
SENATE BILL 6215

State of Washington 62nd Legislature 2012 Regular Session

By Senators Frockt, Kline, Nelson, Kohl-Welles, and Conway

Read first time 01/16/12. Referred to Committee on Transportation.

1 AN ACT Relating to establishing an optional transportation benefit
2 district rebate program for low-income individuals; amending RCW
3 36.73.065; reenacting and amending RCW 36.73.015; adding a new section
4 to chapter 36.73 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that certain taxes,
7 fees, and tolls allowed under the authority of a transportation benefit
8 district can place a financial hardship on low-income individuals. As
9 such, it is the intent of the legislature to allow local jurisdictions
10 to create an optional program to fund rebates to low-income
11 individuals, if they so choose. It is further the intent of the
12 legislature that such optional rebate programs are to be created and
13 administered by the transportation benefit district authorizing such
14 taxes, fees, and tolls and that no costs are borne by the state.

15 **Sec. 2.** RCW 36.73.015 and 2010 c 251 s 2 and 2010 c 105 s 1 are
16 each reenacted and amended to read as follows:

17 The definitions in this section apply throughout this chapter
18 unless the context clearly requires otherwise.

1 (1) "City" means a city or town.

2 (2) "District" means a transportation benefit district created
3 under this chapter.

4 (3) "Rebate program" means an optional program established by a
5 transportation benefit district for the purpose of providing rebates to
6 low-income individuals for fees, taxes, and/or tolls imposed by such
7 transportation benefit district for: (a) Vehicle fees imposed under
8 RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW
9 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

10 (4) "Supplemental transportation improvement" or "supplemental
11 improvement" means any project, work, or undertaking to provide public
12 transportation service, in addition to a district's existing or planned
13 voter-approved transportation improvements, proposed by a participating
14 city member of the district under RCW 36.73.180.

15 ((+4)) (5) "Transportation improvement" means a project contained
16 in the transportation plan of the state, a regional transportation
17 planning organization, city, county, or eligible jurisdiction as
18 identified in RCW 36.73.020(2). A project may include investment in
19 new or existing highways of statewide significance, principal arterials
20 of regional significance, high capacity transportation, public
21 transportation, and other transportation projects and programs of
22 regional or statewide significance including transportation demand
23 management. Projects may also include the operation, preservation, and
24 maintenance of these facilities or programs.

25 NEW SECTION. Sec. 3. A new section is added to chapter 36.73 RCW
26 to read as follows:

27 (1) Any district that imposes a vehicle fee under RCW
28 36.73.040(3)(b), sales and use taxes under RCW 36.73.040(3)(a), or
29 tolls under RCW 36.73.040(3)(d) may establish a rebate program for the
30 purposes of providing rebates to low-income individuals.

31 (2) Funds collected from a vehicle fee under RCW 36.73.040(3)(b),
32 sales and use tax under RCW 36.73.040(3)(a) or tolls under RCW
33 36.73.040(3)(d) may be used for a rebate program established under this
34 section.

35 **Sec. 4.** RCW 36.73.065 and 2007 c 329 s 1 are each amended to read
36 as follows:

1 (1) Except as provided in subsection (4) of this section, taxes,
2 fees, charges, and tolls may not be imposed by a district without
3 approval of a majority of the voters in the district voting on a
4 proposition at a general or special election. The proposition must
5 include a specific description of: (a) The transportation improvement
6 or improvements proposed by the district; (b) any rebate program
7 proposed to be established under section 3 of this act; and (c) the
8 proposed taxes, fees, charges, and the range of tolls imposed by the
9 district to raise revenue to fund the improvement or improvements or
10 rebate program, as applicable.

11 (2) Voter approval under this section (~~shall~~) must be accorded
12 substantial weight regarding the validity of a transportation
13 improvement as defined in RCW 36.73.015.

14 (3) A district may not increase any taxes, fees, charges, or range
15 of tolls imposed or change a rebate program under this chapter once the
16 taxes, fees, charges, (~~or~~) tolls, or rebate program takes effect,
17 unless authorized by the district voters pursuant to RCW 36.73.160.

18 (4)(a) A district that includes all the territory within the
19 boundaries of the jurisdiction, or jurisdictions, establishing the
20 district may impose by a majority vote of the governing board of the
21 district the following fees and charges:

22 (i) Up to twenty dollars of the vehicle fee authorized in RCW
23 82.80.140; or

24 (ii) A fee or charge in accordance with RCW 36.73.120.

25 (b) The vehicle fee authorized in (a) of this subsection may only
26 be imposed for a passenger-only ferry transportation improvement if the
27 vehicle fee is first approved by a majority of the voters within the
28 jurisdiction of the district.

29 (c)(i) A district solely comprised of a city or cities shall not
30 impose the fees or charges identified in (a) of this subsection within
31 one hundred eighty days after July 22, 2007, unless the county in which
32 the city or cities reside, by resolution, declares that it will not
33 impose the fees or charges identified in (a) of this subsection within
34 the one hundred eighty-day period; or

35 (ii) A district solely comprised of a city or cities identified in
36 RCW 36.73.020(6)(b) (~~shall~~) may not impose the fees or charges until
37 after May 22, 2008, unless the county in which the city or cities

1 reside, by resolution, declares that it will not impose the fees or
2 charges identified in (a) of this subsection through May 22, 2008.

3 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
4 reached, a district that includes only the unincorporated territory of
5 a county may impose by a majority vote of the governing body of the
6 district up to twenty dollars of the vehicle fee authorized in RCW
7 82.80.140.

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