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HOUSE BILL 1173

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Schindler, Wood, Crouse, Ahern, Ormsby, Barlow, Hailey, Sump, Haler, Kretz and Buri

Read first time 01/12/2007. Referred to Committee on Transportation.

1            AN ACT Relating to prioritizing funding for special category C  
2 projects; and amending RCW 46.68.090 and 47.10.812.

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

4            **Sec. 1.** RCW 46.68.090 and 2005 c 314 s 103 are each amended to  
5 read as follows:

6            (1) All moneys that have accrued or may accrue to the motor vehicle  
7 fund from the motor vehicle fuel tax and special fuel tax shall be  
8 first expended for purposes enumerated in (a) and (b) of this  
9 subsection. The remaining net tax amount shall be distributed monthly  
10 by the state treasurer in accordance with subsections (2) through (7)  
11 of this section.

12            (a) For payment of refunds of motor vehicle fuel tax and special  
13 fuel tax that has been paid and is refundable as provided by law;

14            (b) For payment of amounts to be expended pursuant to  
15 appropriations for the administrative expenses of the offices of state  
16 treasurer, state auditor, and the department of licensing of the state  
17 of Washington in the administration of the motor vehicle fuel tax and  
18 the special fuel tax, which sums shall be distributed monthly.

1 (2) All of the remaining net tax amount collected under RCW  
2 82.36.025(1) and 82.38.030(1) shall be distributed as set forth in (a)  
3 through (j) of this section.

4 (a) For distribution to the motor vehicle fund an amount equal to  
5 44.387 percent to be expended for highway purposes of the state as  
6 defined in RCW 46.68.130;

7 (b) For distribution to the special category C account, hereby  
8 created in the motor vehicle fund, an amount equal to 3.2609 percent to  
9 be expended for special category C projects. Special category C  
10 projects are category C projects that, due to high cost only, will  
11 require bond financing to complete construction.

12 ~~((The following criteria, listed in order of priority, shall be  
13 used in determining which special category C projects have the highest  
14 priority:~~

- 15 ~~(i) Accident experience;~~  
16 ~~(ii) Fatal accident experience;~~  
17 ~~(iii) Capacity to move people and goods safely and at reasonable  
18 speeds without undue congestion; and~~  
19 ~~(iv) Continuity of development of the highway transportation  
20 network.))~~

21 The following projects, listed in order of priority, are eligible  
22 for funding from the special category C account:

- 23 (i) State route number 395, north Spokane corridor;  
24 (ii) State route number 18; and  
25 (iii) State route number 99, First Avenue South bridge.

26 Moneys deposited in the special category C account in the motor  
27 vehicle fund may be used for payment of debt service on bonds the  
28 proceeds of which are used to finance special category C projects under  
29 this subsection (2)(b);

30 (c) For distribution to the Puget Sound ferry operations account in  
31 the motor vehicle fund an amount equal to 2.3283 percent;

32 (d) For distribution to the Puget Sound capital construction  
33 account in the motor vehicle fund an amount equal to 2.3726 percent;

34 (e) For distribution to the urban arterial trust account in the  
35 motor vehicle fund an amount equal to 7.5597 percent;

36 (f) For distribution to the transportation improvement account in  
37 the motor vehicle fund an amount equal to 5.6739 percent and expended  
38 in accordance with RCW 47.26.086;

1 (g) For distribution to the cities and towns from the motor vehicle  
2 fund an amount equal to 10.6961 percent in accordance with RCW  
3 46.68.110;

4 (h) For distribution to the counties from the motor vehicle fund an  
5 amount equal to 19.2287 percent: (i) Out of which there shall be  
6 distributed from time to time, as directed by the department of  
7 transportation, those sums as may be necessary to carry out the  
8 provisions of RCW 47.56.725; and (ii) less any amounts appropriated to  
9 the county road administration board to implement the provisions of RCW  
10 47.56.725(4), with the balance of such county share to be distributed  
11 monthly as the same accrues for distribution in accordance with RCW  
12 46.68.120;

13 (i) For distribution to the county arterial preservation account,  
14 hereby created in the motor vehicle fund an amount equal to 1.9565  
15 percent. These funds shall be distributed by the county road  
16 administration board to counties in proportions corresponding to the  
17 number of paved arterial lane miles in the unincorporated area of each  
18 county and shall be used for improvements to sustain the structural,  
19 safety, and operational integrity of county arterials. The county road  
20 administration board shall adopt reasonable rules and develop policies  
21 to implement this program and to assure that a pavement management  
22 system is used;

23 (j) For distribution to the rural arterial trust account in the  
24 motor vehicle fund an amount equal to 2.5363 percent and expended in  
25 accordance with RCW 36.79.020.

26 (3) The remaining net tax amount collected under RCW 82.36.025(2)  
27 and 82.38.030(2) shall be distributed to the transportation 2003  
28 account (nickel account).

29 (4) The remaining net tax amount collected under RCW 82.36.025(3)  
30 and 82.38.030(3) shall be distributed as follows:

31 (a) 8.3333 percent shall be distributed to the incorporated cities  
32 and towns of the state in accordance with RCW 46.68.110;

33 (b) 8.3333 percent shall be distributed to counties of the state in  
34 accordance with RCW 46.68.120; and

35 (c) The remainder shall be distributed to the transportation  
36 partnership account created in RCW 46.68.290.

37 (5) The remaining net tax amount collected under RCW 82.36.025(4)  
38 and 82.38.030(4) shall be distributed as follows:

1 (a) 8.3333 percent shall be distributed to the incorporated cities  
2 and towns of the state in accordance with RCW 46.68.110;

3 (b) 8.3333 percent shall be distributed to counties of the state in  
4 accordance with RCW 46.68.120; and

5 (c) The remainder shall be distributed to the transportation  
6 partnership account created in RCW 46.68.290.

7 (6) The remaining net tax amount collected under RCW 82.36.025 (5)  
8 and (6) and 82.38.030 (5) and (6) shall be distributed to the  
9 transportation partnership account created in RCW 46.68.290.

10 (7) Nothing in this section or in RCW 46.68.130 may be construed so  
11 as to violate any terms or conditions contained in any highway  
12 construction bond issues now or hereafter authorized by statute and  
13 whose payment is by such statute pledged to be paid from any excise  
14 taxes on motor vehicle fuel and special fuels.

15 **Sec. 2.** RCW 47.10.812 and 1999 sp.s. c 2 s 1 are each amended to  
16 read as follows:

17 In order to provide funds necessary for the location, design,  
18 right\_of\_way, and construction of state highway improvements that are  
19 identified as special category C improvements, there shall be issued  
20 and sold upon the request of the Washington state secretary of  
21 transportation (~~commission~~) a total of (~~three~~) six hundred  
22 (~~thirty~~) million dollars of general obligation bonds of the state of  
23 Washington.

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