
HOUSE BILL 2140

State of Washington

53rd Legislature

1994 Regular Session

By Representatives R. Meyers, Sheldon, Dorn, Springer, Hansen and Morris

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1 AN ACT Relating to state highway construction improvements;
2 amending RCW 46.68.090, 46.68.095, 47.10.812, 47.10.814, and 47.10.816;
3 creating a new section; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature that the
6 1st Avenue South Bridge project be expeditiously completed. The
7 legislature urges total cooperation between state and local officials
8 in this endeavor. The legislature further urges the full consideration
9 and examination of the public-private initiative program and the
10 potential use of revenue bonds as a means of funding this project.

11 **Sec. 2.** RCW 46.68.090 and 1991 c 342 s 56 are each amended to read
12 as follows:

13 (1) All moneys that have accrued or may accrue to the motor vehicle
14 fund from the motor vehicle fuel tax and special fuel tax shall be
15 first expended for the following purposes:

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

1 (b) For payment of amounts to be expended pursuant to
2 appropriations for the administrative expenses of the offices of state
3 treasurer, state auditor, and the department of licensing of the state
4 of Washington in the administration of the motor vehicle fuel tax and
5 the special fuel tax, which sums shall be distributed monthly;

6 (c) From April 1, 1992, through March 31, 1996, for distribution to
7 the transfer relief account, hereby created in the motor vehicle fund,
8 an amount not to exceed three hundred twenty-five one-thousandths of
9 one percent;

10 (d) For distribution to the rural arterial trust account in the
11 motor vehicle fund, an amount as provided in RCW 82.36.025(2) and
12 46.68.095(3);

13 (e) For distribution to the urban arterial trust account in the
14 motor vehicle fund, an amount as provided in RCW 82.36.025(3);

15 (f) For distribution to the transportation improvement account in
16 the motor vehicle fund, an amount as provided in RCW 46.68.095(1);

17 (g) For distribution to the (~~special category C account, hereby~~
18 ~~created in the~~) motor vehicle fund and dedicated for state highway
19 construction improvements, an amount as provided in RCW 46.68.095(2);

20 (h) For distribution to the county arterial preservation account,
21 hereby created in the motor vehicle fund, an amount as provided in RCW
22 46.68.095(4);

23 (i) For distribution to the motor vehicle fund to be allocated to
24 cities and towns as provided in RCW 46.68.110, an amount as provided in
25 RCW 46.68.095(5);

26 (j) For distribution to the motor vehicle fund to be allocated to
27 counties as provided in RCW 46.68.120, an amount as provided in RCW
28 46.68.095(6);

29 (k) For expenditure for highway purposes of the state as defined in
30 RCW 46.68.130, an amount as provided in RCW 82.36.025(4) and
31 46.68.095(7).

32 (2) The amount accruing to the motor vehicle fund by virtue of the
33 motor vehicle fuel tax and the special fuel tax and remaining after
34 payments, distributions, and expenditures as provided in this section
35 shall, for the purposes of this chapter, be referred to as the "net tax
36 amount."

37 **Sec. 3.** RCW 46.68.095 and 1990 c 42 s 103 are each amended to read
38 as follows:

1 All moneys that have accrued or may accrue to the motor vehicle
2 fund from the motor vehicle fuel tax and special fuel tax imposed by
3 RCW 82.36.025(5) shall be distributed monthly by the state treasurer in
4 the following proportions:

5 (1) One and one-half cents shall be deposited in the transportation
6 improvement account and expended in accordance with RCW 47.26.084.

7 (2) From April 1, (~~(1991)~~) 1994, seventy-five one-hundredths of one
8 cent shall be deposited in (~~(the special category C account in)~~) the
9 motor vehicle fund (~~(for special category C projects. Special category~~
10 ~~C projects are category C projects as defined in RCW 47.05.030(3) that,~~
11 ~~due to high cost only, will require bond financing to complete~~
12 ~~construction.~~

13 ~~The following criteria, listed in order of priority, shall be used~~
14 ~~in determining which special category C projects have the highest~~
15 ~~priority:~~

16 ~~(a) Accident experience; and~~

17 ~~(b) Fatal accident experience; and~~

18 ~~(c) Capacity to move people and goods safely and at reasonable~~
19 ~~speeds without undue congestion; and~~

20 ~~(d) Continuity of development of the highway transportation~~
21 ~~network)) and dedicated for state highway construction improvements.~~

22 Moneys deposited in the (~~(special category C account in the)~~) motor
23 vehicle fund and dedicated for state highway construction improvements
24 may be used for payment of debt service on bonds the proceeds of which
25 are used to finance (~~(special category C))~~ state highway construction
26 improvement projects under this subsection. As of April 1, 1994, all
27 funds in the special category C account will be transferred to the
28 motor vehicle fund and dedicated for state highway construction
29 improvements. All outstanding financial obligations of the special
30 category C account will be transferred to the motor vehicle fund and
31 will be funded from that portion of the motor vehicle fund dedicated
32 for state highway construction improvements.

33 (3) Twenty-five one-hundredths of one cent shall be deposited in
34 the rural arterial trust account in the motor vehicle fund.

35 (4) Forty-five one-hundredths of one cent shall be deposited in the
36 county arterial preservation account. These funds shall be distributed
37 by the county road administration board to counties in proportions
38 corresponding to the number of paved arterial lane miles in the
39 unincorporated area of each county and shall be used for improvements

1 to sustain the structural, safety, and operational integrity of county
2 arterials. The county road administration board shall adopt reasonable
3 rules and develop policies to implement this program and to assure that
4 a pavement management system is used.

5 (5) One-half of one cent shall be allocated to cities and towns as
6 provided in RCW 46.68.110.

7 (6) From April 1, 1990, through March 31, 1991, thirty one-
8 hundredths of one cent and after March 31, 1991, fifty-five one-
9 hundredths of one cent shall be allocated to counties as provided in
10 RCW 46.68.120.

11 (7) One cent shall be deposited in the motor vehicle fund and shall
12 be expended for highway purposes of the state as defined in RCW
13 46.68.130.

14 **Sec. 4.** RCW 47.10.812 and 1993 c 431 s 1 are each amended to read
15 as follows:

16 In order to provide funds necessary for the location, design, right
17 of way, and construction of state highway improvements (~~that are~~
18 ~~identified as special category C improvements~~)), there shall be issued
19 and sold upon the request of the Washington state transportation
20 commission a total of two hundred forty million dollars of general
21 obligation bonds of the state of Washington.

22 **Sec. 5.** RCW 47.10.814 and 1993 c 431 s 3 are each amended to read
23 as follows:

24 The proceeds from the sale of bonds authorized by RCW 47.10.812
25 through 47.10.817 shall be deposited in the (~~special category C~~
26 ~~account in the~~) motor vehicle fund. The proceeds shall be available
27 only for the purposes enumerated in RCW 47.10.812, for the payment of
28 bond anticipation notes, if any, and for the payment of bond issuance
29 costs, including the costs of underwriting.

30 **Sec. 6.** RCW 47.10.816 and 1993 c 431 s 5 are each amended to read
31 as follows:

32 Both principal and interest on the bonds issued for the purposes of
33 RCW 47.10.812 through 47.10.817 shall be payable from the highway bond
34 retirement fund. The state finance committee may provide that a
35 special account be created in the fund to facilitate payment of the
36 principal and interest. The state finance committee shall, on or

1 before June 30th of each year, certify to the state treasurer the
2 amount required for principal and interest on the bonds in accordance
3 with the bond proceedings. The state treasurer shall withdraw revenues
4 from the ((~~special category C account in the~~)) motor vehicle fund and
5 deposit in the highway bond retirement fund, or a special account in
6 the fund, such amounts, and at such times, as are required by the bond
7 proceedings.

8 Any funds required for bond retirement or interest on the bonds
9 authorized by RCW 47.10.812 through 47.10.817 shall be taken from that
10 portion of the motor vehicle fund that results from the imposition of
11 excise taxes on motor vehicle and special fuels and that is distributed
12 to the ((~~special category C account in the~~)) motor vehicle fund. Funds
13 required shall never constitute a charge against any other allocations
14 of motor vehicle fuel and special fuel tax revenues to the state,
15 counties, cities and towns unless the amount arising from excise taxes
16 on motor vehicle and special fuels distributed to the ((~~special~~
17 ~~category C account~~)) motor vehicle fund proves insufficient to meet the
18 requirements for bond retirement or interest on any such bonds.

19 Any payments for bond retirement or interest on the bonds taken
20 from other revenues from the motor vehicle fuel or special fuel taxes
21 that are distributable to the state, counties, cities and towns, shall
22 be repaid from the first revenues from the motor vehicle fuel or
23 special fuel taxes distributed to the ((~~special category C account~~))
24 motor vehicle fund not required for bond retirement or interest on the
25 bonds.

26 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
27 preservation of the public peace, health, or safety, or support of the
28 state government and its existing public institutions, and shall take
29 effect immediately.

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