
SENATE BILL 5774

State of Washington

53rd Legislature

1993 Regular Session

By Senators Fraser and Barr

Read first time 02/12/93. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to transfers of fuel taxes attributable to
2 nonhighway uses; and amending RCW 46.09.170 and 46.10.170.

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

4 **Sec. 1.** RCW 46.09.170 and 1990 c 42 s 115 are each amended to read
5 as follows:

6 (1) From time to time, but at least once each year, the state
7 treasurer shall refund from the motor vehicle fund one percent of the
8 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
9 (~~based on the tax rate in effect January 1, 1990,~~) less proper
10 deductions for refunds and costs of collection as provided in RCW
11 46.68.090. The treasurer shall place these funds in the general fund
12 as follows:

13 (a) Forty percent shall be credited to the ORV and nonhighway
14 vehicle account and administered by the department of natural resources
15 solely for planning, maintenance, and management of ORV recreation
16 facilities, nonhighway roads, and nonhighway road recreation
17 facilities. The funds under this subsection shall be expended in
18 accordance with the following limitations:

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

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

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

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

9 (v) Ten percent shall be transferred to the interagency committee
10 for outdoor recreation for grants to law enforcement agencies in those
11 counties where the department of natural resources maintains ORV
12 facilities. This amount is in addition to those distributions made by
13 the interagency committee for outdoor recreation under (d)(i) of this
14 subsection;

15 (b) Three and one-half percent shall be credited to the ORV and
16 nonhighway vehicle account and administered by the department of
17 wildlife solely for the acquisition, planning, development,
18 maintenance, and management of nonhighway roads and recreation
19 facilities;

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

23 (d) Fifty-four and one-half percent, together with the funds
24 received by the interagency committee for outdoor recreation under RCW
25 46.09.110, shall be credited to the outdoor recreation account to be
26 administered by the committee for planning, acquisition, development,
27 maintenance, and management of ORV recreation facilities and nonhighway
28 road recreation facilities; ORV user education and information; and ORV
29 law enforcement programs. The funds under this subsection shall be
30 expended in accordance with the following limitations:

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

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

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

1 (2) On a yearly basis an agency may not, except as provided in RCW
2 46.09.110, expend more than ten percent of the funds it receives under
3 this chapter for general administration expenses incurred in carrying
4 out this chapter.

5 **Sec. 2.** RCW 46.10.170 and 1990 c 42 s 117 are each amended to read
6 as follows:

7 From time to time, but at least once each biennium, the department
8 shall determine the amount or proportion of moneys paid to it as motor
9 vehicle fuel tax, (~~based on the tax rate in effect January 1, 1990,~~)
10 which is tax on snowmobile fuel. Such determination may be made in any
11 manner which is, in the judgment of the director, reasonable, but the
12 manner used to make such determination shall be reported at the end of
13 each biennium to the legislature. To offset the actual cost of making
14 such determination the treasurer shall retain in, and the department is
15 authorized to expend from, the motor vehicle fund a sum equal to such
16 actual cost.

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