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SENATE BILL 5093

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Benton and Roach

Read first time 01/17/13. Referred to Committee on Transportation.

1 AN ACT Relating to a transportation benefit district vehicle fee;  
2 amending RCW 82.80.140; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature recognizes that local  
5 governments have unmet needs in the funding of transportation  
6 infrastructure. The legislature further recognizes that the previous  
7 statewide transportation funding packages have provided insufficient  
8 resources to local governments. As such, it is the intent of the  
9 legislature to restrict the use of certain local option funding sources  
10 for highway purposes as outlined in Article II, section 40 of the state  
11 Constitution.

12 **Sec. 2.** RCW 82.80.140 and 2010 c 161 s 917 are each amended to  
13 read as follows:

14 (1) Subject to the provisions of RCW 36.73.065, a transportation  
15 benefit district under chapter 36.73 RCW may fix and impose an annual  
16 vehicle fee, not to exceed one hundred dollars per vehicle registered  
17 in the district, for each vehicle subject to vehicle license fees under

1 RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q)  
2 and for each vehicle subject to gross weight license fees under RCW  
3 46.17.355 with a scale weight of six thousand pounds or less.

4 (2)(a) A district that includes all the territory within the  
5 boundaries of the jurisdiction, or jurisdictions, establishing the  
6 district may impose by a majority vote of the governing board of the  
7 district up to twenty dollars of the vehicle fee authorized in  
8 subsection (1) of this section. If the district is countywide, the  
9 revenues of the fee (~~shall~~) must be distributed to each city within  
10 the county by interlocal agreement. The interlocal agreement is  
11 effective when approved by the county and sixty percent of the cities  
12 representing seventy-five percent of the population of the cities  
13 within the county in which the countywide fee is collected.

14 (b) A district may not impose a fee under this subsection (2):

15 (i) For a passenger-only ferry transportation improvement unless  
16 the vehicle fee is first approved by a majority of the voters within  
17 the jurisdiction of the district; or

18 (ii) That, if combined with the fees previously imposed by another  
19 district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds  
20 twenty dollars.

21 (c) If a district imposes or increases a fee under this subsection  
22 (2) that, if combined with the fees previously imposed by another  
23 district within its boundaries, exceeds twenty dollars, the district  
24 (~~shall~~) must provide a credit for the previously imposed fees so that  
25 the combined vehicle fee does not exceed twenty dollars.

26 (3) Proceeds from a vehicle fee under this section, initially  
27 authorized by the governing board after January 1, 2013, must be used  
28 exclusively for "highway purposes" as that term is construed in Article  
29 II, section 40 of the state Constitution.

30 (4) The department of licensing (~~shall~~) must administer and  
31 collect the fee. The department (~~shall~~) must deduct a percentage  
32 amount, as provided by contract, not to exceed one percent of the fees  
33 collected, for administration and collection expenses incurred by it.  
34 The department (~~shall~~) must remit remaining proceeds to the custody  
35 of the state treasurer. The state treasurer (~~shall~~) must distribute  
36 the proceeds to the district on a monthly basis.

37 (~~(4)~~) (5) No fee under this section may be collected until six  
38 months after approval under RCW 36.73.065.

1       (~~(5)~~) (6) The vehicle fee under this section applies only when  
2 renewing a vehicle registration, and is effective upon the registration  
3 renewal date as provided by the department of licensing.

4       (~~(6)~~) (7) The following vehicles are exempt from the fee under  
5 this section:

- 6       (a) Campers, as defined in RCW 46.04.085;  
7       (b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and  
8 46.04.181;  
9       (c) Mopeds, as defined in RCW 46.04.304;  
10       (d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;  
11       (e) Private use single-axle trailer, as defined in RCW 46.04.422;  
12       (f) Snowmobiles, as defined in RCW 46.04.546; and  
13       (g) Vehicles registered under chapter 46.87 RCW and the  
14 international registration plan.

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