

1 rates; and the mobility of persons with special needs or who live in
 2 rural areas has been greatly impaired by cuts in public transportation
 3 services, thus threatening our citizens' ability to access health care,
 4 job opportunities, and educational institutions. The revenues
 5 generated by this act are dedicated to funds, accounts, and activities
 6 that are critically necessary to improve the delivery of state
 7 transportation projects and services.

8 **PART II - LICENSE FEES**

9 **Sec. 201.** RCW 46.16.070 and 1994 c 262 s 8 are each amended to
 10 read as follows:

11 (1) In lieu of all other vehicle licensing fees, unless
 12 specifically exempt, and in addition to (~~the excise tax prescribed in~~
 13 ~~chapter 82.44 RCW and~~) the mileage fees prescribed for buses and
 14 stages in RCW 46.16.125, there shall be paid and collected annually for
 15 each truck, motor truck, truck tractor, road tractor, tractor, bus,
 16 auto stage, or for hire vehicle with seating capacity of more than six,
 17 based upon the declared combined gross weight or declared gross weight
 18 thereof pursuant to the provisions of chapter 46.44 RCW, the following
 19 licensing fees by such gross weight:

20	DECLARED GROSS WEIGHT	SCHEDULE A	SCHEDULE B
21	4,000 lbs.	\$ 37.00	\$ 37.00
22	6,000 lbs.	\$ 44.00	\$ 44.00
23	8,000 lbs.	\$ 55.00	\$ 55.00
24	10,000 lbs.	\$ 62.00	\$ 62.00
25	(12,000 lbs.	\$ 72.00	\$ 72.00
26	14,000 lbs.	\$ 82.00	\$ 82.00
27	16,000 lbs.	\$ 92.00	\$ 92.00
28	18,000 lbs.	\$ 137.00	\$ 137.00
29	20,000 lbs.	\$ 152.00	\$ 152.00
30	22,000 lbs.	\$ 164.00	\$ 164.00
31	24,000 lbs.	\$ 177.00	\$ 177.00
32	26,000 lbs.	\$ 187.00	\$ 187.00
33	28,000 lbs.	\$ 220.00	\$ 220.00
34	30,000 lbs.	\$ 253.00	\$ 253.00
35	32,000 lbs.	\$ 304.00	\$ 304.00
36	34,000 lbs.	\$ 323.00	\$ 323.00
37	36,000 lbs.	\$ 350.00	\$ 350.00

1	38,000 lbs.	\$	384.00	\$	384.00
2	40,000 lbs.	\$	439.00	\$	439.00
3	42,000 lbs.	\$	456.00	\$	546.00
4	44,000 lbs.	\$	466.00	\$	556.00
5	46,000 lbs.	\$	501.00	\$	591.00
6	48,000 lbs.	\$	522.00	\$	612.00
7	50,000 lbs.	\$	566.00	\$	656.00
8	52,000 lbs.	\$	595.00	\$	685.00
9	54,000 lbs.	\$	642.00	\$	732.00
10	56,000 lbs.	\$	677.00	\$	767.00
11	58,000 lbs.	\$	704.00	\$	794.00
12	60,000 lbs.	\$	750.00	\$	840.00
13	62,000 lbs.	\$	804.00	\$	894.00
14	64,000 lbs.	\$	822.00	\$	912.00
15	66,000 lbs.	\$	915.00	\$	1,005.00
16	68,000 lbs.	\$	954.00	\$	1,044.00
17	70,000 lbs.	\$	1,027.00	\$	1,117.00
18	72,000 lbs.	\$	1,098.00	\$	1,188.00
19	74,000 lbs.	\$	1,193.00	\$	1,283.00
20	76,000 lbs.	\$	1,289.00	\$	1,379.00
21	78,000 lbs.	\$	1,407.00	\$	1,497.00
22	80,000 lbs.	\$	1,518.00	\$	1,608.00
23	82,000 lbs.	\$	1,623.00	\$	1,713.00
24	84,000 lbs.	\$	1,728.00	\$	1,818.00
25	86,000 lbs.	\$	1,833.00	\$	1,923.00
26	88,000 lbs.	\$	1,938.00	\$	2,028.00
27	90,000 lbs.	\$	2,043.00	\$	2,133.00
28	92,000 lbs.	\$	2,148.00	\$	2,238.00
29	94,000 lbs.	\$	2,253.00	\$	2,343.00
30	96,000 lbs.	\$	2,358.00	\$	2,448.00
31	98,000 lbs.	\$	2,463.00	\$	2,553.00
32	100,000 lbs.	\$	2,568.00	\$	2,658.00
33	102,000 lbs.	\$	2,673.00	\$	2,763.00
34	104,000 lbs.	\$	2,778.00	\$	2,868.00
35	105,500 lbs.	\$	2,883.00	\$	2,973.00))
36	<u>12,000 lbs.</u>	\$	<u>79.00</u>	\$	<u>79.00</u>
37	<u>14,000 lbs.</u>	\$	<u>90.00</u>	\$	<u>90.00</u>
38	<u>16,000 lbs.</u>	\$	<u>102.00</u>	\$	<u>102.00</u>
39	<u>18,000 lbs.</u>	\$	<u>154.00</u>	\$	<u>154.00</u>
40	<u>20,000 lbs.</u>	\$	<u>171.00</u>	\$	<u>171.00</u>
41	<u>22,000 lbs.</u>	\$	<u>185.00</u>	\$	<u>185.00</u>
42	<u>24,000 lbs.</u>	\$	<u>200.00</u>	\$	<u>200.00</u>
43	<u>26,000 lbs.</u>	\$	<u>211.00</u>	\$	<u>211.00</u>
44	<u>28,000 lbs.</u>	\$	<u>249.00</u>	\$	<u>249.00</u>

1	<u>30,000 lbs.</u>	\$	<u>287.00</u>	\$	<u>287.00</u>
2	<u>32,000 lbs.</u>	\$	<u>346.00</u>	\$	<u>346.00</u>
3	<u>34,000 lbs.</u>	\$	<u>368.00</u>	\$	<u>368.00</u>
4	<u>36,000 lbs.</u>	\$	<u>399.00</u>	\$	<u>399.00</u>
5	<u>38,000 lbs.</u>	\$	<u>438.00</u>	\$	<u>438.00</u>
6	<u>40,000 lbs.</u>	\$	<u>501.00</u>	\$	<u>501.00</u>
7	<u>42,000 lbs.</u>	\$	<u>521.00</u>	\$	<u>611.00</u>
8	<u>44,000 lbs.</u>	\$	<u>532.00</u>	\$	<u>622.00</u>
9	<u>46,000 lbs.</u>	\$	<u>572.00</u>	\$	<u>662.00</u>
10	<u>48,000 lbs.</u>	\$	<u>596.00</u>	\$	<u>686.00</u>
11	<u>50,000 lbs.</u>	\$	<u>647.00</u>	\$	<u>737.00</u>
12	<u>52,000 lbs.</u>	\$	<u>680.00</u>	\$	<u>770.00</u>
13	<u>54,000 lbs.</u>	\$	<u>734.00</u>	\$	<u>824.00</u>
14	<u>56,000 lbs.</u>	\$	<u>775.00</u>	\$	<u>865.00</u>
15	<u>58,000 lbs.</u>	\$	<u>806.00</u>	\$	<u>896.00</u>
16	<u>60,000 lbs.</u>	\$	<u>859.00</u>	\$	<u>949.00</u>
17	<u>62,000 lbs.</u>	\$	<u>921.00</u>	\$	<u>1,011.00</u>
18	<u>64,000 lbs.</u>	\$	<u>941.00</u>	\$	<u>1,031.00</u>
19	<u>66,000 lbs.</u>	\$	<u>1,048.00</u>	\$	<u>1,138.00</u>
20	<u>68,000 lbs.</u>	\$	<u>1,093.00</u>	\$	<u>1,183.00</u>
21	<u>70,000 lbs.</u>	\$	<u>1,177.00</u>	\$	<u>1,267.00</u>
22	<u>72,000 lbs.</u>	\$	<u>1,259.00</u>	\$	<u>1,349.00</u>
23	<u>74,000 lbs.</u>	\$	<u>1,368.00</u>	\$	<u>1,458.00</u>
24	<u>76,000 lbs.</u>	\$	<u>1,478.00</u>	\$	<u>1,568.00</u>
25	<u>78,000 lbs.</u>	\$	<u>1,614.00</u>	\$	<u>1,704.00</u>
26	<u>80,000 lbs.</u>	\$	<u>1,742.00</u>	\$	<u>1,832.00</u>
27	<u>82,000 lbs.</u>	\$	<u>1,863.00</u>	\$	<u>1,953.00</u>
28	<u>84,000 lbs.</u>	\$	<u>1,983.00</u>	\$	<u>2,073.00</u>
29	<u>86,000 lbs.</u>	\$	<u>2,104.00</u>	\$	<u>2,194.00</u>
30	<u>88,000 lbs.</u>	\$	<u>2,225.00</u>	\$	<u>2,315.00</u>
31	<u>90,000 lbs.</u>	\$	<u>2,346.00</u>	\$	<u>2,436.00</u>
32	<u>92,000 lbs.</u>	\$	<u>2,466.00</u>	\$	<u>2,556.00</u>
33	<u>94,000 lbs.</u>	\$	<u>2,587.00</u>	\$	<u>2,677.00</u>
34	<u>96,000 lbs.</u>	\$	<u>2,708.00</u>	\$	<u>2,798.00</u>
35	<u>98,000 lbs.</u>	\$	<u>2,829.00</u>	\$	<u>2,919.00</u>
36	<u>100,000 lbs.</u>	\$	<u>2,949.00</u>	\$	<u>3,039.00</u>
37	<u>102,000 lbs.</u>	\$	<u>3,070.00</u>	\$	<u>3,160.00</u>
38	<u>104,000 lbs.</u>	\$	<u>3,191.00</u>	\$	<u>3,281.00</u>
39	<u>105,500 lbs.</u>	\$	<u>3,312.00</u>	\$	<u>3,402.00</u>

40 Schedule A applies to vehicles either used exclusively for hauling
41 logs or that do not tow trailers. Schedule B applies to vehicles that
42 tow trailers and are not covered under Schedule A.

43 Every truck, motor truck, truck tractor, and tractor exceeding
44 6,000 pounds empty scale weight registered under chapter 46.16, 46.87,

1 or 46.88 RCW shall be licensed for not less than one hundred fifty
2 percent of its empty weight unless the amount would be in excess of the
3 legal limits prescribed for such a vehicle in RCW 46.44.041 or
4 46.44.042, in which event the vehicle shall be licensed for the maximum
5 weight authorized for such a vehicle or unless the vehicle is used only
6 for the purpose of transporting any well drilling machine, air
7 compressor, rock crusher, conveyor, hoist, donkey engine, cook house,
8 tool house, bunk house, or similar machine or structure attached to or
9 made a part of such vehicle.

10 The following provisions apply when increasing gross or combined
11 gross weight for a vehicle licensed under this section:

12 (a) The new license fee will be one-twelfth of the fee listed above
13 for the new gross weight, multiplied by the number of months remaining
14 in the period for which licensing fees have been paid, including the
15 month in which the new gross weight is effective.

16 (b) Upon surrender of the current certificate of registration or
17 cab card, the new licensing fees due shall be reduced by the amount of
18 the licensing fees previously paid for the same period for which new
19 fees are being charged.

20 (2) The proceeds from the fees collected under subsection (1) of
21 this section shall be distributed in accordance with RCW 46.68.035.

22 **Sec. 202.** RCW 46.68.035 and 2000 2nd sp.s. c 4 s 8 are each
23 amended to read as follows:

24 All proceeds from combined vehicle licensing fees received by the
25 director for vehicles licensed under RCW 46.16.070 and 46.16.085 shall
26 be forwarded to the state treasurer to be distributed into accounts
27 according to the following method:

28 (1) The sum of two dollars for each vehicle shall be deposited into
29 the multimodal transportation account, except that for each vehicle
30 registered by a county auditor or agent to a county auditor pursuant to
31 RCW 46.01.140, the sum of two dollars shall be credited to the current
32 county expense fund.

33 (2) The remainder shall be distributed as follows:

34 (a) (~~((23.677))~~) 21.963 percent shall be deposited into the state
35 patrol highway account of the motor vehicle fund;

36 (b) (~~((1.521))~~) 1.411 percent shall be deposited into the Puget Sound
37 ferry operations account of the motor vehicle fund; and

1 (c) The remaining proceeds shall be deposited into the motor
2 vehicle fund.

3 NEW SECTION. **Sec. 203.** Revenues attributable to the increased
4 gross weight fees under section 201 of this act must be expended solely
5 on transportation projects that directly benefit the movement of
6 freight.

7 NEW SECTION. **Sec. 204.** The increased gross weight fees under
8 section 201 of this act apply to registrations that become payable
9 after July 1, 2003.

10 **PART III - VEHICLE TRANSFER TAX**

11 NEW SECTION. **Sec. 301.** A new section is added to chapter 82.44
12 RCW to read as follows:

13 (1) There is levied and there shall be collected a vehicle transfer
14 tax on motor vehicles for the privilege of using the transportation
15 system in this state. The tax authorized by this section shall be in
16 addition to any other taxes authorized by law and shall be imposed on
17 any retail sale, lease, or use of a motor vehicle upon which a state
18 tax is imposed under chapter 82.08 or 82.12 RCW. However, the tax
19 imposed by this section does not apply to the rental of a motor
20 vehicle. The rate of the tax shall equal forty-six one-hundredths of
21 one percent of the selling price when a state tax is imposed under
22 chapter 82.08 RCW, or forty-six one-hundredths of one percent of the
23 value of the article used when a state tax is imposed under chapter
24 82.12 RCW. The meaning ascribed to words and phrases in chapters
25 82.04, 82.08, and 82.12 RCW, insofar as applicable, have full force and
26 effect with respect to the tax imposed by this section.

27 (2) For the purposes of this section, "motor vehicle" has the
28 meaning provided in RCW 46.04.320, but does not include farm tractors
29 or farm vehicles as defined in RCW 46.04.180 and 46.04.181, off-road
30 and nonhighway vehicles as defined in RCW 46.09.020, and snowmobiles as
31 defined in RCW 46.10.010.

32 (3) The tax imposed in this section shall be collected and remitted
33 in the same manner as excise taxes collected under chapters 82.08 and
34 82.12 RCW. The department of revenue shall collect and administer the

1 tax imposed by this section. All administrative provisions in chapters
2 82.08, 82.12, and 82.32 RCW, insofar as they are applicable, apply to
3 the tax imposed under this section. The department of revenue has the
4 power to adopt rules as may be necessary to administer the provisions
5 of this section. In the collection of tax imposed by this section, the
6 department of revenue may designate the county auditors of the several
7 counties of the state as its collecting agents. The county auditors
8 shall collect and remit the tax imposed by this section in the same
9 manner as the tax collected under RCW 82.12.045. No additional
10 collection fee shall be deductible by a county auditor remitting the
11 tax collected under this section. Any duties required by this section
12 to be performed by the county auditor may be performed by the director
13 of licensing but no collection fee shall be deductible by said director
14 in remitting the tax revenue to the state treasurer.

15 (4) The revenue collected under this section shall be deposited
16 into the multimodal transportation account created under RCW 47.66.070.

17 **PART IV - MOTOR AND SPECIAL FUEL TAXES**

18 **Sec. 401.** RCW 82.36.025 and 1999 c 269 s 16 and 1999 c 94 s 29 are
19 each reenacted and amended to read as follows:

20 (1) A motor vehicle fuel tax rate of twenty-three cents per gallon
21 ((shall apply)) applies to the sale, distribution, or use of motor
22 vehicle fuel.

23 (2)(a) Beginning July 1, 2003, an additional and cumulative motor
24 fuel tax rate of one cent per gallon applies to the sale, distribution,
25 or use of motor vehicle fuel.

26 (b) Beginning July 1, 2004, an additional and cumulative motor fuel
27 tax rate of one cent per gallon applies to the sale, distribution, or
28 use of motor vehicle fuel.

29 (c) Beginning July 1, 2005, an additional and cumulative motor fuel
30 tax rate of one cent per gallon applies to the sale, distribution, or
31 use of motor vehicle fuel.

32 (d) Beginning July 1, 2006, an additional and cumulative motor fuel
33 tax rate of one cent per gallon applies to the sale, distribution, or
34 use of motor vehicle fuel.

1 **Sec. 402.** RCW 82.38.030 and 2002 c 183 s 2 are each amended to
2 read as follows:

3 (1) There is hereby levied and imposed upon special fuel users a
4 tax at the rate (~~computed in the manner provided in RCW 82.36.025 on~~
5 ~~each~~) of twenty-three cents per gallon of special fuel, or each one
6 hundred cubic feet of compressed natural gas, measured at standard
7 pressure and temperature.

8 (2)(a) Beginning July 1, 2003, an additional and cumulative tax
9 rate of one cent per gallon of special fuel, or each one hundred cubic
10 feet of compressed natural gas, measured at standard pressure and
11 temperature shall be imposed on special fuel users.

12 (b) Beginning July 1, 2004, an additional and cumulative tax rate
13 of one cent per gallon of special fuel, or each one hundred cubic feet
14 of compressed natural gas, measured at standard pressure and
15 temperature shall be imposed on special fuel users.

16 (c) Beginning July 1, 2005, an additional and cumulative tax rate
17 of one cent per gallon of special fuel, or each one hundred cubic feet
18 of compressed natural gas, measured at standard pressure and
19 temperature shall be imposed on special fuel users.

20 (d) Beginning July 1, 2006, an additional and cumulative tax rate
21 of one cent per gallon of special fuel, or each one hundred cubic feet
22 of compressed natural gas, measured at standard pressure and
23 temperature shall be imposed on special fuel users.

24 (3) The tax is imposed (~~by subsection (1) of this section is~~
25 ~~imposed~~) when:

26 (a) Special fuel is removed in this state from a terminal if the
27 special fuel is removed at the rack unless the removal is to a licensed
28 exporter for direct delivery to a destination outside of the state, or
29 the removal is to a special fuel distributor for direct delivery to an
30 international fuel tax agreement licensee under RCW 82.38.320;

31 (b) Special fuel is removed in this state from a refinery if either
32 of the following applies:

33 (i) The removal is by bulk transfer and the refiner or the owner of
34 the special fuel immediately before the removal is not a licensee; or

35 (ii) The removal is at the refinery rack unless the removal is to
36 a licensed exporter for direct delivery to a destination outside of the
37 state, or the removal is to a special fuel distributor for direct

1 delivery to an international fuel tax agreement licensee under RCW
2 82.38.320;

3 (c) Special fuel enters into this state for sale, consumption, use,
4 or storage if either of the following applies:

5 (i) The entry is by bulk transfer and the importer is not a
6 licensee; or

7 (ii) The entry is not by bulk transfer;

8 (d) Special fuel is sold or removed in this state to an unlicensed
9 entity unless there was a prior taxable removal, entry, or sale of the
10 special fuel;

11 (e) Blended special fuel is removed or sold in this state by the
12 blender of the fuel. The number of gallons of blended special fuel
13 subject to tax is the difference between the total number of gallons of
14 blended special fuel removed or sold and the number of gallons of
15 previously taxed special fuel used to produce the blended special fuel;

16 (f) Dyed special fuel is used on a highway, as authorized by the
17 internal revenue code, unless the use is exempt from the special fuel
18 tax;

19 (g) Dyed special fuel is held for sale, sold, used, or is intended
20 to be used in violation of this chapter;

21 (h) Special fuel purchased by an international fuel tax agreement
22 licensee under RCW 82.38.320 is used on a highway; and

23 (i) Special fuel is sold by a licensed special fuel supplier to a
24 special fuel distributor, special fuel importer, or special fuel
25 blender and the special fuel is not removed from the bulk transfer-
26 terminal system.

27 ~~((+3))~~ (4) The tax imposed by this chapter, if required to be
28 collected by the licensee, is held in trust by the licensee until paid
29 to the department, and a licensee who appropriates or converts the tax
30 collected to his or her own use or to any use other than the payment of
31 the tax to the extent that the money required to be collected is not
32 available for payment on the due date as prescribed in this chapter is
33 guilty of a felony, or gross misdemeanor in accordance with the theft
34 and anticipatory provisions of Title 9A RCW. A person, partnership,
35 corporation, or corporate officer who fails to collect the tax imposed
36 by this section, or who has collected the tax and fails to pay it to
37 the department in the manner prescribed by this chapter, is personally
38 liable to the state for the amount of the tax.

1 **Sec. 403.** RCW 46.68.090 and 1999 c 269 s 2 and 1999 c 94 s 6 are
2 each reenacted and amended to read as follows:

3 (1) All moneys that have accrued or may accrue to the motor vehicle
4 fund from the motor vehicle fuel tax and special fuel tax shall be
5 first expended for purposes enumerated in (a) and (b) of this
6 subsection. The remaining net tax amount shall be distributed monthly
7 by the state treasurer in ~~((the proportions set forth in (c) through~~
8 ~~(+l+))~~ accordance with subsections (2), (3), and (4) of this
9 ~~((subsection))~~ section.

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

12 (b) For payment of amounts to be expended pursuant to
13 appropriations for the administrative expenses of the offices of state
14 treasurer, state auditor, and the department of licensing of the state
15 of Washington in the administration of the motor vehicle fuel tax and
16 the special fuel tax, which sums shall be distributed monthly~~((÷)).~~

17 ~~((+e+))~~ (2) All of the remaining net tax amount collected under RCW
18 82.36.025(1) and 82.38.030(1) shall be distributed as set forth in (a)
19 through (j) of this section.

20 (a) For distribution to the motor vehicle fund an amount equal to
21 44.387 percent to be expended for highway purposes of the state as
22 defined in RCW 46.68.130;

23 ~~((+d+))~~ (b) For distribution to the special category C account,
24 hereby created in the motor vehicle fund, an amount equal to 3.2609
25 percent to be expended for special category C projects. Special
26 category C projects are category C projects that, due to high cost
27 only, will require bond financing to complete construction.

28 The following criteria, listed in order of priority, shall be used
29 in determining which special category C projects have the highest
30 priority:

31 (i) Accident experience;

32 (ii) Fatal accident experience;

33 (iii) Capacity to move people and goods safely and at reasonable
34 speeds without undue congestion; and

35 (iv) Continuity of development of the highway transportation
36 network.

37 Moneys deposited in the special category C account in the motor

1 vehicle fund may be used for payment of debt service on bonds the
2 proceeds of which are used to finance special category C projects under
3 this subsection (~~((1)(d))~~) (2)(b);

4 (~~((e))~~) (c) For distribution to the Puget Sound ferry operations
5 account in the motor vehicle fund an amount equal to 2.3283 percent;

6 (~~((f))~~) (d) For distribution to the Puget Sound capital
7 construction account in the motor vehicle fund an amount equal to
8 2.3726 percent;

9 (~~((g))~~) (e) For distribution to the urban arterial trust account in
10 the motor vehicle fund an amount equal to 7.5597 percent;

11 (~~((h))~~) (f) For distribution to the transportation improvement
12 account in the motor vehicle fund an amount equal to 5.6739 percent and
13 expended in accordance with RCW 47.26.086;

14 (~~((i))~~) (g) For distribution to the cities and towns from the motor
15 vehicle fund an amount equal to 10.6961 percent in accordance with RCW
16 46.68.110;

17 (~~((j))~~) (h) For distribution to the counties from the motor vehicle
18 fund an amount equal to 19.2287 percent: (i) Out of which there shall
19 be distributed from time to time, as directed by the department of
20 transportation, those sums as may be necessary to carry out the
21 provisions of RCW 47.56.725; and (ii) less any amounts appropriated to
22 the county road administration board to implement the provisions of RCW
23 47.56.725(4), with the balance of such county share to be distributed
24 monthly as the same accrues for distribution in accordance with RCW
25 46.68.120;

26 (~~((k))~~) (i) For distribution to the county arterial preservation
27 account, hereby created in the motor vehicle fund an amount equal to
28 1.9565 percent. These funds shall be distributed by the county road
29 administration board to counties in proportions corresponding to the
30 number of paved arterial lane miles in the unincorporated area of each
31 county and shall be used for improvements to sustain the structural,
32 safety, and operational integrity of county arterials. The county road
33 administration board shall adopt reasonable rules and develop policies
34 to implement this program and to assure that a pavement management
35 system is used;

36 (~~((l))~~) (j) For distribution to the rural arterial trust account in
37 the motor vehicle fund an amount equal to 2.5363 percent and expended
38 in accordance with RCW 36.79.020.

1 ~~((2))~~ (3) One hundred percent of the net tax amount collected
2 under RCW 82.36.025(2) and 82.38.030(2) shall be distributed to the
3 motor vehicle account.

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

9 **Sec. 404.** RCW 46.68.110 and 1999 c 269 s 3 and 1999 c 94 s 9 are
10 each reenacted and amended to read as follows:

11 Funds credited to the incorporated cities and towns of the state as
12 set forth in RCW 46.68.090(~~((1))~~) (2)(g) shall be subject to
13 deduction and distribution as follows:

14 (1) One and one-half percent of such sums distributed under RCW
15 46.68.090(2)(g) shall be deducted monthly as such sums are credited and
16 set aside for the use of the department of transportation for the
17 supervision of work and expenditures of such incorporated cities and
18 towns on the city and town streets thereof, including the supervision
19 and administration of federal-aid programs for which the department of
20 transportation has responsibility: PROVIDED, That any moneys so
21 retained and not expended shall be credited in the succeeding biennium
22 to the incorporated cities and towns in proportion to deductions herein
23 made;

24 (2) Thirty-three one-hundredths of one percent of such funds
25 distributed under RCW 46.68.090(2)(g) shall be deducted monthly, as
26 such funds accrue, and set aside for the use of the department of
27 transportation for the purpose of funding the cities' share of the
28 costs of highway jurisdiction studies and other studies. Any funds so
29 retained and not expended shall be credited in the succeeding biennium
30 to the cities in proportion to the deductions made;

31 (3) One percent of such funds distributed under RCW 46.68.090(2)(g)
32 shall be deducted monthly, as such funds accrue, to be deposited in the
33 urban arterial trust account, to implement the city hardship assistance
34 program, as provided in RCW 47.26.164. However, any moneys so retained
35 and not required to carry out the program as of July 1st of each odd-
36 numbered year thereafter, shall be provided within sixty days to the

1 treasurer and distributed in the manner prescribed in subsection (5) of
2 this section;

3 (4) After making the deductions under subsections (1) through (3)
4 of this section and RCW 35.76.050, 31.86 percent of the fuel tax
5 distributed to the cities and towns in RCW 46.68.090(~~((1)(i))~~) (2)(g)
6 shall be allocated to the incorporated cities and towns in the manner
7 set forth in subsection (5) of this section and subject to deductions
8 in subsections (1), (2), and (3) of this section, subject to RCW
9 35.76.050, to be used exclusively for: The construction, improvement,
10 chip sealing, seal-coating, and repair for arterial highways and city
11 streets as those terms are defined in RCW 46.04.030 and 46.04.120; the
12 maintenance of arterial highways and city streets for those cities with
13 a population of less than fifteen thousand; or the payment of any
14 municipal indebtedness which may be incurred in the construction,
15 improvement, chip sealing, seal-coating, and repair of arterial
16 highways and city streets; and

17 (5) The balance remaining to the credit of incorporated cities and
18 towns after such deduction shall be apportioned monthly as such funds
19 accrue among the several cities and towns within the state ratably on
20 the basis of the population last determined by the office of financial
21 management.

22 **Sec. 405.** RCW 82.38.035 and 2001 c 270 s 7 are each amended to
23 read as follows:

24 (1) A licensed supplier shall remit tax on special fuel to the
25 department as provided in RCW 82.38.030(~~((2)(a))~~) (3)(a). On a two-
26 party exchange, or buy-sell agreement between two licensed suppliers,
27 the receiving exchange partner or buyer shall remit the tax.

28 (2) A refiner shall remit tax to the department on special fuel
29 removed from a refinery as provided in RCW 82.38.030(~~((2)(b))~~) (3)(b).

30 (3) An importer shall remit tax to the department on special fuel
31 imported into this state as provided in RCW 82.38.030(~~((2)(e))~~) (3)(c).

32 (4) A blender shall remit tax to the department on the removal or
33 sale of blended special fuel as provided in RCW 82.38.030(~~((2)(e))~~)
34 (3)(e).

35 (5) A dyed special fuel user shall remit tax to the department on
36 the use of dyed special fuel as provided in RCW 82.38.030(~~((2)(f))~~)
37 (3)(f).

1 **Sec. 406.** RCW 82.38.047 and 1998 c 176 s 55 are each amended to
2 read as follows:

3 A terminal operator is jointly and severally liable for remitting
4 the tax imposed under RCW 82.38.030(~~(+1)~~) if, in connection with the
5 removal of special fuel that is not dyed or marked in accordance with
6 internal revenue service requirements, the terminal operator provides
7 a person with a bill of lading, shipping paper, or similar document
8 indicating that the special fuel is dyed or marked in accordance with
9 internal revenue service requirements.

10 **Sec. 407.** RCW 46.09.170 and 1995 c 166 s 9 are each amended to
11 read as follows:

12 (1) From time to time, but at least once each year, the state
13 treasurer shall refund from the motor vehicle fund one percent of the
14 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
15 based on the tax rate (~~(in effect January 1, 1990)~~) of twenty cents per
16 gallon of motor vehicle fuel, less proper deductions for refunds and
17 costs of collection as provided in RCW 46.68.090. The treasurer shall
18 place these funds in the general fund as follows:

19 (a) Forty percent shall be credited to the ORV and nonhighway
20 vehicle account and administered by the department of natural resources
21 solely for planning, maintenance, and management of ORV recreation
22 facilities, nonhighway roads, and nonhighway road recreation
23 facilities. The funds under this subsection shall be expended in
24 accordance with the following limitations:

25 (i) Not more than five percent may be expended for information
26 programs under this chapter;

27 (ii) Not less than ten percent and not more than fifty percent may
28 be expended for ORV recreation facilities;

29 (iii) Not more than twenty-five percent may be expended for
30 maintenance of nonhighway roads;

31 (iv) Not more than fifty percent may be expended for nonhighway
32 road recreation facilities;

33 (v) Ten percent shall be transferred to the interagency committee
34 for outdoor recreation for grants to law enforcement agencies in those
35 counties where the department of natural resources maintains ORV
36 facilities. This amount is in addition to those distributions made by

1 the interagency committee for outdoor recreation under (d)(i) of this
2 subsection;

3 (b) Three and one-half percent shall be credited to the ORV and
4 nonhighway vehicle account and administered by the department of fish
5 and wildlife solely for the acquisition, planning, development,
6 maintenance, and management of nonhighway roads and recreation
7 facilities;

8 (c) Two percent shall be credited to the ORV and nonhighway vehicle
9 account and administered by the parks and recreation commission solely
10 for the maintenance and management of ORV use areas and facilities; and

11 (d) Fifty-four and one-half percent, together with the funds
12 received by the interagency committee for outdoor recreation under RCW
13 46.09.110, shall be credited to the nonhighway and off-road vehicle
14 activities program account to be administered by the committee for
15 planning, acquisition, development, maintenance, and management of ORV
16 recreation facilities and nonhighway road recreation facilities; ORV
17 user education and information; and ORV law enforcement programs. The
18 funds under this subsection shall be expended in accordance with the
19 following limitations:

20 (i) Not more than twenty percent may be expended for ORV education,
21 information, and law enforcement programs under this chapter;

22 (ii) Not less than an amount equal to the funds received by the
23 interagency committee for outdoor recreation under RCW 46.09.110 and
24 not more than sixty percent may be expended for ORV recreation
25 facilities;

26 (iii) Not more than twenty percent may be expended for nonhighway
27 road recreation facilities.

28 (2) On a yearly basis an agency may not, except as provided in RCW
29 46.09.110, 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 **Sec. 408.** RCW 46.10.170 and 1994 c 262 s 4 are each amended to
33 read as follows:

34 From time to time, but at least once each four years, the
35 department shall determine the amount of moneys paid to it as motor
36 vehicle fuel tax that is tax on snowmobile fuel. Such determination
37 shall use one hundred thirty-five gallons as the average yearly fuel

1 usage per snowmobile, the number of registered snowmobiles during the
2 calendar year under determination, and the fuel tax rate (~~in effect~~
3 ~~January 1, 1990~~) of twenty cents per gallon of motor vehicle fuel.

4 **Sec. 409.** RCW 79A.25.070 and 2000 c 11 s 73 are each amended to
5 read as follows:

6 Upon expiration of the time limited by RCW 82.36.330 for claiming
7 of refunds of tax on marine fuel, the state of Washington shall succeed
8 to the right to such refunds. The director of licensing, after taking
9 into account past and anticipated claims for refunds from and deposits
10 to the marine fuel tax refund account and the costs of carrying out the
11 provisions of RCW 79A.25.030, shall request the state treasurer to
12 transfer monthly from the marine fuel tax refund account an amount
13 equal to the proportion of the moneys in the account representing the
14 motor vehicle fuel tax rate (~~under RCW 82.36.025 in effect on January~~
15 ~~1, 1990~~) of twenty cents per gallon of motor vehicle fuel, to the
16 recreation resource account and the remainder to the motor vehicle
17 fund.

18 **PART V - CLEAN AIR FEE**

19 NEW SECTION. **Sec. 501.** A new section is added to chapter 70.94
20 RCW to read as follows:

21 In addition to other fees and taxes required under this chapter,
22 registered owners of motor vehicles as defined in RCW 46.04.320 shall
23 annually, upon renewal, pay a clean air fee of two dollars. The
24 proceeds of this clean air fee must be deposited in a segregated
25 subaccount of the air pollution control account created in RCW
26 70.94.015.

27 NEW SECTION. **Sec. 502.** A new section is added to chapter 70.94
28 RCW to read as follows:

29 (1) Money from the clean air fee under section 501 of this act may
30 be used for any purpose under this chapter, including but not limited
31 to the following:

32 (a) Retrofitting motor vehicles, including school buses and transit
33 fleets, with exhaust emission control devices;

1 (b) Reducing air contaminant emissions and cleaning up air
2 pollution;

3 (c) Reducing and eliminating toxic air contaminants;

4 (d) Providing funding for the differential costs of cleaner and
5 alternative fuels and vehicles that reduce air emissions and allow
6 advanced exhaust emission control devices to be used, including
7 ultralow sulfur diesel fuel, biodiesel, and natural gas;

8 (e) Providing funding for infrastructure necessary to allow fleets
9 to use alternative, cleaner fuels; and

10 (f) Administrative and operating costs of air pollution control
11 authorities and, where there is no air pollution control agency, the
12 department, to develop and oversee the air pollution cleanup programs
13 identified in this section.

14 (2) Money from the clean air fee under section 501 of this act is
15 subject to distribution as follows:

16 (a) Eighty percent of the money must be distributed to the air
17 pollution control authorities created under this chapter. The money
18 must be distributed in direct proportion with the amount of fees
19 imposed under section 501 of this act that are collected within the
20 boundaries of each authority. However, an amount in direct proportion
21 with those fees collected in counties for which no air pollution
22 control authority exists must be distributed to the department.

23 (b) Twenty percent of the money from the fee under section 501 of
24 this act must be distributed to the department and used by the
25 department for the following purposes:

26 (i) Retrofitting motor vehicles, including school buses and transit
27 fleets, with exhaust emission control devices;

28 (ii) Reducing air contaminant emissions and cleaning up air
29 pollution;

30 (iii) Reducing and eliminating toxic air contaminants;

31 (iv) Providing funding for the differential costs of cleaner and
32 alternative fuels and vehicles that reduce air emissions and allow
33 advanced exhaust emission control devices to be used, including
34 ultralow sulfur diesel fuel, biodiesel, and natural gas;

35 (v) Providing funding for infrastructure necessary to allow fleets
36 to use alternative, cleaner fuels; and

37 (vi) Administrative and operating costs of air pollution control

1 authorities and, where there is no air pollution control agency, the
2 department, to develop and oversee the air pollution cleanup programs
3 identified in this section.

4 (3) Money in the air pollution control account may be spent by the
5 department only after appropriation.

6 **PART VI - SPECIAL LICENSE PLATES AND FUNDING**

7 **Sec. 601.** RCW 46.16.233 and 2000 c 37 s 1 are each amended to read
8 as follows:

9 (1) Except for those license plates issued under RCW 46.16.305(1)
10 before January 1, 1987, under RCW 46.16.305(3), and to commercial
11 vehicles with a gross weight in excess of twenty-six thousand pounds,
12 effective with vehicle registrations due or to become due on January 1,
13 2001, the appearance of the background of all vehicle license plates
14 may vary in color and design, but must be ((issued on a standard
15 background)) legible and clearly identifiable as a Washington state
16 license plate, as designated by the department.

17 (2) Additionally, to ensure maximum legibility and reflectivity,
18 the department shall periodically provide for the replacement of
19 license plates, except for commercial vehicles with a gross weight in
20 excess of twenty-six thousand pounds. Frequency of replacement shall
21 be established in accordance with empirical studies documenting the
22 longevity of the reflective materials used to make license plates.

23 (3) In providing for the periodic replacement of license plates,
24 the department shall offer the vehicle's owner the option of retaining
25 the current license plate number. The department shall charge a
26 retention fee of twenty dollars if this option is exercised. Revenue
27 generated from the retention fee must be deposited into the multimodal
28 transportation account.

29 **Sec. 602.** RCW 46.01.140 and 2001 c 331 s 1 are each amended to
30 read as follows:

31 (1) The county auditor, if appointed by the director of licensing
32 shall carry out the provisions of this title relating to the licensing
33 of vehicles and the issuance of vehicle license number plates under the
34 direction and supervision of the director and may with the approval of

1 the director appoint assistants as special deputies and recommend
2 subagents to accept applications and collect fees for vehicle licenses
3 and transfers and to deliver vehicle license number plates.

4 (2) A county auditor appointed by the director may request that the
5 director appoint subagencies within the county.

6 (a) Upon authorization of the director, the auditor shall use an
7 open competitive process including, but not limited to, a written
8 business proposal and oral interview to determine the qualifications of
9 all interested applicants.

10 (b) A subagent may recommend a successor who is either the
11 subagent's sibling, spouse, or child, or a subagency employee, as long
12 as the recommended successor participates in the open, competitive
13 process used to select an applicant. In making successor
14 recommendation and appointment determinations, the following provisions
15 apply:

16 (i) If a subagency is held by a partnership or corporate entity,
17 the nomination must be submitted on behalf of, and agreed to by, all
18 partners or corporate officers.

19 (ii) No subagent may receive any direct or indirect compensation or
20 remuneration from any party or entity in recognition of a successor
21 nomination. A subagent may not receive any financial benefit from the
22 transfer or termination of an appointment.

23 (iii) (a) and (b) of this subsection are intended to assist in the
24 efficient transfer of appointments in order to minimize public
25 inconvenience. They do not create a proprietary or property interest
26 in the appointment.

27 (c) The auditor shall submit all proposals to the director, and
28 shall recommend the appointment of one or more subagents who have
29 applied through the open competitive process. The auditor shall
30 include in his or her recommendation to the director, not only the name
31 of the successor who is a relative or employee, if applicable and if
32 otherwise qualified, but also the name of one other applicant who is
33 qualified and was chosen through the open competitive process. The
34 director has final appointment authority.

35 (3)(a) A county auditor who is appointed as an agent by the
36 department shall enter into a standard contract provided by the
37 director, developed with the advice of the title and registration
38 advisory committee.

1 (b) A subagent appointed under subsection (2) of this section shall
2 enter into a standard contract with the county auditor, developed with
3 the advice of the title and registration advisory committee. The
4 director shall provide the standard contract to county auditors.

5 (c) The contracts provided for in (a) and (b) of this subsection
6 must contain at a minimum provisions that:

7 (i) Describe the responsibilities, and where applicable, the
8 liability, of each party relating to the service expectations and
9 levels, equipment to be supplied by the department, and equipment
10 maintenance;

11 (ii) Require the specific type of insurance or bonds so that the
12 state is protected against any loss of collected motor vehicle tax
13 revenues or loss of equipment;

14 (iii) Specify the amount of training that will be provided by the
15 state, the county auditor, or subagents;

16 (iv) Describe allowable costs that may be charged to vehicle
17 licensing activities as provided for in (d) of this subsection;

18 (v) Describe the causes and procedures for termination of the
19 contract, which may include mediation and binding arbitration.

20 (d) The department shall develop procedures that will standardize
21 and prescribe allowable costs that may be assigned to vehicle licensing
22 and vessel registration and title activities performed by county
23 auditors.

24 (e) The contracts may include any provision that the director deems
25 necessary to ensure acceptable service and the full collection of
26 vehicle and vessel tax revenues.

27 (f) The director may waive any provisions of the contract deemed
28 necessary in order to ensure that readily accessible service is
29 provided to the citizens of the state.

30 (4)(a) At any time any application is made to the director, the
31 county auditor, or other agent pursuant to any law dealing with
32 licenses, registration, or the right to operate any vehicle or vessel
33 upon the public highways or waters of this state, excluding applicants
34 already paying such fee under RCW 46.16.070 or 46.16.085, the applicant
35 shall pay to the director, county auditor, or other agent a fee of
36 three dollars for each application in addition to any other fees
37 required by law.

1 (b) Counties that do not cover the expenses of vehicle licensing
2 and vessel registration and title activities may submit to the
3 department a request for cost-coverage moneys. The request must be
4 submitted on a form developed by the department. The department shall
5 develop procedures to verify whether a request is reasonable. Payment
6 shall be made on requests found to be allowable from the licensing
7 services account.

8 (c) Applicants for certificates of ownership, including applicants
9 paying fees under RCW 46.16.070 or 46.16.085, shall pay to the
10 director, county auditor, or other agent a fee of four dollars in
11 addition to any other fees required by law.

12 (d) The fees under (a) and (c) of this subsection, if paid to the
13 county auditor as agent of the director, or if paid to a subagent of
14 the county auditor, shall be paid to the county treasurer in the same
15 manner as other fees collected by the county auditor and credited to
16 the county current expense fund. If the fee is paid to another agent
17 of the director, the fee shall be used by the agent to defray his or
18 her expenses in handling the application.

19 (e) Applicants required to pay the three-dollar fee established
20 under (a) of this subsection, must pay an additional ~~((fifty))~~ seventy-
21 five cents on registrations that are due or are to become due November
22 1, 2003, which must be collected and remitted to the state treasurer
23 ~~((for deposit))~~ and distributed as follows:

24 (i) Fifty cents must be deposited into the department of licensing
25 services account of the motor vehicle fund ~~((Revenue deposited into~~
26 ~~this account))~~ and must be used for agent and subagent support, which
27 is to include but not be limited to the replacement of department-owned
28 equipment in the possession of agents and subagents.

29 (ii) Twenty-five cents must be deposited into the license plate
30 technology account created under section 603 of this act.

31 (5) A subagent shall collect a service fee of (a) eight dollars and
32 fifty cents for changes in a certificate of ownership, with or without
33 registration renewal, or verification of record and preparation of an
34 affidavit of lost title other than at the time of the title application
35 or transfer and (b) three dollars and fifty cents for registration
36 renewal only, issuing a transit permit, or any other service under this
37 section.

1 (6) If the fee is collected by the state patrol as agent for the
2 director, the fee so collected shall be certified to the state
3 treasurer and deposited to the credit of the state patrol highway
4 account. If the fee is collected by the department of transportation
5 as agent for the director, the fee shall be certified to the state
6 treasurer and deposited to the credit of the motor vehicle fund. All
7 such fees collected by the director or branches of his office shall be
8 certified to the state treasurer and deposited to the credit of the
9 highway safety fund.

10 (7) Any county revenues that exceed the cost of providing vehicle
11 licensing and vessel registration and title activities in a county,
12 calculated in accordance with the procedures in subsection (3)(d) of
13 this section, shall be expended as determined by the county legislative
14 authority during the process established by law for adoption of county
15 budgets.

16 (8) The director may adopt rules to implement this section.

17 NEW SECTION. **Sec. 603.** A new section is added to chapter 46.16
18 RCW to read as follows:

19 The license plate technology account is created in the state
20 treasury. All receipts collected under RCW 46.01.140(4)(e)(ii) must be
21 deposited into this account. Expenditures from this account must
22 support current and future license plate technology and systems
23 integration upgrades. Money in the account may be spent only after
24 appropriation.

25 NEW SECTION. **Sec. 604.** A new section is added to chapter 46.16
26 RCW to read as follows:

27 The department shall offer license plate design services to
28 organizations that are sponsoring a new special license plate series or
29 are seeking to redesign the appearance of an existing special license
30 plate series that they sponsored. In providing this service, the
31 department must work with the requesting organization in determining
32 the specific qualities of the new plate design and must provide full
33 design services to the organization. The department shall collect from
34 the requesting organization a fee of one thousand five hundred dollars
35 for providing license plate design services. This fee includes one
36 original license plate design and up to five additional renditions of

1 the original design. If the organization requests the department to
2 provide further renditions in addition to the five renditions provided
3 under the original fee, the department shall collect an additional fee
4 of five hundred dollars per rendition. All revenue collected under
5 this section must be deposited into the multimodal transportation
6 account.

7 **PART VII - TIRE RECYCLING**

8 **Sec. 701.** RCW 70.95.510 and 1989 c 431 s 92 are each amended to
9 read as follows:

10 (1) There is levied a (~~one-dollar~~) seventy-five cents per tire
11 fee on the retail sale of new replacement vehicle tires for a period of
12 five years, beginning (~~October 1, 1989~~) on the effective date of this
13 section. The fee imposed in this section shall be paid by the buyer to
14 the seller, and each seller shall collect from the buyer the full
15 amount of the fee. The fee collected from the buyer by the seller,
16 less the ten percent amount retained by the seller as provided in (~~RCW~~
17 ~~70.95.535~~) subsection (4) of this section, shall be paid to the
18 department of revenue in accordance with RCW 82.32.045, and the
19 proceeds remaining after the deposit required by subsection (3) of this
20 section, must be deposited into the vehicle tire recycling account
21 created under section 702 of this act. All other applicable provisions
22 of chapter 82.32 RCW have full force and application with respect to
23 the fee imposed under this section. The department of revenue shall
24 administer this section.

25 (2) For the purposes of this section, "new replacement vehicle
26 tires" means tires that are newly manufactured for vehicle purposes and
27 used tires available for resale, but does not include retreaded vehicle
28 tires.

29 (3) Of the seventy-five cent fee imposed in subsection (1) of this
30 section, twenty-five cents must be deposited into the motor vehicle
31 account and must be used by the department of transportation for road
32 maintenance, which may incorporate the use of material derived from
33 scrap tires.

34 (4) Every person engaged in making retail sales of new replacement
35 vehicle tires in this state shall retain ten percent of the collected

1 seventy-five cent fee imposed in subsection (1) of this section. The
2 moneys retained may be used for costs associated with the proper
3 management of the waste vehicle tires by the retailer.

4 NEW SECTION. Sec. 702. A new section is added to chapter 70.95
5 RCW to read as follows:

6 (1) The vehicle tire recycling account is created within the state
7 treasury. After the deposit of funds into the motor vehicle account as
8 provided for in RCW 70.95.510(3), the remaining funds received under
9 RCW 70.95.510(1) must be deposited in the vehicle tire recycling
10 account and used by the department for purposes including but not
11 limited to those specified in RCW 70.95.535. Expenditures from the
12 account may occur only after appropriation by the legislature. The
13 department of revenue shall deduct two percent from the funds collected
14 under RCW 70.95.510 for the purpose of administering and collecting the
15 fee from new replacement tire retailers.

16 (2) Moneys in the vehicle tire recycling account may be
17 appropriated to the department for the purposes identified in RCW
18 70.95.535.

19 (3) To provide increased accountability, by January 1st of each
20 year, the department shall submit a report to the legislature outlining
21 how the revenues deposited into the vehicle tire recycling account were
22 used over the previous twelve-month period. The report must include,
23 but is not limited to, identifying the local jurisdictions that
24 received grant funding, the location and description of any illegal
25 tire piles cleaned up, a description of any scrap tire demonstration
26 projects funded, and the status of the statewide tire carrier tracking
27 system.

28 **Sec. 703.** RCW 70.95.535 and 1989 c 431 s 93 are each amended to
29 read as follows:

30 (1) ~~((Every person engaged in making retail sales of new~~
31 ~~replacement vehicle tires in this state shall retain ten percent of the~~
32 ~~collected one dollar fee. The moneys retained may be used for costs~~
33 ~~associated with the proper management of the waste vehicle tires by the~~
34 ~~retailer.~~

35 (+2)) The department of ecology ((will)) may administer the funds

1 contained in the vehicle tire recycling account for ((the)) purposes
2 ((specified in RCW 70.95.020(5))) including, but not limited to:

3 (a) ((Making grants to local governments for pilot demonstration
4 projects for on site shredding and recycling of tires from unauthorized
5 dump sites;

6 (b)) Grants to local government for enforcement programs;

7 ((c)) (b) Implementation of a public information and education
8 program to include posters, signs, and informational materials to be
9 distributed to retail tire sales and tire service outlets;

10 ((d)) (c) Product marketing studies for recycled tires and
11 alternatives to land disposal;

12 (d) Scrap tire demonstration projects including those implemented
13 by state agencies;

14 (e) Except as provided in subsection (2) of this section, statewide
15 unlawful tire pile cleanups and local citizen scrap tire amnesty
16 events;

17 (f) Statewide tire carrier tracking, reporting, and enforcement of
18 the movement of tires within this state;

19 (g) Except as provided in subsection (2) of this section, to
20 provide for funding to state and local governments for the removal of
21 discarded vehicle tires from unauthorized tire dump sites;

22 (h) To accomplish the other purposes of RCW 70.95.020(6).

23 (2) Prior to spending funds from the vehicle tire recycling account
24 for the removal or cleanup of unlawfully disposed tires, the department
25 must ensure that all legal remedies and cost recovery efforts available
26 against the owner of the unlawfully disposed tires, or the property on
27 which the unlawful tire piles are located, have been exhausted. The
28 department should assist local jurisdictions, where appropriate, with
29 enforcement actions against individuals unlawfully disposing of tires.

30 (3)(a) Local governments that are recipients of grant funding for
31 enforcement programs must submit an annual report to the department for
32 each year the grant funding is expended, detailing the uses of the
33 funds and including information on what enforcement activities were
34 supported with the grant funds.

35 (b) Local governments that are recipients of grant funding for
36 illegal tire pile cleanups shall submit an annual report to the
37 department for each year the grant funding is expended. The report
38 must, at a minimum, identify the owners of the tire piles, the

1 locations of the tire piles cleaned up, how many tires were removed,
2 where and how the tires were disposed, and why cost recovery could not
3 be obtained from the owners of the tire piles. The department shall
4 forward this information to the legislature on an annual basis.

5 (4) In spending funds in the account under this section, the
6 department shall identify communities with the most severe problems
7 with waste tires and provide funds first to those communities to remove
8 accumulations of waste tires.

9 (5) It is the intent of the legislature that in spending funds from
10 the vehicle tire recycling account, the department will not implement
11 a program or otherwise spend funds that competes with private
12 businesses that engage in tire recycling.

13 NEW SECTION. Sec. 704. (1) The department of ecology shall
14 implement an educational campaign for a period of one year, beginning
15 no later than twelve months following the effective date of this
16 section, to inform and educate local jurisdictions and the various
17 vehicle tire industries who sell, dispose of, and recycle vehicle
18 tires, on the current laws related to vehicle tire disposal and
19 recycling, and the current vehicle tire recycling program administered
20 by the department.

21 (2) By September 1, 2003, the department shall submit a report to
22 the legislature on illegal tire piles located in the state. At a
23 minimum, the report must include information identifying every known
24 illegal tire pile in the state, the city and county where each illegal
25 tire pile is located, the estimated number of tires in each illegal
26 tire pile, and the expected cost associated with cleaning up each
27 illegal tire pile.

28 (3) Moneys from the vehicle tire recycling account may be used to
29 fund this section.

30 (4) This section expires December 31, 2005.

31 NEW SECTION. Sec. 705. RCW 70.95.530 (Vehicle tire recycling
32 account--Use) and 1988 c 250 s 1 & 1985 c 345 s 7 are each repealed.

33 **PART VIII - MISCELLANEOUS**

1 NEW SECTION. **Sec. 801.** Part headings used in this act are not any
2 part of the law.

3 NEW SECTION. **Sec. 802.** Section 501 of this act expires June 30,
4 2030.

5 NEW SECTION. **Sec. 803.** (1) Except for sections 601 through 604 of
6 this act, this act is necessary for the immediate preservation of the
7 public peace, health, or safety, or support of the state government and
8 its existing public institutions, and takes effect July 1, 2003.

9 (2) Sections 601 through 604 of this act take effect January 1,
10 2004.

--- END ---