

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 6215

Chapter 152, Laws of 2012

62nd Legislature
2012 Regular Session

TRANSPORTATION BENEFIT DISTRICTS--REBATE PROGRAM

EFFECTIVE DATE: 06/07/12

Passed by the Senate February 14, 2012
YEAS 29 NAYS 20

BRAD OWEN

President of the Senate

Passed by the House March 2, 2012
YEAS 55 NAYS 42

FRANK CHOPP

Speaker of the House of Representatives

Approved March 29, 2012, 3:38 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 6215** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

March 29, 2012

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 6215

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By Senators Frockt, Kline, Nelson, Kohl-Welles, and Conway

Read first time 01/16/12. Referred to Committee on Transportation.

1 AN ACT Relating to establishing an optional transportation benefit
2 district rebate program for low-income individuals; amending RCW
3 36.73.065; reenacting and amending RCW 36.73.015; and adding a new
4 section to chapter 36.73 RCW.

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

6 **Sec. 1.** RCW 36.73.015 and 2010 c 251 s 2 and 2010 c 105 s 1 are
7 each reenacted and amended to read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "City" means a city or town.

11 (2) "District" means a transportation benefit district created
12 under this chapter.

13 (3) "Low-income" means household income that is at or below forty-
14 five percent of the median household income, adjusted for household
15 size, for the district in which the fees, taxes, or tolls were imposed.

16 (4) "Rebate program" means an optional program established by a
17 transportation benefit district that includes a city with a population
18 of five hundred thousand persons or more for the purpose of providing
19 rebates to low-income individuals for fees, taxes, and/or tolls imposed

1 by such transportation benefit district for: (a) Vehicle fees imposed
2 under RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW
3 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

4 (5) "Supplemental transportation improvement" or "supplemental
5 improvement" means any project, work, or undertaking to provide public
6 transportation service, in addition to a district's existing or planned
7 voter-approved transportation improvements, proposed by a participating
8 city member of the district under RCW 36.73.180.

9 ~~((4))~~ (6) "Transportation improvement" means a project contained
10 in the transportation plan of the state, a regional transportation
11 planning organization, city, county, or eligible jurisdiction as
12 identified in RCW 36.73.020(2). A project may include investment in
13 new or existing highways of statewide significance, principal arterials
14 of regional significance, high capacity transportation, public
15 transportation, and other transportation projects and programs of
16 regional or statewide significance including transportation demand
17 management. Projects may also include the operation, preservation, and
18 maintenance of these facilities or programs.

19 NEW SECTION. Sec. 2. A new section is added to chapter 36.73 RCW
20 to read as follows:

21 (1) A district that: (a) Includes a city with a population of five
22 hundred thousand persons or more; and (b) imposes a vehicle fee under
23 RCW 36.73.040(3)(b), sales and use taxes under RCW 36.73.040(3)(a), or
24 tolls under RCW 36.73.040(3)(d), may establish a rebate program for the
25 purposes of providing rebates of up to forty percent of the actual fee,
26 tax, or toll paid by a low-income individual.

27 (2) Funds collected from a vehicle fee under RCW 36.73.040(3)(b),
28 sales and use tax under RCW 36.73.040(3)(a) or tolls under RCW
29 36.73.040(3)(d) may be used for a rebate program established under this
30 section.

31 (3) A district that establishes a rebate program is responsible for
32 the development and administration of the program and all functions and
33 costs associated with the rebate program.

34 (4) A district that establishes a rebate program under this section
35 must report back to the legislature two years after the program takes
36 effect. The report must include, but is not limited to, a detailed

1 description of the structure of the program, the average rebate, the
2 total amount of rebates issued, and the number of people that received
3 rebates.

4 **Sec. 3.** RCW 36.73.065 and 2007 c 329 s 1 are each amended to read
5 as follows:

6 (1) Except as provided in subsection (4) of this section, taxes,
7 fees, charges, and tolls may not be imposed by a district without
8 approval of a majority of the voters in the district voting on a
9 proposition at a general or special election. The proposition must
10 include a specific description of: (a) The transportation improvement
11 or improvements proposed by the district; (b) any rebate program
12 proposed to be established under section 2 of this act; and (c) the
13 proposed taxes, fees, charges, and the range of tolls imposed by the
14 district to raise revenue to fund the improvement or improvements or
15 rebate program, as applicable.

16 (2) Voter approval under this section (~~shall~~) must be accorded
17 substantial weight regarding the validity of a transportation
18 improvement as defined in RCW 36.73.015.

19 (3) A district may not increase any taxes, fees, charges, or range
20 of tolls imposed or change a rebate program under this chapter once the
21 taxes, fees, charges, (~~or~~) tolls, or rebate program takes effect,
22 unless authorized by the district voters pursuant to RCW 36.73.160.

23 (4)(a) A district that includes all the territory within the
24 boundaries of the jurisdiction, or jurisdictions, establishing the
25 district may impose by a majority vote of the governing board of the
26 district the following fees and charges:

27 (i) Up to twenty dollars of the vehicle fee authorized in RCW
28 82.80.140; or

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

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

34 (c)(i) A district solely comprised of a city or cities shall not
35 impose the fees or charges identified in (a) of this subsection within
36 one hundred eighty days after July 22, 2007, unless the county in which

1 the city or cities reside, by resolution, declares that it will not
2 impose the fees or charges identified in (a) of this subsection within
3 the one hundred eighty-day period; or

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

9 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
10 reached, a district that includes only the unincorporated territory of
11 a county may impose by a majority vote of the governing body of the
12 district up to twenty dollars of the vehicle fee authorized in RCW
13 82.80.140.

Passed by the Senate February 14, 2012.

Passed by the House March 2, 2012.

Approved by the Governor March 29, 2012.

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