ensure that the~~
15 ~~transportation-related agency carry out reasonably and properly those~~
16 ~~functions vested in the agency by statute;~~

17 ~~(g) Verification of the reliability and validity of transportation-~~
18 ~~related agency performance data, self-assessments, and performance~~
19 ~~measurement systems as required under RCW 43.88.090;~~

20 ~~(h) Identification of potential cost savings in the transportation-~~
21 ~~related agency, its programs, and its services;~~

22 ~~(i) Identification and recognition of best practices;~~

23 ~~(j) Evaluation of planning, budgeting, and program evaluation~~
24 ~~policies and practices;~~

25 ~~(k) Evaluation of personnel systems operation and management;~~

26 ~~(l) Evaluation of purchasing operations and management policies and~~
27 ~~practices;~~

28 ~~(m) Evaluation of organizational structure and staffing levels,~~
29 ~~particularly in terms of the ratio of managers and supervisors to~~
30 ~~nonmanagement personnel; and~~

31 ~~(n) Evaluation of transportation-related project costs, including~~
32 ~~but not limited to environmental mitigation, competitive bidding~~
33 ~~practices, permitting processes, and capital project management.~~

34 ~~(9) Within the authorities and duties under chapter 43.09 RCW, the~~
35 ~~state auditor must provide the preliminary performance audit reports to~~
36 ~~the audited state agency for comment. The auditor also may seek input~~
37 ~~on the preliminary report from other appropriate officials. Comments~~
38 ~~must be received within thirty days after receipt of the preliminary~~

1 ~~performance audit report unless a different time period is approved by~~
2 ~~the state auditor. The final performance audit report shall include~~
3 ~~the objectives, scope, and methodology; the audit results, including~~
4 ~~findings and recommendations; the agency's response and conclusions;~~
5 ~~and identification of best practices.~~

6 ~~(10) The state auditor shall provide final performance audit~~
7 ~~reports to the citizens of Washington, the governor, the joint~~
8 ~~legislative audit and review committee, the transportation performance~~
9 ~~audit board, the appropriate legislative committees, and other~~
10 ~~appropriate officials. Final performance audit reports shall be posted~~
11 ~~on the internet.~~

12 ~~(11) The audited transportation related agency is responsible for~~
13 ~~follow up and corrective action on all performance audit findings and~~
14 ~~recommendations. The audited agency's plan for addressing each audit~~
15 ~~finding and recommendation shall be included in the final audit report.~~
16 ~~The plan shall provide the name of the contact person responsible for~~
17 ~~each action, the action planned, and the anticipated completion date.~~
18 ~~If the audited agency does not agree with the audit findings and~~
19 ~~recommendations or believes action is not required, then the action~~
20 ~~plan shall include an explanation and specific reasons.~~

21 ~~The office of financial management shall require periodic progress~~
22 ~~reports from the audited agency until all resolution has occurred. The~~
23 ~~office of financial management is responsible for achieving audit~~
24 ~~resolution. The office of financial management shall annually report~~
25 ~~by December 31st the status of performance audit resolution to the~~
26 ~~appropriate legislative committees and the state auditor. The~~
27 ~~legislature shall consider the performance audit results in connection~~
28 ~~with the state budget process.~~

29 ~~The auditor may request status reports on specific audits or~~
30 ~~findings.~~

31 ~~(12) For the period from July 1, 2005, until June 30, 2007, the~~
32 ~~amount of \$4,000,000 is appropriated from the transportation~~
33 ~~partnership account to the state auditors office for the purposes of~~
34 ~~subsections (4) through (11) of this section.~~

35 ~~(13) When appointing the citizen members with performance~~
36 ~~measurement expertise to the transportation performance audit board,~~
37 ~~the governor shall appoint the state auditor, or his or her designee.~~

1 ~~(14) If the state auditor's financial audit of a transportation-~~
2 ~~related agency implies that a performance audit is warranted, the~~
3 ~~transportation performance audit board shall include in its annual work~~
4 ~~plan the performance audit recommended by the state auditor.))~~

5 NEW SECTION. **Sec. 6.** A new section is added to chapter 46.68 RCW
6 to read as follows:

7 By July 1, 2006, and by each July 1st thereafter, the state
8 treasurer shall transfer from the transportation partnership account
9 created in RCW 46.68.290:

10 (1) One million dollars to the small city pavement and sidewalk
11 account created in RCW 47.26.340;

12 (2) Two and one-half million dollars to the transportation
13 improvement account created in RCW 47.26.084; and

14 (3) One and one-half million dollars to the county arterial
15 preservation account created in RCW 46.68.090(2)(i).

16 NEW SECTION. **Sec. 7.** Section 1 of this act applies to license
17 fees due on or after July 1, 2006.

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