
HOUSE BILL 1083

State of Washington 61st Legislature 2009 Regular Session

By Representative Appleton

Prefiled 01/08/09.

1 AN ACT Relating to the reduction of Washington state ferries'
2 fares; and amending RCW 46.68.090 and 47.60.315.

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~~) 40.0392 percent to be expended for highway purposes of the
6 state as 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 used
13 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 Moneys deposited in the special category C account in the motor
22 vehicle fund may be used for payment of debt service on bonds the
23 proceeds of which are used to finance special category C projects under
24 this subsection (2)(b);

25 (c) For distribution to the Puget Sound ferry operations account in
26 the motor vehicle fund an amount equal to (~~2.3283~~) 6.6761 percent;

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

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

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

34 (g) For distribution to the cities and towns from the motor vehicle
35 fund an amount equal to 10.6961 percent in accordance with RCW
36 46.68.110;

37 (h) For distribution to the counties from the motor vehicle fund an
38 amount equal to 19.2287 percent: (i) Out of which there shall be

1 distributed from time to time, as directed by the department of
2 transportation, those sums as may be necessary to carry out the
3 provisions of RCW 47.56.725; and (ii) less any amounts appropriated to
4 the county road administration board to implement the provisions of RCW
5 47.56.725(4), with the balance of such county share to be distributed
6 monthly as the same accrues for distribution in accordance with RCW
7 46.68.120;

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

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

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

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

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

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

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

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

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

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

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

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

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

11 **Sec. 2.** RCW 47.60.315 and 2007 c 512 s 6 are each amended to read
12 as follows:

13 (1) The commission shall adopt fares and pricing policies by rule,
14 under chapter 34.05 RCW, according to the following schedule:

15 (a) Each year the department shall provide the commission a report
16 of its review of fares and pricing policies, with recommendations for
17 the revision of fares and pricing policies for the ensuing year;

18 (b) By September 1st of each year, beginning in 2008, the
19 commission shall adopt by rule fares and pricing policies for the
20 ensuing year.

21 (2) The commission may adopt by rule fares that are effective for
22 more or less than one year for the purposes of transitioning to the
23 fare schedule in subsection (1) of this section.

24 (3) The commission may increase ferry fares included in the
25 schedule of charges adopted under this section by a percentage that
26 exceeds the fiscal growth factor.

27 (4) The chief executive officer of the ferry system may authorize
28 the use of promotional, discounted, and special event fares to the
29 general public and commercial enterprises for the purpose of maximizing
30 capacity use and the revenues collected by the ferry system. The
31 department shall report to the commission a summary of the promotional,
32 discounted, and special event fares offered during each fiscal year and
33 the financial results from these activities.

34 (5) Fare revenues and other revenues deposited in the Puget Sound
35 ferry operations account created in RCW 47.60.530 may not be used to
36 support the Puget Sound capital construction account created in RCW

1 47.60.505, unless the support for capital is separately identified in
2 the fare.

3 (6) The commission may not raise fares until the fare rules contain
4 pricing policies developed under RCW 47.60.290, or September 1, 2009,
5 whichever is later.

6 (7) The commission must use the funding made available to the Puget
7 Sound ferry operations account pursuant to this act solely for the
8 reduction of fares for passengers and vehicles.

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