
HOUSE BILL 1770

State of Washington

65th Legislature

2017 Regular Session

By Representatives Harmsworth, Orcutt, Hayes, Shea, Young, Kloba, Koster, and Stanford

Read first time 01/27/17. Referred to Committee on Transportation.

1 AN ACT Relating to transportation benefit district boundaries
2 including whole parcels; and amending RCW 36.73.020.

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

4 **Sec. 1.** RCW 36.73.020 and 2010 c 250 s 1 are each amended to
5 read as follows:

6 (1) The legislative authority of a county or city may establish a
7 transportation benefit district within the county or city area or
8 within the area specified in subsection (2) of this section, for the
9 purpose of acquiring, constructing, improving, providing, and funding
10 a transportation improvement within the district that is consistent
11 with any existing state, regional, or local transportation plans and
12 necessitated by existing or reasonably foreseeable congestion levels.
13 The transportation improvements shall be owned by the county of
14 jurisdiction if located in an unincorporated area, by the city of
15 jurisdiction if located in an incorporated area, or by the state in
16 cases where the transportation improvement is or becomes a state
17 highway. However, if deemed appropriate by the governing body of the
18 transportation benefit district, a transportation improvement may be
19 owned by a participating port district or transit district, unless
20 otherwise prohibited by law. Transportation improvements shall be
21 administered and maintained as other public streets, roads, highways,

1 and transportation improvements. To the extent practicable, the
2 district shall consider the following criteria when selecting
3 transportation improvements:

4 (a) Reduced risk of transportation facility failure and improved
5 safety;

6 (b) Improved travel time;

7 (c) Improved air quality;

8 (d) Increases in daily and peak period trip capacity;

9 (e) Improved modal connectivity;

10 (f) Improved freight mobility;

11 (g) Cost-effectiveness of the investment;

12 (h) Optimal performance of the system through time;

13 (i) Improved accessibility for, or other benefits to, persons
14 with special transportation needs as defined in RCW 47.06B.012; and

15 (j) Other criteria, as adopted by the governing body.

16 (2) Subject to subsection (6) of this section, the district may
17 include area within more than one county, city, port district, county
18 transportation authority, or public transportation benefit area, if
19 the legislative authority of each participating jurisdiction has
20 agreed to the inclusion as provided in an interlocal agreement
21 adopted pursuant to chapter 39.34 RCW. However, the boundaries of the
22 district need not include all territory within the boundaries of the
23 participating jurisdictions comprising the district, provided that
24 the boundaries of the district only include whole parcels.

25 (3) The members of the legislative authority proposing to
26 establish the district, acting ex officio and independently, shall
27 constitute the governing body of the district: PROVIDED, That where a
28 district includes area within more than one jurisdiction under
29 subsection (2) of this section, the district shall be governed under
30 an interlocal agreement adopted pursuant to chapter 39.34 RCW, with
31 the governing body being composed of (a) at least five members
32 including at least one elected official from the legislative
33 authority of each participating jurisdiction or (b) the governing
34 body of the metropolitan planning organization serving the district,
35 but only if the district boundaries are identical to the boundaries
36 of the metropolitan planning organization serving the district.

37 (4) The treasurer of the jurisdiction proposing to establish the
38 district shall act as the ex officio treasurer of the district,
39 unless an interlocal agreement states otherwise.

1 (5) The electors of the district shall all be registered voters
2 residing within the district.

3 (6) Prior to December 1, 2007, the authority under this section,
4 regarding the establishment of or the participation in a district,
5 shall not apply to:

6 (a) Counties with a population greater than one million five
7 hundred thousand persons and any adjoining counties with a population
8 greater than five hundred thousand persons;

9 (b) Cities with any area within the counties under (a) of this
10 subsection; and

11 (c) Other jurisdictions with any area within the counties under
12 (a) of this subsection.

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