

ESSB 5457 - H COMM AMD

By Committee on Transportation

NOT ADOPTED 04/12/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature recognizes that public
4 transportation provides many benefits to the citizens of the state and
5 the environment, including through public transportation's ability to
6 alleviate congestion and offset the burdens placed by general vehicular
7 traffic on the state's transportation infrastructure. In these
8 challenging economic times, many transit agencies find themselves
9 struggling to continue to provide a level of service that reduces
10 congestion.

11 The legislature further recognizes that King county conducted a
12 regional transit task force in 2010 that considered a policy framework
13 for the potential future growth and, if necessary, contraction of King
14 county's transit system. The task force members were selected to
15 represent a broad diversity of interests and perspectives. The task
16 force recommendations, which were unanimously accepted, addressed key
17 elements, such as the adoption of performance measures, controlling
18 operating costs, developing policy guidance for making service
19 reductions, and clear and transparent guidelines for service
20 allocation. As a result of the work done by the task force and King
21 county's commitment to comply with the recommendations, it is the
22 intent of the legislature that King county be provided the opportunity
23 to impose a temporary congestion reduction charge, which is separate
24 and distinct from the base motor vehicle license fee, that can help
25 address its revenue shortfalls during this economic crisis and allow it
26 to continue reducing congestion and the corresponding burdens placed on
27 the highway system on some of the state's most crowded corridors.

28 The legislature further recognizes the cuts, downsizing, and
29 reductions in service that community transit has undertaken to date,
30 including the suspension of service on Sundays and holidays. Community

1 transit has also completed a six-year transit development plan for
2 2008-2013, and on March 3, 2011, adopted its first long-range transit
3 plan setting strategic service, capital, and policy direction for the
4 agency over the next twenty years through 2030. These efforts have
5 been integrated with the Puget Sound regional council's transportation
6 2040 plan, sound transit's long-range plan, and Snohomish county's
7 multimodal transportation vision. The long-range transit plan was
8 developed through months of work with local jurisdictions; Snohomish
9 county; other transit agencies; the Puget Sound regional council; the
10 Washington state department of transportation; and workshops, forums,
11 and focus groups with business leaders, riders, and local citizens.
12 The long-range transit plan includes performance guidelines that set
13 targets for each community transit route; informs local jurisdictions
14 about the population densities, development patterns, and
15 infrastructure that support effective transit service; and emphasizes
16 the partnerships and coordinated planning needed to ensure that all
17 agencies are working efficiently toward a common transportation vision.
18 As a result of the work done by community transit to date, in
19 contemplation of the creation of the congestion reduction and
20 connectivity plan required by this act, and due to community transit's
21 commitment to comply with the recommendations and requirements of the
22 congestion reduction and connectivity plan, it is the intent of the
23 legislature that community transit also be provided the opportunity to
24 impose a temporary congestion reduction charge, which is separate and
25 distinct from the base motor vehicle license fee, that can help address
26 its revenue shortfalls during this economic crisis and allow it to
27 continue reducing congestion and the corresponding burdens placed on
28 the highway system on some of the state's most crowded corridors.

29 NEW SECTION. **Sec. 2.** A new section is added to chapter 82.80 RCW
30 to read as follows:

31 (1)(a) Except as provided in subsection (2) of this section, the
32 governing body of a county that has assumed the rights, powers,
33 functions, and obligations of a metropolitan municipal corporation
34 under chapter 36.56 RCW and is operating a public transportation system
35 and the governing body of a public transportation benefit area located
36 in a county with a population of more than six hundred thousand but
37 fewer than seven hundred fifty thousand may impose, if approved by a

1 majority of the voters within that county or a two-thirds majority of
2 the governing body, an annual congestion reduction charge of up to
3 twenty dollars per vehicle registered in the boundaries of the county
4 for each vehicle subject to vehicle license fees under RCW 46.17.350(1)
5 (a), (c), (d), (e), (g), (h), (j), (n), (o), (p), or (q) and for each
6 vehicle subject to gross weight license fees under RCW 46.17.355 with
7 an unladen weight of six thousand pounds or less.

8 (b) Prior to the imposition of a congestion reduction charge
9 authorized under (a) of this subsection, a governing body must complete
10 a congestion reduction plan indicating the proposed expenditures of the
11 proceeds of the congestion reduction charge.

12 (c) If a governing body that imposes a congestion reduction charge
13 authorized under (a) of this subsection completed a regional transit
14 task force evaluating system improvements and efficiencies within two
15 years prior to the imposition of the charge, the proceeds from the
16 charge must be expended in a manner consistent with the recommendations
17 of the regional transit task force.

18 (d) If a governing body that imposes a congestion reduction charge
19 authorized under (a) of this subsection did not complete a regional
20 transit task force, prior to collecting the congestion reduction charge
21 the governing body must:

22 (i) Complete a congestion reduction and connectivity plan designed
23 to reduce congestion on major transportation corridors and better
24 connect the public transportation benefit area, state ferry terminals,
25 and any other transit agencies located in the same county;

26 (ii) Ensure that the congestion reduction and connectivity plan is
27 consistent with the public transportation benefit area's existing
28 transit development plan and long-range transit plan;

29 (iii) Consult with the Washington state ferries, affected ferry
30 riders, and any other transit agencies in the same county on the
31 development of the congestion reduction and connectivity plan; and

32 (iv) Convene a regional transit task force composed of citizens,
33 elected officials, and community leaders to advise on the creation of
34 the congestion reduction and connectivity plan.

35 (e) A governing body required to complete a congestion reduction
36 and connectivity plan pursuant to (d) of this subsection may not expend
37 any of the revenue generated by the congestion reduction charge imposed
38 under (a) of this subsection until after the congestion reduction and

1 connectivity plan is completed and approved by the governing body and
2 the director of the public transportation division of the Washington
3 state department of transportation.

4 (f) A governing body required to complete a congestion reduction
5 and connectivity plan pursuant to (d) of this subsection must expend at
6 least ten percent of the revenue generated by the congestion reduction
7 charge imposed under (a) of this subsection to improve connectivity
8 between the public transportation benefit area, state ferry terminals,
9 and any other transit agencies located in the same county in a manner
10 consistent with the congestion reduction and connectivity plan.

11 (g) A governing body that imposes a congestion reduction charge
12 authorized under (a) of this subsection must complete a report by July
13 1, 2012, detailing the expenditures of the proceeds of the congestion
14 reduction charge through June 1, 2012.

15 (h) A governing body that imposes a congestion reduction charge
16 authorized under (a) of this subsection must complete a report by June
17 1, 2014, detailing the expenditures of the proceeds of the congestion
18 reduction charge.

19 (2) The governing body of a county that has assumed the rights,
20 powers, functions, and obligations of a metropolitan municipal
21 corporation under chapter 36.56 RCW and is operating a public
22 transportation system and the governing body of a public transportation
23 benefit area located in a county with a population of more than six
24 hundred thousand but fewer than seven hundred fifty thousand may not
25 impose a congestion reduction charge authorized under subsection (1)(a)
26 of this section for a passenger-only ferry transportation improvement,
27 unless the charge is first approved by a majority of the voters within
28 that county.

29 (3) The governing body of a county that has assumed the rights,
30 powers, functions, and obligations of a metropolitan municipal
31 corporation under chapter 36.56 RCW and is operating a public
32 transportation system and the governing body of a public transportation
33 benefit area located in a county with a population of more than six
34 hundred thousand but fewer than seven hundred fifty thousand shall
35 contract with the department of licensing as provided under section 3
36 of this act for the collection of the congestion reduction charge.

37 (4) A congestion reduction charge imposed under this section may
38 not be assessed until six months after approval.

1 (5) A congestion reduction charge imposed under this section
2 applies only for vehicle registration renewals and is effective upon
3 the registration renewal date as provided by the department of
4 licensing.

5 (6) The following vehicles are exempt from the congestion reduction
6 charge imposed under this section:

7 (a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and
8 46.04.181;

9 (b) Off-road vehicles as defined in RCW 46.04.365;

10 (c) Nonhighway vehicles as defined in RCW 46.09.310;

11 (d) Vehicles registered under chapter 46.87 RCW and the
12 international registration plan; and

13 (e) Snowmobiles as defined in RCW 46.04.546.

14 (7) The authority to impose a congestion reduction charge
15 authorized in subsection (1)(a) of this section expires with vehicle
16 registrations that expire two years after the imposition of the charge
17 or no later than June 30, 2014, whichever comes first.

18 (8) A congestion reduction charge authorized under subsection
19 (1)(a) of this section may only be imposed after June 30, 2014, if
20 approved by a majority of the voters within a county that has assumed
21 the rights, powers, functions, and obligations of a metropolitan
22 municipal corporation under chapter 36.56 RCW and is operating a public
23 transportation system or a county with a population of more than six
24 hundred thousand but fewer than seven hundred fifty thousand.

25 (9) This section expires December 31, 2014.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 46.68 RCW
27 to read as follows:

28 Whenever the department enters into a contract with the governing
29 body of a county that has assumed the rights, powers, functions, and
30 obligations of a metropolitan municipal corporation under chapter 36.56
31 RCW and is operating a public transportation system and the governing
32 body of a public transportation benefit area located in a county with
33 a population of more than six hundred thousand but fewer than seven
34 hundred fifty thousand for the collection of congestion reduction
35 charges authorized under section 2 of this act:

36 (1) The contract must require that the governing body provide any
37 information specified by the department to identify the vehicle owners

1 who owe the congestion reduction charges, and must specify that it is
2 the responsibility of the governing body to ensure that the congestion
3 reduction charges are appropriately applied;

4 (2) The department is not responsible for the collection of
5 congestion reduction charges until a date agreed to by both parties as
6 specified in the contract;

7 (3) The department shall deduct a percentage amount as provided in
8 the contract, not to exceed three percent of the charges collected,
9 necessary to reimburse the department for the costs incurred for the
10 collection of the congestion reduction charges; and

11 (4) The department shall remit remaining proceeds to the custody of
12 the state treasurer. The state treasurer shall distribute the proceeds
13 to the governing body on a monthly basis.

14 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 immediately."

18 Correct the title.

EFFECT: Adds public transportation benefit areas in counties with
a population of more than 600,000 and fewer than 750,000 to the
entities allowed to impose a congestion reduction charge.

Requires the governing body of a public transportation benefit area
in such counties to: (1) Complete a congestion reduction and
connectivity plan; (2) ensure that the congestion reduction and
connectivity plan is consistent with the public transportation benefit
area's existing transit development plan and long-range transit plan;
(3) convene a regional task force to advise on the creation of the
congestion reduction and connectivity plan; and (4) expend at least 10%
of the proceeds of the congestion reduction charge in a manner
consistent with the congestion reduction and connectivity plan.

Prevents the expenditure of the proceeds of the congestion
reduction charge until after the congestion reduction and connectivity
plan is completed and approved by the governing body of the public
transportation benefit area and the director of the public
transportation division of the Washington State Department of
Transportation.

Adds an emergency clause to require the act to take effect
immediately.

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