

1 2151-S.E AAS 4/18/91

2 **ESHB 2151** - S COMM AMD

3 By Committee on Transportation

4 Adopted as Amended 4/18/91 - Voice Vote

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 81.104.010 and 1990 c 43 s 22 are each amended to
8 read as follows:

9 Increasing congestion on Washington's roadways calls for
10 identification and implementation of high capacity transportation
11 system alternatives. "High capacity transportation system" means a
12 system of public transportation services~~((public))~~ within an urbanized
13 region operating principally on exclusive rights of way, and the
14 supporting services and facilities necessary to implement such a
15 system, including high occupancy vehicle lanes, which taken as a whole,
16 provides a substantially higher level of passenger capacity, speed, and
17 service frequency than traditional public transportation systems
18 operating principally ~~((on))~~ in general purpose ~~((roadway rights of~~
19 way)) roadways. The legislature believes that local jurisdictions
20 should coordinate and be responsible for high capacity transportation
21 policy development, program planning, and implementation. The state
22 should assist by working with local agencies on issues involving rights
23 of way, partially financing projects meeting established state criteria
24 including development and completion of the high occupancy vehicle lane
25 system, authorizing local jurisdictions to finance high capacity
26 transportation systems through voter-approved tax options, and
27 providing technical assistance and information."

1 **"Sec. 2.** RCW 81.104.020 and 1990 c 43 s 23 are each amended to
2 read as follows:

3 The department of transportation's current policy role in transit
4 is expanded to include other high capacity transportation development
5 as part of a multimodal transportation system.

6 (1) The department of transportation shall implement a program for
7 high capacity transportation coordination, planning, and technical
8 studies with appropriations from the high capacity transportation
9 account.

10 (2) The department shall assist local jurisdictions and
11 ~~((metropolitan))~~ regional transportation planning organizations with
12 high capacity transportation planning efforts."

13 **"Sec. 3.** RCW 81.104.030 and 1990 c 43 s 24 are each amended to
14 read as follows:

15 (1) In any ~~((class A))~~ county with a population of from two hundred
16 ten thousand to less than one million that is not bordered by a ~~((class~~
17 ~~AA))~~ county with a population of one million or more, and in ~~((counties~~
18 ~~of the first class and smaller))~~ each county with a population of less
19 than two hundred ten thousand, city-owned transit systems, county
20 transportation authorities, metropolitan municipal corporations, and
21 public transportation benefit areas may elect to establish high
22 capacity transportation service. Such agencies shall form a regional
23 policy committee with proportional representation based upon population
24 distribution within the designated service area and a representative of
25 the department of transportation.

26 ~~((a))~~ City-owned transit systems, county transportation
27 authorities, metropolitan municipal corporations, and public
28 transportation benefit areas participating in joint regional policy
29 committees shall seek voter approval within their own service

1 boundaries of a high capacity transportation system plan and ((an
2 implementation program including a)) financing ((program.

3 (b) ~~An interim regional authority may be formed pursuant to RCW
4 81.104.040(2) and shall seek voter approval of a high capacity
5 transportation plan and financing program within its proposed service
6 boundaries)) plan.~~

7 (2) City-owned transit systems, county transportation authorities,
8 metropolitan municipal corporations, and public transportation benefit
9 areas in counties adjoining state or international boundaries are
10 authorized to participate in the regional high capacity transportation
11 programs of an adjoining state or ((nation)) Canadian province."

12 "Sec. 4. RCW 81.104.040 and 1990 c 43 s 25 are each amended to
13 read as follows:

14 (1) Agencies in ((a class AA)) each county with a population of one
15 million or more, and in ((class A counties)) each county with a
16 population of from two hundred ten thousand to less than one million
17 bordering a ((class AA)) county with a population of one million or
18 more that are currently authorized to provide high capacity
19 transportation planning and operating services, including but not
20 limited to city-owned transit systems, county transportation
21 authorities, metropolitan municipal corporations, and public
22 transportation benefit areas, must establish through interlocal
23 agreements a joint regional policy committee with proportional
24 representation based upon the population distribution within each
25 agency's designated service area, as determined by the parties to the
26 agreement.

27 (a) The membership of the joint regional policy committee shall
28 consist of locally elected officials who serve on the legislative
29 authority of the existing transit systems and a representative from the

1 department of transportation. Nonvoting membership for elected
2 officials from adjoining counties may be allowed at the committee's
3 discretion.

4 (b) The joint regional policy committee shall be responsible for
5 the preparation and adoption of a regional high capacity transportation
6 implementation program, which shall include the system plan, project
7 plans, and ~~((an implementation program including))~~ a financing
8 ~~((package))~~ plan. This ~~((plan))~~ program shall be in conformance with
9 the ~~((metropolitan))~~ regional transportation planning organization's
10 regional transportation plan and consistent with RCW 81.104.080.

11 ~~((Interlocal agreements shall be executed within two years of~~
12 ~~March 14, 1990.))~~ The joint regional policy committee shall present a
13 high capacity transportation system plan and ~~((local funding program))~~
14 financing plan to the boards of directors of the transit agencies
15 within the service area for adoption.

16 (d) Transit agencies shall present the adopted high capacity
17 transportation system plan and financing ~~((program))~~ plan for voter
18 approval within four years of the execution of the interlocal
19 agreements. A simple majority vote is required for approval of the
20 high capacity transportation system plan and financing ~~((program))~~ plan
21 in any service district within each county. The implementation ~~((of~~
22 ~~the))~~ program may proceed in any service area approving the ~~((plan and~~
23 ~~program))~~ system and financing plans.

24 (2) ~~((If interlocal agreements have not been executed within two~~
25 ~~years from March 14, 1990, the designated metropolitan planning~~
26 ~~organization shall convene within one hundred eighty days a conference~~
27 ~~to be attended by an elected representative selected by the legislative~~
28 ~~authority of each city and county in a class AA county and in class A~~
29 ~~counties bordering a class AA county.~~

1 ~~(a) Public notice of the conference shall occur thirty days before~~
2 ~~the date of the conference.~~

3 ~~(b) The purpose of the conference is to evaluate the need for~~
4 ~~developing high capacity transportation service in a class AA county~~
5 ~~and in class A counties bordering a class AA county and to determine~~
6 ~~the desirability of a regional approach to developing such service.~~

7 ~~(c) The conference may elect to continue high capacity~~
8 ~~transportation efforts on a subregional basis through existing transit~~
9 ~~planning and operating agencies.~~

10 ~~(d) The conference may elect to pursue regional development by~~
11 ~~creating a multicounty interim regional high capacity transportation~~
12 ~~authority. Conference members shall determine the structure and~~
13 ~~composition of any interim regional authority.~~

14 ~~(i) The interim regional authority shall propose a permanent~~
15 ~~authority or authorities for voter approval. Permanent regional~~
16 ~~authorities shall become the responsible agencies for planning,~~
17 ~~construction, operations, and funding of high capacity transportation~~
18 ~~systems within their service boundaries. Funding sources for a~~
19 ~~regional high capacity transportation authority or authorities are~~
20 ~~separate from currently authorized funding sources for city owned~~
21 ~~transit systems, county transportation authorities, metropolitan~~
22 ~~municipal authorities, or public transportation benefit areas.~~

23 ~~(ii) State and local jurisdictions, county transportation~~
24 ~~authorities, metropolitan municipal corporations, or public~~
25 ~~transportation benefit areas shall retain responsibility for existing~~
26 ~~facilities and/or services, unless the responsibility is transferred to~~
27 ~~the high capacity transportation authority or authorities by interlocal~~
28 ~~agreement.~~

29 ~~(3) If, within four years of the execution of the interlocal~~
30 ~~agreements, a high capacity transportation plan and financing program~~

1 has been approved by a simple majority vote within a participating
2 jurisdiction, that jurisdiction may proceed with high capacity
3 transportation development. If within four years of the execution of
4 the interlocal agreements, a high capacity transportation plan and
5 program has not been approved by a simple majority vote within one or
6 more of the participating jurisdictions, the joint regional policy
7 committee shall convene within one hundred eighty days, a conference to
8 be attended by participating jurisdictions within which a plan and
9 financing program have not been approved. Such a conference shall be
10 for the same purpose and shall be subject to the same conditions as
11 described in subsection (2) of this section.

12 (4)) High capacity transportation ((service)) planning,
13 construction, operations, and funding shall be governed through the
14 interlocal agreement process, including but not limited to provision
15 for a cost allocation and distribution formula, service corridors,
16 station area locations, right of way transfers, and feeder
17 transportation systems. The interlocal agreement shall include a
18 mechanism for resolving conflicts among parties to the agreement."

19 "Sec. 5. RCW 81.104.050 and 1990 c 43 s 26 are each amended to
20 read as follows:

21 Regional high capacity transportation service boundaries may be
22 expanded beyond the established service district through interlocal
23 agreements among the transit agencies and the local jurisdictions
24 within which such expanded service is proposed."

25 "Sec. 6. RCW 81.104.060 and 1990 c 43 s 27 are each amended to
26 read as follows:

1 (1) The state's planning role in high capacity transportation
2 development as one element of a multimodal transportation system should
3 facilitate cooperative state and local planning efforts.

4 ~~((1))~~ (2) The department of transportation may serve as a
5 contractor for high capacity transportation system and project design,
6 administer construction, and assist agencies authorized to provide
7 service in the acquisition, preservation, and joint use of rights of
8 way.

9 ~~((2))~~ (3) The department and local jurisdictions shall continue
10 to cooperate with respect to the development of ~~((park and ride))~~ high
11 occupancy vehicle lanes and related facilities, associated roadways,
12 transfer stations, people mover systems developed either by the public
13 or private sector, and other related projects.

14 ~~((3))~~ (4) The department in cooperation with local jurisdictions
15 shall develop policies which enhance the development of high speed
16 ~~((intercity))~~ interregional systems by both the private and the public
17 sector. These policies may address joint use of rights of way,
18 identification and preservation of transportation corridors, and joint
19 development of stations and other facilities."

20 "**Sec. 7.** RCW 81.104.080 and 1990 c 43 s 29 are each amended to
21 read as follows:

22 ~~((Regional transportation plans should be considered in adopting~~
23 ~~local land use plans.))~~ Where applicable, regional transportation
24 plans and local ((land use)) comprehensive plans ((should)) shall
25 address the ((impacts of)) relationship between urban growth ((on)) and
26 an effective high capacity transportation ((planning and development))
27 system plan, and provide for cooperation between local jurisdictions
28 and transit agencies.

1 (1) Regional high capacity transportation plans shall be included
2 in the designated (~~metropolitan~~) regional transportation planning
3 organization's regional transportation plan review and update process
4 to facilitate development of a coordinated multimodal transportation
5 system and to meet federal funding requirements.

6 (2) (~~The state and local jurisdictions~~) Interlocal agreements
7 between transit authorities, cities, and counties shall (~~cooperate in~~
8 ~~encouraging~~) set forth conditions for assuring land uses compatible
9 with development of high capacity transportation systems. These
10 include developing sufficient land use densities through local actions
11 in high capacity transportation corridors and near passenger stations,
12 preserving transit rights of way, and protecting the region's
13 environmental quality. The implementation program for high capacity
14 transportation systems shall favor cities and counties with supportive
15 land use plans. In developing local actions intended to carry out
16 these policies (~~local governments~~) cities and counties shall insure
17 the opportunity for public comment and participation in the siting of
18 such facilities, including stations or transfer facilities. Agencies
19 providing high capacity transportation services, in cooperation with
20 public and private interests, shall promote transit-compatible land
21 uses and development which includes joint development.

22 (3) Interlocal agreements shall be consistent with state planning
23 goals as set forth in chapter 36.70A RCW. Agreements shall also
24 include plans for concentrated employment centers, mixed-use
25 development, and housing densities that support high capacity
26 transportation systems.

27 (4) Agencies providing high capacity transportation service and
28 other transit agencies shall develop a cooperative process for the
29 planning, development, operations, and funding of feeder transportation
30 systems. Feeder systems may include existing and future intercity

1 passenger systems and alternative technology people mover systems which
2 may be developed by the private or public sector.

3 ~~((4) Jurisdictions, working through))~~ (5) Cities and counties
4 along corridors designated in a high capacity transportation system
5 plan shall enter into agreements with their designated ((metropolitan))
6 regional transportation planning organizations, ((shall manage)) for
7 the purpose of participating in a right of way preservation review
8 process which includes activities to promote the preservation of the
9 high capacity transportation rights of way. The regional
10 transportation planning organization shall serve as the coordinator of
11 the review process.

12 (a) ~~((Jurisdictions))~~ Cities and counties shall forward all
13 development proposals for projects within and adjoining to the rights
14 of way proposed for preservation to the designated ~~((metropolitan))~~
15 regional transportation planning organizations, which shall distribute
16 the proposals for ((local and regional agency)) review by parties to
17 the right of way preservation review process.

18 (b) The ~~((metropolitan))~~ regional transportation planning
19 organizations shall also review proposals for conformance with the
20 regional transportation plan and associated regional development
21 strategies. The designated ((metropolitan)) regional transportation
22 planning organization shall within ninety days compile local and
23 regional agency comments and communicate the same to the originating
24 jurisdiction and the joint regional policy committee ((or, if
25 established, a regional high capacity transportation authority))."

26 "Sec. 8. RCW 81.104.090 and 1990 c 43 s 30 are each amended to
27 read as follows:

28 The department of transportation shall ~~((, upon dissolution of the~~
29 rail development commission, assume responsibility)) be responsible for

1 distributing amounts appropriated from the high capacity transportation
2 account and shall prioritize funding requests based on criteria in
3 subsection (3) of this section.

4 (1) The department shall establish an advisory council of policy
5 and technical experts pursuant to RCW 47.01.091 to assist in the review
6 of requests for high capacity transportation account funds. The
7 council shall be comprised of one representative from each
8 congressional district, a designee of the governor, the executive
9 director or a designee of the transportation improvement board, the
10 director of the Washington state transportation center, and the chair
11 or designee of the legislative transportation committee.

12 (2) State high capacity transportation account funds may provide up
13 to eighty percent matching assistance for high capacity transportation
14 planning efforts ~~((and for support of interim regional high capacity
15 transportation authorities))~~.

16 (3) Authorizations for state funding for high capacity
17 transportation planning projects shall be subject to the following
18 criteria:

19 (a) Conformance with the designated ~~((metropolitan))~~ regional
20 transportation planning organization's regional transportation plan;

21 (b) Local matching funds;

22 (c) Demonstration of projected improvement in regional mobility;

23 (d) Conformance with planning requirements prescribed in RCW
24 81.104.100, and if five hundred thousand dollars or more in state
25 funding is requested, conformance with the requirements of RCW
26 81.104.110; and

27 (e)~~((i))~~ Establishment, through interlocal agreements, of a joint
28 regional policy committee ~~((with proportional representation based upon
29 population distribution within each agency's designated service area))~~
30 as defined in RCW 81.104.030~~((i~~

1 ~~(ii) Establishment of a demonstrated regional agreement through a~~
2 ~~multijurisdictional conference to pursue high capacity transportation~~
3 ~~development on a subregional basis through established transit planning~~
4 ~~and operating agencies as defined in RCW 81.104.040; or~~

5 ~~(iii) Establishment, through a multijurisdictional conference, of~~
6 ~~an interim high capacity transportation authority as defined in RCW)~~
7 ~~or 81.104.040.~~

8 (4) The department of transportation shall provide general review
9 and monitoring of the system and project planning process prescribed in
10 RCW 81.104.100."

11 "**Sec. 9.** RCW 81.104.100 and 1990 c 43 s 31 are each amended to
12 read as follows:

13 To assure ~~((the adoption))~~ development of an effective high
14 capacity transportation system, local authorities shall follow the
15 following planning process:

16 (1) ~~((System))~~ Regional, multimodal transportation planning is the
17 ongoing urban transportation planning process conducted in each
18 urbanized area by its ~~((metropolitan))~~ regional transportation planning
19 organization. During this process, regional transportation goals are
20 identified, travel patterns are analyzed, and future land use and
21 travel are projected. The ~~((system planning))~~ process provides a
22 comprehensive view of the region's transportation needs but does not
23 select ~~((a))~~ specified modes to serve those needs. ~~((System planning))~~
24 The process shall identify a priority corridor or corridors for further
25 study of high capacity transportation facilities if it is deemed
26 feasible by local officials.

27 (2) ~~((a) Project))~~ High capacity transportation system planning is
28 the detailed evaluation of a range of high capacity transportation
29 system options, including ~~((i))~~: Do nothing, ~~((ii))~~ low capital,

1 and ~~((iii))~~ ranges of higher capital facilities. To the extent
2 possible this evaluation shall take into account the urban mass
3 transportation administration's requirements identified in subsection
4 (3) of this section.

5 ~~((b) Project)~~ High capacity transportation system planning shall
6 proceed as follows:

7 ~~((i))~~ (a) Organization and management. The responsible local
8 transit agency or agencies shall define roles for various local
9 agencies, review background information, provide for public
10 involvement, and develop a detailed work plan for the ~~((project))~~
11 system planning process.

12 ~~((ii))~~ (b) Development of options. Options to be studied shall
13 be developed to ensure an appropriate range of technologies and service
14 policies can be evaluated. A do-nothing option and a low capital
15 option that maximizes the current system shall be developed. Several
16 higher capital options that consider a range of capital expenditures
17 for several candidate technologies shall be developed.

18 ~~((iii))~~ (c) Analysis methods. The local transit agency shall
19 develop reports describing the analysis and assumptions for the
20 estimation of capital costs, operating and maintenance costs, methods
21 for travel forecasting, a financial plan and an evaluation methodology.

22 ~~((iv) Study of options.)~~ (d) The system plan submitted to the
23 voters pursuant to RCW 81.04.140 shall address, but is not limited to
24 the following issues:

25 (i) Identification of level and types of high capacity
26 transportation services to be provided;

27 (ii) A plan of high occupancy vehicle lanes to be constructed;

28 (iii) Identification of route alignments and station locations with
29 sufficient specificity to permit calculation of costs, ridership, and
30 system impacts;

1 (iv) Performance characteristics of technologies in the system
2 plan;

3 (v) Patronage forecasts;

4 (vi) A financing plan describing: Phasing of investments; capital
5 and operating costs and expected revenues; cost-effectiveness
6 represented by a total cost per system rider and new rider estimate;
7 estimated ridership and the cost of service for each individual high
8 capacity line; and identification of the operating revenue to operating
9 expense ratio.

10 The financing plan shall specifically differentiate the proposed
11 use of funds between high capacity transportation facilities, high
12 occupancy vehicle facilities, and expanded local/feeder service;

13 (vii) Description of the relationship between the high capacity
14 transportation system plan and adopted land use plans;

15 (viii) An assessment of social, economic, and environmental
16 impacts; and

17 (ix) Mobility characteristics of the system presented, including
18 but not limited to: Qualitative description of system/service
19 philosophy and impacts; qualitative system reliability; travel time and
20 number of transfers between selected residential, employment, and
21 activity centers; and system and activity center mode splits.

22 (3) High capacity transportation project planning is the detailed
23 identification of alignments, station locations, equipment and systems,
24 construction schedules, environmental effects, and costs. High
25 capacity transportation project planning shall proceed as follows: The
26 local transit agency shall ((use the methods described in (iii) of this
27 subsection to)) analyze and produce ((impact)) information needed for
28 ((project evaluation and for)) the preparation of ((an)) environmental
29 impact statements. The impact ((evaluation)) statements shall address
30 the impact that development of such a ((project)) system will have on

1 abutting or nearby (~~(residential or commercial)~~) property owners. The
2 process of identification of (~~(corridors)~~) alignments and station
3 locations shall include notification of affected property owners by
4 normal legal publication. At minimum, such notification shall include
5 notice on the same day for at least three weeks in at least two
6 newspapers of general circulation in the county where such project is
7 proposed. Special notice of hearings by the conspicuous posting of
8 notice, in a manner designed to attract public attention, in the
9 vicinity of areas identified for station locations or transfer sites
10 shall also be provided.

11 ~~((v) Review and monitor. The department of transportation shall~~
12 ~~provide project review and monitoring in cooperation with the expert~~
13 ~~review panel identified in RCW 81.104.110. In addition, the local~~
14 ~~transit agency shall maintain a continuous public involvement program~~
15 ~~and seek involvement of other government agencies.~~

16 ~~(vi) Detailed planning process.))~~ In order to increase the
17 likelihood of future federal funding, the (~~(system and)~~) project
18 planning processes shall follow the urban mass transportation
19 administration's requirements as described in "Procedures and Technical
20 Methods for Transit Project Planning", published by the United States
21 department of transportation, urban mass transportation administration,
22 September 1986, or the most recent edition. Nothing in this subsection
23 shall be construed to preclude detailed evaluation of more than one
24 corridor in the planning process.

25 The department of transportation shall provide system and project
26 planning review and monitoring in cooperation with the expert review
27 panel identified in RCW 81.104.110. In addition, the local transit
28 agency shall maintain a continuous public involvement program and seek
29 involvement of other government agencies."

1 **"Sec. 10.** RCW 81.104.110 and 1990 c 43 s 32 are each amended to
2 read as follows:

3 The legislature recognizes that the planning (~~((process))~~) processes
4 described in RCW 81.104.100 provide(~~((s))~~) a recognized framework for
5 guiding high capacity transportation studies. However, the process
6 cannot guarantee appropriate (~~((transit))~~) decisions unless key study
7 assumptions are reasonable.

8 To assure appropriate (~~((project))~~) system plan assumptions and to
9 provide for review of (~~((project))~~) system plan results, (~~((the department~~
10 ~~of transportation shall develop independent oversight procedures which~~
11 ~~are appropriate to the scope of any project for which high capacity~~
12 ~~transportation account funds are requested.))~~) an expert review panel
13 shall be appointed to provide independent technical review for
14 development of any (~~((project))~~) system plan which is to be funded in
15 whole or in part by the imposition of any voter-approved local option
16 funding sources enumerated in RCW 81.104.140.

17 (1) The expert review panel shall consist of ten members who are
18 recognized experts in relevant fields, such as transit operations,
19 planning, emerging transportation technologies, engineering, finance,
20 law, the environment, geography, economics, and political science.

21 (2) The expert review panel shall be selected cooperatively by the
22 chair of the legislative transportation committee, the secretary of the
23 department of transportation, and the governor to assure a balance of
24 disciplines.

25 (3) The chair of the expert review panel shall be designated by the
26 appointing (~~((body))~~) authorities.

27 (4) The expert review panel shall serve without compensation but
28 shall be reimbursed for expenses according to chapter 43.03 RCW.

29 (5) The panel shall carry out the duties set forth in subsections
30 (6) and (7) of this section until the date on which an election is held

1 to consider the high capacity transportation system and financing
2 plans. Funds appropriated for expenses of the expert panel shall be
3 administered by the department of transportation.

4 (6) The expert panel shall review all reports required in RCW
5 81.104.100(2)((~~(b)(vi) but~~)) and shall concentrate on service modes and
6 concepts, costs, patronage(~~(7)~~) and financing(~~(7, and project)~~)
7 evaluations.

8 (7) The expert panel shall provide timely reviews and comments on
9 individual (~~project~~) reports and study conclusions to the governor,
10 the legislative transportation committee, the department of
11 transportation, the regional transportation planning organization, the
12 joint regional policy committee, and the submitting lead transit
13 agency.

14 (8) The legislative transportation committee shall contract for
15 consulting services for expert review panels. The amount of consultant
16 support shall be negotiated with each expert review panel by the
17 legislative transportation committee and shall be paid from
18 appropriations for that purpose from the high capacity transportation
19 account."

20 "**Sec. 11.** RCW 81.104.140 and 1990 c 43 s 35 are each amended to
21 read as follows:

22 (1) Agencies authorized to provide high capacity transportation
23 service, including city-owned transit systems, county transportation
24 authorities, metropolitan municipal corporations and public
25 transportation benefit areas, are hereby granted dedicated funding
26 sources for such systems. These dedicated funding sources, as set
27 forth in RCW 81.104.150, 81.104.160, and 81.104.170, are authorized
28 only for agencies located in (~~class AA counties, class A counties,~~
29 ~~counties of the first class which border another state, and counties~~

1 ~~which, on March 14, 1990, are of the second class and which adjoin~~
2 ~~class A counties)) (a) each county with a population of two hundred ten~~
3 ~~thousand or more and (b) each county with a population of from one~~
4 ~~hundred twenty-five thousand to less than two hundred ten thousand~~
5 ~~except for those counties that do not border a county with a population~~
6 ~~as described under (a) of this subsection.~~

7 (2) Agencies (~~providing~~) planning to construct and operate a high
8 capacity transportation ((service)) system should also seek other
9 funds, including federal, state, local, and private sector assistance.

10 (3) Funding sources should satisfy each of the following criteria
11 to the greatest extent possible:

- 12 (a) Acceptability;
- 13 (b) Ease of administration;
- 14 (c) Equity;
- 15 (d) Implementation feasibility;
- 16 (e) Revenue reliability; and
- 17 (f) Revenue yield.

18 (4) Agencies participating in regional high capacity transportation
19 system development through interlocal agreements (~~or a conference-~~
20 ~~approved interim regional rail authority or subregional process as~~
21 ~~defined in RCW 81.104.040)) are authorized to levy and collect the
22 following voter-approved local option funding sources:~~

- 23 (a) Employer tax as provided in RCW 81.104.150;
- 24 (b) Special motor vehicle excise tax as provided in RCW 81.104.160;
- 25 and
- 26 (c) Sales and use tax as provided in RCW 81.104.170.

27 Revenues from these taxes may be used only to support those
28 purposes prescribed in subsection (~~(+8))~~ (10) of this section. Before
29 (~~an agency may~~) the date of an election authorizing an agency to
30 impose any of the taxes enumerated in this section and authorized in

1 RCW 81.104.150, 81.104.160, and 81.104.170, (~~it~~) the agency must
2 comply with the process prescribed in RCW 81.104.100(1) and (2) and
3 81.104.110. No construction on exclusive right of way may occur before
4 the requirements of RCW 81.104.100(3) are met.

5 (5) Authorization in subsection (4) of this section shall not
6 adversely affect the funding authority of existing transit agencies.
7 Local option funds may be used to support implementation of interlocal
8 agreements with respect to the establishment of regional high capacity
9 transportation service. Local jurisdictions shall retain control over
10 moneys generated within their boundaries, although funds may be
11 commingled with those generated in other areas for planning,
12 construction, and operation of high capacity transportation systems as
13 set forth in the agreements.

14 (6) Agencies (~~providing~~) planning to construct and operate high
15 capacity transportation (~~service~~) systems may contract with the state
16 for collection and transference of voter-approved local option revenue.

17 (7) Dedicated high capacity transportation funding sources
18 authorized in RCW 81.104.150, 81.104.160, and 81.104.170 shall be
19 subject to voter approval by a simple majority. A single ballot
20 proposition may seek approval for one or more of the authorized taxing
21 sources. The ballot title shall reference the document identified in
22 subsection (8) of this section.

23 (8) Agencies shall provide to the registered voters in the area a
24 document describing the systems plan and the financing plan set forth
25 in RCW 81.104.100. It shall also describe the relationship of the
26 system to regional issues such as development density at station
27 locations and activity centers, and the interrelationship of the system
28 to adopted land use and transportation demand management goals within
29 the region. This document shall be provided to the voters at least
30 twenty days prior to the date of the election.

1 (9) For any election in which voter approval is sought for a high
2 capacity transportation system plan and financing plan pursuant to RCW
3 81.104.040, a local voter's pamphlet shall be produced as provided in
4 chapter 29.81A RCW.

5 (10) Agencies providing high capacity transportation service shall
6 retain responsibility for revenue encumbrance, disbursement, and
7 bonding. Funds may be used for any purpose relating to planning,
8 construction, and operation of high capacity transportation systems,
9 commuter rail systems, and feeder transportation systems."

10 **"Sec. 12.** RCW 81.104.160 and 1990 c 43 s 42 are each amended to
11 read as follows:

12 Any city that operates a transit system, county transportation
13 authority, metropolitan municipal corporation, or public transportation
14 benefit area, solely for the purpose of providing high capacity
15 transportation service may submit an authorizing proposition to the
16 voters, and if approved, may levy and collect an excise tax, at a rate
17 approved by the voters, but not exceeding eighty one-hundredths of one
18 percent on the value, under chapter 82.44 RCW, of every motor vehicle
19 owned by a resident of such city, county transportation authority,
20 metropolitan municipal corporation, or public transportation benefit
21 area. In any county imposing a motor vehicle excise tax surcharge
22 pursuant to RCW 81.100.060, the maximum tax rate under this section
23 shall be reduced to a rate equal to eighty one-hundredths of one
24 percent on the value less the equivalent motor vehicle excise tax rate
25 of the surcharge imposed pursuant to RCW 81.100.060. (~~(This authority~~
26 ~~may be exercised only if all local agencies which are parties to an~~
27 ~~interlocal agreement or members of a regional authority under RCW~~
28 ~~81.104.040 are imposing the tax at the same rate.)) This rate shall
29 not apply to vehicles licensed under RCW 46.16.070 except vehicles with~~

1 an unladen weight of six thousand pounds or less, RCW 46.16.079,
2 46.16.080, 46.16.085, or 46.16.090."

3 "Sec. 13. RCW 82.80.020 and 1990 c 42 s 206 are each amended to
4 read as follows:

5 (1) The legislative authority of a county may fix and impose an
6 additional fee, not to exceed fifteen dollars per vehicle, for each
7 vehicle that is subject to license fees under RCW 46.16.060 and is
8 determined by the department of licensing to be registered within the
9 boundaries of the county.

10 (2) The department of licensing shall administer and collect the
11 fee. The department shall deduct a percentage amount, as provided by
12 contract, not to exceed two percent of the taxes collected, for
13 administration and collection expenses incurred by it. The remaining
14 proceeds shall be remitted to the custody of the state treasurer for
15 monthly distribution under RCW 82.80.080.

16 (3) The proceeds of this fee shall be used strictly for
17 transportation purposes in accordance with RCW 82.80.070.

18 (4) A county imposing this fee shall delay the effective date at
19 least six months from the date the ordinance is enacted to allow the
20 department of licensing to implement administration and collection of
21 the fee."

22 (5) The legislative authority of a county may develop and initiate
23 a refund process of the fifteen dollar fee to the registered owners of
24 vehicles residing within the boundaries of the county who are sixty-one
25 years old or older at the time of payment of the fee and whose
26 household income for the previous calendar year is eighteen thousand
27 dollars or less or who has a physical disability and who has paid the
28 fifteen dollar additional fee."

1 "NEW SECTION. Sec. 14. The legislature recognizes that certain
2 communities have important cultural, economic, or transportation
3 linkages to communities in other counties. Many public services can
4 most efficiently be delivered from public agencies located in counties
5 other than the county within which the community is located. It is the
6 intent of the legislature by enacting sections 14 through 16 of this
7 act to further more effective public transportation linkages between
8 communities, regardless of county association, in order to better serve
9 state citizen needs."

10 "**Sec. 15.** RCW 36.57A.040 and 1983 c 65 s 2 are each amended to
11 read as follows:

12 At the time of its formation no public transportation benefit area
13 may include only a part of any city, and every city shall be either
14 wholly included or wholly excluded from the boundaries of such area.
15 Notwithstanding any other provision of law, if subsequent to the
16 formation of a public transportation benefit area additional area
17 became or will become a part of a component city by annexation, merger,
18 or otherwise, the additional area shall be included within the
19 boundaries of the transportation benefit area and be subject to all
20 taxes and other liabilities and obligations of the public
21 transportation benefit area. The component city shall be required to
22 notify the public transportation benefit area at the time the city has
23 added the additional area. Furthermore, notwithstanding any other
24 provisions of law, if a city that is not a component city of the public
25 transportation benefit area adds area to its boundaries that is within
26 the boundaries of the public transportation benefit area, the area so
27 added shall be deemed to be excluded from the public transportation
28 benefit area: PROVIDED, That the public transportation benefit area
29 shall be given notice of the city's intention to add such area.

1 The boundaries of any public transportation benefit area shall
2 follow school district lines or election precinct lines, as far as
3 practicable. Only such areas shall be included which the conference
4 determines could reasonably benefit from the provision of public
5 transportation services. Except as provided in RCW 36.57A.140(2), only
6 one public transportation benefit area may be created in any county."

7 "Sec. 16. RCW 36.57A.055 and 1983 c 65 s 4 are each amended to
8 read as follows:

9 After a public transportation benefit area has been in existence
10 for four years, members of the county legislative authority and the
11 elected representative of each city within the boundaries of the public
12 transportation benefit area shall review the composition of the
13 governing body of the benefit area and change the composition of the
14 governing body if the change is deemed appropriate. The review shall
15 be at a meeting of the designated representatives of the component
16 county and cities, and the majority of those present shall constitute
17 a quorum at such meeting. Twenty days notice of the meeting shall be
18 given by the chief administrative officer of the public transportation
19 benefit area authority. After the initial review, a review shall be
20 held every four years.

21 If an area having a population greater than fifteen percent, or
22 areas with a combined population of greater than twenty-five percent of
23 the population of the existing public transportation benefit area as
24 constituted at the last review meeting, annex to the public
25 transportation benefit area, or if an area is added under RCW
26 36.57A.140(2), the representatives of the component county and cities
27 shall meet within ninety days to review and change the composition of
28 the governing body, if the change is deemed appropriate. This meeting
29 is in addition to the regular four-year review meeting and shall be

1 conducted pursuant to the same notice requirement and quorum provisions
2 of the regular review."

3 "Sec. 17. RCW 36.57A.140 and 1983 c 65 s 5 are each amended to
4 read as follows:

5 (1) An election to authorize the annexation of territory contiguous
6 to a public transportation benefit area may be called within the area
7 to be annexed pursuant to resolution or petition in the following
8 manner:

9 (a) By resolution of a public transportation benefit area authority
10 when it determines that the best interests and general welfare of the
11 public transportation benefit area would be served. The authority
12 shall consider the question of areas to be annexed to the public
13 transportation benefit area at least once every two years.

14 (b) By petition calling for such an election signed by at least
15 four percent of the qualified voters residing within the area to be
16 annexed and filed with the auditor of the county wherein the largest
17 portion of the public transportation benefit area is located, and
18 notice thereof shall be given to the authority. Upon receipt of such
19 a petition, the auditor shall examine it and certify to the sufficiency
20 of the signatures thereon.

21 (c) By resolution of a public transportation benefit area authority
22 upon request of any city for annexation thereto.

23 (2) If the area proposed to be annexed is located within another
24 county, the petition or resolution for annexation as set forth in
25 subsection (1) of this section must be approved by the legislative
26 authority of the county if the area is unincorporated or by the
27 legislative authority of the city or town if the area is incorporated.
28 Any annexation under this subsection must involve contiguous areas.

