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HOUSE BILL 1581

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Young and Schmick

Read first time 01/24/17. Referred to Committee on Transportation.

1 AN ACT Relating to requiring that drivers pay only one toll on  
2 the Tacoma Narrows bridge for multiple crossings in one calendar day;  
3 and amending RCW 47.46.105 and 47.46.110.

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

5 **Sec. 1.** RCW 47.46.105 and 2010 c 249 s 4 are each amended to  
6 read as follows:

7 (1) A toll collection system may include, but is not limited to,  
8 electronic toll collection and photo tolling.

9 (2)(a) A photo toll system may take photographs, digital  
10 photographs, microphotographs, videotapes, or other recorded images  
11 of the vehicle and vehicle license plate only.

12 (b) Notwithstanding any other provision of law, all photographs,  
13 digital photographs, microphotographs, videotape, other recorded  
14 images, or other records identifying a specific instance of travel  
15 prepared under this chapter are for the exclusive use of the tolling  
16 agency for toll collection and enforcement purposes and are not open  
17 to the public and may not be used in a court in a pending action or  
18 proceeding unless the action or proceeding relates to a civil penalty  
19 under RCW 46.63.160. No photograph, digital photograph,  
20 microphotograph, videotape, other recorded image, or other record  
21 identifying a specific instance of travel may be used for any purpose

1 other than toll collection or enforcement of civil penalties under  
2 RCW 46.63.160. Records identifying a specific instance of travel by a  
3 specific person or vehicle must be retained only as required to  
4 ensure payment and enforcement of tolls and to comply with state  
5 records retention policies.

6 (3) The department and its agents shall only use electronic toll  
7 collection system technology for toll collection purposes.

8 (4) Tolls may be collected and paid by the following methods:

9 (a) A customer may pay an electronic toll through an electronic  
10 toll collection account;

11 (b) A customer who does not have an electronic toll collection  
12 account may pay a photo toll either through a customer-initiated  
13 payment or in response to a toll bill; or

14 (c) A customer who does not have an electronic toll collection  
15 account may pay with cash on toll facilities that have a manual cash  
16 collection system.

17 (5) The department may charge a customer only one toll for  
18 multiple crossings of the Tacoma Narrows bridge while traveling in  
19 the same vehicle in a single calendar day.

20 (6) To the extent practicable, the department shall adopt  
21 electronic toll collection options, which allow for anonymous  
22 customer accounts and anonymous accounts that are not linked to a  
23 specific vehicle.

24 ((+6+)) (7) The transportation commission shall adopt rules, in  
25 accordance with chapter 34.05 RCW, to assess administrative fees as  
26 appropriate for toll collection processes. Administrative fees must  
27 not exceed toll collection costs. All administrative fees collected  
28 under this section must be deposited into the toll facility account  
29 of the facility on which the toll was assessed.

30 ((+7+)) (8) Failure to pay a photo toll by the toll payment due  
31 date is a violation for which a notice of civil penalty may be issued  
32 under RCW 46.63.160.

33 **Sec. 2.** RCW 47.46.110 and 2002 c 114 s 8 are each amended to  
34 read as follows:

35 (1) The commission shall retain toll charges on any existing and  
36 future facilities constructed under this chapter and financed  
37 primarily by bonds issued by the state until:

38 (a) All costs of investigation, financing, acquisition of  
39 property, and construction advanced from the motor vehicle fund have

1 been fully repaid, except as provided in subsection (2)(b) of this  
2 section;

3 (b) Obligations incurred in constructing that facility have been  
4 fully paid; and

5 (c) The motor vehicle fund is fully repaid under RCW 47.46.140.

6 (2) This section does not:

7 (a) Prohibit the use of toll revenues to fund maintenance,  
8 operations, or management of facilities constructed under this  
9 chapter except as prohibited by RCW 47.56.245;

10 (b) Require repayment of funds specifically appropriated as a  
11 nonreimbursable state financial contribution to a project.

12 (3) Notwithstanding the provisions of subsection (2)(a) of this  
13 section, upon satisfaction of the conditions enumerated in subsection  
14 (1) of this section:

15 (a) The facility must be operated as a toll-free facility; and

16 (b) The operation, maintenance, upkeep, and repair of the  
17 facility must be paid from funds appropriated for the use of the  
18 department for the construction and maintenance of the primary state  
19 highways of the state of Washington.

20 (4) As provided in RCW 47.46.105(5), the department may charge a  
21 driver only one toll for multiple crossings of the Tacoma Narrows  
22 bridge in one day.

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