
SENATE BILL 6653

State of Washington

64th Legislature

2016 Regular Session

By Senators McAuliffe, Hobbs, Chase, Rolfes, Warnick, Hill, Litzow, Habib, Jayapal, Sheldon, Rivers, Cleveland, Llias, Keiser, Takko, Fain, Baumgartner, Benton, and Roach

Read first time 02/08/16. Referred to Committee on Transportation.

1 AN ACT Relating to a toll exemption for authorized emergency
2 vehicles; amending RCW 47.46.100 and 47.56.850; and adding a new
3 section to chapter 47.56 RCW.

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

5 **Sec. 1.** RCW 47.46.100 and 2002 c 114 s 7 are each amended to
6 read as follows:

7 (1) The commission shall fix the rates of toll and other charges
8 for all toll bridges built under this chapter that are financed
9 primarily by bonds issued by the state. Subject to RCW 47.46.090, the
10 commission may impose and modify toll charges from time to time as
11 conditions warrant.

12 (2) In establishing toll charges, the commission shall give due
13 consideration to any required costs for operating and maintaining the
14 toll bridge or toll bridges, including the cost of insurance, and to
15 any amount required by law to meet the redemption of bonds and
16 interest payments on them.

17 (3) The toll charges must be imposed in amounts sufficient to:

18 (a) Provide annual revenue sufficient to provide for annual
19 operating and maintenance expenses, except as provided in RCW
20 47.56.245;

1 (b) Make payments required under RCW 47.56.165 and 47.46.140,
2 including insurance costs and the payment of principal and interest
3 on bonds issued for any particular toll bridge or toll bridges; and

4 (c) Repay the motor vehicle fund under RCW 47.46.110, 47.56.165,
5 and 47.46.140.

6 (4) The bond principal and interest payments, including repayment
7 of the motor vehicle fund for amounts transferred from that fund to
8 provide for such principal and interest payments, constitute a first
9 direct and exclusive charge and lien on all tolls and other revenues
10 from the toll bridge concerned, subject to operating and maintenance
11 expenses.

12 (5) For toll bridges under this chapter, the commission must
13 provide an exemption from all toll charges for authorized emergency
14 vehicles as defined in RCW 46.04.040.

15 **Sec. 2.** RCW 47.56.850 and 2009 c 498 s 15 are each amended to
16 read as follows:

17 (1) Unless these powers are otherwise delegated by the
18 legislature, the transportation commission is the tolling authority
19 for the state. The tolling authority shall:

20 (a) Set toll rates, establish appropriate exemptions, if any, and
21 make adjustments as conditions warrant on eligible toll facilities;

22 (b) Review toll collection policies, toll operations policies,
23 and toll revenue expenditures on the eligible toll facilities and
24 report annually on this review to the legislature.

25 (2) The tolling authority, in determining toll rates, shall
26 consider the policy guidelines established in RCW 47.56.830.

27 (3) Unless otherwise directed by the legislature, in setting and
28 periodically adjusting toll rates, the tolling authority must ensure
29 that toll rates will generate revenue sufficient to:

30 (a) Meet the operating costs of the eligible toll facilities,
31 including necessary maintenance, preservation, renewal, replacement,
32 administration, and toll enforcement by public law enforcement;

33 (b) Meet obligations for the timely payment of debt service on
34 bonds issued for eligible toll facilities, and any other associated
35 financing costs including, but not limited to, required reserves,
36 minimum debt coverage or other appropriate contingency funding,
37 insurance, and compliance with all other financial and other
38 covenants made by the state in the bond proceedings;

1 (c) Meet obligations to reimburse the motor vehicle fund for
2 excise taxes on motor vehicle and special fuels applied to the
3 payment of bonds issued for eligible toll facilities; and

4 (d) Meet any other obligations of the tolling authority to
5 provide its proportionate share of funding contributions for any
6 projects or operations of the eligible toll facilities.

7 (4) The established toll rates may include variable pricing, and
8 should be set to optimize system performance, recognizing necessary
9 trade-offs to generate revenue for the purposes specified in
10 subsection (3) of this section. Tolls may vary for type of vehicle,
11 time of day, traffic conditions, or other factors designed to improve
12 performance of the system.

13 (5) In fixing and adjusting toll rates under this section, the
14 only toll revenue to be taken into account must be toll revenue
15 pledged to bonds that includes toll receipts, and the only debt
16 service requirements to be taken into account must be debt service on
17 bonds payable from and secured by toll revenue that includes toll
18 receipts.

19 (6) The legislature pledges to appropriate toll revenue as
20 necessary to carry out the purposes of this section. When the
21 legislature has specifically identified and designated an eligible
22 toll facility and authorized the issuance of bonds for the financing
23 of the eligible toll facility that are payable from and secured by a
24 pledge of toll revenue, the legislature further agrees for the
25 benefit of the owners of outstanding bonds issued by the state for
26 eligible toll facilities to continue in effect and not to impair or
27 withdraw the authorization of the tolling authority to fix and adjust
28 tolls as provided in this section. The state finance committee shall
29 pledge the state's obligation to impose and maintain tolls, together
30 with the application of toll revenue as described in this section, to
31 the owners of any bonds.

32 (7) The commission must provide an exemption from all tolled
33 facilities for authorized emergency vehicles as defined in RCW
34 46.04.040.

35 NEW SECTION. Sec. 3. A new section is added to chapter 47.56
36 RCW to read as follows:

37 The department must develop a process for authorized emergency
38 vehicles as defined in RCW 46.04.040 to use tolled facilities without
39 requiring the use of transponders and a "Good to Go!" account. Any

1 request for proposals for a new tolling system issued after the
2 effective date of this section must include the capability of
3 allowing authorized emergency vehicles as defined in RCW 46.04.040 to
4 use tolled facilities without requiring the use of transponders and a
5 "Good to Go!" account.

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