

SHB 1591 - H AMD 314

By Representative Simpson

NOT CONSIDERED 4/26/2009

1 On page 2, after line 2, insert the following:

2 "Sec. 2. RCW 36.73.065 and 2007 c 329 s 1 are each amended to
3 read as follows:

4 (1) Except as provided in subsection (4) of this section, taxes,
5 fees, charges, and tolls may not be imposed by a district without
6 approval of a majority of the voters in the district voting on a
7 proposition at a general or special election. The proposition must
8 include a specific description of the transportation improvement or
9 improvements proposed by the district and the proposed taxes, fees,
10 charges, and the range of tolls imposed by the district to raise
11 revenue to fund the improvement or improvements.

12 (2) Voter approval under this section shall be accorded
13 substantial weight regarding the validity of a transportation
14 improvement as defined in RCW 36.73.015.

15 (3) A district may not increase any taxes, fees, charges, or range
16 of tolls imposed under this chapter once the taxes, fees, charges, or
17 tolls take effect, unless authorized by the district voters pursuant
18 to RCW 36.73.160.

19 (4)(a) A district that includes all the territory within the
20 boundaries of the jurisdiction, or jurisdictions, establishing the
21 district may impose by a majority vote of the governing board of the
22 district the following fees and charges:

23 (i) Up to twenty dollars of the vehicle fee authorized in RCW
24 82.80.140. However, in the case of overlapping districts, the combined
25 rates of the districts may not exceed forty dollars, unless voter
26 approval is obtained under subsection (1) of this section, of which at
27 least fifty percent of the combined fee in excess of twenty dollars

1 must be provided solely for transit services or facilities. Combined
2 rates are subject to the following distribution requirements:

3 (A) A district comprised, in part or entirely, of a metropolitan
4 municipal corporation, as provided under chapter 35.58 RCW, or a
5 county transportation authority, as provided under chapter 36.67 RCW,
6 must administer the fees according to RCW 82.80.140(2)(a); and

7 (B) A district comprised, in part or entirely, of a public
8 transportation benefit area, as provided under chapter 36.57A RCW,
9 must administer the fees according to any relevant provisions in the
10 governing interlocal agreement under RCW 36.73.020(3); or

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

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

16 (c)(i) A district solely comprised of a city or cities shall not
17 impose the fees or charges identified in (a) of this subsection within
18 one hundred eighty days after July 22, 2007, unless the county in
19 which the city or cities reside, by resolution, declares that it will
20 not impose the fees or charges identified in (a) of this subsection
21 within the one hundred eighty-day period; or

22 (ii) A district solely comprised of a city or cities identified in
23 RCW 36.73.020(6)(b) shall not impose the fees or charges until after
24 May 22, 2008, unless the county in which the city or cities reside, by
25 resolution, declares that it will not impose the fees or charges
26 identified in (a) of this subsection through May 22, 2008.

27 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
28 reached, a district that includes only the unincorporated territory of
29 a county may impose by a majority vote of the governing body of the
30 district up to twenty dollars of the vehicle fee authorized in RCW
31 82.80.140."

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33 Renumber the remaining sections consecutively and correct any
34 internal references accordingly. Correct the title.

1 On page 3, after line 10, insert the following:

2 "Sec. 4. RCW 82.80.140 and 2007 c 329 s 2 are each amended to
3 read as follows:

4 (1) Subject to the provisions of RCW 36.73.065, a transportation
5 benefit district under chapter 36.73 RCW may fix and impose an annual
6 vehicle fee, not to exceed one hundred twenty dollars per vehicle
7 registered in the district, for each vehicle subject to license tab
8 fees under RCW 46.16.0621 and for each vehicle subject to gross weight
9 fees under RCW 46.16.070 with an unladen weight of six thousand pounds
10 or less.

11 (2)(a) A district that includes all the territory within the
12 boundaries of the jurisdiction, or jurisdictions, establishing the
13 district may impose by a majority vote of the governing board of the
14 district up to twenty dollars of the vehicle fee authorized in
15 subsection (1) of this section. If the district is countywide, the
16 revenues of the fee shall be distributed to each city within the
17 county by interlocal agreement. The interlocal agreement is effective
18 when approved by the county and sixty percent of the cities
19 representing seventy-five percent of the population of the cities
20 within the county in which the countywide fee is collected.

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

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

25 (ii) Except as provided in RCW 36.73.065(4)(a)(i), that, if
26 combined with the fees previously imposed by another district within
27 its boundaries under RCW 36.73.065(4)(a)(i), exceeds twenty dollars.

28 Except as provided in RCW 36.73.065(4)(a)(i), if a district
29 imposes or increases a fee under this subsection (2) that, if combined
30 with the fees previously imposed by another district within its
31 boundaries, exceeds twenty dollars, the district shall provide a
32 credit for the previously imposed fees so that the combined vehicle
33 fee does not exceed twenty dollars.

34

1 (3) The department of licensing shall administer and collect the
2 fee. The department shall deduct a percentage amount, as provided by
3 contract, not to exceed one percent of the fees collected, for
4 administration and collection expenses incurred by it. The department
5 shall remit remaining proceeds to the custody of the state treasurer.
6 The state treasurer shall distribute the proceeds to the district on a
7 monthly basis.

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

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

13 (6) The following vehicles are exempt from the fee under this
14 section:

15 (a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and
16 46.04.181;

17 (b) Off-road and nonhighway vehicles as defined in RCW 46.09.020;

18 (c) Vehicles registered under chapter 46.87 RCW and the
19 international registration plan; and

20 (d) Snowmobiles as defined in RCW 46.10.010."

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22 Correct the title.

23

EFFECT:

- 25 • Increases the total vehicle license fee that may be imposed
26 with voter approval from one hundred to one hundred twenty
dollars.
- 27 • Permits multiple transportation benefit districts that share
28 overlapping (common) areas to each impose, without voter
29 approval, up to twenty dollars in vehicle license fees in the
30 common areas, but limits total combined fees in common areas to
no more than forty dollars.
- 31 • Requires that at least fifty percent of any non-voter approved
32 vehicle license fee in excess of twenty dollars be dedicated to
transit services or facilities.
- 33 • Establishes that, for transportation benefit districts that
34 include a metropolitan municipal corporation or a county
transportation authority, the non-voter approved vehicle

1 license fees must be distributed according to an existing
2 statute which requires agreement by a majority of the cities
3 located within the county.
4 • Establishes that, for transportation benefit districts that
5 include a public transportation benefit area, the non-voter
approved vehicle license fees must be distributed according to
any existing interlocal agreement.

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