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HOUSE BILL 1596

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State of Washington

57th Legislature

2001 Regular Session

By Representatives G. Chandler, Wood, Mulliken, Fisher, Mitchell, Ogden and Santos

Read first time 01/30/2001. Referred to Committee on Transportation.

1 AN ACT Relating to transportation of persons with special needs;  
2 amending RCW 82.14.045; adding a new section to chapter 36.57 RCW; and  
3 adding a new section to chapter 36.57A RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.57 RCW  
6 to read as follows:

7 (1) A county transportation authority may purchase, acquire,  
8 maintain, operate, or lease transportation services, equipment, and  
9 facilities for public transportation limited to persons with special  
10 needs by any method or combination of methods provided by the  
11 authority.

12 (2) As used in this section, "persons with special needs" means  
13 those persons, including their personal attendants, who because of  
14 physical or mental disability, income status, or age are unable to  
15 transport themselves or purchase transportation.

16 (3) The county transportation authority may fix, regulate, and  
17 control fares and rates to be charged for these transportation  
18 services.

1        NEW SECTION.    **Sec. 2.** A new section is added to chapter 36.57A RCW  
2 to read as follows:

3        (1) A public transportation benefit area may purchase, acquire,  
4 maintain, operate, or lease transportation services, equipment, and  
5 facilities for public transportation limited to persons with special  
6 needs by any method or combination of methods provided by the area  
7 authority.

8        (2) As used in this section, "persons with special needs" means  
9 those persons, including their personal attendants, who because of  
10 physical or mental disability, income status, or age are unable to  
11 transport themselves or purchase transportation.

12        (3) The public transportation benefit area may fix, regulate, and  
13 control fares and rates to be charged for these transportation  
14 services.

15        **Sec. 3.** RCW 82.14.045 and 2000 2nd sp.s. c 4 s 16 are each amended  
16 to read as follows:

17        (1) The legislative body of any city pursuant to RCW 35.92.060, of  
18 any county which has created an unincorporated transportation benefit  
19 area pursuant to RCW 36.57.100 and 36.57.110, of any public  
20 transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090,  
21 of any county transportation authority established pursuant to chapter  
22 36.57 RCW, and of any metropolitan municipal corporation within a  
23 county with a population of one million or more pursuant to chapter  
24 35.58 RCW, may, by resolution or ordinance for the sole purpose of  
25 providing funds for the operation, maintenance, or capital needs of  
26 public transportation systems or public transportation limited to  
27 persons with special needs under sections 1 and 2 of this act, and in  
28 lieu of the excise taxes authorized by RCW 35.95.040, submit an  
29 authorizing proposition to the voters or include such authorization in  
30 a proposition to perform the function of public transportation or  
31 public transportation limited to persons with special needs under  
32 sections 1 and 2 of this act, and if approved by a majority of persons  
33 voting thereon, fix and impose a sales and use tax in accordance with  
34 the terms of this chapter: PROVIDED, That no such legislative body  
35 shall impose such a sales and use tax without submitting such an  
36 authorizing proposition to the voters and obtaining the approval of a  
37 majority of persons voting thereon: PROVIDED FURTHER, That where such  
38 a proposition is submitted by a county on behalf of an unincorporated

1 transportation benefit area, it shall be voted upon by the voters  
2 residing within the boundaries of such unincorporated transportation  
3 benefit area and, if approved, the sales and use tax shall be imposed  
4 only within such area. Notwithstanding any provisions of this section  
5 to the contrary, any county in which a county public transportation  
6 plan has been adopted pursuant to RCW 36.57.070 and the voters of such  
7 county have authorized the imposition of a sales and use tax pursuant  
8 to the provisions of section 10, chapter 167, Laws of 1974 ex. sess.,  
9 prior to July 1, 1975, shall be authorized to fix and impose a sales  
10 and use tax as provided in this section at not to exceed the rate so  
11 authorized without additional approval of the voters of such county as  
12 otherwise required by this section.

13 The tax authorized pursuant to this section shall be in addition to  
14 the tax authorized by RCW 82.14.030 and shall be collected from those  
15 persons who are taxable by the state pursuant to chapters 82.08 and  
16 82.12 RCW upon the occurrence of any taxable event within such city,  
17 public transportation benefit area, county, or metropolitan municipal  
18 corporation as the case may be. The rate of such tax shall be one-  
19 tenth, two-tenths, three-tenths, four-tenths, five-tenths, six-tenths,  
20 seven-tenths, eight-tenths, or nine-tenths of one percent of the  
21 selling price (in the case of a sales tax) or value of the article used  
22 (in the case of a use tax). The rate of such tax shall not exceed the  
23 rate authorized by the voters unless such increase shall be similarly  
24 approved.

25 (2)(a) In the event a metropolitan municipal corporation shall  
26 impose a sales and use tax pursuant to this chapter no city, county  
27 which has created an unincorporated transportation benefit area, public  
28 transportation benefit area authority, or county transportation  
29 authority wholly within such metropolitan municipal corporation shall  
30 be empowered to levy and/or collect taxes pursuant to RCW 35.58.273,  
31 35.95.040, and/or 82.14.045, but nothing herein shall prevent such city  
32 or county from imposing sales and use taxes pursuant to any other  
33 authorization.

34 (b) In the event a county transportation authority shall impose a  
35 sales and use tax pursuant to this section, no city, county which has  
36 created an unincorporated transportation benefit area, public  
37 transportation benefit area, or metropolitan municipal corporation,  
38 located within the territory of the authority, shall be empowered to

1 levy or collect taxes pursuant to RCW 35.58.273, 35.95.040, or  
2 82.14.045.

3 (c) In the event a public transportation benefit area shall impose  
4 a sales and use tax pursuant to this section, no city, county which has  
5 created an unincorporated transportation benefit area, or metropolitan  
6 municipal corporation, located wholly or partly within the territory of  
7 the public transportation benefit area, shall be empowered to levy or  
8 collect taxes pursuant to RCW 35.58.273, 35.95.040, or 82.14.045.

9 (3) Any local sales and use tax revenue collected pursuant to this  
10 section by any city or by any county for transportation purposes  
11 pursuant to RCW 36.57.100 and 36.57.110 shall not be counted as locally  
12 generated tax revenues for the purposes of apportionment and  
13 distribution, in the manner prescribed by chapter 82.44 RCW, of the  
14 proceeds of the motor vehicle excise tax authorized pursuant to RCW  
15 35.58.273, except that the local sales and use tax revenue collected  
16 under this section by a city with a population greater than sixty  
17 thousand that as of January 1, 1998, owns and operates a municipal  
18 public transportation system shall be counted as locally generated tax  
19 revenues for the purposes of apportionment and distribution, in the  
20 manner prescribed by chapter 82.44 RCW, of the proceeds of the motor  
21 vehicle excise tax authorized under RCW 35.58.273 as follows:

22 (a) For fiscal year 2000, revenues collected under this section  
23 shall be counted as locally generated tax revenues for up to 25 percent  
24 of the tax collected under RCW 35.58.273;

25 (b) For fiscal year 2001, revenues collected under this section  
26 shall be counted as locally generated tax revenues for up to 50 percent  
27 of the tax collected under RCW 35.58.273;

28 (c) For fiscal year 2002, revenues collected under this section  
29 shall be counted as locally generated tax revenues for up to 75 percent  
30 of the tax collected under RCW 35.58.273; and

31 (d) For fiscal year 2003 and thereafter, revenues collected under  
32 this section shall be counted as locally generated tax revenues for up  
33 to 100 percent of the tax collected under RCW 35.58.273.

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