
SUBSTITUTE SENATE BILL 5541

State of Washington

62nd Legislature

2011 Regular Session

By Senate Transportation (originally sponsored by Senators Murray, Delvin, Haugen, Roach, King, White, Shin, Kohl-Welles, and Kline)

READ FIRST TIME 02/25/11.

1 AN ACT Relating to regional mobility grants and tax incentives for
2 improving transportation connectivity and efficiency; and amending RCW
3 47.66.030 and 82.80.030.

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

5 **Sec. 1.** RCW 47.66.030 and 2005 c 318 s 4 are each amended to read
6 as follows:

7 (1) The department (~~shall~~) must establish a regional mobility
8 grant program. The purpose of the grant program is to aid local
9 governments and public institutions of higher education in funding
10 projects such as intercounty connectivity service, park and ride lots,
11 rush hour transit service, and capital projects that improve the
12 connectivity and efficiency of our transportation system. The
13 department (~~shall~~) must identify cost-effective projects that reduce
14 delay for people and goods and improve connectivity between counties
15 and regional population centers. The department (~~shall~~) must submit
16 a prioritized list of all projects requesting funding to the
17 legislature by December 1st of each year.

18 (2) The department may establish an advisory committee to carry out
19 the mandates of this chapter.

1 (3) The department must report annually to the transportation
2 committees of the legislature on the status of any grants projects
3 funded by the program created under this section.

4 **Sec. 2.** RCW 82.80.030 and 2005 c 336 s 24 are each amended to read
5 as follows:

6 (1) Subject to the conditions of this section, the legislative
7 authority of a county, city, or district may fix and impose a parking
8 tax on all persons engaged in a commercial parking business within its
9 respective jurisdiction. A city or county may impose the tax only to
10 the extent that it has not been imposed by the district, and a district
11 may impose the tax only to the extent that it has not been imposed by
12 a city or county. The jurisdiction of a county, for purposes of this
13 section, includes only the unincorporated area of the county. The
14 jurisdiction of a city or district includes only the area within its
15 boundaries.

16 (2)(a) In lieu of the tax in subsection (1) of this section, a
17 city, a county in its unincorporated area, or a district may fix and
18 impose a tax for the act or privilege of parking a motor vehicle in a
19 facility operated by a commercial parking business.

20 (b) The city, county, or district may provide that:

21 ((+a)) (i) The tax is paid by the operator or owner of the motor
22 vehicle;

23 ((+b)) (ii) The tax applies to all parking for which a fee is
24 paid, whether paid or leased, including parking supplied with a lease
25 of nonresidential space;

26 ((+c)) (iii) The tax is collected by the operator of the facility
27 and remitted to the city, county, or district;

28 ((+d)) (iv) The tax is a fee per vehicle or is measured by the
29 parking charge;

30 ((+e)) (v) The tax rate varies with zoning or location of the
31 facility, the duration of the parking, the time of entry or exit, the
32 type or use of the vehicle, or other reasonable factors; and

33 ((+f)) (vi) Tax exempt carpools(~~(7)~~); vehicles (~~with handicapped~~
34 ~~deals,~~) displaying a valid person with disability parking permit; or
35 government vehicles are exempt from the tax.

36 (3) "Commercial parking business" as used in this section, means
37 the ownership, lease, operation, or management of a commercial parking

1 lot in which fees are charged. "Commercial parking lot" means a
2 covered or uncovered area with stalls for the purpose of parking motor
3 vehicles.

4 (4)(a) The rate of the tax under subsection (1) of this section may
5 be based either upon gross proceeds or the number of vehicle stalls
6 available for commercial parking use.

7 (b)(i) Except as provided otherwise in (b)(ii) of this subsection,
8 a rate of tax that is based upon gross proceeds may not exceed twelve
9 and one-half percent.

10 (ii) A rate of tax that is based upon gross proceeds may be
11 increased above twelve and one-half percent to a maximum of fifteen
12 percent, only if approved by a majority of the voters in the county,
13 city, or district imposing the tax.

14 (c) The rates charged must be uniform for the same class or type of
15 commercial parking business.

16 (5) The county, city, or district levying the tax provided for in
17 subsection (1) or (2) of this section may provide for its payment on a
18 monthly, quarterly, or annual basis. Each local government may develop
19 by ordinance or resolution rules for administering the tax, including
20 provisions for reporting by commercial parking businesses, collection,
21 and enforcement.

22 (6) The proceeds of the commercial parking tax fixed and imposed by
23 a city or county under subsection (1) or (2) of this section (~~shall~~)
24 must be used for transportation purposes in accordance with RCW
25 82.80.070 or for transportation improvements in accordance with chapter
26 36.73 RCW. The proceeds of the parking tax imposed by a district must
27 be used as provided in chapter 36.120 RCW.

28 (7)(a) The tax imposed in this section does not apply to a public
29 institution of higher education; or a public or nonprofit hospital, if
30 such institution or hospital has:

31 (i) An active commute trip reduction program as identified in RCW
32 70.94.531; and

33 (ii) Invested no less than one hundred ten percent of the
34 institution or hospital's net parking proceeds into the commute trip
35 reduction program during the previous reporting period.

36 (b) For the purposes of this subsection, "public or nonprofit
37 hospital" only includes a public or nonprofit hospital that contracts

1 with a public institution of higher education to provide hospital
2 services for the rendering of medical services or for teaching and
3 research activities.

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