

**SSB 5488** - H COMM AMD  
By Committee on Transportation

ADOPTED 03/08/2022

1 Strike everything after the enacting clause and insert the  
2 following:

3 **"Sec. 1.** RCW 47.56.165 and 2009 c 567 s 1 are each amended to  
4 read as follows:

5 A special account to be known as the Tacoma Narrows toll bridge  
6 account is created in the motor vehicle fund in the state treasury.

7 (1) Deposits to the account must include:

8 (a) All proceeds of bonds issued for construction of the Tacoma  
9 Narrows public-private initiative project, including any capitalized  
10 interest;

11 (b) All of the toll charges and other revenues received from the  
12 operation of the Tacoma Narrows bridge as a toll facility, to be  
13 deposited at least monthly;

14 (c) Any interest that may be earned from the deposit or  
15 investment of those revenues;

16 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any  
17 surplus real property acquired for the purpose of building the second  
18 Tacoma Narrows bridge; ~~((and))~~

19 (e) All liquidated damages collected under any contract involving  
20 the construction of the second Tacoma Narrows bridge; and

21 (f) Beginning with September 2022 and ending July 1, 2032, by the  
22 last day of September, December, March, and June of each year, the  
23 state treasurer shall transfer from the general fund to the account  
24 the sum of \$3,250,000. The total amount that may be transferred  
25 pursuant to this subsection is \$130,000,000.

26 (2) Proceeds of bonds shall be used consistent with RCW  
27 47.46.130, including the reimbursement of expenses and fees incurred  
28 under agreements entered into under RCW 47.46.040 as required by  
29 those agreements.

30 (3) Toll charges, other revenues, and interest may only be used  
31 to:

1 (a) Pay required costs that contribute directly to the financing,  
2 operation, maintenance, management, and necessary repairs of the  
3 tolled facility, as determined by rule by the transportation  
4 commission; and

5 (b) Repay amounts to the motor vehicle fund as required under RCW  
6 47.46.140.

7 (4) Toll charges, other revenues, and interest may not be used to  
8 pay for costs that do not contribute directly to the financing,  
9 operation, maintenance, management, and necessary repairs of the  
10 tolled facility, as determined by rule by the transportation  
11 commission.

12 (5) The department shall make detailed quarterly expenditure  
13 reports available to the transportation commission and to the public  
14 on the department's website using current department resources.

15 (6) When repaying the motor vehicle fund under RCW 47.46.140, the  
16 state treasurer shall transfer funds from the Tacoma Narrows toll  
17 bridge account to the motor vehicle fund on or before each debt  
18 service date for bonds issued for the Tacoma Narrows public-private  
19 initiative project in an amount sufficient to repay the motor vehicle  
20 fund for amounts transferred from that fund to the highway bond  
21 retirement fund to provide for any bond principal and interest due on  
22 that date. The state treasurer may establish subaccounts for the  
23 purpose of segregating toll charges, bond sale proceeds, and other  
24 revenues.

25 **Sec. 2.** RCW 47.46.190 and 2018 c 195 s 1 are each amended to  
26 read as follows:

27 (1) The legislature finds funding of the Tacoma Narrows bridge  
28 facility to be distinct from other Washington state tolling  
29 facilities due to its increasing debt service costs, which is the  
30 primary driver of the facility's escalating costs. Washington state  
31 has since recommended and established financing structures with  
32 steadier levels of debt service payments for subsequent tolled  
33 transportation facilities, supporting better management of the  
34 state's debt burden and a lower financial burden for toll ratepayers.

35 (2) The Tacoma Narrows bridge facility debt service structure  
36 resulted, in part, from a decision by the legislature to fund  
37 construction of the bridge without drawing from state tax dollars. As  
38 a result, toll revenue was committed to fund (~~ninety-nine~~) 99  
39 percent of bridge construction costs, as well as the associated

1 interest payments and other associated debt service costs. This is  
2 not the standard more recently utilized by the legislature, as is the  
3 case of the state route 520 bridge's construction, (~~seventy-two~~) 72  
4 percent of which is to be paid for with toll revenues. In light of  
5 the maximum burden for bridge construction that was placed on Tacoma  
6 Narrows bridge toll ratepayers, there is no equitable reason that the  
7 burden of future debt service payment increases should be borne by  
8 these same toll ratepayers.

9 (3) The legislature established the Tacoma Narrows bridge work  
10 group in 2017 and tasked it with identifying opportunities for long-  
11 term toll payer relief from increasing toll rates on the Tacoma  
12 Narrows bridge. The work group recommended a request of up to (~~one~~  
13 ~~hundred twenty-five million dollars~~) \$125,000,000 in state funding  
14 from the legislature to offset future debt service payment increases,  
15 allocated across the remaining years of tolling at levels that result  
16 in maintaining toll rates at fiscal year 2018 levels.

17 (4) Due to the findings aforementioned, an alternative is put  
18 forward by the legislature. State contribution loans for each fiscal  
19 biennium are to be made through the life of the debt service plan of  
20 up to a total of (~~eighty-five million dollars~~) \$85,000,000, and  
21 will be repaid in annual amounts beginning after the debt service and  
22 deferred sales tax are fully repaid. It is the intent of the  
23 legislature that the commission will(~~+~~

24 ~~(a) Maintain tolls at no more than toll rates effective at the~~  
25 ~~fiscal year 2018 level until fiscal year 2022; and~~

26 ~~(b) Maintain tolls at no more than twenty-five cents higher than~~  
27 ~~the toll rates effective at the fiscal year 2018 level beginning in~~  
28 ~~fiscal year 2022)) adjust tolls accordingly, in consideration of~~  
29 ~~annual contributions from nontoll sources and the costs required to~~  
30 ~~be covered under RCW 47.46.100,~~ until such time as the debt service  
31 and deferred sales tax obligation is fully met according to the  
32 repayment schedule in place as of June 7, 2018, and until any state  
33 contribution loans are fully repaid.

34 (5) To offset part of the toll rate increases that would  
35 otherwise be necessary to meet increases in future debt service  
36 payments, it is the intent of the legislature that the state  
37 treasurer make state contribution loan transfers to the Tacoma  
38 Narrows toll bridge account created in RCW 47.56.165 on the first day  
39 of each fiscal biennium, beginning in the 2019-2021 fiscal biennium,  
40 through the life of the debt service plan. It is the intent of the

1 legislature that the state treasurer make state contribution loan  
2 transfers in amounts necessary to ensure debt service payments are  
3 made in full after toll revenue from the Tacoma Narrows bridge toll  
4 facility is applied to the debt payment amounts and other required  
5 costs.

6 (6) This section does not create a private right of action.

7 **Sec. 3.** RCW 47.46.200 and 2018 c 195 s 2 are each amended to  
8 read as follows:

9 (1) Through 2031, the commission shall submit to the  
10 transportation committees of the legislature on an annual basis a  
11 report that includes sufficient information to enable the legislature  
12 to determine an adequate amount of contribution from nontoll sources  
13 required for each fiscal biennium to maintain (~~tolls at no more than~~  
14 ~~twenty-five cents higher than the toll rates effective at the fiscal~~  
15 ~~year 2018 level, while also maintaining~~) the debt service plan  
16 repayment schedule in place as of June 7, 2018. The report must be  
17 submitted by January 5th of each year.

18 (2) Beginning in 2031, and until such time as the state  
19 contribution loans described in RCW 47.46.190(4) are repaid, the  
20 commission shall submit to the transportation committees of the  
21 legislature on an annual basis a report that includes information  
22 detailing the annual expected toll revenue to be used for repayment  
23 of the state contribution loans (~~while maintaining tolls at no more~~  
24 ~~than twenty-five cents higher than the toll rates effective at the~~  
25 ~~fiscal year 2018 level~~). The report must be submitted by January 5th  
26 of each year.

27 (3) This section does not create a private right of action."

28 Correct the title.

EFFECT: Makes the following adjustments:

(1) Removes the intended goal of maintaining two-axle toll rates at no more than 75 cents lower than the toll rates in effect as of October 1, 2021.

(2) Removes the intention that any modification to toll rates in consideration of the increased annual contributions be limited to just two-axle vehicles.

(3) Modifies the reporting requirements for the Transportation Commission such that the information to be provided to the

Legislature to determine the adequate amount of contribution no longer includes consideration of a specific toll rate level.

--- END ---