
HOUSE BILL 1536

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Liiias, Armstrong, Clibborn, Carlyle, Fitzgibbon, Dunshee, Cody, Kenney, Dickerson, Orwall, Upthegrove, Pedersen, Sells, Darneille, Frockt, Billig, Stanford, Moscoso, Hasegawa, Ryu, Goodman, Hunter, Jinkins, Maxwell, Kagi, Pettigrew, Reykdal, Santos, Sullivan, Moeller, Roberts, and Ormsby

Read first time 01/25/11. Referred to Committee on Transportation.

1 AN ACT Relating to providing a congestion reduction charge to fund
2 the operational and capital needs of transit agencies; amending RCW
3 82.80.005; adding a new section to chapter 82.80 RCW; adding a new
4 section to chapter 46.68 RCW; creating a new section; providing an
5 effective date; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes that public
8 transportation provides many benefits to the citizens of the state and
9 the environment, including through public transportation's ability to
10 alleviate congestion. In these challenging economic times, many
11 transit agencies find themselves struggling to continue to provide a
12 level of service that reduces congestion. It is the intent of the
13 legislature to provide these transit agencies with a temporary tool, in
14 the form of a congestion reduction charge, that can help address their
15 revenue shortfalls during this economic crisis and allow them to
16 continue reducing congestion on some of the state's most crowded
17 corridors.

1 **Sec. 2.** RCW 82.80.005 and 2002 c 56 s 415 are each amended to read
2 as follows:

3 ~~((For the purposes of this chapter,))~~ The definitions in this
4 section apply throughout this chapter unless the context clearly
5 requires otherwise.

6 (1) "District" means a regional transportation investment district
7 created under chapter 36.120 RCW.

8 (2) "Public transportation system" or "transportation system" means
9 any metropolitan municipal corporation that may perform the function of
10 metropolitan public transportation pursuant to chapter 35.58 RCW; any
11 county performing the public transportation function as authorized in
12 RCW 36.57.100 and 36.57.110 or that has established a county
13 transportation authority pursuant to chapter 36.57 RCW; any public
14 transportation benefit area established pursuant to chapter 36.57A RCW;
15 and any city that is not located within the boundaries of a
16 metropolitan municipal corporation, county transportation authority, or
17 public transportation benefit area, and that owns, operates, or
18 contracts for the services of a publicly owned or operated system of
19 transportation. However, "public transportation system" or
20 "transportation system" means, in respect to any county performing the
21 public transportation function pursuant to RCW 36.57.100 and 36.57.110,
22 only that portion of the unincorporated area lying wholly within such
23 unincorporated transportation benefit area.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 82.80 RCW
25 to read as follows:

26 (1)(a) Except as provided in subsection (2) of this section, the
27 governing body of a public transportation system located in a county
28 with a population of five hundred thousand or more bordering on Puget
29 Sound may impose by majority vote a congestion reduction charge of up
30 to thirty dollars per vehicle registered in the boundaries of the
31 transportation system for each vehicle subject to vehicle license fees
32 under RCW 46.17.350(1) (a), (d), (e), (f), (g), (h), (j), (l), (n),
33 (o), (p), or (q) and for each vehicle subject to gross weight license
34 fees under RCW 46.17.355 with an unladen weight of six thousand pounds
35 or less.

36 (b) Prior to the imposition of a congestion reduction charge

1 authorized under (a) of this subsection, a public transportation system
2 must complete a congestion reduction plan indicating the proposed
3 expenditures of the proceeds of the congestion reduction charge.

4 (c) A public transportation system that imposes a congestion
5 reduction charge authorized under (a) of this subsection must complete
6 a report by July 1, 2012, detailing the expenditures of the proceeds of
7 the congestion reduction charge through June 1, 2012.

8 (d) A public transportation system that imposes a congestion
9 reduction charge authorized under (a) of this subsection must complete
10 a report by June 1, 2014, detailing the expenditures of the proceeds of
11 the congestion reduction charge.

12 (2) The governing body of a public transportation system may not
13 impose a congestion reduction charge authorized under subsection (1)(a)
14 of this section for a passenger-only ferry transportation improvement,
15 unless the charge is first approved by a majority of the voters within
16 the jurisdiction of the public transportation system.

17 (3) A public transportation system shall contract with the
18 department of licensing as provided under section 4 of this act for the
19 collection of the congestion reduction charge.

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

22 (5) A congestion reduction charge imposed under this section
23 applies only for vehicle registration renewals and is effective upon
24 the registration renewal date as provided by the department of
25 licensing.

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

28 (a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and
29 46.04.181;

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

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

32 (d) Vehicles registered under chapter 46.87 RCW and the
33 international registration plan; and

34 (e) Snowmobiles as defined in RCW 46.04.546.

35 (7) The authority to impose a congestion reduction charge
36 authorized in this subsection (1)(a) of this section expires with
37 vehicle registrations that expire no later than December 31, 2013.

38 (8) This section expires June 30, 2014.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 46.68 RCW
2 to read as follows:

3 Whenever the department enters into a contract with a public
4 transportation system as defined in RCW 82.80.005 for the collection of
5 congestion reduction charges authorized under section 3 of this act:

6 (1) The contract must require that the public transportation system
7 provide any information specified by the department to identify the
8 vehicle owners who owe the congestion reduction charges, and must
9 specify that it is the responsibility of the public transportation
10 system to ensure that the congestion reduction charges are
11 appropriately applied;

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

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

19 (4) The department shall remit remaining proceeds to the custody of
20 the state treasurer. The state treasurer shall distribute the proceeds
21 to the public transportation system on a monthly basis.

22 NEW SECTION. **Sec. 5.** This act takes effect August 1, 2011.

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