
SENATE BILL 5861

State of Washington 63rd Legislature 2013 Regular Session

By Senators Murray, Kohl-Welles, Nelson, Eide, Frockt, and Kline

Read first time 02/27/13. Referred to Committee on Transportation.

1 AN ACT Relating to local transportation revenue; amending RCW
2 36.73.065 and 82.80.140; adding a new section to chapter 82.80 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) It is the intent of the legislature to
6 provide diversified local revenue options that may be tailored to the
7 needs of each jurisdiction, in addition to any increases in funding
8 provided through already existing partnerships between the state and
9 local communities, such as the motor vehicle fuel taxes. In the case
10 of public transit systems in particular, there is a need for additional
11 revenue sources beyond the current sales and use tax options, which
12 may, on their own, not be sufficient to meet the funding challenges of
13 a particular system.

14 (2) It is also the intent that local governments provide countywide
15 transportation planning and coordinate with other municipalities,
16 transit systems, transportation benefit districts, planning
17 organizations, and other transportation agencies. It is critical that
18 all transportation infrastructure is well planned, coordinated, and
19 maintained at the local levels to provide a seamless transportation

1 infrastructure to enable people and goods to move safely and
2 efficiently throughout the state and to bolster and improve the state's
3 economy.

4 (3) The legislature finds that the purchasing power of funds to pay
5 for local transportation needs continues to decline while costs have
6 risen. Without additional funding, counties and cities will continue
7 to struggle financially to preserve and maintain county roads, city
8 streets, and bridges; pavement conditions will to continue to decline;
9 and public transit systems will be forced to cut services at a time
10 when demand for transit services is increasing.

11 **Sec. 2.** RCW 36.73.065 and 2012 c 152 s 3 are each amended to read
12 as follows:

13 (1) Except as provided in subsection (4) of this section, taxes,
14 fees, charges, and tolls may not be imposed by a district without
15 approval of a majority of the voters in the district voting on a
16 proposition at a general or special election. The proposition must
17 include a specific description of: (a) The transportation improvement
18 or improvements proposed by the district; (b) any rebate program
19 proposed to be established under RCW 36.73.067; and (c) the proposed
20 taxes, fees, charges, and the range of tolls imposed by the district to
21 raise revenue to fund the improvement or improvements or rebate
22 program, as applicable.

23 (2) Voter approval under this section must be accorded substantial
24 weight regarding the validity of a transportation improvement as
25 defined in RCW 36.73.015.

26 (3) A district may not increase any taxes, fees, charges, or range
27 of tolls imposed or change a rebate program under this chapter once the
28 taxes, fees, charges, tolls, or rebate program takes effect, unless
29 authorized by the district voters pursuant to RCW 36.73.160 or up to
30 forty dollars of the vehicle fee authorized in RCW 82.80.140 by the
31 governing board of the district.

32 (4)(a) A district that includes all the territory within the
33 boundaries of the jurisdiction, or jurisdictions, establishing the
34 district may impose by a majority vote of the governing board of the
35 district the following fees and charges:

36 (i) Up to (~~twenty~~) forty dollars of the vehicle fee authorized in
37 RCW 82.80.140; or

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

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

6 (c)(i) A district solely comprised of a city or cities (~~shall~~)
7 may not impose the fees or charges identified in (a) of this subsection
8 within one hundred eighty days after July 22, 2007, unless the county
9 in which the city or cities reside, by resolution, declares that it
10 will not impose the fees or charges identified in (a) of this
11 subsection within the one hundred eighty-day period; or

12 (ii) A district solely comprised of a city or cities identified in
13 RCW 36.73.020(6)(b) may not impose the fees or charges until after May
14 22, 2008, unless the county in which the city or cities reside, by
15 resolution, declares that it will not impose the fees or charges
16 identified in (a) of this subsection through May 22, 2008.

17 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
18 reached, a district that includes only the unincorporated territory of
19 a county may impose by a majority vote of the governing body of the
20 district up to (~~twenty~~) forty dollars of the vehicle fee authorized
21 in RCW 82.80.140.

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

24 (1) A county with a population of one million or more may impose,
25 by a majority of persons voting on the proposition or by a majority
26 vote of the county council, a local motor vehicle excise tax of up to
27 one and one-half percent annually on the value of every motor vehicle
28 registered to a person residing within the county based on the
29 valuation schedules in RCW 82.44.035. A motor vehicle excise tax may
30 not be imposed on vehicles licensed under RCW 46.17.355, except for
31 motor vehicles with an unladen weight of six thousand pounds or less,
32 RCW 46.16A.425, 46.17.335, or 46.17.350(1)(c).

33 (2) A county imposing a tax under this section must contract,
34 before the effective date of the resolution or ordinance imposing the
35 local motor vehicle excise tax, administration and collection to the
36 department of licensing, as appropriate, which must deduct an amount,

1 as provided by contract, for administration and collection expenses
2 incurred by the department.

3 (3)(a) A county imposing a tax under this section must use sixty
4 percent of the net funds, after any deductions pursuant to subsection
5 (2) of this section, for the operation, maintenance, or capital needs
6 of public transportation systems.

7 (b) The remaining forty percent of the net funds, after any
8 deductions pursuant to subsection (2) of this section, must be used for
9 the operations and maintenance of local roads and must be distributed
10 on a pro rata basis to the county imposing the local motor vehicle
11 excise tax and to incorporated cities and towns within the county based
12 upon the population of the unincorporated portion of the county, the
13 population of an incorporated city, or the population of an
14 incorporated town as a percentage of the total population of the
15 county.

16 (4) For purposes of this section, the population of an incorporated
17 city or town is the most recent population determined by the office of
18 financial management.

19 **Sec. 4.** RCW 82.80.140 and 2010 c 161 s 917 are each amended to
20 read as follows:

21 (1) Subject to the provisions of RCW 36.73.065, a transportation
22 benefit district under chapter 36.73 RCW may fix and impose an annual
23 vehicle fee, not to exceed one hundred dollars per vehicle registered
24 in the district, for each vehicle subject to vehicle license fees under
25 RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q)
26 and for each vehicle subject to gross weight license fees under RCW
27 46.17.355 with a scale weight of six thousand pounds or less.

28 (2)(a) A district that includes all the territory within the
29 boundaries of the jurisdiction, or jurisdictions, establishing the
30 district may impose by a majority vote of the governing board of the
31 district up to (~~twenty~~) forty dollars of the vehicle fee authorized
32 in subsection (1) of this section. If the district is countywide, the
33 revenues of the fee shall be distributed to each city within the county
34 by interlocal agreement. The interlocal agreement is effective when
35 approved by the county and sixty percent of the cities representing
36 seventy-five percent of the population of the cities within the county
37 in which the countywide fee is collected.

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

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

5 (ii) That, if combined with the fees previously imposed by another
6 district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds
7 (~~twenty~~) forty dollars.

8 If a district imposes or increases a fee under this subsection (2)
9 that, if combined with the fees previously imposed by another district
10 within its boundaries, exceeds (~~twenty~~) forty dollars, the district
11 shall provide a credit for the previously imposed fees so that the
12 combined vehicle fee does not exceed (~~twenty~~) forty dollars.

13 (3) The department of licensing shall administer and collect the
14 fee. The department shall deduct a percentage amount, as provided by
15 contract, not to exceed one percent of the fees collected, for
16 administration and collection expenses incurred by it. The department
17 shall remit remaining proceeds to the custody of the state treasurer.
18 The state treasurer shall distribute the proceeds to the district on a
19 monthly basis.

20 (4) No fee under this section may be collected until six months
21 after approval under RCW 36.73.065.

22 (5) The vehicle fee under this section applies only when renewing
23 a vehicle registration, and is effective upon the registration renewal
24 date as provided by the department of licensing.

25 (6) The following vehicles are exempt from the fee under this
26 section:

27 (a) Campers, as defined in RCW 46.04.085;

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

30 (c) Mopeds, as defined in RCW 46.04.304;

31 (d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;

32 (e) Private use single-axle trailer, as defined in RCW 46.04.422;

33 (f) Snowmobiles, as defined in RCW 46.04.546; and

34 (g) Vehicles registered under chapter 46.87 RCW and the
35 international registration plan.

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