

ESSB 6106 - H AMD TO H AMD (H-5049.1/18) 1215
By Representative Harmsworth

SCOPE AND OBJECT 02/27/2018

1 On page 94, after line 22 of the amendment, insert the following:

2 "Sec. 702. RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each
3 amended to read as follows:

4 (1) Regional transit authorities that include a county with a
5 population of more than one million five hundred thousand may submit
6 an authorizing proposition to the voters, and if approved, may levy
7 and collect an excise tax, at a rate approved by the voters, but not
8 exceeding eight-tenths of one percent on the value, under chapter
9 82.44 RCW, of every motor vehicle owned by a resident of the taxing
10 district, solely for the purpose of providing high capacity
11 transportation service, except during the 2017-2019 fiscal biennium,
12 when this excise tax rate may not exceed four-tenths of one percent.

13 The maximum tax rate under this subsection does not include a motor
14 vehicle excise tax approved before July 15, 2015, if the tax will
15 terminate on the date bond debt to which the tax is pledged is
16 repaid. This tax does not apply to vehicles licensed under RCW
17 46.16A.455 except vehicles with an unladen weight of six thousand
18 pounds or less, RCW 46.16A.425 or 46.17.335(2). Notwithstanding any
19 other provision of this subsection or chapter 82.44 RCW, a motor
20 vehicle excise tax imposed by a regional transit authority before or
21 after July 15, 2015, must comply with chapter 82.44 RCW as it existed
22 on January 1, 1996, until December 31st of the year in which the
23 regional transit authority repays bond debt to which a motor vehicle
24 excise tax was pledged before July 15, 2015. Motor vehicle taxes
25 collected by regional transit authorities after December 31st of the
26 year in which a regional transit authority repays bond debt to which
27 a motor vehicle excise tax was pledged before July 15, 2015, must
28 comply with chapter 82.44 RCW as it existed on the date the tax was
29 approved by voters.

30 (2) An agency and high capacity transportation corridor area may
31 impose a sales and use tax solely for the purpose of providing high
32 capacity transportation service, in addition to the tax authorized by

1 RCW 82.14.030, upon retail car rentals within the applicable
2 jurisdiction that are taxable by the state under chapters 82.08 and
3 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of
4 tax imposed under this subsection must bear the same ratio of the
5 2.172 percent authorized that the rate imposed under subsection (1)
6 of this section bears to the rate authorized under subsection (1) of
7 this section. The base of the tax is the selling price in the case of
8 a sales tax or the rental value of the vehicle used in the case of a
9 use tax.

10 (3) Any motor vehicle excise tax previously imposed under the
11 provisions of RCW 81.104.160(1) shall be repealed, terminated, and
12 expire on December 5, 2002, except for a motor vehicle excise tax for
13 which revenues have been contractually pledged to repay a bonded debt
14 issued before December 5, 2002, as determined by *Pierce County et al.*
15 *v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006). In the case of bonds
16 that were previously issued, the motor vehicle excise tax must comply
17 with chapter 82.44 RCW as it existed on January 1, 1996.

18 (4) If a regional transit authority imposes the tax authorized
19 under subsection (1) of this section, the authority may not receive
20 any state grant funds provided in an omnibus transportation
21 appropriations act except transit coordination grants created in
22 chapter 11, Laws of 2015 3rd sp. sess."

23 Renumber the remaining section consecutively and correct the
24 title.

EFFECT: Limits the motor vehicle excise tax rate for certain
regional transit authorities to 0.7% during the 2017-2019 fiscal
biennium.

FISCAL IMPACT: No net change to appropriated levels.

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