

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 6260

54th Legislature
1996 Regular Session

Passed by the Senate March 4, 1996
YEAS 45 NAYS 1

President of the Senate

Passed by the House February 29, 1996
YEAS 82 NAYS 14

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 6260** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 6260

AS AMENDED BY THE HOUSE

Passed Legislature - 1996 Regular Session

State of Washington 54th Legislature 1996 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Drew, Owen, Prince, Haugen, Prentice, Kohl, Wood, Long, Sheldon, Schow, Strannigan, Sellar, Finkbeiner, Heavey, Fairley, McAuliffe, Rasmussen, Quigley, Rinehart, Goings, Thibaudeau and Winsley)

Read first time 02/06/96.

1 AN ACT Relating to revising the state ride sharing tax credit;
2 amending RCW 82.04.4453, 82.04.4454, 82.16.048, and 82.16.049; amending
3 1994 c 270 s 6 (uncodified); adding a new section to chapter 82.04 RCW;
4 providing an effective date; and providing an expiration date.

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

6 **Sec. 1.** RCW 82.04.4453 and 1994 c 270 s 2 are each amended to read
7 as follows:

8 (1) (~~Major~~) Employers in ((the state's eight largest counties
9 ~~affected by the commute trip reduction programs required under RCW~~
10 ~~70.94.521 through 70.94.551)) this state who are taxable under this~~
11 ~~chapter and provide financial incentives to their employees for ride~~
12 ~~sharing, for using public transportation, or for using nonmotorized~~
13 ~~commuting before June 30, ((1996)) 2000, shall be allowed a credit for~~
14 ~~amounts paid to or on behalf of employees for ride sharing in vehicles~~
15 ~~carrying ((four)) two or more persons, for using public transportation,~~
16 ~~or for using nonmotorized commuting, not to exceed sixty dollars per~~
17 ~~employee per year. The credit shall be equal to the amount paid to or~~
18 ~~on behalf of each employee multiplied by fifty percent, but may not~~
19 ~~exceed sixty dollars per employee per year. For ride sharing in~~

1 vehicles carrying two persons, the credit shall be equal to the amount
2 paid to or on behalf of each employee multiplied by thirty percent, but
3 may not exceed sixty dollars per employee per year. The credit may not
4 exceed the amount of tax that would otherwise be due under this
5 chapter.

6 (2) Application for tax credit under this chapter may only be made
7 ~~((by major employers as defined by RCW 70.94.524 and))~~ in the form and
8 manner prescribed in rules adopted by the department ~~((and in~~
9 ~~consultation with the commute trip reduction task force))~~.

10 (3) The credit shall be taken not more than once quarterly and not
11 less than once annually against taxes due for the same calendar year in
12 which the amounts for which credit is claimed were paid to or on behalf
13 of employees for ride sharing, for using public transportation, or for
14 using nonmotorized commuting and must be claimed by the due date of the
15 last tax return for the calendar year in which the payment is made.

16 (4) The director shall on the 25th of February, May, August, and
17 November of each year advise the state treasurer of the amount of
18 credit taken during the preceding calendar quarter ending on the last
19 day of December, March, June, and September, respectively.

20 (5) On the first of April, July, October, and January of each year,
21 the state treasurer based upon information provided by the department
22 shall deposit a sum equal to the dollar amount of the credit provided
23 under subsection (1) of this section from the air pollution control
24 account to the general fund.

25 (6) The commute trip reduction task force shall determine the
26 effectiveness of this tax credit as part of its ongoing evaluation of
27 the commute trip reduction law and report no later than December 1,
28 ~~((1996))~~ 1997, to the legislative transportation committee and to the
29 fiscal committees of the house of representatives and the senate. The
30 report shall include information on the amount of tax credits claimed
31 to date and recommendations on future funding for the tax credit
32 program.

33 (7) Any person who knowingly makes a false statement of a material
34 fact in the application for a credit under subsection (1) of this
35 section is guilty of a gross misdemeanor.

36 (8) A person may not receive credit for amounts paid to or on
37 behalf of the same employee under both this section and RCW 82.16.048.

1 **Sec. 2.** RCW 82.04.4454 and 1994 c 270 s 3 are each amended to read
2 as follows:

3 (1) The department shall keep a running total of all credits
4 granted under ~~((this chapter))~~ RCW 82.04.4453 and 82.16.048 during each
5 calendar year, and shall disallow any credits that would cause the
6 tabulation for any calendar year to exceed ~~((two))~~ one million five
7 hundred thousand dollars.

8 (2) No employer shall be eligible for tax credits under RCW
9 82.04.4453 and 82.16.048 in excess of ~~((two))~~ one hundred thousand
10 dollars in any calendar year.

11 (3) No employer shall be eligible for tax credits under RCW
12 82.04.4453 in excess of the amount of tax that would otherwise be due
13 under this chapter.

14 (4) No portion of an application for credit disallowed under this
15 section may be carried back or carried forward.

16 **Sec. 3.** RCW 82.16.048 and 1994 c 270 s 4 are each amended to read
17 as follows:

18 (1) ~~((Major))~~ Employers in ((the state's eight largest counties
19 affected by the commute trip reduction programs required under RCW
20 70.94.521 through 70.94.551)) this state who are taxable under this
21 chapter and provide financial incentives to their employees for ride
22 sharing, for using public transportation, or for using nonmotorized
23 commuting before June 30, ~~((1996))~~ 2000, shall be allowed a credit for
24 amounts paid to or on behalf of employees for ride sharing in vehicles
25 carrying ~~((four))~~ two or more persons, for using public transportation,
26 or for using nonmotorized commuting, not to exceed sixty dollars per
27 employee per year. The credit shall be equal to the amount paid to or
28 on behalf of each employee multiplied by fifty percent, but may not
29 exceed sixty dollars per employee per year. For ride sharing in
30 vehicles carrying two persons, the credit shall be equal to the amount
31 paid to or on behalf of each employee multiplied by thirty percent, but
32 may not exceed sixty dollars per employee per year. The credit may not
33 exceed the amount of tax that would otherwise be due under this
34 chapter.

35 (2) Application for tax credit under this chapter may only be made
36 ~~((by major employers as defined by RCW 70.94.524 and))~~ in the form and
37 manner prescribed in rules adopted by the department ~~((and in~~
38 ~~consultation with the commute trip reduction task force))~~.

1 (3) The credit shall be taken not more than once quarterly and not
2 less than once annually against taxes due for the same calendar year in
3 which the amounts for which credit is claimed were paid to or on behalf
4 of employees for ride sharing, for using public transportation, or for
5 using nonmotorized commuting and must be claimed by the due date of the
6 last tax return for the calendar year in which the payment is made.

7 (4) The director shall on the 25th of February, May, August, and
8 November of each year advise the state treasurer of the amount of
9 credit taken during the preceding calendar quarter ending on the last
10 day of December, March, June, and September, respectively.

11 (5) On the first of April, July, October, and January of each year,
12 the state treasurer based upon information provided by the department
13 shall deposit a sum equal to the dollar amount of the credit provided
14 under subsection (1) of this section from the air pollution control
15 account to the general fund.

16 (6) The commute trip reduction task force shall determine the
17 effectiveness of this tax credit as part of its ongoing evaluation of
18 the commute trip reduction law and report no later than December 1,
19 ~~((1996))~~ 1997, to the legislative transportation committee and to the
20 fiscal committees of the house of representatives and the senate. The
21 report shall include information on the amount of tax credits claimed
22 to date and recommendations on future funding for the tax credit
23 program.

24 (7) Any person who knowingly makes a false statement of a material
25 fact in the application for a credit under subsection (1) of this
26 section is guilty of a gross misdemeanor.

27 (8) A person may not receive credit for amounts paid to or on
28 behalf of the same employee under both this section and RCW 82.04.4453.

29 **Sec. 4.** RCW 82.16.049 and 1994 c 270 s 5 are each amended to read
30 as follows:

31 (1) The department shall keep a running total of all credits
32 granted under ~~((this chapter))~~ RCW 82.04.4453 and 82.16.048 during each
33 calendar year, and shall disallow any credits that would cause the
34 tabulation for any calendar year to exceed ~~((two))~~ one million five
35 hundred thousand dollars.

36 (2) No employer shall be eligible for tax credits under RCW
37 82.04.4453 and 82.16.048 in excess of ~~((two))~~ one hundred thousand
38 dollars in any calendar year.

1 (3) No employer shall be eligible for tax credits under RCW
2 82.16.048 in excess of the amount of tax that would otherwise be due
3 under this chapter.

4 (4) No portion of an application for credit disallowed under this
5 section may be carried back or carried forward.

6 NEW SECTION. Sec. 5. A new section is added to chapter 82.04 RCW
7 to read as follows:

8 The definitions set forth in this section apply to RCW 82.04.4453,
9 82.04.4454, 82.16.048, and 82.16.049 unless the context clearly
10 requires otherwise.

11 (1) "Public agency" means any county, city, or other local
12 government agency or any state government agency, board, or commission.

13 (2) "Public transportation" means the same as "public
14 transportation service" as defined in RCW 36.57A.010 and includes
15 passenger services of the Washington state ferries.

16 (3) "Nonmotorized commuting" means commuting to and from the
17 workplace by an employee by walking or running or by riding a bicycle
18 or other device not powered by a motor.

19 (4) "Ride sharing" means the same as "commuter ride sharing" as
20 defined in RCW 46.74.010, including ride sharing on Washington state
21 ferries.

22 **Sec. 6.** 1994 c 270 s 6 (uncodified) is amended to read as follows:
23 This act shall expire December 31, (~~1996~~) 2000.

24 NEW SECTION. Sec. 7. (1) This act takes effect July 1, 1996.

25 (2) This act expires December 31, 2000.

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