

SHB 1954 - H AMD 529

By Representative Clibborn

WITHDRAWN 06/25/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "MOTOR VEHICLE AND SPECIAL FUEL TAXES

4 **Sec. 101.** RCW 82.36.025 and 2007 c 515 s 3 are each amended to
5 read as follows:

6 (1) A motor vehicle fuel tax rate of twenty-three cents per gallon
7 on motor vehicle fuel shall be imposed on motor vehicle fuel licensees,
8 other than motor vehicle fuel distributors.

9 (2) Beginning July 1, 2003, an additional and cumulative motor
10 vehicle fuel tax rate of five cents per gallon on motor vehicle fuel
11 shall be imposed on motor vehicle fuel licensees, other than motor
12 vehicle fuel distributors. This subsection (2) expires when the bonds
13 issued for transportation 2003 projects are retired.

14 (3) Beginning July 1, 2005, an additional and cumulative motor
15 vehicle fuel tax rate of three cents per gallon on motor vehicle fuel
16 shall be imposed on motor vehicle fuel licensees, other than motor
17 vehicle fuel distributors.

18 (4) Beginning July 1, 2006, an additional and cumulative motor
19 vehicle fuel tax rate of three cents per gallon on motor vehicle fuel
20 shall be imposed on motor vehicle fuel licensees, other than motor
21 vehicle fuel distributors.

22 (5) Beginning July 1, 2007, an additional and cumulative motor
23 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
24 shall be imposed on motor vehicle fuel licensees, other than motor
25 vehicle fuel distributors.

26 (6) Beginning July 1, 2008, an additional and cumulative motor
27 vehicle fuel tax rate of one and one-half cents per gallon on motor
28 vehicle fuel shall be imposed on motor vehicle fuel licensees, other
29 than motor vehicle fuel distributors.

1 (7) Beginning August 1, 2013, an additional and cumulative motor
2 vehicle fuel tax rate of six cents per gallon on motor vehicle fuel
3 shall be imposed on motor vehicle fuel licensees, other than motor
4 vehicle fuel distributors.

5 (8) Beginning July 1, 2014, an additional and cumulative motor
6 vehicle fuel tax rate of four and one-half cents per gallon on motor
7 vehicle fuel shall be imposed on motor vehicle fuel licensees, other
8 than motor vehicle fuel distributors.

9 **Sec. 102.** RCW 82.38.030 and 2007 c 515 s 21 are each amended to
10 read as follows:

11 (1) Before July 1, 2015:

12 (a) There is hereby levied and imposed upon special fuel licensees,
13 other than special fuel distributors, a tax at the rate of twenty-three
14 cents per gallon of special fuel, or each one hundred cubic feet of
15 compressed natural gas, measured at standard pressure and temperature.

16 ~~((2))~~ (b) Beginning July 1, 2003, an additional and cumulative
17 tax rate of five cents per gallon of special fuel, or each one hundred
18 cubic feet of compressed natural gas, measured at standard pressure and
19 temperature shall be imposed on special fuel licensees, other than
20 special fuel distributors. This subsection ~~((2))~~ (1)(b) expires when
21 the bonds issued for transportation 2003 projects are retired.

22 ~~((3))~~ (c) Beginning July 1, 2005, an additional and cumulative
23 tax rate of three cents per gallon of special fuel, or each one hundred
24 cubic feet of compressed natural gas, measured at standard pressure and
25 temperature shall be imposed on special fuel licensees, other than
26 special fuel distributors.

27 ~~((4))~~ (d) Beginning July 1, 2006, an additional and cumulative
28 tax rate of three cents per gallon of special fuel, or each one hundred
29 cubic feet of compressed natural gas, measured at standard pressure and
30 temperature shall be imposed on special fuel licensees, other than
31 special fuel distributors.

32 ~~((5))~~ (e) Beginning July 1, 2007, an additional and cumulative
33 tax rate of two cents per gallon of special fuel, or each one hundred
34 cubic feet of compressed natural gas, measured at standard pressure and
35 temperature shall be imposed on special fuel licensees, other than
36 special fuel distributors.

1 ~~((6))~~ (f) Beginning July 1, 2008, an additional and cumulative
2 tax rate of one and one-half cents per gallon of special fuel, or each
3 one hundred cubic feet of compressed natural gas, measured at standard
4 pressure and temperature shall be imposed on special fuel licensees,
5 other than special fuel distributors.

6 ~~((7))~~ (g) Beginning August 1, 2013, an additional and cumulative
7 tax rate of six cents per gallon of special fuel, or each one hundred
8 cubic feet of compressed natural gas, measured at standard pressure and
9 temperature shall be imposed on special fuel licensees, other than
10 special fuel distributors.

11 (h) Beginning July 1, 2014, an additional and cumulative tax rate
12 of four and one-half cents per gallon of special fuel, or each one
13 hundred cubic feet of compressed natural gas, measured at standard
14 pressure and temperature shall be imposed on special fuel licensees,
15 other than special fuel distributors.

16 (i) Taxes are imposed when:

17 ~~((a))~~ (i) Special fuel is removed in this state from a terminal
18 if the special fuel is removed at the rack unless the removal is to a
19 licensed exporter for direct delivery to a destination outside of the
20 state, or the removal is by a special fuel supplier for direct delivery
21 to an international fuel tax agreement licensee under RCW 82.38.320;

22 ~~((b))~~ (ii) Special fuel is removed in this state from a refinery
23 if either of the following applies:

24 ~~((i))~~ (A) The removal is by bulk transfer and the refiner or the
25 owner of the special fuel immediately before the removal is not a
26 licensee; or

27 ~~((ii))~~ (B) The removal is at the refinery rack unless the removal
28 is to a licensed exporter for direct delivery to a destination outside
29 of the state, or the removal is to a special fuel supplier for direct
30 delivery to an international fuel tax agreement licensee under RCW
31 82.38.320;

32 ~~((e))~~ (iii) Special fuel enters into this state for sale,
33 consumption, use, or storage, unless the fuel enters this state for
34 direct delivery to an international fuel tax agreement licensee under
35 RCW 82.38.320, if either of the following applies:

36 ~~((i))~~ (A) The entry is by bulk transfer and the importer is not
37 a licensee; or

38 ~~((ii))~~ (B) The entry is not by bulk transfer;

1 ~~((d))~~ (iv) Special fuel is sold or removed in this state to an
2 unlicensed entity unless there was a prior taxable removal, entry, or
3 sale of the special fuel;

4 ~~((e))~~ (v) Blended special fuel is removed or sold in this state
5 by the blender of the fuel. The number of gallons of blended special
6 fuel subject to tax is the difference between the total number of
7 gallons of blended special fuel removed or sold and the number of
8 gallons of previously taxed special fuel used to produce the blended
9 special fuel;

10 ~~((f))~~ (vi) Dyed special fuel is used on a highway, as authorized
11 by the internal revenue code, unless the use is exempt from the special
12 fuel tax;

13 ~~((g))~~ (vii) Dyed special fuel is held for sale, sold, used, or is
14 intended to be used in violation of this chapter;

15 ~~((h))~~ (viii) Special fuel purchased by an international fuel tax
16 agreement licensee under RCW 82.38.320 is used on a highway; and

17 ~~((i))~~ (ix) Special fuel is sold by a licensed special fuel
18 supplier to a special fuel distributor, special fuel importer, or
19 special fuel blender and the special fuel is not removed from the bulk
20 transfer-terminal system.

21 (2) Beginning July 1, 2015:

22 (a) There is levied and imposed upon fuel licensees a tax at the
23 rate of twenty-three cents per gallon of fuel, or each one hundred
24 cubic feet of compressed natural gas, measured at standard pressure and
25 temperature.

26 (b) Beginning July 1, 2003, an additional and cumulative tax rate
27 of five cents per gallon of fuel, or each one hundred cubic feet of
28 compressed natural gas, measured at standard pressure and temperature
29 is imposed on fuel licensees. This subsection (2)(b) expires when the
30 bonds issued for transportation 2003 projects are retired.

31 (c) Beginning July 1, 2005, an additional and cumulative tax rate
32 of three cents per gallon of fuel, or each one hundred cubic feet of
33 compressed natural gas, measured at standard pressure and temperature
34 is imposed on fuel licensees.

35 (d) Beginning July 1, 2006, an additional and cumulative tax rate
36 of three cents per gallon of fuel, or each one hundred cubic feet of
37 compressed natural gas, measured at standard pressure and temperature
38 is imposed on fuel licensees.

1 (e) Beginning July 1, 2007, an additional and cumulative tax rate
2 of two cents per gallon of fuel, or each one hundred cubic feet of
3 compressed natural gas, measured at standard pressure and temperature
4 is imposed on fuel licensees.

5 (f) Beginning July 1, 2008, an additional and cumulative tax rate
6 of one and one-half cents per gallon of fuel, or each one hundred cubic
7 feet of compressed natural gas, measured at standard pressure and
8 temperature is imposed on fuel licensees.

9 (g) Beginning August 1, 2013, an additional and cumulative tax rate
10 of six cents per gallon of fuel, or each one hundred cubic feet of
11 compressed natural gas, measured at standard pressure and temperature
12 is imposed on fuel licensees.

13 (h) Beginning July 1, 2014, an additional and cumulative tax rate
14 of four and one-half cents per gallon of fuel, or each one hundred
15 cubic feet of compressed natural gas, measured at standard pressure and
16 temperature is imposed on fuel licensees.

17 (i) Taxes are imposed when:

18 (i) Fuel is removed in this state from a terminal if the fuel is
19 removed at the rack unless the removal is by a licensed supplier or
20 distributor for direct delivery to a destination outside of the state,
21 or the removal is by a fuel supplier for direct delivery to an
22 international fuel tax agreement licensee under RCW 82.38.320;

23 (ii) Fuel is removed in this state from a refinery if either of the
24 following applies:

25 (A) The removal is by bulk transfer and the refiner or the owner of
26 the fuel immediately before the removal is not a licensed supplier; or

27 (B) The removal is at the refinery rack unless the removal is to a
28 licensed supplier or distributor for direct delivery to a destination
29 outside of the state, or the removal is to a licensed supplier for
30 direct delivery to an international fuel tax agreement licensee under
31 RCW 82.38.320;

32 (iii) Fuel enters into this state for sale, consumption, use, or
33 storage, unless the fuel enters this state for direct delivery to an
34 international fuel tax agreement licensee under RCW 82.38.320, if
35 either of the following applies:

36 (A) The entry is by bulk transfer and the importer is not a
37 licensed supplier; or

38 (B) The entry is not by bulk transfer;

1 (iv) Fuel enters this state by means outside the bulk transfer-
2 terminal system and is delivered directly to a licensed terminal unless
3 the owner is a licensed distributor or supplier;

4 (v) Fuel is sold or removed in this state to an unlicensed entity
5 unless there was a prior taxable removal, entry, or sale of the fuel;

6 (vi) Blended fuel is removed or sold in this state by the blender
7 of the fuel. The number of gallons of blended fuel subject to tax is
8 the difference between the total number of gallons of blended fuel
9 removed or sold and the number of gallons of previously taxed fuel used
10 to produce the blended fuel;

11 (vii) Dyed special fuel is used on a highway, as authorized by the
12 internal revenue code, unless the use is exempt from the fuel tax;

13 (viii) Dyed special fuel is held for sale, sold, used, or is
14 intended to be used in violation of this chapter;

15 (ix) Special fuel purchased by an international fuel tax agreement
16 licensee under RCW 82.38.320 is used on a highway; and

17 (x) Fuel is sold by a licensed fuel supplier to a fuel distributor
18 or fuel blender and the fuel is not removed from the bulk transfer-
19 terminal system.

20 NEW SECTION. Sec. 103. 2013 c 225 s 103 (uncodified) is repealed.

21 **Sec. 104.** RCW 46.68.090 and 2011 c 120 s 4 are each amended to
22 read as follows:

23 (1) All moneys that have accrued or may accrue to the motor vehicle
24 fund from the motor vehicle fuel tax and special fuel tax shall be
25 first expended for purposes enumerated in (a) and (b) of this
26 subsection. The remaining net tax amount shall be distributed monthly
27 by the state treasurer in accordance with subsections (2) through
28 ~~((7))~~ (8) of this section.

29 (a) For payment of refunds of motor vehicle fuel tax and special
30 fuel tax that has been paid and is refundable as provided by law;

31 (b) For payment of amounts to be expended pursuant to
32 appropriations for the administrative expenses of the offices of state
33 treasurer, state auditor, and the department of licensing of the state
34 of Washington in the administration of the motor vehicle fuel tax and
35 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)(a) shall be distributed as set forth in
3 (a) through (j) of this subsection.

4 (a) For distribution to the motor vehicle fund an amount equal to
5 44.387 percent to be expended for highway purposes of the state as
6 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 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 transportation improvement account in
30 the 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)~~) (1)(b) shall be distributed to the transportation
23 2003 account (nickel account).

24 (4) The remaining net tax amount collected under RCW 82.36.025(3)
25 and 82.38.030(~~(+3)~~) (1)(c) 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)~~) (1)(d) 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+))~~) (1) (e) and (~~((+6+))~~) (f) shall be
5 distributed to the transportation partnership account created in RCW
6 46.68.290.

7 (7) The remaining net tax amount collected under RCW 82.36.025 (7)
8 and (8) and 82.38.030(1) (g) and (h) shall be distributed as follows:

9 (a) 5 percent shall be distributed to counties under RCW 46.68.122;

10 (b) 5 percent shall be distributed to cities under RCW 46.68.110;

11 (c) 5 percent shall be distributed to the Puget Sound ferry
12 operations account created in RCW 47.60.530;

13 (d) 7.5 percent shall be distributed to the Puget Sound capital
14 construction account created in RCW 47.60.505; and

15 (e) The remainder shall be distributed to the connecting
16 Washington account created in section 106 of this act.

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

22 **Sec. 105.** RCW 46.68.090 and 2013 c 225 s 645 are each amended to
23 read as follows:

24 (1) All moneys that have accrued or may accrue to the motor vehicle
25 fund from the motor vehicle fuel tax and special fuel tax must be first
26 expended for purposes enumerated in (a) and (b) of this subsection.
27 The remaining net tax amount must be distributed monthly by the state
28 treasurer in accordance with subsections (2) through (~~((+7+))~~) (8) of
29 this section.

30 (a) For payment of refunds of motor vehicle fuel tax and special
31 fuel tax that has been paid and is refundable as provided by law;

32 (b) For payment of amounts to be expended pursuant to
33 appropriations for the administrative expenses of the offices of state
34 treasurer, state auditor, and the department of licensing of the state
35 of Washington in the administration of the motor vehicle fuel tax and
36 the special fuel tax, which sums must be distributed monthly.

1 (2) All of the remaining net tax amount collected under RCW
2 82.38.030(~~(1)~~) (2)(a) must be distributed as set forth in (a) through
3 (j) of this subsection.

4 (a) For distribution to the motor vehicle fund an amount equal to
5 44.387 percent to be expended for highway purposes of the state as
6 defined in RCW 46.68.130;

7 (b)(i) 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 (ii) The following criteria, listed in order of priority, must be
13 used in determining which special category C projects have the highest
14 priority:

15 (A) Accident experience;

16 (B) Fatal accident experience;

17 (C) Capacity to move people and goods safely and at reasonable
18 speeds without undue congestion; and

19 (D) Continuity of development of the highway transportation
20 network.

21 (iii) Moneys deposited in the special category C account in the
22 motor 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 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 transportation improvement account in
30 the 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 must 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 must 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 must be used for improvements to sustain the structural,
14 safety, and operational integrity of county arterials. The county road
15 administration board must 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
22 82.38.030(2)(b) must be distributed to the transportation 2003 account
23 (nickel account).

24 (4) The remaining net tax amount collected under RCW
25 82.38.030(~~(+3)~~) (2)(c) must be distributed as follows:

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

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

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

32 (5) The remaining net tax amount collected under RCW
33 82.38.030(~~(+4)~~) (2)(d) must be distributed as follows:

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

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

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

3 (6) The remaining net tax amount collected under RCW 82.38.030
4 ~~((+5))~~ (2) (e) and ~~((+6))~~ (f) must be distributed to the
5 transportation partnership account created in RCW 46.68.290.

6 (7) The remaining net tax amount collected under RCW 82.38.030(2)
7 (g) and (h) must be distributed as follows:

8 (a) 5 percent must be distributed to counties under RCW 46.68.122;

9 (b) 5 percent must be distributed to cities under RCW 46.68.110;

10 (c) 5 percent must be distributed to the Puget Sound ferry
11 operations account created in RCW 47.60.530;

12 (d) 7.5 percent must be distributed to the Puget Sound capital
13 construction account created in RCW 47.60.505; and

14 (e) The remainder must be distributed to the connecting
15 Washington account created in section 106 of this act.

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

21 NEW SECTION. Sec. 106. A new section is added to chapter 46.68
22 RCW to read as follows:

23 The connecting Washington account is created in the motor vehicle
24 fund. All receipts from RCW 46.68.090(7)(e), 46.17.355(7), and section
25 305 (1) and (2) of this act must be deposited into the account. Moneys
26 in the account may be spent only after appropriation. Expenditures
27 from the account must be used only for projects or improvements
28 identified as connecting Washington projects or improvements in a
29 transportation appropriations act, including any principal and interest
30 on bonds authorized for the projects or improvements, and for the
31 maintenance, operations, and preservation of the state highway system,
32 which is defined for purposes of this section as activities undertaken
33 to (1) provide, maintain, and operate serviceable roadways through
34 planned strategies of cost-effective treatments to existing roadways
35 and appurtenances that preserve the highway system, (2) retard future
36 deterioration, (3) preserve or improve safety, and (4) maintain the
37 functional condition of the existing highway system.

1 **Sec. 107.** RCW 43.84.092 and 2013 c 251 s 3 and 2013 c 96 s 3 are
2 each reenacted and amended to read as follows:

3 (1) All earnings of investments of surplus balances in the state
4 treasury shall be deposited to the treasury income account, which
5 account is hereby established in the state treasury.

6 (2) The treasury income account shall be utilized to pay or receive
7 funds associated with federal programs as required by the federal cash
8 management improvement act of 1990. The treasury income account is
9 subject in all respects to chapter 43.88 RCW, but no appropriation is
10 required for refunds or allocations of interest earnings required by
11 the cash management improvement act. Refunds of interest to the
12 federal treasury required under the cash management improvement act
13 fall under RCW 43.88.180 and shall not require appropriation. The
14 office of financial management shall determine the amounts due to or
15 from the federal government pursuant to the cash management improvement
16 act. The office of financial management may direct transfers of funds
17 between accounts as deemed necessary to implement the provisions of the
18 cash management improvement act, and this subsection. Refunds or
19 allocations shall occur prior to the distributions of earnings set
20 forth in subsection (4) of this section.

21 (3) Except for the provisions of RCW 43.84.160, the treasury income
22 account may be utilized for the payment of purchased banking services
23 on behalf of treasury funds including, but not limited to, depository,
24 safekeeping, and disbursement functions for the state treasury and
25 affected state agencies. The treasury income account is subject in all
26 respects to chapter 43.88 RCW, but no appropriation is required for
27 payments to financial institutions. Payments shall occur prior to
28 distribution of earnings set forth in subsection (4) of this section.

29 (4) Monthly, the state treasurer shall distribute the earnings
30 credited to the treasury income account. The state treasurer shall
31 credit the general fund with all the earnings credited to the treasury
32 income account except:

33 (a) The following accounts and funds shall receive their
34 proportionate share of earnings based upon each account's and fund's
35 average daily balance for the period: The aeronautics account, the
36 aircraft search and rescue account, the Alaskan Way viaduct replacement
37 project account, the budget stabilization account, the capital vessel
38 replacement account, the capitol building construction account, the

1 Cedar River channel construction and operation account, the Central
2 Washington University capital projects account, the charitable,
3 educational, penal and reformatory institutions account, the cleanup
4 settlement account, the Columbia river basin water supply development
5 account, the Columbia river basin taxable bond water supply development
6 account, the Columbia river basin water supply revenue recovery
7 account, the common school construction fund, the connecting Washington
8 account, the county arterial preservation account, the county criminal
9 justice assistance account, the deferred compensation administrative
10 account, the deferred compensation principal account, the department of
11 licensing services account, the department of retirement systems
12 expense account, the developmental disabilities community trust
13 account, the drinking water assistance account, the drinking water
14 assistance administrative account, the drinking water assistance
15 repayment account, the Eastern Washington University capital projects
16 account, the Interstate 405 express toll lanes operations account, the
17 education construction fund, the education legacy trust account, the
18 election account, the energy freedom account, the energy recovery act
19 account, the essential rail assistance account, The Evergreen State
20 College capital projects account, the federal forest revolving account,
21 the ferry bond retirement fund, the freight mobility investment
22 account, the freight mobility multimodal account, the grade crossing
23 protective fund, the public health services account, the high capacity
24 transportation account, the state higher education construction
25 account, the higher education construction account, the highway bond
26 retirement fund, the highway infrastructure account, the highway safety
27 fund, the high occupancy toll lanes operations account, the hospital
28 safety net assessment fund, the industrial insurance premium refund
29 account, the judges' retirement account, the judicial retirement
30 administrative account, the judicial retirement principal account, the
31 local leasehold excise tax account, the local real estate excise tax
32 account, the local sales and use tax account, the marine resources
33 stewardship trust account, the medical aid account, the mobile home
34 park relocation fund, the motor vehicle fund, the motorcycle safety
35 education account, the multimodal transportation account, the municipal
36 criminal justice assistance account, the natural resources deposit
37 account, the oyster reserve land account, the pension funding
38 stabilization account, the perpetual surveillance and maintenance

1 account, the public employees' retirement system plan 1 account, the
2 public employees' retirement system combined plan 2 and plan 3 account,
3 the public facilities construction loan revolving account beginning
4 July 1, 2004, the public health supplemental account, the public works
5 assistance account, the Puget Sound capital construction account, the
6 Puget Sound ferry operations account, the real estate appraiser
7 commission account, the recreational vehicle account, the regional
8 mobility grant program account, the resource management cost account,
9 the rural arterial trust account, the rural mobility grant program
10 account, the rural Washington loan fund, the site closure account, the
11 skilled nursing facility safety net trust fund, the small city pavement
12 and sidewalk account, the special category C account, the special
13 wildlife account, the state employees' insurance account, the state
14 employees' insurance reserve account, the state investment board
15 expense account, the state investment board commingled trust fund
16 accounts, the state patrol highway account, the state route number 520
17 civil penalties account, the state route number 520 corridor account,
18 the state wildlife account, the supplemental pension account, the
19 Tacoma Narrows toll bridge account, the teachers' retirement system
20 plan 1 account, the teachers' retirement system combined plan 2 and
21 plan 3 account, the tobacco prevention and control account, the tobacco
22 settlement account, the toll facility bond retirement account, the
23 transportation 2003 account (nickel account), the transportation
24 equipment fund, the transportation fund, the transportation improvement
25 account, the transportation improvement board bond retirement account,
26 the transportation infrastructure account, the transportation
27 partnership account, the traumatic brain injury account, the tuition
28 recovery trust fund, the University of Washington bond retirement fund,
29 the University of Washington building account, the volunteer
30 firefighters' and reserve officers' relief and pension principal fund,
31 the volunteer firefighters' and reserve officers' administrative fund,
32 the Washington judicial retirement system account, the Washington law
33 enforcement officers' and firefighters' system plan 1 retirement
34 account, the Washington law enforcement officers' and firefighters'
35 system plan 2 retirement account, the Washington public safety
36 employees' plan 2 retirement account, the Washington school employees'
37 retirement system combined plan 2 and 3 account, the Washington state
38 economic development commission account, the Washington state health

1 insurance pool account, the Washington state patrol retirement account,
2 the Washington State University building account, the Washington State
3 University bond retirement fund, the water pollution control revolving
4 administration account, the water pollution control revolving fund, and
5 the Western Washington University capital projects account. Earnings
6 derived from investing balances of the agricultural permanent fund, the
7 normal school permanent fund, the permanent common school fund, the
8 scientific permanent fund, the state university permanent fund, and the
9 state reclamation revolving account shall be allocated to their
10 respective beneficiary accounts.

11 (b) Any state agency that has independent authority over accounts
12 or funds not statutorily required to be held in the state treasury that
13 deposits funds into a fund or account in the state treasury pursuant to
14 an agreement with the office of the state treasurer shall receive its
15 proportionate share of earnings based upon each account's or fund's
16 average daily balance for the period.

17 (5) In conformance with Article II, section 37 of the state
18 Constitution, no treasury accounts or funds shall be allocated earnings
19 without the specific affirmative directive of this section.

20 **Sec. 108.** RCW 43.84.092 and 2013 c 251 s 4 and 2013 c 96 s 4 are
21 each reenacted and amended to read as follows:

22 (1) All earnings of investments of surplus balances in the state
23 treasury shall be deposited to the treasury income account, which
24 account is hereby established in the state treasury.

25 (2) The treasury income account shall be utilized to pay or receive
26 funds associated with federal programs as required by the federal cash
27 management improvement act of 1990. The treasury income account is
28 subject in all respects to chapter 43.88 RCW, but no appropriation is
29 required for refunds or allocations of interest earnings required by
30 the cash management improvement act. Refunds of interest to the
31 federal treasury required under the cash management improvement act
32 fall under RCW 43.88.180 and shall not require appropriation. The
33 office of financial management shall determine the amounts due to or
34 from the federal government pursuant to the cash management improvement
35 act. The office of financial management may direct transfers of funds
36 between accounts as deemed necessary to implement the provisions of the

1 cash management improvement act, and this subsection. Refunds or
2 allocations shall occur prior to the distributions of earnings set
3 forth in subsection (4) of this section.

4 (3) Except for the provisions of RCW 43.84.160, the treasury income
5 account may be utilized for the payment of purchased banking services
6 on behalf of treasury funds including, but not limited to, depository,
7 safekeeping, and disbursement functions for the state treasury and
8 affected state agencies. The treasury income account is subject in all
9 respects to chapter 43.88 RCW, but no appropriation is required for
10 payments to financial institutions. Payments shall occur prior to
11 distribution of earnings set forth in subsection (4) of this section.

12 (4) Monthly, the state treasurer shall distribute the earnings
13 credited to the treasury income account. The state treasurer shall
14 credit the general fund with all the earnings credited to the treasury
15 income account except:

16 (a) The following accounts and funds shall receive their
17 proportionate share of earnings based upon each account's and fund's
18 average daily balance for the period: The aeronautics account, the
19 aircraft search and rescue account, the Alaskan Way viaduct replacement
20 project account, the budget stabilization account, the capital vessel
21 replacement account, the capitol building construction account, the
22 Cedar River channel construction and operation account, the Central
23 Washington University capital projects account, the charitable,
24 educational, penal and reformatory institutions account, the cleanup
25 settlement account, the Columbia river basin water supply development
26 account, the Columbia river basin taxable bond water supply development
27 account, the Columbia river basin water supply revenue recovery
28 account, the Columbia river crossing project account, the common school
29 construction fund, the connecting Washington account, the county
30 arterial preservation account, the county criminal justice assistance
31 account, the deferred compensation administrative account, the deferred
32 compensation principal account, the department of licensing services
33 account, the department of retirement systems expense account, the
34 developmental disabilities community trust account, the drinking water
35 assistance account, the drinking water assistance administrative
36 account, the drinking water assistance repayment account, the Eastern
37 Washington University capital projects account, the Interstate 405
38 express toll lanes operations account, the education construction fund,

1 the education legacy trust account, the election account, the energy
2 freedom account, the energy recovery act account, the essential rail
3 assistance account, The Evergreen State College capital projects
4 account, the federal forest revolving account, the ferry bond
5 retirement fund, the freight mobility investment account, the freight
6 mobility multimodal account, the grade crossing protective fund, the
7 public health services account, the high capacity transportation
8 account, the state higher education construction account, the higher
9 education construction account, the highway bond retirement fund, the
10 highway infrastructure account, the highway safety fund, the high
11 occupancy toll lanes operations account, the hospital safety net
12 assessment fund, the industrial insurance premium refund account, the
13 judges' retirement account, the judicial retirement administrative
14 account, the judicial retirement principal account, the local leasehold
15 excise tax account, the local real estate excise tax account, the local
16 sales and use tax account, the marine resources stewardship trust
17 account, the medical aid account, the mobile home park relocation fund,
18 the motor vehicle fund, the motorcycle safety education account, the
19 multimodal transportation account, the municipal criminal justice
20 assistance account, the natural resources deposit account, the oyster
21 reserve land account, the pension funding stabilization account, the
22 perpetual surveillance and maintenance account, the public employees'
23 retirement system plan 1 account, the public employees' retirement
24 system combined plan 2 and plan 3 account, the public facilities
25 construction loan revolving account beginning July 1, 2004, the public
26 health supplemental account, the public works assistance account, the
27 Puget Sound capital construction account, the Puget Sound ferry
28 operations account, the real estate appraiser commission account, the
29 recreational vehicle account, the regional mobility grant program
30 account, the resource management cost account, the rural arterial trust
31 account, the rural mobility grant program account, the rural Washington
32 loan fund, the site closure account, the skilled nursing facility
33 safety net trust fund, the small city pavement and sidewalk account,
34 the special category C account, the special wildlife account, the state
35 employees' insurance account, the state employees' insurance reserve
36 account, the state investment board expense account, the state
37 investment board commingled trust fund accounts, the state patrol
38 highway account, the state route number 520 civil penalties account,

1 the state route number 520 corridor account, the state wildlife
2 account, the supplemental pension account, the Tacoma Narrows toll
3 bridge account, the teachers' retirement system plan 1 account, the
4 teachers' retirement system combined plan 2 and plan 3 account, the
5 tobacco prevention and control account, the tobacco settlement account,
6 the toll facility bond retirement account, the transportation 2003
7 account (nickel account), the transportation equipment fund, the
8 transportation fund, the transportation improvement account, the
9 transportation improvement board bond retirement account, the
10 transportation infrastructure account, the transportation partnership
11 account, the traumatic brain injury account, the tuition recovery trust
12 fund, the University of Washington bond retirement fund, the University
13 of Washington building account, the volunteer firefighters' and reserve
14 officers' relief and pension principal fund, the volunteer
15 firefighters' and reserve officers' administrative fund, the Washington
16 judicial retirement system account, the Washington law enforcement
17 officers' and firefighters' system plan 1 retirement account, the
18 Washington law enforcement officers' and firefighters' system plan 2
19 retirement account, the Washington public safety employees' plan 2
20 retirement account, the Washington school employees' retirement system
21 combined plan 2 and 3 account, the Washington state economic
22 development commission account, the Washington state health insurance
23 pool account, the Washington state patrol retirement account, the
24 Washington State University building account, the Washington State
25 University bond retirement fund, the water pollution control revolving
26 administration account, the water pollution control revolving fund, and
27 the Western Washington University capital projects account. Earnings
28 derived from investing balances of the agricultural permanent fund, the
29 normal school permanent fund, the permanent common school fund, the
30 scientific permanent fund, the state university permanent fund, and the
31 state reclamation revolving account shall be allocated to their
32 respective beneficiary accounts.

33 (b) Any state agency that has independent authority over accounts
34 or funds not statutorily required to be held in the state treasury that
35 deposits funds into a fund or account in the state treasury pursuant to
36 an agreement with the office of the state treasurer shall receive its
37 proportionate share of earnings based upon each account's or fund's
38 average daily balance for the period.

1 (5) In conformance with Article II, section 37 of the state
2 Constitution, no treasury accounts or funds shall be allocated earnings
3 without the specific affirmative directive of this section.

4 **Sec. 109.** RCW 46.09.520 and 2010 1st sp.s. c 37 s 936 and 2010 c
5 161 s 222 are each reenacted and amended to read as follows:

6 (1) From time to time, but at least once each year, the state
7 treasurer shall refund from the motor vehicle fund one percent of the
8 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
9 based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle
10 fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per
11 gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007;
12 (c) twenty-one cents per gallon of motor vehicle fuel from July 1,
13 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor
14 vehicle fuel from July 1, 2009, through June 30, 2011; (~~and~~) (e)
15 twenty-three cents per gallon of motor vehicle fuel beginning July 1,
16 2011; (f) twenty-nine cents per gallon of motor vehicle fuel beginning
17 August 1, 2013; (g) thirty-three and one-half cents per gallon of motor
18 vehicle fuel beginning July 1, 2014; and (h) forty-eight cents per
19 gallon of motor vehicle fuel beginning July 1, 2029, and thereafter,
20 less proper deductions for refunds and costs of collection as provided
21 in RCW 46.68.090.

22 (2) The treasurer shall place these funds in the general fund as
23 follows:

24 (a) Thirty-six percent shall be credited to the ORV and nonhighway
25 vehicle account and administered by the department of natural resources
26 solely for acquisition, planning, development, maintenance, and
27 management of ORV, nonmotorized, and nonhighway road recreation
28 facilities, and information programs and maintenance of nonhighway
29 roads;

30 (b) Three and one-half percent shall be credited to the ORV and
31 nonhighway vehicle account and administered by the department of fish
32 and wildlife solely for the acquisition, planning, development,
33 maintenance, and management of ORV, nonmotorized, and nonhighway road
34 recreation facilities and the maintenance of nonhighway roads;

35 (c) Two percent shall be credited to the ORV and nonhighway vehicle
36 account and administered by the parks and recreation commission solely

1 for the acquisition, planning, development, maintenance, and management
2 of ORV, nonmotorized, and nonhighway road recreation facilities; and

3 (d) Fifty-eight and one-half percent shall be credited to the
4 nonhighway and off-road vehicle activities program account to be
5 administered by the board for planning, acquisition, development,
6 maintenance, and management of ORV, nonmotorized, and nonhighway road
7 recreation facilities and for education, information, and law
8 enforcement programs. The funds under this subsection shall be
9 expended in accordance with the following limitations:

10 (i) Not more than thirty percent may be expended for education,
11 information, and law enforcement programs under this chapter;

12 (ii) Not less than seventy percent may be expended for ORV,
13 nonmotorized, and nonhighway road recreation facilities. Except as
14 provided in (d)(iii) of this subsection, of this amount:

15 (A) Not less than thirty percent, together with the funds the board
16 receives under RCW 46.68.045, may be expended for ORV recreation
17 facilities;

18 (B) Not less than thirty percent may be expended for nonmotorized
19 recreation facilities. Funds expended under this subsection
20 (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation
21 facilities funds; and

22 (C) Not less than thirty percent may be expended for nonhighway
23 road recreation facilities;

24 (iii) The board may waive the minimum percentage cited in (d)(ii)
25 of this subsection due to insufficient requests for funds or projects
26 that score low in the board's project evaluation. Funds remaining
27 after such a waiver must be allocated in accordance with board policy.

28 (3) On a yearly basis an agency may not, except as provided in RCW
29 46.68.045, expend more than ten percent of the funds it receives under
30 this chapter for general administration expenses incurred in carrying
31 out this chapter.

32 (4) During the 2009-2011 fiscal biennium, the legislature may
33 appropriate such amounts as reflect the excess fund balance in the NOVA
34 account to the department of natural resources to install consistent
35 off-road vehicle signage at department-managed recreation sites, and to
36 implement the recreation opportunities on department-managed lands in
37 the Reiter block and Ahtanum state forest, and to the state parks and
38 recreation commission. The legislature finds that the appropriation of

1 funds from the NOVA account during the 2009-2011 fiscal biennium for
2 maintenance and operation of state parks or to improve accessibility
3 for boaters and off-road vehicle users at state parks will benefit
4 boaters and off-road vehicle users and others who use nonhighway and
5 nonmotorized recreational facilities. The appropriations under this
6 subsection are not required to follow the specific distribution
7 specified in subsection (2) of this section.

8 **Sec. 110.** RCW 46.10.530 and 2003 c 361 s 408 are each amended to
9 read as follows:

10 From time to time, but at least once each four years, the
11 department shall determine the amount of moneys paid to it as motor
12 vehicle fuel tax that is tax on snowmobile fuel. Such determination
13 shall use one hundred thirty-five gallons as the average yearly fuel
14 usage per snowmobile, the number of registered snowmobiles during the
15 calendar year under determination, and a fuel tax rate of: (1)
16 Nineteen cents per gallon of motor vehicle fuel from July 1, 2003,
17 through June 30, 2005; (2) twenty cents per gallon of motor vehicle
18 fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per
19 gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009;
20 (4) twenty-two cents per gallon of motor vehicle fuel from July 1,
21 2009, through June 30, 2011; (~~and~~) (5) twenty-three cents per gallon
22 of motor vehicle fuel beginning July 1, 2011; (6) twenty-nine cents per
23 gallon of motor vehicle fuel beginning August 1, 2013; (7) thirty-three
24 and one-half cents per gallon of motor vehicle fuel beginning July 1,
25 2014; and (8) forty-eight cents per gallon of motor vehicle fuel
26 beginning July 1, 2029, and thereafter.

27 **Sec. 111.** RCW 79A.25.070 and 2010 c 23 s 3 are each amended to
28 read as follows:

29 Upon expiration of the time limited by RCW 82.36.330 for claiming
30 of refunds of tax on marine fuel, the state of Washington shall succeed
31 to the right to such refunds. The director of licensing, after taking
32 into account past and anticipated claims for refunds from and deposits
33 to the marine fuel tax refund account, shall request the state
34 treasurer to transfer monthly from the marine fuel tax refund account
35 an amount equal to the proportion of the moneys in the account
36 representing a motor vehicle fuel tax rate of: (1) Nineteen cents per

1 gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005;
2 (2) twenty cents per gallon of motor vehicle fuel from July 1, 2005,
3 through June 30, 2007; (3) twenty-one cents per gallon of motor vehicle
4 fuel from July 1, 2007, through June 30, 2009; (4) twenty-two cents per
5 gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011;
6 ((and)) (5) twenty-three cents per gallon of motor vehicle fuel
7 beginning July 1, 2011; (6) twenty-nine cents per gallon of motor
8 vehicle fuel beginning August 1, 2013; (7) thirty-three and one-half
9 cents per gallon of motor vehicle fuel beginning July 1, 2014; and (8)
10 forty-eight cents per gallon of motor vehicle fuel beginning July 1,
11 2029, and thereafter, to the recreation resource account and the
12 remainder to the motor vehicle fund.

13 NEW SECTION. **Sec. 112.** The following acts or parts of acts are
14 each repealed:

- 15 (1) RCW 82.36.029 (Deductions--Handling losses--Reports) and 1998
- 16 c 176 s 10; and
- 17 (2) RCW 82.38. . . . and 2013 c 225 s 205.

18 **DISTRIBUTION OF EXISTING FEES**

19 **Sec. 201.** RCW 46.17.100 and 2012 c 74 s 1 are each amended to read
20 as follows:

21 Before accepting an application for a certificate of title as
22 required in this title, the department, county auditor or other agent,
23 or subagent appointed by the director shall require the applicant to
24 pay a fifteen dollar application fee in addition to any other fees and
25 taxes required by law.

26 ~~((1) Five dollars of))~~ The certificate of title application fee
27 must be distributed under RCW 46.68.020.

28 ~~((2) Ten dollars of the certificate of title application fee must~~
29 ~~be credited to the transportation 2003 account (nickel account) created~~
30 ~~in RCW 46.68.280.))~~

31 **Sec. 202.** RCW 46.20.293 and 2012 c 74 s 4 are each amended to read
32 as follows:

33 The department is authorized to provide juvenile courts with the
34 department's record of traffic charges compiled under RCW 46.52.101 and

1 13.50.200, against any minor upon the request of any state juvenile
2 court or duly authorized officer of any juvenile court of this state.
3 Further, the department is authorized to provide any juvenile court
4 with any requested service which the department can reasonably perform
5 which is not inconsistent with its legal authority which substantially
6 aids juvenile courts in handling traffic cases and which promotes
7 highway safety.

8 The department is authorized to furnish to the parent, parents, or
9 guardian of any person under eighteen years of age who is not
10 emancipated from such parent, parents, or guardian, the department
11 records of traffic charges compiled against the person and shall
12 collect for the copy a fee of thirteen dollars, (~~(fifty)~~) thirty-eight
13 and one-half percent of which must be deposited in the highway safety
14 fund and (~~(fifty)~~) sixty-one and one-half percent of which must be
15 deposited according to RCW 46.68.038.

16 **Sec. 203.** RCW 46.29.050 and 2012 c 74 s 5 are each amended to read
17 as follows:

18 (1) The department shall upon request furnish any person or his or
19 her attorney a certified abstract of his or her driving record, which
20 abstract shall include enumeration of any motor vehicle accidents in
21 which such person has been involved. Such abstract shall (a) indicate
22 the total number of vehicles involved, whether the vehicles were
23 legally parked or moving, and whether the vehicles were occupied at the
24 time of the accident; and (b) contain reference to any convictions of
25 the person for violation of the motor vehicle laws as reported to the
26 department, reference to any findings that the person has committed a
27 traffic infraction which have been reported to the department, and a
28 record of any vehicles registered in the name of the person. The
29 department shall collect for each abstract the sum of thirteen dollars,
30 (~~(fifty)~~) thirty-eight and one-half percent of which shall be deposited
31 in the highway safety fund and (~~(fifty)~~) sixty-one and one-half percent
32 of which must be deposited according to RCW 46.68.038.

33 (2) The department shall upon request furnish any person who may
34 have been injured in person or property by any motor vehicle, with an
35 abstract of all information of record in the department pertaining to
36 the evidence of the ability of any driver or owner of any motor vehicle
37 to respond in damages. The department shall collect for each abstract

1 the sum of thirteen dollars, (~~fifty~~) thirty-eight and one-half
2 percent of which shall be deposited in the highway safety fund and
3 (~~fifty~~) sixty-one and one-half percent of which must be deposited
4 according to RCW 46.68.038.

5 **Sec. 204.** RCW 46.52.130 and 2012 c 74 s 6 and 2012 c 73 s 1 are
6 each reenacted and amended to read as follows:

7 Upon a proper request, the department may furnish an abstract of a
8 person's driving record as permitted under this section.

9 (1) **Contents of abstract of driving record.** An abstract of a
10 person's driving record, whenever possible, must include:

11 (a) An enumeration of motor vehicle accidents in which the person
12 was driving, including:

13 (i) The total number of vehicles involved;

14 (ii) Whether the vehicles were legally parked or moving;

15 (iii) Whether the vehicles were occupied at the time of the
16 accident; and

17 (iv) Whether the accident resulted in a fatality;

18 (b) Any reported convictions, forfeitures of bail, or findings that
19 an infraction was committed based upon a violation of any motor vehicle
20 law;

21 (c) The status of the person's driving privilege in this state; and

22 (d) Any reports of failure to appear in response to a traffic
23 citation or failure to respond to a notice of infraction served upon
24 the named individual by an arresting officer.

25 (2) **Release of abstract of driving record.** An abstract of a
26 person's driving record may be furnished to the following persons or
27 entities:

28 (a) **Named individuals.** (i) An abstract of the full driving record
29 maintained by the department may be furnished to the individual named
30 in the abstract.

31 (ii) Nothing in this section prevents a court from providing a copy
32 of the driver's abstract to the individual named in the abstract,
33 provided that the named individual has a pending or open infraction or
34 criminal case in that court. A pending case includes criminal cases
35 that have not reached a disposition by plea, stipulation, trial, or
36 amended charge. An open infraction or criminal case includes cases on

1 probation, payment agreement or subject to, or in collections. Courts
2 may charge a reasonable fee for the production and copying of the
3 abstract for the individual.

4 (b) **Employers or prospective employers.** (i)(A) An abstract of the
5 full driving record maintained by the department may be furnished to an
6 employer or prospective employer or an agent acting on behalf of an
7 employer or prospective employer of the named individual for purposes
8 related to driving by the individual as a condition of employment or
9 otherwise at the direction of the employer.

10 (B) Release of an abstract of the driving record of an employee or
11 prospective employee requires a statement signed by: (I) The employee
12 or prospective employee that authorizes the release of the record; and
13 (II) the employer attesting that the information is necessary for
14 employment purposes related to driving by the individual as a condition
15 of employment or otherwise at the direction of the employer. If the
16 employer or prospective employer authorizes an agent to obtain this
17 information on their behalf, this must be noted in the statement.

18 (C) Upon request of the person named in the abstract provided under
19 this subsection, and upon that same person furnishing copies of court
20 records ruling that the person was not at fault in a motor vehicle
21 accident, the department must indicate on any abstract provided under
22 this subsection that the person was not at fault in the motor vehicle
23 accident.

24 (ii) In addition to the methods described in (b)(i) of this
25 subsection, the director may enter into a contractual agreement with an
26 employer or its agent for the purpose of reviewing the driving records
27 of existing employees for changes to the record during specified
28 periods of time. The department shall establish a fee for this
29 service, which must be deposited in the highway safety fund. The fee
30 for this service must be set at a level that will not result in a net
31 revenue loss to the state. Any information provided under this
32 subsection must be treated in the same manner and is subject to the
33 same restrictions as driving record abstracts.

34 (c) **Volunteer organizations.** (i) An abstract of the full driving
35 record maintained by the department may be furnished to a volunteer
36 organization or an agent for a volunteer organization for which the
37 named individual has submitted an application for a position that would

1 require driving by the individual at the direction of the volunteer
2 organization.

3 (ii) Release of an abstract of the driving record of a prospective
4 volunteer requires a statement signed by: (A) The prospective
5 volunteer that authorizes the release of the record; and (B) the
6 volunteer organization attesting that the information is necessary for
7 purposes related to driving by the individual at the direction of the
8 volunteer organization. If the volunteer organization authorizes an
9 agent to obtain this information on their behalf, this must be noted in
10 the statement.

11 (d) **Transit authorities.** An abstract of the full driving record
12 maintained by the department may be furnished to an employee or agent
13 of a transit authority checking prospective volunteer vanpool drivers
14 for insurance and risk management needs.

15 (e) **Insurance carriers.** (i) An abstract of the driving record
16 maintained by the department covering the period of not more than the
17 last three years may be furnished to an insurance company or its agent:

18 (A) That has motor vehicle or life insurance in effect covering the
19 named individual;

20 (B) To which the named individual has applied; or

21 (C) That has insurance in effect covering the employer or a
22 prospective employer of the named individual.

23 (ii) The abstract provided to the insurance company must:

24 (A) Not contain any information related to actions committed by law
25 enforcement officers or firefighters, as both terms are defined in RCW
26 41.26.030, or by Washington state patrol officers, while driving
27 official vehicles in the performance of their occupational duty. This
28 does not apply to any situation where the vehicle was used in the
29 commission of a misdemeanor or felony;

30 (B) Include convictions under RCW 46.61.5249 and 46.61.525, except
31 that the abstract must report the convictions only as negligent driving
32 without reference to whether they are for first or second degree
33 negligent driving; and

34 (C) Exclude any deferred prosecution under RCW 10.05.060, except
35 that if a person is removed from a deferred prosecution under RCW
36 10.05.090, the abstract must show the deferred prosecution as well as
37 the removal.

1 (iii) Any policy of insurance may not be canceled, nonrenewed,
2 denied, or have the rate increased on the basis of information
3 regarding an accident included in the abstract of a driving record,
4 unless the policyholder was determined to be at fault.

5 (iv) Any insurance company or its agent, for underwriting purposes
6 relating to the operation of commercial motor vehicles, may not use any
7 information contained in the abstract relative to any person's
8 operation of motor vehicles while not engaged in such employment. Any
9 insurance company or its agent, for underwriting purposes relating to
10 the operation of noncommercial motor vehicles, may not use any
11 information contained in the abstract relative to any person's
12 operation of commercial motor vehicles.

13 (v) The director may enter into a contractual agreement with an
14 insurance company or its agent for the limited purpose of reviewing the
15 driving records of existing policyholders for changes to the record
16 during specified periods of time. The department shall establish a fee
17 for this service, which must be deposited in the highway safety fund.
18 The fee for this service must be set at a level that will not result in
19 a net revenue loss to the state. Any information provided under this
20 subsection must be treated in the same manner and is subject to the
21 same restrictions as driving record abstracts.

22 (f) **Alcohol/drug assessment or treatment agencies.** An abstract of
23 the driving record maintained by the department covering the period of
24 not more than the last five years may be furnished to an alcohol/drug
25 assessment or treatment agency approved by the department of social and
26 health services to which the named individual has applied or been
27 assigned for evaluation or treatment, for purposes of assisting
28 employees in making a determination as to what level of treatment, if
29 any, is appropriate, except that the abstract must:

30 (i) Also include records of alcohol-related offenses, as defined in
31 RCW 46.01.260(2), covering a period of not more than the last ten
32 years; and

33 (ii) Indicate whether an alcohol-related offense was originally
34 charged as a violation of either RCW 46.61.502 or 46.61.504.

35 (g) **City attorneys and county prosecuting attorneys.** An abstract
36 of the full driving record maintained by the department, including
37 whether a recorded violation is an alcohol-related offense, as defined
38 in RCW 46.01.260(2), that was originally charged as a violation of

1 either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys
2 or county prosecuting attorneys. City attorneys and county prosecuting
3 attorneys may provide the driving record to alcohol/drug assessment or
4 treatment agencies approved by the department of social and health
5 services to which the named individual has applied or been assigned for
6 evaluation or treatment.

7 (h) **State colleges, universities, or agencies, or units of local**
8 **government.** An abstract of the full driving record maintained by the
9 department may be furnished to (i) state colleges, universities, or
10 agencies for employment and risk management purposes or (ii) units of
11 local government authorized to self-insure under RCW 48.62.031 for
12 employment and risk management purposes.

13 (i) **Superintendent of public instruction.** An abstract of the full
14 driving record maintained by the department may be furnished to the
15 superintendent of public instruction for review of public school bus
16 driver records. The superintendent or superintendent's designee may
17 discuss information on the driving record with an authorized
18 representative of the employing school district for employment and risk
19 management purposes.

20 (3) **Release to third parties prohibited.** Any person or entity
21 receiving an abstract of a person's driving record under subsection
22 (2)(b) through (i) of this section shall use the abstract exclusively
23 for his, her, or its own purposes or as otherwise expressly permitted
24 under this section, and shall not divulge any information contained in
25 the abstract to a third party.

26 (4) **Fee.** The director shall collect a thirteen dollar fee for each
27 abstract of a person's driving record furnished by the department.
28 ((Fifty)) Thirty-eight and one-half percent of the fee must be
29 deposited in the highway safety fund, and ((fifty)) sixty-one and one-
30 half percent of the fee must be deposited according to RCW 46.68.038.

31 (5) **Violation.** (a) Any negligent violation of this section is a
32 gross misdemeanor.

33 (b) Any intentional violation of this section is a class C felony.

34 **Sec. 205.** RCW 46.68.041 and 2004 c 95 s 15 are each amended to
35 read as follows:

36 (1) Except as provided in subsection (2) of this section, the
37 department ((shall)) must forward all funds accruing under ((the

1 ~~provisions of~~) chapter 46.20 RCW together with a proper identifying,
2 detailed report to the state treasurer who (~~shall~~) must deposit such
3 moneys to the credit of the highway safety fund.

4 (2)(a) Sixty-three percent of each fee collected by the department
5 under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) (~~shall~~) must
6 be deposited in the impaired driving safety account.

7 (b)(i) Twenty-four dollars of each driver's license issuance fee
8 paid under RCW 46.20.161 must be deposited in the Puget Sound ferry
9 operations account.

10 (ii) If the driver's license issuance fee paid under RCW 46.20.161
11 is for a driver's license with a term of less than six years, the
12 amount to be deposited in the Puget Sound ferry operations account is
13 four dollars multiplied by the number of years in the term of the
14 driver's license.

15 (c)(i)(A) Six dollars of each driver's license renewal fee paid
16 under RCW 46.20.181(2) is for the sole use of the department of
17 transportation for local programs.

18 (B)(I) Twenty-five percent of moneys received under this subsection
19 (2)(c)(i) must be deposited in the freight mobility investment account
20 for the freight mobility strategic investment board to meet urgent
21 freight corridor improvement and preservation needs.

22 (II) Seventy-five percent of moneys received under this subsection
23 (2)(c)(i) must be deposited in the pedestrian, bicycle, and safe routes
24 to school account created in section 210 of this act for safe routes to
25 school program projects.

26 (ii) Twelve dollars of each driver's license renewal fee paid under
27 RCW 46.20.181(2) must be deposited in the Puget Sound ferry operations
28 account.

29 (iii) Six dollars of each driver's license renewal fee paid under
30 RCW 46.20.181(2) must be deposited in the county arterial preservation
31 account for the county road administration board for the county
32 arterial preservation program.

33 (d) Thirty dollars of each identicard fee paid under RCW 46.20.117
34 must be deposited in the transportation improvement account for the
35 transportation improvement board.

36 (e)(i) Two dollars and fifty cents of each driver's instruction
37 permit fee paid under RCW 46.20.055 must be deposited in the state
38 patrol highway account.

1 (ii) Two dollars and fifty cents of each driver's instruction
2 permit fee paid under RCW 46.20.055 must be deposited in the small city
3 pavement and sidewalk account for the transportation improvement board
4 small city pavement and sidewalk program.

5 (f) Fifteen dollars of each driver's licensing examination fee paid
6 under RCW 46.20.120(2) must be deposited in the state patrol highway
7 account.

8 (g) Five dollars of each duplicate or replacement fee paid under
9 RCW 46.20.200 must be deposited in the state patrol highway account.

10 (h) One hundred seventy-five dollars of each hearing request fee
11 paid under RCW 46.20.308 must be deposited in the state patrol highway
12 account.

13 **Sec. 206.** RCW 46.68.020 and 2011 c 171 s 84 are each amended to
14 read as follows:

15 The director shall forward all fees for certificates of title or
16 other moneys accruing under chapters 46.12 and 46.17 RCW to the state
17 treasurer, together with a proper identifying detailed report. The
18 state treasurer shall credit these moneys as follows:

FEE	REQUIRED IN	ESTABLISHED IN	DISTRIBUTION
ORV certificate of title fee	RCW 46.09.320	RCW 46.17.100	RCW 47.66.070
Original certificate of title	RCW 46.12.530	RCW 46.17.100	RCW 47.66.070
Penalty for late transfer	RCW 46.12.650	RCW 46.17.140	RCW 47.66.070
Motor change	RCW 46.12.590	RCW 46.17.100	RCW ((46.68.280)) <u>47.66.070</u>
Transfer certificate of title	RCW 46.12.650	RCW 46.17.100	RCW ((46.68.280)) <u>47.66.070</u>
Security interest changes	RCW 46.12.675	RCW 46.17.100	RCW ((46.68.280)) <u>47.66.070</u>
Duplicate certificate of title	RCW 46.12.580	RCW 46.17.100	RCW ((46.68.280)) <u>47.66.070</u>
Stolen vehicle check	RCW 46.12.570	RCW 46.17.120	RCW 46.68.070
Vehicle identification number assignment	RCW 46.12.560	RCW 46.17.135	RCW 46.68.070

34 **Sec. 207.** RCW 46.68.280 and 2003 c 361 s 601 are each amended to
35 read as follows:

1 (1) The transportation 2003 account (nickel account) is hereby
2 created in the motor vehicle fund. Money in the account may be spent
3 only after appropriation. Expenditures from the account must be used
4 only for projects or improvements identified as transportation 2003
5 projects or improvements in the omnibus transportation budget and to
6 pay the principal and interest on the bonds authorized for
7 transportation 2003 projects or improvements. Upon completion of the
8 projects or improvements identified as transportation 2003 projects or
9 improvements, moneys deposited in this account must only be used to pay
10 the principal and interest on the bonds authorized for transportation
11 2003 projects or improvements, and any funds in the account in excess
12 of the amount necessary to make the principal and interest payments may
13 be used for maintenance on the completed projects or improvements.

14 (2) The "nickel account" means the transportation 2003 account.

15 (3) Beginning September 2015, by the last day of September,
16 December, March, and June of each year, the state treasurer shall
17 transfer four million two hundred thousand dollars from the multimodal
18 transportation account to the nickel account, for a total transfer of
19 thirty-three million six hundred thousand dollars per biennium.

20 **Sec. 208.** RCW 46.68.390 and 2012 c 74 s 9 are each amended to read
21 as follows:

22 (1) The public transportation grant program account is created in
23 the state treasury. Moneys in the account may be spent only after
24 appropriation. Expenditures from the account may be used only for
25 grants to aid transit authorities with operations.

26 (2) Beginning September 2015, by the last day of September,
27 December, March, and June of each year, the state treasurer shall
28 transfer three million two hundred fifty thousand dollars from the
29 multimodal transportation account to the public transportation grant
30 program account, for a total transfer of twenty-six million dollars per
31 biennium.

32 NEW SECTION. **Sec. 209.** 2012 c 74 s 18 (uncodified) is repealed.

33 NEW SECTION. **Sec. 210.** A new section is added to chapter 46.68
34 RCW to read as follows:

35 (1) The pedestrian, bicycle, and safe routes to school account is

1 created in the motor vehicle fund. All receipts from driver's license
2 renewal fees collected under RCW 46.68.041(2)(c)(i)(B)(II) must be
3 deposited into the account. Moneys in the account may be spent only
4 after appropriation. Expenditures from the account may be used only
5 for pedestrian, bicycle, and safe routes to school projects.

6 (2) Beginning September 2015, by the last day of September,
7 December, March, and June of each year, the state treasurer shall
8 transfer six hundred fifty thousand dollars from the motor vehicle
9 account to the pedestrian, bicycle, and safe routes to school account,
10 for a total transfer of five million two hundred thousand dollars per
11 biennium.

12 (3) Beginning September 2015, by the last day of September,
13 December, March, and June of each year, the state treasurer shall
14 transfer two million dollars from the multimodal transportation account
15 to the pedestrian, bicycle, and safe routes to school account, for a
16 total transfer of sixteen million dollars per biennium.

17 **Sec. 211.** RCW 47.76.250 and 2009 c 160 s 1 are each amended to
18 read as follows:

19 (1) The essential rail assistance account is created in the state
20 treasury. Moneys in the account may be appropriated only for the
21 purposes specified in this section.

22 (2) Moneys appropriated from the account to the department of
23 transportation may be used by the department or distributed by the
24 department to cities, county rail districts, counties, economic
25 development councils, port districts, and privately or publicly owned
26 railroads for the purpose of:

27 (a) Acquiring, rebuilding, rehabilitating, or improving rail lines;

28 (b) Purchasing or rehabilitating railroad equipment necessary to
29 maintain essential rail service;

30 (c) Constructing railroad improvements to mitigate port access or
31 mainline congestion;

32 (d) Construction of loading facilities to increase business on
33 light density lines or to mitigate the impacts of abandonment;

34 (e) Preservation, including operation, of light density lines, as
35 identified by the Washington state department of transportation, in
36 compliance with this chapter; or

1 (f) Preserving rail corridors for future rail purposes by purchase
2 of rights-of-way. The department shall first pursue transportation
3 enhancement program funds, available under the federal surface
4 transportation program, to the greatest extent practicable to preserve
5 rail corridors. Purchase of rights-of-way may include track, bridges,
6 and associated elements, and must meet the following criteria:

7 (i) The right-of-way has been identified and evaluated in the state
8 rail plan prepared under this chapter;

9 (ii) The right-of-way may be or has been abandoned; and

10 (iii) The right-of-way has potential for future rail service.

11 (3) The department or the participating local jurisdiction is
12 responsible for maintaining any right-of-way acquired under this
13 chapter, including provisions for drainage management, fire and weed
14 control, and liability associated with ownership.

15 (4) Nothing in this section impairs the reversionary rights of
16 abutting landowners, if any, without just compensation.

17 (5) The department, cities, county rail districts, counties, and
18 port districts may grant franchises to private railroads for the right
19 to operate on lines acquired under this chapter.

20 (6) The department, cities, county rail districts, counties, and
21 port districts may grant trackage rights over rail lines acquired under
22 this chapter.

23 (7) If rail lines or rail rights-of-way are used by county rail
24 districts, port districts, state agencies, or other public agencies for
25 the purposes of rail operations and are later abandoned, the rail lines
26 or rail rights-of-way cannot be used for any other purposes without the
27 consent of the underlying fee title holder or reversionary rights
28 holder, or until compensation has been made to the underlying fee title
29 holder or reversionary rights holder.

30 (8) The department of transportation shall develop criteria for
31 prioritizing freight rail projects that meet the minimum eligibility
32 requirements for state assistance under RCW 47.76.240. The department
33 shall develop criteria in consultation with the Washington state
34 freight rail policy advisory committee. Project criteria should
35 consider the level of local financial commitment to the project as well
36 as cost/benefit ratio. Counties, local communities, railroads,
37 shippers, and others who benefit from the project should participate
38 financially to the greatest extent practicable.

1 (9) Moneys received by the department from franchise fees, trackage
2 rights fees, and loan payments shall be redeposited in the essential
3 rail assistance account. Repayment of loans made under this section
4 shall occur within a period not longer than fifteen years, as set by
5 the department. The repayment schedule and rate of interest, if any,
6 shall be determined before the distribution of the moneys.

7 (10) The state shall maintain a contingent interest in any
8 equipment, property, rail line, or facility that has outstanding grants
9 or loans. The owner may not use the line as collateral, remove track,
10 bridges, or associated elements for salvage, or use it in any other
11 manner subordinating the state's interest without permission from the
12 department.

13 (11) Moneys may be granted for improvements to privately owned
14 railroads, railroad property, or other private property under this
15 chapter for freight rail projects that meet the minimum eligibility
16 criteria for state assistance under RCW 47.76.240, and which are
17 supported by contractual consideration. At a minimum, such contractual
18 consideration shall consist of defined benefits to the public with a
19 value equal to or greater than the grant amount, and where the grant
20 recipient provides the state a contingent interest adequate to ensure
21 that such public benefits are realized.

22 (12) Beginning September 2013, by the last day of September,
23 December, March, and June of each year, the state treasurer shall
24 transfer two hundred seventy-five thousand dollars from the multimodal
25 transportation account to the essential rail assistance account, for a
26 total transfer of two million two hundred thousand dollars per
27 biennium.

28 **FEEES**

29 **Sec. 301.** RCW 46.17.355 and 2011 c 171 s 61 are each amended to
30 read as follows:

31 (1) In lieu of the vehicle license fee required under RCW 46.17.350
32 and before accepting an application for a vehicle registration for
33 motor vehicles described in RCW 46.16A.455, the department, county
34 auditor or other agent, or subagent appointed by the director shall
35 require the applicant, unless specifically exempt, to pay the following
36 license fee by weight:

	WEIGHT	SCHEDULE A	SCHEDULE B
1			
2			
3	4,000 pounds	((\$ 38.00)) <u>\$ 53.00</u>	((\$ 38.00)) <u>\$ 53.00</u>
4	6,000 pounds	((\$ 48.00)) <u>\$ 73.00</u>	((\$ 48.00)) <u>\$ 73.00</u>
5	8,000 pounds	((\$ 58.00)) <u>\$ 93.00</u>	((\$ 58.00)) <u>\$ 93.00</u>
6	10,000 pounds	((\$ 60.00)) <u>\$ 93.00</u>	((\$ 60.00)) <u>\$ 93.00</u>
7	12,000 pounds	\$ 77.00	\$ 77.00
8	14,000 pounds	\$ 88.00	\$ 88.00
9	16,000 pounds	\$ 100.00	\$ 100.00
10	18,000 pounds	\$ 152.00	\$ 152.00
11	20,000 pounds	\$ 169.00	\$ 169.00
12	22,000 pounds	\$ 183.00	\$ 183.00
13	24,000 pounds	\$ 198.00	\$ 198.00
14	26,000 pounds	\$ 209.00	\$ 209.00
15	28,000 pounds	\$ 247.00	\$ 247.00
16	30,000 pounds	\$ 285.00	\$ 285.00
17	32,000 pounds	\$ 344.00	\$ 344.00
18	34,000 pounds	\$ 366.00	\$ 366.00
19	36,000 pounds	\$ 397.00	\$ 397.00
20	38,000 pounds	\$ 436.00	\$ 436.00
21	40,000 pounds	\$ 499.00	\$ 499.00
22	42,000 pounds	\$ 519.00	\$ 609.00
23	44,000 pounds	\$ 530.00	\$ 620.00
24	46,000 pounds	\$ 570.00	\$ 660.00
25	48,000 pounds	\$ 594.00	\$ 684.00
26	50,000 pounds	\$ 645.00	\$ 735.00
27	52,000 pounds	\$ 678.00	\$ 768.00
28	54,000 pounds	\$ 732.00	\$ 822.00
29	56,000 pounds	\$ 773.00	\$ 863.00
30	58,000 pounds	\$ 804.00	\$ 894.00
31	60,000 pounds	\$ 857.00	\$ 947.00
32	62,000 pounds	\$ 919.00	\$ 1,009.00
33	64,000 pounds	\$ 939.00	\$ 1,029.00
34	66,000 pounds	\$ 1,046.00	\$ 1,136.00
35	68,000 pounds	\$ 1,091.00	\$ 1,181.00

1	70,000 pounds	\$ 1,175.00	\$ 1,265.00
2	72,000 pounds	\$ 1,257.00	\$ 1,347.00
3	74,000 pounds	\$ 1,366.00	\$ 1,456.00
4	76,000 pounds	\$ 1,476.00	\$ 1,566.00
5	78,000 pounds	\$ 1,612.00	\$ 1,702.00
6	80,000 pounds	\$ 1,740.00	\$ 1,830.00
7	82,000 pounds	\$ 1,861.00	\$ 1,951.00
8	84,000 pounds	\$ 1,981.00	\$ 2,071.00
9	86,000 pounds	\$ 2,102.00	\$ 2,192.00
10	88,000 pounds	\$ 2,223.00	\$ 2,313.00
11	90,000 pounds	\$ 2,344.00	\$ 2,434.00
12	92,000 pounds	\$ 2,464.00	\$ 2,554.00
13	94,000 pounds	\$ 2,585.00	\$ 2,675.00
14	96,000 pounds	\$ 2,706.00	\$ 2,796.00
15	98,000 pounds	\$ 2,827.00	\$ 2,917.00
16	100,000 pounds	\$ 2,947.00	\$ 3,037.00
17	102,000 pounds	\$ 3,068.00	\$ 3,158.00
18	104,000 pounds	\$ 3,189.00	\$ 3,279.00
19	105,500 pounds	\$ 3,310.00	\$ 3,400.00

20 (2) Schedule A applies to vehicles either used exclusively for
21 hauling logs or that do not tow trailers. Schedule B applies to
22 vehicles that tow trailers and are not covered under Schedule A.

23 (3) If the resultant gross weight is not listed in the table
24 provided in subsection (1) of this section, it must be increased to the
25 next higher weight.

26 (4) The license fees provided in subsection (1) of this section and
27 the freight project fee provided in subsection (6) of this section are
28 in addition to the filing fee required under RCW 46.17.005 and any
29 other fee or tax required by law.

30 (5) Except as provided otherwise in this section, the license fee
31 based on declared gross weight as provided in subsection (1) of this
32 section must be distributed under RCW 46.68.035.

33 (6) In addition to the license fee based on declared gross weight
34 as provided in subsection (1) of this section, the department, county
35 auditor or other agent, or subagent appointed by the director must
36 require an applicant with a vehicle with a declared gross weight of
37 more than 10,000 pounds, unless specifically exempt, to pay a freight

1 project fee equal to fifteen percent of the license fee provided in
2 subsection (1) of this section, rounded to the nearest whole dollar,
3 which must be deposited in the connecting Washington account created in
4 section 106 of this act to be used for major freight corridors.

5 (7)(a) Fifteen dollars of each license fee based on declared gross
6 weight, as provided in subsection (1) of this section, paid by an
7 applicant with a vehicle with a declared gross weight of 4,000 pounds
8 or less must be deposited in the connecting Washington account created
9 in section 106 of this act.

10 (b) Twenty-five dollars of each license fee based on declared gross
11 weight, as provided in subsection (1) of this section, paid by an
12 applicant with a vehicle with a declared gross weight of 6,000 pounds
13 or less, but more than 4,000 pounds, must be deposited in the
14 connecting Washington account created in section 106 of this act.

15 (c) Thirty-five dollars of each license fee based on declared gross
16 weight, as provided in subsection (1) of this section, paid by an
17 applicant with a vehicle with a declared gross weight of 8,000 pounds
18 or less, but more than 6,000 pounds, must be deposited in the
19 connecting Washington account created in section 106 of this act.

20 (d) Thirty-three dollars of each license fee based on declared
21 gross weight, as provided in subsection (1) of this section, paid by an
22 applicant with a vehicle with a declared gross weight of 10,000 pounds
23 or less, but more than 8,000 pounds, must be deposited in the
24 connecting Washington account created in section 106 of this act.

25 NEW SECTION. Sec. 302. Section 301 of this act applies to vehicle
26 registrations that are due or become due on or after February 1, 2014.

27 **Sec. 303.** RCW 46.68.035 and 2010 c 161 s 804 are each amended to
28 read as follows:

29 Except as provided in RCW 46.17.355 (6) and (7), the director shall
30 forward all proceeds from vehicle license fees received by the director
31 for vehicles registered under RCW 46.17.350(1) (c) and (k), 46.17.355,
32 and 46.17.400(1)(c) to the state treasurer to be distributed into
33 accounts according to the following method:

34 (1) 22.36 percent must be deposited into the state patrol highway
35 account of the motor vehicle fund;

- 1 (2) 1.375 percent must be deposited into the Puget Sound ferry
2 operations account of the motor vehicle fund;
- 3 (3) 5.237 percent must be deposited into the transportation 2003
4 account (nickel account);
- 5 (4) 11.533 percent must be deposited into the transportation
6 partnership account created in RCW 46.68.290; and
- 7 (5) The remaining proceeds must be deposited into the motor vehicle
8 fund.

9 **Sec. 304.** RCW 81.77.160 and 1997 c 434 s 1 are each amended to
10 read as follows:

11 (1) The commission, in fixing and altering collection rates charged
12 by every solid waste collection company under this section, shall
13 include in the base for the collection rates:

14 (a) All charges for the disposal of solid waste at the facility or
15 facilities designated by a local jurisdiction under a local
16 comprehensive solid waste management plan or ordinance; (~~and~~)

17 (b) All known and measurable costs related to implementation of the
18 approved county or city comprehensive solid waste management plan; and

19 (c) All taxes and fees imposed or increased under this act.

20 (2) If a solid waste collection company files a tariff to recover
21 the costs specified under this section, and the commission suspends the
22 tariff, the portion of the tariff covering costs specified in this
23 section shall be placed in effect by the commission at the request of
24 the company on an interim basis as of the originally filed effective
25 date, subject to refund, pending the commission's final order. The
26 commission may adopt rules to implement this section.

27 (3) This section applies to a solid waste collection company that
28 has an affiliated interest under chapter 81.16 RCW with a facility, if
29 the total cost of disposal, including waste transfer, transport, and
30 disposal charges, at the facility is equal to or lower than any other
31 reasonable and currently available option.

32 NEW SECTION. **Sec. 305.** A new section is added to chapter 46.17
33 RCW to read as follows:

34 (1) The department and a county auditor or other agent appointed by
35 the director shall collect a service fee of five dollars for each
36 vehicle registration renewal processed by the department or that county

1 auditor's or other agent's office. The service fee must be deposited
2 into the connecting Washington account created in section 106 of this
3 act.

4 (2) The department and a county auditor or other agent appointed by
5 the director shall collect a service fee of twelve dollars for each
6 certificate of title transaction processed by the department or that
7 county auditor's or other agent's office. The service fee must be
8 deposited into the connecting Washington account created in section 106
9 of this act.

10 NEW SECTION. Sec. 306. Section 305 of this act applies to vehicle
11 registrations that are due or become due on or after June 1, 2014.

12 **Sec. 307.** RCW 46.17.323 and 2012 c 74 s 10 are each amended to
13 read as follows:

14 (1) Before accepting an application for an annual vehicle
15 registration renewal for ~~((an electric))~~ a vehicle that uses
16 ~~((propulsion units powered solely by))~~ at least one method of
17 propulsion that is capable of being reenergized by an external source
18 of electricity, the department, county auditor or other agent, or
19 subagent appointed by the director must require the applicant to pay a
20 one hundred dollar fee in addition to any other fees and taxes required
21 by law. The one hundred dollar fee is due only at the time of annual
22 registration renewal.

23 (2) This section only applies to:

24 (a) A vehicle that is designed to have the capability to drive at
25 a speed of more than thirty-five miles per hour; and

26 (b) An annual vehicle registration renewal that is due on or after
27 February 1, 2013.

28 (3)(a) The fee under this section is imposed to provide funds to
29 mitigate the impact of vehicles on state roads and highways and for the
30 purpose of evaluating the feasibility of transitioning from a revenue
31 collection system based on fuel taxes to a road user assessment system,
32 and is separate and distinct from other vehicle license fees. Proceeds
33 from the fee must be ~~((used for highway purposes, and))~~ deposited into
34 the transportation innovative partnership account created in RCW
35 47.29.230 for the purpose of creating and funding the Washington
36 electric vehicle infrastructure bank as provided in section 601 of this

1 act. Once the total number of electric vehicles subject to this fee
2 has reached one-half of one percent of the state's total registered
3 vehicle fleet, proceeds must be deposited in the motor vehicle fund
4 created in RCW 46.68.070(, subject to) and distributed in the manner
5 provided in (b) of this subsection.

6 (b) (~~If in any year the amount of proceeds from the fee collected~~
7 ~~under this section exceeds one million dollars, the excess amount over~~
8 ~~one million dollars must be deposited~~) Any fee proceeds eligible for
9 deposit in the motor vehicle fund must be distributed as follows:

10 (i) Seventy percent to the motor vehicle fund created in RCW
11 46.68.070;

12 (ii) Fifteen percent to the transportation improvement account
13 created in RCW 47.26.084; and

14 (iii) Fifteen percent to the rural arterial trust account created
15 in RCW 36.79.020.

16 **Sec. 308.** RCW 46.17.050 and 2010 c 161 s 505 are each amended to
17 read as follows:

18 Before accepting a report of sale filed under RCW 46.12.650(2), the
19 department, county auditor or other agent, or subagent appointed by the
20 director shall require the applicant to pay(÷

21 ~~(1))~~ the filing fee under RCW 46.17.005(1), the license plate
22 technology fee under RCW 46.17.015, (~~and~~) the license service fee
23 under RCW 46.17.025 (~~to the county auditor or other agent; and~~

24 ~~(2) The subagent)), and the service fee under RCW 46.17.040(2) (~~to~~
25 ~~the subagent)).~~ Any service fees collected by the department under
26 this section must be deposited in the multimodal transportation account
27 created in RCW 47.66.070.~~

28 **Sec. 309.** RCW 46.17.060 and 2010 c 161 s 507 are each amended to
29 read as follows:

30 Before accepting a transitional ownership record filed under RCW
31 46.12.660, the department, county auditor or other agent, or subagent
32 appointed by the director shall require the applicant to pay(÷

33 ~~(1))~~ the filing fee under RCW 46.17.005(1), the license plate
34 technology fee under RCW 46.17.015, (~~and~~) the license service fee
35 under RCW 46.17.025 (~~to the county auditor or other agent; and~~

1 ~~(2) The subagent)), and the service fee under RCW 46.17.040(2) ((to~~
2 ~~the subagent))~~. Any service fees collected by the department under
3 this section must be deposited in the multimodal transportation account
4 created in RCW 47.66.070.

5 **Sec. 310.** RCW 46.20.202 and 2007 c 7 s 1 are each amended to read
6 as follows:

7 (1) The department may enter into a memorandum of understanding
8 with any federal agency for the purposes of facilitating the crossing
9 of the border between the state of Washington and the Canadian province
10 of British Columbia.

11 (2) The department may enter into an agreement with the Canadian
12 province of British Columbia for the purposes of implementing a border-
13 crossing initiative.

14 (3)(a) The department may issue an enhanced driver's license or
15 identicard for the purposes of crossing the border between the state of
16 Washington and the Canadian province of British Columbia to an
17 applicant who provides the department with proof of: United States
18 citizenship, identity, and state residency. The department shall
19 continue to offer a standard driver's license and identicard. If the
20 department chooses to issue an enhanced driver's license, the
21 department must allow each applicant to choose between a standard
22 driver's license or identicard, or an enhanced driver's license or
23 identicard.

24 (b) The department shall implement a one-to-many biometric matching
25 system for the enhanced driver's license or identicard. An applicant
26 for an enhanced driver's license or identicard shall submit a biometric
27 identifier as designated by the department. The biometric identifier
28 must be used solely for the purpose of verifying the identity of the
29 holders and for any purpose set out in RCW 46.20.037. Applicants are
30 required to sign a declaration acknowledging their understanding of the
31 one-to-many biometric match.

32 (c) The enhanced driver's license or identicard must include
33 reasonable security measures to protect the privacy of Washington state
34 residents, including reasonable safeguards to protect against
35 unauthorized disclosure of data about Washington state residents. If
36 the enhanced driver's license or identicard includes a radio frequency

1 identification chip, or similar technology, the department shall ensure
2 that the technology is encrypted or otherwise secure from unauthorized
3 data access.

4 (d) The requirements of this subsection are in addition to the
5 requirements otherwise imposed on applicants for a driver's license or
6 identicard. The department shall adopt such rules as necessary to meet
7 the requirements of this subsection. From time to time the department
8 shall review technological innovations related to the security of
9 identity cards and amend the rules related to enhanced driver's
10 licenses and identicards as the director deems consistent with this
11 section and appropriate to protect the privacy of Washington state
12 residents.

13 (e) Notwithstanding RCW 46.20.118, the department may make images
14 associated with enhanced drivers' licenses or identicards from the
15 negative file available to United States customs and border agents for
16 the purposes of verifying identity.

17 (4) (~~The department may set a fee for the issuance of enhanced~~
18 ~~drivers' licenses and identicards under this section.~~) (a) The fee for
19 an enhanced driver's license or enhanced identicard is fifty-four
20 dollars, which is in addition to the fees for any regular driver's
21 license or identicard. If the enhanced driver's license or enhanced
22 identicard is issued, renewed, or extended for a period other than six
23 years, the fee for each class is nine dollars for each year that the
24 enhanced driver's license or enhanced identicard is issued, renewed, or
25 extended.

26 (b) Thirty-six dollars of each enhanced driver's license or
27 identicard fee, or six dollars of the fee for each class for each year
28 if the enhanced driver's license or enhanced identicard is issued,
29 renewed, or extended for a period other than six years, must be
30 deposited in the multimodal transportation account created in RCW
31 47.66.070.

32 LOCAL REVENUE OPTIONS

33 NEW SECTION. Sec. 401. (1) It is the intent of the legislature to
34 provide diversified local revenue options that may be tailored to the
35 needs of each jurisdiction, in addition to any increases in funding
36 provided through already existing partnerships between the state and

1 local communities, such as the motor vehicle fuel taxes. In the case
2 of public transit systems in particular, there is a need for additional
3 revenue sources beyond the current sales and use tax options, which
4 may, on their own, not be sufficient to meet the funding challenges of
5 a particular system.

6 (2) It is also the intent that local governments coordinate with
7 other municipalities, transit systems, transportation benefit
8 districts, planning organizations, and other transportation agencies.
9 It is critical that all transportation infrastructure is well planned,
10 coordinated, and maintained at the local levels to provide a seamless
11 transportation infrastructure to enable people and goods to move safely
12 and efficiently throughout the state and to bolster and improve the
13 state's economy.

14 (3) The legislature finds that the purchasing power of funds to pay
15 for local transportation needs continues to decline while costs have
16 risen. Without additional funding, counties and cities will continue
17 to struggle financially to preserve and maintain county roads, city
18 streets, and bridges; pavement conditions will to continue to decline;
19 and public transit systems will be forced to cut services at a time
20 when demand for transit services is increasing.

21 **Sec. 402.** RCW 36.73.015 and 2012 c 152 s 1 are each amended to
22 read as follows:

23 The definitions in this section apply throughout this chapter
24 unless the context clearly requires otherwise.

- 25 (1) "City" means a city or town.
- 26 (2) "District" means a transportation benefit district created
27 under this chapter.

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

31 (4) "Rebate program" means an optional program established by a
32 transportation benefit district that includes a city with a population
33 of five hundred thousand persons or more for the purpose of providing
34 rebates to low-income individuals for fees, taxes, and/or tolls imposed
35 by such transportation benefit district for: (a) Vehicle fees imposed
36 under RCW 36.73.040(3)(b); (b) sales and use taxes imposed under RCW
37 36.73.040(3)(a); and/or (c) tolls imposed under RCW 36.73.040(3)(d).

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

6 (6) "Transportation improvement" means a project contained in the
7 transportation plan of the state, a regional transportation planning
8 organization, city, county, or eligible jurisdiction as identified in
9 RCW 36.73.020(2). A project may include, but is not limited to,
10 investment in new or existing highways of statewide significance,
11 principal arterials of regional significance, high capacity
12 transportation, public transportation, and other transportation
13 projects and programs of local, regional, or statewide significance
14 including transportation demand management. Projects may also include
15 the operation, preservation, and maintenance of these facilities or
16 programs.

17 **Sec. 403.** RCW 36.73.020 and 2010 c 250 s 1 are each amended to
18 read as follows:

19 (1) The legislative authority of a county or city may establish a
20 transportation benefit district within the county or city area or
21 within the area specified in subsection (2) of this section, for the
22 purpose of acquiring, constructing, improving, providing, and funding
23 a transportation improvement within the district that is consistent
24 with any existing state, regional, or local transportation plans and
25 necessitated by existing or reasonably foreseeable congestion levels.
26 The transportation improvements shall be owned by the county of
27 jurisdiction if located in an unincorporated area, by the city of
28 jurisdiction if located in an incorporated area, or by the state in
29 cases where the transportation improvement is or becomes a state
30 highway. However, if deemed appropriate by the governing body of the
31 transportation benefit district, a transportation improvement may be
32 owned by a participating port district or transit district, unless
33 otherwise prohibited by law. Transportation improvements shall be
34 administered and maintained as other public streets, roads, highways,
35 and transportation improvements. To the extent practicable, the
36 district shall consider the following criteria when selecting
37 transportation improvements:

- 1 (a) Reduced risk of transportation facility failure and improved
- 2 safety;
- 3 (b) Improved travel time;
- 4 (c) Improved air quality;
- 5 (d) Increases in daily and peak period trip capacity;
- 6 (e) Improved modal connectivity;
- 7 (f) Improved freight mobility;
- 8 (g) Cost-effectiveness of the investment;
- 9 (h) Optimal performance of the system through time;
- 10 (i) Improved accessibility for, or other benefits to, persons with
- 11 special transportation needs as defined in RCW 47.06B.012; and
- 12 (j) Other criteria, as adopted by the governing body.

13 (2) Subject to subsection (6) of this section, the district may
14 include area within more than one county, city, port district, county
15 transportation authority, reservation of a federally recognized tribe,
16 or public transportation benefit area, if the legislative authority of
17 each participating jurisdiction has agreed to the inclusion as provided
18 in an interlocal agreement adopted pursuant to chapter 39.34 RCW.
19 However, the boundaries of the district need not include all territory
20 within the boundaries of the participating jurisdictions comprising the
21 district.

22 (3) The members of the legislative authority proposing to establish
23 the district, acting ex officio and independently, shall constitute the
24 governing body of the district: PROVIDED, That where a district
25 includes area within more than one jurisdiction under subsection (2) of
26 this section, the district shall be governed under an interlocal
27 agreement adopted pursuant to chapter 39.34 RCW, with the governing
28 body being composed of (a) at least five members including at least one
29 elected official from the legislative authority of each participating
30 jurisdiction or (b) the governing body of the metropolitan planning
31 organization serving the district, but only if the district boundaries
32 are identical to the boundaries of the metropolitan planning
33 organization serving the district.

34 (4) The treasurer of the jurisdiction proposing to establish the
35 district shall act as the ex officio treasurer of the district, unless
36 an interlocal agreement states otherwise.

37 (5) The electors of the district shall all be registered voters
38 residing within the district.

1 (6) Prior to December 1, 2007, the authority under this section,
2 regarding the establishment of or the participation in a district,
3 shall not apply to:

4 (a) Counties with a population greater than one million five
5 hundred thousand persons and any adjoining counties with a population
6 greater than five hundred thousand persons;

7 (b) Cities with any area within the counties under (a) of this
8 subsection; and

9 (c) Other jurisdictions with any area within the counties under (a)
10 of this subsection.

11 **Sec. 404.** RCW 36.73.065 and 2012 c 152 s 3 are each amended to
12 read as follows:

13 (1) Except as provided in subsection (4) of this section, taxes,
14 fees, charges, and tolls may not be imposed by a district without
15 approval of a majority of the voters in the district voting on a
16 proposition at a general or special election. The proposition must
17 include a specific description of: (a) The transportation improvement
18 or improvements proposed by the district; (b) any rebate program
19 proposed to be established under RCW 36.73.067; and (c) the proposed
20 taxes, fees, charges, and the range of tolls imposed by the district to
21 raise revenue to fund the improvement or improvements or rebate
22 program, as applicable.

23 (2) Voter approval under this section must be accorded substantial
24 weight regarding the validity of a transportation improvement as
25 defined in RCW 36.73.015.

26 (3) A district may not increase any taxes, fees, charges, or range
27 of tolls imposed or change a rebate program under this chapter once the
28 taxes, fees, charges, tolls, or rebate program takes effect, unless
29 authorized by the district voters pursuant to RCW 36.73.160 or up to
30 forty dollars of the vehicle fee authorized in RCW 82.80.140 by the
31 governing board of the district.

32 (4)(a) A district that includes all the territory within the
33 boundaries of the jurisdiction, or jurisdictions, establishing the
34 district, but not including territory in which a fee is currently being
35 collected under RCW 82.80.140, may impose by a majority vote of the
36 governing board of the district the following fees and charges:

1 (i) Up to (~~twenty~~) forty dollars of the vehicle fee authorized in
2 RCW 82.80.140; or

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

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

8 (c)(i) A district solely comprised of a city or cities (~~shall~~)
9 may not impose the fees or charges identified in (a) of this subsection
10 within one hundred eighty days after July 22, 2007, unless the county
11 in which the city or cities reside, by resolution, declares that it
12 will not impose the fees or charges identified in (a) of this
13 subsection within the one hundred eighty-day period; or

14 (ii) A district solely comprised of a city or cities identified in
15 RCW 36.73.020(6)(b) may not impose the fees or charges until after May
16 22, 2008, unless the county in which the city or cities reside, by
17 resolution, declares that it will not impose the fees or charges
18 identified in (a) of this subsection through May 22, 2008.

19 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
20 reached, a district that includes only the unincorporated territory of
21 a county may impose by a majority vote of the governing body of the
22 district up to (~~twenty~~) forty dollars of the vehicle fee authorized
23 in RCW 82.80.140.

24 NEW SECTION. Sec. 405. A new section is added to chapter 82.80
25 RCW to read as follows:

26 (1) A county with a population of one million or more may impose,
27 by approval of a majority of the registered voters of the county voting
28 on the proposition at a general or special election, a local motor
29 vehicle excise tax of up to one and one-half percent annually on the
30 value of every motor vehicle registered to a person residing within the
31 county based on any guidebook, report, or compendium of recognized
32 standing in the automotive industry, such as the Kelley Blue Book or
33 the National Automobile Dealers' Association Guide. A motor vehicle
34 excise tax may not be imposed on vehicles licensed under RCW 46.17.355,
35 except for motor vehicles with an unladen weight of six thousand pounds
36 or less, RCW 46.16A.425, 46.17.335, or 46.17.350(1)(c).

1 (2) A county imposing a tax under this section must contract,
2 before the effective date of the resolution or ordinance imposing the
3 local motor vehicle excise tax, administration and collection to the
4 department of licensing, as appropriate, which must deduct an amount,
5 as provided by contract, for administration and collection expenses
6 incurred by the department.

7 (3) If the department of licensing determines a value for a vehicle
8 pursuant to subsection (1) of this section, any person who pays a
9 locally imposed motor vehicle excise tax for that vehicle may appeal
10 the valuation to the department of licensing under chapter 34.05 RCW.
11 If the taxpayer is successful on appeal, the department must refund the
12 excess tax.

13 (4) The tax imposed under this section applies only when renewing
14 a vehicle registration, and is effective upon the registration renewal
15 date as provided by the department of licensing.

16 (5)(a) A county imposing a tax under this section must use sixty
17 percent of the net funds, after any deductions pursuant to subsection
18 (2) of this section, for the operation, maintenance, or capital needs
19 of public transportation systems.

20 (b) The remaining forty percent of the net funds, after any
21 deductions pursuant to subsection (2) of this section, must be used for
22 the operations and maintenance of local roads and must be distributed
23 on a pro rata basis to the county imposing the local motor vehicle
24 excise tax and to incorporated cities and towns within the county based
25 upon the population of the unincorporated portion of the county, the
26 population of an incorporated city, or the population of an
27 incorporated town as a percentage of the total population of the
28 county.

29 (6) For purposes of this section, the population of an incorporated
30 city or town is the most recent population determined by the office of
31 financial management.

32 **Sec. 406.** RCW 82.14.045 and 2008 c 86 s 102 are each amended to
33 read as follows:

34 (1) The legislative body of any city pursuant to RCW 35.92.060, of
35 any county which has created an unincorporated transportation benefit
36 area pursuant to RCW 36.57.100 and 36.57.110, of any public
37 transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090,

1 of any county transportation authority established pursuant to chapter
2 36.57 RCW, (~~and~~) of any metropolitan municipal corporation within a
3 county with a population of one million or more pursuant to chapter
4 35.58 RCW, and of any enhanced public transportation zone pursuant to
5 section 408 of this act, may, by resolution or ordinance for the sole
6 purpose of providing funds for the operation, maintenance, or capital
7 needs of public transportation systems or public transportation limited
8 to persons with special needs under RCW 36.57.130 and 36.57A.180, and
9 in lieu of the excise taxes authorized by RCW 35.95.040, submit an
10 authorizing proposition to the voters or include such authorization in
11 a proposition to perform the function of public transportation or
12 public transportation limited to persons with special needs under RCW
13 36.57.130 and 36.57A.180, and if approved by a majority of persons
14 voting thereon, impose a sales and use tax in accordance with the terms
15 of this chapter. Where an authorizing proposition is submitted by a
16 county on behalf of an unincorporated transportation benefit area, it
17 shall be voted upon by the voters residing within the boundaries of
18 such unincorporated transportation benefit area and, if approved, the
19 sales and use tax shall be imposed only within such area.
20 Notwithstanding any provisions of this section to the contrary, any
21 county in which a county public transportation plan has been adopted
22 pursuant to RCW 36.57.070 and the voters of such county have authorized
23 the imposition of a sales and use tax pursuant to the provisions of
24 section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975,
25 shall be authorized to fix and impose a sales and use tax as provided
26 in this section at not to exceed the rate so authorized without
27 additional approval of the voters of such county as otherwise required
28 by this section.

29 The tax authorized by this section shall be in addition to the tax
30 authorized by RCW 82.14.030 and shall be collected from those persons
31 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
32 the occurrence of any taxable event within such city, public
33 transportation benefit area, county, (~~or~~) metropolitan municipal
34 corporation, or enhanced public transportation zone as the case may be.
35 The rate of such tax shall be one-tenth, two-tenths, three-tenths,
36 four-tenths, five-tenths, six-tenths, seven-tenths, eight-tenths, or
37 nine-tenths of one percent of the selling price (in the case of a sales

1 tax) or value of the article used (in the case of a use tax). The rate
2 of such tax shall not exceed the rate authorized by the voters unless
3 such increase shall be similarly approved.

4 (2)(a) In the event a metropolitan municipal corporation imposes a
5 sales and use tax pursuant to this chapter no city, county which has
6 created an unincorporated transportation benefit area, public
7 transportation benefit area authority, or county transportation
8 authority wholly within such metropolitan municipal corporation shall
9 be empowered to impose and/or collect taxes under RCW 35.95.040 or this
10 section, but nothing herein shall prevent such city or county from
11 imposing sales and use taxes pursuant to any other authorization.

12 (b) In the event a county transportation authority imposes a sales
13 and use tax under this section, no city, county which has created an
14 unincorporated transportation benefit area, public transportation
15 benefit area, or metropolitan municipal corporation, located within the
16 territory of the authority, shall be empowered to impose or collect
17 taxes under RCW 35.95.040 or this section.

18 (c) In the event a public transportation benefit area imposes a
19 sales and use tax under this section, no city, county which has created
20 an unincorporated transportation benefit area, or metropolitan
21 municipal corporation, located wholly or partly within the territory of
22 the public transportation benefit area, shall be empowered to impose or
23 collect taxes under RCW 35.95.040 or this section.

24 (3) The legislative body of a public transportation benefit area
25 located in a county with a population of seven hundred thousand or more
26 that also contains a city with a population of seventy-five thousand or
27 more operating a transit system pursuant to chapter 35.95 RCW may
28 submit an authorizing proposition to the voters and, if approved by a
29 majority of persons voting on the proposition, impose a sales and use
30 tax in accordance with the terms of this chapter of one-tenth, two-
31 tenths, or three-tenths of one percent of the selling price, in the
32 case of a sales tax, or value of the article used, in the case of a use
33 tax, in addition to the rate in subsection (1) of this section.

34 **Sec. 407.** RCW 82.80.140 and 2010 c 161 s 917 are each amended to
35 read as follows:

36 (1) Subject to the provisions of RCW 36.73.065, a transportation
37 benefit district under chapter 36.73 RCW may fix and impose an annual

1 vehicle fee, not to exceed one hundred dollars per vehicle registered
2 in the district, for each vehicle subject to vehicle license fees under
3 RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q)
4 and for each vehicle subject to gross weight license fees under RCW
5 46.17.355 with a scale weight of six thousand pounds or less.

6 (2)(a) A district that includes all the territory within the
7 boundaries of the jurisdiction, or jurisdictions, establishing the
8 district, but not including territory in which a fee is currently being
9 collected under this section, may impose by a majority vote of the
10 governing board of the district up to (~~twenty~~) forty dollars of the
11 vehicle fee authorized in subsection (1) of this section.

12 (i) If the district is countywide, the revenues of the fee
13 (~~shall~~) must be distributed to each city within the (~~county~~)
14 district by interlocal agreement that must be effective prior to
15 imposition of the fee. The interlocal agreement is effective when
16 approved by the (~~county~~) district and sixty percent of the cities
17 representing seventy-five percent of the population of the cities
18 within the (~~county~~) district in which the countywide fee is
19 collected.

20 (ii) If the district is less than countywide, the revenues of the
21 fee must be distributed to each city within the district by interlocal
22 agreement that must be effective prior to imposition of the fee.

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

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

27 (ii) That, if combined with the fees previously imposed by another
28 district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds
29 (~~twenty~~) forty dollars.

30 If a district imposes or increases a fee under this subsection (2)
31 that, if combined with the fees previously imposed by another district
32 within its boundaries, exceeds (~~twenty~~) forty dollars, the district
33 shall provide a credit for the previously imposed fees so that the
34 combined vehicle fee does not exceed (~~twenty~~) forty dollars.

35 (3) The department of licensing shall administer and collect the
36 fee. The department shall deduct a percentage amount, as provided by
37 contract, not to exceed one percent of the fees collected, for
38 administration and collection expenses incurred by it. The department

1 shall remit remaining proceeds to the custody of the state treasurer.
2 The state treasurer shall distribute the proceeds to the district on a
3 monthly basis.

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

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

9 (6) The following vehicles are exempt from the fee under this
10 section:

- 11 (a) Campers, as defined in RCW 46.04.085;
- 12 (b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and
13 46.04.181;
- 14 (c) Mopeds, as defined in RCW 46.04.304;
- 15 (d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;
- 16 (e) Private use single-axle trailer, as defined in RCW 46.04.422;
- 17 (f) Snowmobiles, as defined in RCW 46.04.546; and
- 18 (g) Vehicles registered under chapter 46.87 RCW and the
19 international registration plan.

20 NEW SECTION. **Sec. 408.** A new section is added to chapter 82.14
21 RCW to read as follows:

22 (1)(a) The tax authorized under RCW 82.14.045 may also be imposed
23 by the legislative body of an enhanced public transportation zone
24 established under subsection (2) of this section if approved by the
25 voters in the enhanced public transportation zone in the manner
26 provided for in this section. The establishing transit agency must
27 consult with the department on sales tax collection methods when
28 establishing the boundaries of the enhanced public transportation zone.

29 (b) A tax imposed under (a) of this subsection, when combined with
30 the rate of tax imposed by the establishing transit agency under RCW
31 82.14.045, may not exceed the maximum rate allowed under RCW 82.14.045,
32 and expires either (i) three years after imposition, unless
33 reauthorized by the voters in the enhanced public transportation zone
34 in the manner provided for in this section, or (ii) upon failure of a
35 reauthorization. Prior to reauthorization, the enhanced public
36 transportation zone boundaries must be readjusted, if necessary, to
37 meet the provisions under subsection (2)(c) of this section. A tax

1 imposed under (a) of this subsection must be imposed only in the
2 territory of the enhanced public transportation zone. The revenue from
3 the tax imposed under (a) of this subsection must be expended only for
4 public transportation service within the enhanced public transportation
5 zone and must not supplant existing revenues allocated to the enhanced
6 public transportation zone.

7 (c) Six months prior to the voter authorization or reauthorization
8 of the tax authorized under (a) of this subsection, the establishing
9 transit agency must determine a baseline level of fixed-route public
10 transportation service. This baseline level of service must be
11 publicly posted on the web site of the establishing transit agency.
12 Upon the collection of the tax imposed under (a) of this subsection,
13 fixed-route public transportation service within the enhanced public
14 transportation zone must increase proportionally to additional revenue
15 generated within the enhanced public transportation zone. Service
16 hours within the enhanced public transportation zone must increase from
17 the baseline level in accordance with the establishing transit agency's
18 most recent cost of fixed-route public transportation per service hour,
19 as approved by the national transit database. A report on the increase
20 in public transportation service must be publicly posted annually on
21 the establishing transit agency's web site.

22 (2)(a) The legislative body of a transit agency may establish an
23 enhanced public transportation zone within a portion of the boundaries
24 of the transit agency establishing the enhanced public transportation
25 zone. An enhanced public transportation zone may include all or a
26 portion of any county, city, or town as long as all or a portion of the
27 county, city, or town is within the territory of the establishing
28 transit agency. However, the legislative body of a city, town, or
29 county may pass a resolution removing all or a portion of its
30 jurisdiction from the enhanced public transportation zone, prior to
31 creation of the zone, or at the time of reauthorization of the zone.
32 The boundaries of any enhanced public transportation zone must follow
33 election precinct lines as far as practicable. When creating the zone
34 boundaries, the establishing transit agency must attempt to include a
35 significant amount of the population that the establishing transit
36 agency designated as low income or minority for purposes of Title VI of
37 the federal civil rights act of 1964. An enhanced public

1 transportation zone may not include more than forty-nine percent of the
2 population of the establishing transit agency.

3 (b) The members of the legislative body of the transit agency
4 proposing to establish the enhanced public transportation zone, acting
5 ex officio and independently, constitutes the legislative body of the
6 enhanced public transportation zone.

7 (c) An enhanced public transportation zone may establish, finance,
8 and provide a public transportation system within its boundaries in the
9 same manner as authorized for the transit agency establishing the
10 enhanced public transportation zone. However, the establishing transit
11 agency must adopt a resolution or ordinance finding that the enhanced
12 public transportation zone warrants consistent and sustainable
13 transportation service levels of passenger capacity, speed, and service
14 frequency to serve persons within the enhanced public transportation
15 zone that would otherwise be substantially disadvantaged if the
16 enhanced public transportation zone were not created.

17 (d) An enhanced public transportation zone constitutes a body
18 corporate and possesses all the usual powers of a corporation for
19 public purposes as well as all other powers that may be conferred by
20 statute including, but not limited to, the authority to hire employees,
21 staff, and services, to enter into contracts, to acquire, hold, and
22 dispose of real and personal property, and to sue and be sued. Public
23 works contract limits applicable to the transit agency that established
24 the enhanced public transportation zone also apply to the enhanced
25 public transportation zone.

26 (e) An enhanced public transportation zone may be dissolved by a
27 majority vote of its legislative body when all contractual obligations
28 of the enhanced public transportation zone have either been discharged
29 or assumed by another governmental entity.

30 (3) For the purposes of this section:

31 (a) "Enhanced public transportation zone" means a quasi-municipal
32 corporation and independent taxing authority within the meaning of
33 Article VII, section 1 of the state Constitution, and a taxing district
34 within the meaning of Article VII, section 2 of the state Constitution,
35 created by the legislative body of a transit agency.

36 (b) "Transit agency" means a city-owned transit system, an
37 unincorporated transportation benefit area, a county transportation

1 authority, a metropolitan municipal corporation within a county with a
2 population of one million or more, and a public transportation benefit
3 area.

4 NEW SECTION. **Sec. 409.** A new section is added to chapter 36.57A
5 RCW to read as follows:

6 (1) A governing body of a public transportation benefit area may
7 establish one or more passenger-only ferry service districts within all
8 or a portion of the boundaries of the public transportation benefit
9 area establishing the passenger-only ferry service district. A
10 passenger-only ferry service district may include all or a portion of
11 a city or town as long as all or a portion of the city or town
12 boundaries are within the boundaries of the establishing public
13 transportation benefit area. The members of the public transportation
14 benefit area governing body proposing to establish the passenger-only
15 ferry service district, acting ex officio and independently, shall
16 constitute the governing body of the passenger-only ferry service
17 district.

18 (2) A passenger-only ferry service district may establish, finance,
19 and provide passenger-only ferry service, and associated services to
20 support and augment passenger-only ferry service operation, within its
21 boundaries in the same manner as authorized for public transportation
22 benefit areas under this chapter.

23 (3) A passenger-only ferry service district constitutes a body
24 corporate and possesses all the usual powers of a corporation for
25 public purposes as well as all other powers that may be conferred by
26 statute including, but not limited to, the authority to hire employees,
27 staff, and services, to enter into contracts, to acquire, hold, and
28 dispose of real and personal property, and to sue and be sued. Public
29 works contract limits applicable to the public transportation benefit
30 area that established the passenger-only ferry service district apply
31 to the area. For purposes of this section, "passenger-only ferry
32 service district" means a quasi-municipal corporation and independent
33 taxing authority within the meaning of Article VII, section 1 of the
34 state Constitution, and a taxing district within the meaning of Article
35 VII, section 2 of the state Constitution, created by the legislative
36 body of a public transportation benefit area.

1 (4) A passenger-only ferry service district may exercise the power
2 of eminent domain to obtain property for its authorized purposes in the
3 same manner as authorized for the public transportation benefit area
4 that established the passenger-only ferry service district.

5 (5) Before a passenger-only ferry service district may provide
6 passenger-only ferry service, it must develop a passenger-only ferry
7 investment plan including elements: To operate or contract for the
8 operation of passenger-only ferry services; to purchase, lease, or rent
9 ferry vessels and dock facilities for the provision of transit service;
10 and to identify other activities necessary to implement the plan. The
11 plan must set forth terminal locations to be served, projected costs of
12 providing services, and revenues to be generated from tolls, locally
13 collected tax revenues, and other revenue sources. The plan must
14 ensure that services provided under the plan are for the benefit of the
15 residents of the passenger-only ferry service district. The passenger-
16 only ferry service district may use any of its powers to carry out this
17 purpose, unless otherwise prohibited by law. In addition, the
18 passenger-only ferry service district may enter into contracts and
19 agreements to operate passenger-only ferry service and public-private
20 partnerships and design-build, general contractor/construction
21 management, or other alternative procurement processes substantially
22 consistent with chapter 39.10 RCW.

23 (6) A passenger-only ferry service district may be dissolved by a
24 majority vote of the governing body when all obligations under any
25 general obligation bonds issued by the passenger-only ferry service
26 district have been discharged and any other contractual obligations of
27 the passenger-only ferry service district have either been discharged
28 or assumed by another governmental entity.

29 NEW SECTION. **Sec. 410.** A new section is added to chapter 36.57A
30 RCW to read as follows:

31 (1) A passenger-only ferry service district may, as part of a
32 passenger-only ferry investment plan, recommend some or all of the
33 following revenue sources as provided in this chapter:

34 (a) A sales and use tax, as provided in section 411 of this act;

35 (b) A parking tax, as provided in RCW 82.80.030;

36 (c) Tolls for passengers and packages and, where applicable,
37 parking; and

1 (d) Charges or licensing fees for advertising, leasing space for
2 services to ferry passengers, and other revenue generating activities.

3 (2) Taxes may not be imposed without an affirmative vote of the
4 majority of the voters within the boundaries of the passenger-only
5 ferry service district voting on a single ballot proposition to both
6 approve a passenger-only ferry investment plan and to approve taxes to
7 implement the plan. Revenues from these taxes and fees may be used
8 only to implement the plan and must be used for the benefit of the
9 residents of the passenger-only ferry service district. A district may
10 contract with the department of revenue or other appropriate entities
11 for administration and collection of any of the taxes or charges
12 authorized in this section.

13 NEW SECTION. **Sec. 411.** A new section is added to chapter 82.14
14 RCW to read as follows:

15 Passenger-only ferry service districts providing passenger-only
16 ferry service as provided in section 409 of this act may submit an
17 authorizing proposition to the voters and, if approved by a majority of
18 persons voting, fix and impose a sales and use tax in accordance with
19 the terms of this chapter, solely for the purpose of providing
20 passenger-only ferry service and associated services to support and
21 augment passenger-only ferry service operation.

22 The tax authorized under this section is in addition to other taxes
23 authorized by law and must be collected from those persons who are
24 taxable by the state under chapters 82.08 and 82.12 RCW upon the
25 occurrence of a taxable event within the taxing district. The maximum
26 rate of the tax must be approved by the voters and may not exceed six-
27 tenths of one percent of the selling price in the case of a sales tax
28 or value of the article used in the case of a use tax.

29 **Sec. 412.** RCW 82.80.005 and 2002 c 56 s 415 are each amended to
30 read as follows:

31 For the purposes of this chapter, "district" means a regional
32 transportation investment district created under chapter 36.120 RCW or
33 a passenger-only ferry service district created under chapter 36.57A
34 RCW.

1 NEW SECTION. **Sec. 413.** A new section is added to chapter 36.57A
2 RCW to read as follows:

3 (1) A passenger-only ferry service district may form a local
4 improvement district to provide any transportation improvement it has
5 the authority to provide, impose special assessments on all property
6 specially benefited by the transportation improvements, and issue
7 special assessment bonds or revenue bonds to fund the costs of the
8 transportation improvement. Local improvement districts must be
9 created and assessments must be made and collected pursuant to chapters
10 35.43, 35.44, 35.49, 35.50, 35.51, 35.53, and 35.54 RCW.

11 (2) The governing body of the passenger-only ferry service district
12 shall by resolution establish for each special assessment bond issue
13 the amount, date, terms, conditions, denominations, maximum fixed or
14 variable interest rate or rates, maturity or maturities, redemption
15 rights, registration privileges, if any, covenants, and form, including
16 registration as to principal and interest, registration as to principal
17 only, or bearer. Registration may include, but not be limited to: (a)
18 A book entry system of recording the ownership of a bond whether or not
19 physical bonds are issued; or (b) recording the ownership of a bond
20 together with the requirement that the transfer of ownership may only
21 be effected by the surrender of the old bond and either the reissuance
22 of the old bond or the issuance of a new bond to the new owner.
23 Facsimile signatures may be used on the bonds and any coupons. The
24 maximum term of any special assessment bonds may not exceed thirty
25 years beyond the date of issue. Special assessment bonds issued
26 pursuant to this section may not be an indebtedness of the passenger-
27 only ferry service district issuing the bonds, and the interest and
28 principal on the bonds may only be payable from special assessments
29 made for the improvement for which the bonds were issued and any local
30 improvement guaranty fund that the passenger-only ferry service
31 district has created. The owner or bearer of a special assessment bond
32 or any interest coupon issued pursuant to this section shall not have
33 any claim against the passenger-only ferry service district arising
34 from the bond or coupon except for the payment from special assessments
35 made for the improvement for which the bonds were issued and any local
36 improvement guaranty fund the passenger-only ferry service district has
37 created. The passenger-only ferry service district issuing the special
38 assessment bonds is not liable to the owner or bearer of any special

1 assessment bond or any interest coupon issued pursuant to this section
2 for any loss occurring in the lawful operation of its local improvement
3 guaranty fund. The substance of the limitations included in this
4 subsection must be plainly printed, written, or engraved on each
5 special assessment bond issued pursuant to this section.

6 (3) Assessments must reflect any credits given by the passenger-
7 only ferry service district for real property or property right
8 donations made pursuant to RCW 47.14.030.

9 (4) The governing body of the passenger-only ferry service district
10 may establish and pay moneys into a local improvement guaranty fund to
11 guarantee special assessment bonds issued by the passenger-only ferry
12 service district.

13 NEW SECTION. **Sec. 414.** A new section is added to chapter 36.57A
14 RCW to read as follows:

15 (1) To carry out the purposes of this chapter, a passenger-only
16 ferry service district may issue general obligation bonds, not to
17 exceed an amount, together with any other outstanding nonvoter-approved
18 general obligation indebtedness, equal to one and one-half percent of
19 the value of the taxable property within the area, as the term "value
20 of the taxable property" is defined in RCW 39.36.015. A passenger-only
21 ferry service district may also issue general obligation bonds for
22 capital purposes only, together with any outstanding general obligation
23 indebtedness, not to exceed an amount equal to five percent of the
24 value of the taxable property within the area, as the term "value of
25 the taxable property" is defined in RCW 39.36.015, when authorized by
26 the voters of the area pursuant to Article VIII, section 6 of the state
27 Constitution.

28 (2) General obligation bonds with a maturity in excess of twenty-
29 five years may not be issued. The governing body of the passenger-only
30 ferry service district shall by resolution determine for each general
31 obligation bond issue the amount, date, terms, conditions,
32 denominations, maximum fixed or variable interest rate or rates,
33 maturity or maturities, redemption rights, registration privileges,
34 manner of execution, manner of sale, callable provisions, if any,
35 covenants, and form, including registration as to principal and
36 interest, registration as to principal only, or bearer. Registration
37 may include, but not be limited to: (a) A book entry system of

1 recording the ownership of a bond whether or not physical bonds are
2 issued; or (b) recording the ownership of a bond together with the
3 requirement that the transfer of ownership may only be effected by the
4 surrender of the old bond and either the reissuance of the old bond or
5 the issuance of a new bond to the new owner. Facsimile signatures may
6 be used on the bonds and any coupons. Refunding general obligation
7 bonds may be issued in the same manner as general obligation bonds are
8 issued.

9 (3) Whenever general obligation bonds are issued to fund specific
10 projects or enterprises that generate revenues, charges, user fees, or
11 special assessments, the passenger-only ferry service district may
12 specifically pledge all or a portion of the revenues, charges, user
13 fees, or special assessments to refund the general obligation bonds.
14 The passenger-only ferry service district may also pledge any other
15 revenues that may be available to the area.

16 (4) In addition to general obligation bonds, a passenger-only ferry
17 service district may issue revenue bonds to be issued and sold in
18 accordance with chapter 39.46 RCW.

19 **TOLLING**

20 NEW SECTION. **Sec. 501.** In order to provide funds necessary for
21 the location, design, right-of-way, and construction of the Columbia
22 river crossing project, there shall be issued and sold upon the request
23 of the department of transportation up to six hundred fifty million
24 dollars of toll revenue bonds of the state of Washington in accordance
25 with sections 502 through 505 of this act. Each such bond shall
26 contain a recital that payment or redemption of the bond and payment of
27 the interest and any premium thereon is payable solely from and secured
28 solely by a direct pledge and charge upon toll revenue and is not a
29 general obligation of the state to which the full faith and credit of
30 the state is pledged.

31 Toll revenue is hereby pledged to the payment of any bonds and the
32 interest thereon issued under the authority of this act, and the
33 legislature agrees to continue to impose or cause to be imposed these
34 toll charges on the Columbia river crossing project, in amounts
35 sufficient to pay, when due, the principal and interest on all bonds
36 issued under the authority of this act.

1 NEW SECTION. **Sec. 502.** Upon the request of the department of
2 transportation, and in consultation with the tolling authority, the
3 state finance committee shall supervise and provide for the issuance,
4 sale, and retirement of the bonds authorized by this act in accordance
5 with chapter 39.42 RCW. Bonds authorized by this act shall be sold in
6 the manner, at time or times, in amounts, and at the price as the state
7 finance committee shall determine. No bonds may be offered for sale
8 without prior legislative appropriation of the net proceeds of the sale
9 of the bonds.

10 NEW SECTION. **Sec. 503.** The proceeds from the sale of bonds
11 authorized by this act shall be deposited in the Columbia river
12 crossing project account created under RCW 47.56.894 and shall be
13 available only for the purposes enumerated in section 501 of this act,
14 for the payment of bond anticipation notes or other interim financing,
15 if any, capitalizing interest on the bonds, and for the payment of bond
16 issuance costs, including the costs of underwriting.

17 NEW SECTION. **Sec. 504.** The state finance committee may determine
18 and include in any resolution authorizing the issuance of any bonds
19 under this act such terms, provisions, covenants, and conditions as it
20 may deem appropriate in order to assist with the marketing and sale of
21 the bonds, confer rights upon the owners of bonds, and safeguard rights
22 of the owners of bonds including, among other things:

23 (1) Provisions regarding the maintenance and operation of eligible
24 toll facilities;

25 (2) The pledges, uses, and priorities of application of toll
26 revenue;

27 (3) Provisions that bonds shall be payable from and secured solely
28 by toll revenue as provided by this act;

29 (4) In consultation with the department of transportation and the
30 tolling authority, financial covenants requiring that the eligible toll
31 facilities must produce specified coverage ratios of toll revenue to
32 debt service on bonds;

33 (5) The purposes and conditions that must be satisfied prior to the
34 issuance of any additional bonds that are to be payable from and
35 secured by any toll revenue on an equal basis with previously issued
36 and outstanding bonds payable from and secured by toll revenue;

1 (6) Provisions that bonds for which any toll revenue are pledged,
2 or for which a pledge of any toll revenue may be reserved, may be
3 structured on a senior, parity, subordinate, or special lien basis in
4 relation to any other bonds for which toll revenue is pledged, with
5 respect to toll revenue only; and

6 (7) Provisions regarding reserves, credit enhancement, liquidity
7 facilities, and payment agreements with respect to bonds.

8 Notwithstanding the foregoing, covenants and conditions detailing
9 the character of management, maintenance, and operation of eligible
10 toll facilities, insurance for eligible toll facilities, financial
11 management of toll revenue, and disposition of eligible toll facilities
12 must first be approved by the department of transportation.

13 The owner of any bond may by mandamus or other appropriate
14 proceeding require and compel performance of any duties imposed upon
15 the tolling authority and the department of transportation and their
16 respective officials, including any duties imposed upon or undertaken
17 by them or by their respective officers, agents, and employees, in
18 connection with the construction, maintenance, and operation of
19 eligible toll facilities and in connection with the collection,
20 deposit, investment, application, and disbursement of the proceeds of
21 the bonds and toll revenue.

22 NEW SECTION. **Sec. 505.** For the purposes of this act, "toll
23 revenue" means all toll receipts, all interest income derived from the
24 investment of toll receipts, and any gifts, grants, or other funds
25 received for the benefit of transportation facilities in the state,
26 including eligible toll facilities. However, for the purpose of any
27 pledge of toll revenue to the payment of particular bonds issued under
28 this act, "toll revenue" means and includes only such toll revenue or
29 portion thereof that is pledged to the payment of those bonds in the
30 resolution authorizing the issuance of such bonds. Toll revenue
31 constitutes "fees and revenues derived from the ownership or operation
32 of any undertaking, facility, or project" as that phrase is used in
33 Article VIII, section 1(c)(1) of the state Constitution.

34 For the purposes of this act, "tolling authority" has the same
35 meaning as in RCW 47.56.810.

1 **Sec. 506.** RCW 47.10.882 and 2011 c 377 s 3 are each amended to
2 read as follows:

3 The toll facility bond retirement account is created in the state
4 treasury for the purpose of payment of the principal of and interest
5 and premium on bonds. Both principal of and interest on the bonds
6 issued for the purposes of chapter 498, Laws of 2009 (~~and~~), chapter
7 377, Laws of 2011, and this act shall be payable from the toll facility
8 bond retirement account. The state finance committee may provide that
9 special subaccounts be created in the account to facilitate payment of
10 the principal of and interest on the bonds. The state finance
11 committee shall, on or before June 30th of each year, certify to the
12 state treasurer the amount required for principal and interest on the
13 bonds in accordance with the bond proceedings.

14 **Sec. 507.** RCW 47.56.894 and 2012 c 36 s 3 are each amended to read
15 as follows:

16 (1) A special account to be known as the Columbia river crossing
17 project account is created in the state treasury.

18 (2) Deposits to the account must include:

19 (a) All proceeds of bonds and loans issued for the Columbia river
20 crossing project, including any capitalized interest;

21 (b) All tolls and other revenues received from the operation of the
22 Columbia river crossing project as a toll facility to be deposited at
23 least monthly;

24 (c) Any interest that may be earned from the deposit or investment
25 of those revenues;

26 (d) Notwithstanding RCW 47.12.063, proceeds from the sale of any
27 surplus real property acquired for the Columbia river crossing project;
28 and

29 (e) All damages, liquidated or otherwise, collected under any
30 contract involving the Columbia river crossing project.

31 (3) Subject to the covenants made by the state in the bond
32 proceedings authorizing the issuance and sale of bonds for the Columbia
33 river crossing project, toll charges, other revenues, and interest
34 received from the operation of the Columbia river crossing project as
35 a toll facility may be used to pay any required costs allowed under RCW
36 47.56.820. The state treasurer may establish subaccounts for the

1 purpose of segregating toll charges, bond sale proceeds, and other
2 revenues.

3 **Sec. 508.** RCW 47.56.892 and 2012 c 36 s 4 are each amended to read
4 as follows:

5 For the Columbia river crossing project, the tolling authority may
6 set, adjust, and review toll rates and may enter into agreements with
7 the Oregon state transportation commission regarding the mutual or
8 joint setting, adjustment, and review of toll rates as the tolling
9 authority may find necessary to carry out the purposes of this section.
10 Any agreement between the tolling authority and the Oregon state
11 transportation commission made pursuant to this section takes effect,
12 and is not binding and enforceable until, thirty days after adjournment
13 of the ((next—ensuing)) 2013 regular legislative session. If the
14 tolling authority has not entered into an agreement with the Oregon
15 state transportation commission by December 31, 2015, this section
16 expires.

17 NEW SECTION. **Sec. 509.** Sections 501 through 505 of this act are
18 each added to chapter 47.10 RCW.

19 **MISCELLANEOUS**

20 NEW SECTION. **Sec. 601.** A new section is added to chapter 47.29
21 RCW to read as follows:

22 (1) A Washington electric vehicle infrastructure bank is hereby
23 established. The Washington electric vehicle infrastructure bank shall
24 provide financial assistance for the installation of publicly
25 accessible electric vehicle charging stations within the state.

26 (2) Electric vehicle infrastructure receiving financial assistance
27 must include both DC fast-charging stations and level 1 or 2 electric
28 vehicle supply equipment. The department must confer with the
29 Washington department of commerce, and seek input from experts
30 representing local government, public utilities, electric vehicle
31 manufacturer representatives, and current Washington state electric
32 vehicle drivers to review information and advise the department on
33 policies and priorities for deployment of public charging station
34 locations.

1 (3) The department's public-private partnerships office must
2 administer all funds dispersed and received, including any funds
3 received under RCW 46.17.323 and deposited into the transportation
4 innovative partnership account created under RCW 47.29.230. Prior to
5 providing any financial assistance for electric vehicle infrastructure
6 projects, the department must submit a business plan to the house of
7 representatives and senate transportation committees of the legislature
8 and to the governor's office.

9 (4) Annual progress reports must be transmitted to the legislature
10 and governor as of December 1st of each year.

11 (5) This section expires July 1, 2023.

12 NEW SECTION. **Sec. 602.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected.

16 NEW SECTION. **Sec. 603.** Sections 101, 102 through 104, 106, 109
17 through 111, 210, 211, 301 through 306, 401 through 414, 501 through
18 506, and 508 of this act are necessary for the immediate preservation
19 of the public peace, health, or safety, or support of the state
20 government and its existing public institutions, and take effect
21 immediately.

22 NEW SECTION. **Sec. 604.** Sections 107 and 112 of this act are
23 necessary for the immediate preservation of the public peace, health,
24 or safety, or support of the state government and its existing public
25 institutions, and take effect August 1, 2013.

26 NEW SECTION. **Sec. 605.** Sections 105 and 201 through 209 of this
27 act take effect July 1, 2015.

28 NEW SECTION. **Sec. 606.** Section 307 of this act takes effect April
29 1, 2014.

30 NEW SECTION. **Sec. 607.** Sections 308 and 309 of this act take
31 effect January 1, 2014.

1 NEW SECTION. **Sec. 608.** Section 310 of this act takes effect
2 February 1, 2014.

3 NEW SECTION. **Sec. 609.** Section 507 of this act takes effect if
4 the requirements set out in section 7, chapter 36, Laws of 2012 are
5 met.

6 NEW SECTION. **Sec. 610.** Section 107 of this act expires on the
7 date the requirements set out in section 7, chapter 36, Laws of 2012
8 are met.

9 NEW SECTION. **Sec. 611.** Section 108 of this act takes effect on
10 the date the requirements set out in section 7, chapter 36, Laws of
11 2012 are met.

12 NEW SECTION. **Sec. 612.** Sections 101 and 104 of this act expire
13 July 1, 2015.

14 NEW SECTION. **Sec. 613.** Section 307 of this act expires on the
15 effective date of legislation enacted by the legislature that imposes
16 a vehicle miles traveled fee or tax."

SHB 1954 - H AMD
By Representative Clibborn

WITHDRAWN 06/25/2013

17 On page 1, line 1 of the title, after "revenue;" strike the
18 remainder of the title and insert "amending RCW 82.36.025, 82.38.030,
19 46.68.090, 46.68.090, 46.10.530, 79A.25.070, 46.17.100, 46.20.293,
20 46.29.050, 46.68.041, 46.68.020, 46.68.280, 46.68.390, 47.76.250,
21 46.17.355, 46.68.035, 81.77.160, 46.17.323, 46.17.050, 46.17.060,
22 46.20.202, 36.73.015, 36.73.020, 36.73.065, 82.14.045, 82.80.140,
23 82.80.005, 47.10.882, 47.56.894, and 47.56.892; reenacting and amending
24 RCW 43.84.092, 43.84.092, 46.09.520, and 46.52.130; adding new sections
25 to chapter 46.68 RCW; adding a new section to chapter 46.17 RCW; adding

1 a new section to chapter 82.80 RCW; adding new sections to chapter
2 82.14 RCW; adding new sections to chapter 36.57A RCW; adding new
3 sections to chapter 47.10 RCW; adding a new section to chapter 47.29
4 RCW; creating new sections; repealing RCW 82.36.029 and 82.38.---;
5 repealing 2013 c 225 s 103 (uncodified); repealing 2012 c 74 s 18
6 (uncodified); providing effective dates; providing contingent effective
7 dates; providing expiration dates; providing contingent expiration
8 dates; and declaring an emergency."

EFFECT: Strikes the entirety of the underlying substitute bill and makes the following changes:

(1) Increases the state motor vehicle fuel taxes by 6 cents on August 1, 2013, and 4.5 cents on July 1, 2014.

(2) Removes the ability to increase the motor vehicle fuel taxes by up to 3 cents in order to fund the completion of the SR 520 corridor projects.

(3) Modifies the three existing motor vehicle fuel tax refunds to synchronize these refunds with the increases in the motor vehicle fuel taxes.

(4) Repeals the handling loss deduction from the motor vehicle fuel tax.

(5) Makes various changes to the distributions of the proceeds of the 2012 fee bills.

(6) Reduces the transfer from the multimodal transportation account to the nickel account by two million dollars per biennium.

(7) Transfers 2.2 million dollars per biennium from the multimodal transportation account to the essential rail assistance account.

(8) Deposits the proposed increases in the gross weight fees in the connecting Washington account.

(9) Deposits the proposed service fees for vehicle registration renewal and certificate of title transactions in the connecting Washington account.

(10) Decreases the amount of the enhanced driver's license fee deposited in the connecting Washington account.

(11) Provides for the issuance of up to 650 million dollars in revenue bonds for the Columbia River crossing.

(12) Reauthorizes the setting of toll rates for the Columbia River crossing by the Washington transportation commission.

(13) Provides an emergency clause that makes most portions of the bill take effect immediately.

(14) Modifies various implementation and effective dates.

(15) Makes various technical changes.

--- END ---