

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1596

57th Legislature
2001 Regular Legislative Session

Passed by the House March 9, 2001
Yeas 95 Nays 0

Speaker of the House of Representatives

Speaker of the House of Representatives

Passed by the Senate April 6, 2001
Yeas 46 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1596** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

FILED

Secretary of State
State of Washington

SUBSTITUTE HOUSE BILL 1596

Passed Legislature - 2001 Regular Session

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Transportation (originally sponsored by Representatives G. Chandler, Wood, Mulliken, Fisher, Mitchell, Ogden and Santos)

Read first time 02/26/2001. Referred to Committee on .

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

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

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

7 (1) Effective January 1, 2001, in addition to any other authority
8 granted under this chapter, a county transportation authority may be
9 created to purchase, acquire, maintain, operate, or lease
10 transportation services, equipment, and facilities for public
11 transportation limited only to persons with special needs by any method
12 or combination of methods provided by the authority.

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

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

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

3 (1) Effective January 1, 2001, in addition to any other authority
4 granted under this chapter, a newly formed public transportation
5 benefit area, or an existing public transportation benefit area that
6 has not yet successfully submitted an authorizing proposition to the
7 voters under RCW 82.14.045, may purchase, acquire, maintain, operate,
8 or lease transportation services, equipment, and facilities for public
9 transportation limited only to persons with special needs by any method
10 or combination of methods provided by the area authority.

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

15 (3) The public transportation benefit area may fix, regulate, and
16 control fares and rates to be charged for these transportation
17 services.

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

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

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

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

28 (2)(a) In the event a metropolitan municipal corporation shall
29 impose a sales and use tax pursuant to this chapter no city, county
30 which has created an unincorporated transportation benefit area, public
31 transportation benefit area authority, or county transportation
32 authority wholly within such metropolitan municipal corporation shall
33 be empowered to levy and/or collect taxes pursuant to RCW 35.58.273,
34 35.95.040, and/or 82.14.045, but nothing herein shall prevent such city
35 or county from imposing sales and use taxes pursuant to any other
36 authorization.

37 (b) In the event a county transportation authority shall impose a
38 sales and use tax pursuant to this section, no city, county which has
39 created an unincorporated transportation benefit area, public

1 transportation benefit area, or metropolitan municipal corporation,
2 located within the territory of the authority, shall be empowered to
3 levy or collect taxes pursuant to RCW 35.58.273, 35.95.040, or
4 82.14.045.

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

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

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

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

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

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

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