
HOUSE BILL 2319

State of Washington 61st Legislature 2009 Regular Session
By Representatives Hunter, Eddy, and Llias

1 AN ACT Relating to the authorization, administration, collection,
2 and enforcement of tolls on the state route number 520 corridor and the
3 Interstate 90 floating bridge; adding new sections to chapter 47.56
4 RCW; creating a new section; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 impose tolls on the state route number 520 floating bridge and the
8 Interstate 90 floating bridge to help finance construction of critical
9 safety projects, including replacement of the state route number 520
10 floating bridge, to generate additional funds to help finance
11 associated projects in the state route number 520 corridor program, and
12 to guarantee travel time, speed, and reliability for individuals
13 crossing Lake Washington by way of either state route number 520 or
14 Interstate 90. The associated projects on state route number 520
15 include connections from Interstate 5 to the floating bridge, and from
16 the east end of the floating bridge to state route number 202.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.56 RCW

1 under the subchapter heading "toll facilities created after July 1,
2 2008" to read as follows:

3 (1)(a) The imposition of tolls on the state route number 520
4 corridor is authorized, the state route number 520 corridor is
5 designated an eligible toll facility, and toll revenue generated in the
6 corridor must only be expended as allowed under RCW 47.56.820. The
7 tolls imposed on the state route number 520 corridor must only be
8 collected on the state route number 520 floating bridge.

9 (b) The imposition of tolls on the Interstate 90 floating bridge is
10 authorized if: (i) The average vehicle speed in the peak direction
11 during peak hours on Interstate 405, as determined by the department,
12 decreases by more than fifty percent for three consecutive months after
13 the imposition of tolls on the state route number 520 corridor, as
14 compared to the same three months in the year prior to the imposition
15 of tolls; or (ii) the gross toll revenue for the state route number 520
16 corridor is less than eighty percent of the gross toll revenue
17 identified by an investment grade traffic and revenue study for the
18 state route number 520 corridor. Upon either of these occurrences, the
19 Interstate 90 floating bridge is designated an eligible toll facility,
20 and toll revenue generated by the bridge must only be expended as
21 allowed under RCW 47.56.820.

22 (2) The state route number 520 corridor consists of that portion of
23 state route number 520 between the junctions of Interstate 5 and state
24 route number 202.

25 (3)(a) In setting the toll rates for the state route number 520
26 corridor and the Interstate 90 floating bridge pursuant to RCW
27 47.56.850, the tolling authority shall set a variable schedule of toll
28 rates to maintain travel time, speed, and reliability on the corridor
29 and generate the necessary revenue as required under (c) of this
30 subsection.

31 (i) Prior to the completion of the replacement state route number
32 520 floating bridge, and until modified after completion of the
33 floating bridge when there will be greater clarity regarding the cost
34 and design of other intended projects in the corridor, the tolling
35 authority shall set the variable schedule of toll rates for the state
36 route number 520 corridor as follows:

37 (A) For vehicles with two axles, the maximum toll rate in each

1 direction shall not exceed two dollars and ninety-five cents in 2007
2 dollars, as adjusted for inflation as measured by the consumer price
3 index; and

4 (B) For vehicles with more than two axles, the maximum toll rate in
5 each direction per axle shall not exceed one dollar and forty-seven and
6 one-half cents in 2007 dollars, as adjusted for inflation as measured
7 by the consumer price index.

8 (ii) Once tolls are authorized pursuant to subsection (1)(b) of
9 this section, the tolling authority shall set the variable schedule of
10 toll rates for the Interstate 90 floating bridge as follows:

11 (A) For vehicles with two axles, the maximum toll rate in each
12 direction shall not exceed two dollars and ninety-five cents in 2007
13 dollars, as adjusted for inflation as measured by the consumer price
14 index; and

15 (B) For vehicles with more than two axles, the maximum toll rate in
16 each direction per axle shall not exceed one dollar and forty-seven and
17 one-half cents in 2007 dollars, as adjusted for inflation as measured
18 by the consumer price index.

19 (b) Upon the completion of an investment grade traffic and revenue
20 study for the state route number 520 corridor and the Interstate 90
21 floating bridge, the tolling authority may increase the maximum toll
22 rates identified in (a)(i)(A) and (B) of this subsection up to the
23 rates identified by the study as necessary to generate the revenue
24 required in (c) of this subsection.

25 (c) The tolling authority shall set the variable schedules of toll
26 rates for the state route number 520 corridor and the Interstate 90
27 floating bridge, which the tolling authority may adjust annually to
28 reflect inflation as measured by the consumer price index, to generate
29 revenue sufficient to provide for:

30 (i) The issuance of up to two billion four hundred million dollars
31 in motor vehicle tax general obligation bonds; and

32 (ii) Costs associated with the project designated in subsection (4)
33 of this section that are eligible under RCW 47.56.820.

34 (4) The proceeds of the bonds designated in subsection (3)(c)(i) of
35 this section must be used only to fund:

36 (a) The construction of a replacement state route number 520
37 floating bridge; and

1 (b) The construction of other projects on the state route number
2 520 corridor.

3 (5) The state toll agency may carry out the construction and
4 improvements designated in subsection (4) of this section and
5 administer the tolling program on the state route number 520 corridor.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 47.56 RCW
7 under the subchapter heading "toll facilities created after July 1,
8 2008" to read as follows:

9 (1) Unless otherwise delegated, the department is the state toll
10 agency with the authority to administer tolling programs on eligible
11 toll facilities, including the state route number 520 corridor and the
12 Interstate 90 floating bridge. The state toll agency may adopt and
13 amend rules to govern operations, collections, and enforcement on each
14 eligible toll facility. In implementing tolling programs, the state
15 toll agency may (a) collect and retain any toll charges and penalties
16 imposed, (b) issue toll bills and notices of infraction, (c) use
17 available resources to collect unpaid toll charges, including
18 forwarding unpaid infractions to the department of licensing pursuant
19 to RCW 46.20.270(3) and assigning the unpaid infractions to collection
20 agencies under RCW 19.16.500, (d) allocate administrative fees and
21 infraction charges to the toll facilities on which the fees and charges
22 were incurred, (e) resolve disputes involving toll charges, and (f)
23 procure and sell transponders or enter into contracts and license
24 agreements to procure and sell transponders as necessary for the
25 operation of electronic toll collection systems on eligible toll
26 facilities.

27 (2) Prior to executing any contracts under this section, the
28 department shall submit the contracts to the commission for review.
29 The department shall not execute any such contracts until the contracts
30 are approved as to form by the commission. The commission shall
31 approve or reject in writing any such contract within forty-five days
32 of the submission of the contract by the department. The written
33 rejection of a contract must also include a detailed list of the
34 reasons for the rejection.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 47.56 RCW

1 under the subchapter heading "toll facilities created after July 1,
2 2008" to read as follows:

3 A special account to be known as the state route number 520
4 corridor and Interstate 90 floating bridge account is created in the
5 motor vehicle fund in the state treasury.

6 (1) Deposits to the account must include:

7 (a) All proceeds of bonds issued for construction of the state
8 route number 520 corridor, including any capitalized interest;

9 (b) All of the tolls and other revenues received from the operation
10 of the state route number 520 corridor as a toll facility, to be
11 deposited at least monthly;

12 (c) All of the tolls and other revenues received from the operation
13 of the Interstate 90 floating bridge as a toll facility, to be
14 deposited at least monthly;

15 (d) Any interest that may be earned from the deposit or investment
16 of those revenues;

17 (e) Notwithstanding RCW 47.12.063, proceeds from the sale of any
18 surplus real property acquired for the purpose of building the
19 replacement state route number 520 floating bridge or the construction
20 of other projects on the state route number 520 corridor; and

21 (f) All damages, liquidated or otherwise, collected under any
22 contract involving the construction of projects on the state route
23 number 520 corridor.

24 (2) Toll charges, other revenues, and interest may be used to:

25 (a) Pay any required costs allowed under RCW 47.56.820; and

26 (b) Repay amounts to the motor vehicle fund as required.

27 (3) When repaying the motor vehicle fund, the state treasurer shall
28 transfer funds from the state route number 520 corridor and Interstate
29 90 floating bridge account to the motor vehicle fund on or before each
30 debt service date for bonds issued for the replacement state route
31 number 520 floating bridge project or the construction of other
32 projects on the state route number 520 corridor in an amount sufficient
33 to repay the motor vehicle fund for amounts transferred from that fund
34 to the highway bond retirement fund to provide for any bond principal
35 and interest due on that date. The state treasurer may establish
36 subaccounts for the purpose of segregating toll charges, bond sale

1 proceeds, and other revenues.

2 NEW SECTION. **Sec. 5.** This act takes effect January 1, 2010.

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