

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5978

Chapter 491, Laws of 1993

53rd Legislature
1993 Regular Session

MOTOR VEHICLE EXCISE TAX--DISTRIBUTION FORMULA REVISED

EFFECTIVE DATE: 6/30/93

Passed by the Senate April 25, 1993
YEAS 25 NAYS 22

JOEL PRITCHARD

President of the Senate

Passed by the House April 24, 1993
YEAS 59 NAYS 37

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Approved May 17, 1993

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5978** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MARTY BROWN

Secretary

FILED

May 17, 1993 - 2:27 p.m.

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5978

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senator Rinehart; by request of Office of Financial Management

Read first time 04/08/93. Referred to Committee on Ways & Means.

1 AN ACT Relating to disposition of motor vehicle excise tax revenue;
2 amending RCW 82.44.110; reenacting and amending RCW 82.44.150;
3 providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 82.44.110 and 1991 c 199 s 221 are each amended to
6 read as follows:

7 The county auditor shall regularly, when remitting license fee
8 receipts, pay over and account to the director of licensing for the
9 excise taxes collected under the provisions of this chapter. The
10 director shall forthwith transmit the excise taxes to the state
11 treasurer.

12 (1) The state treasurer shall deposit the excise taxes collected
13 under RCW 82.44.020(1) as follows:

14 (a) 1.60 percent into the motor vehicle fund to defray
15 administrative and other expenses incurred by the department in the
16 collection of the excise tax.

17 (b) 8.15 percent into the Puget Sound capital construction account
18 in the motor vehicle fund.

1 (c) 4.07 percent into the Puget Sound ferry operations account in
2 the motor vehicle fund.

3 (d) 8.83 percent into the general fund to be distributed under RCW
4 82.44.155.

5 (e) 4.75 percent into the municipal sales and use tax equalization
6 account in the general fund created in RCW 82.14.210.

7 (f) 1.60 percent into the county sales and use tax equalization
8 account in the general fund created in RCW 82.14.200.

9 (g) 62.6440 percent into the general fund through (~~June 30, 1993,~~
10 ~~57.6440 percent into the general fund beginning July 1, 1993, and 66~~)
11 December 31, 1993, 71 percent into the general fund beginning January
12 1, 1994, and 66 percent into the general fund beginning July 1, 1995.

13 (h) 5 percent into the transportation fund created in RCW 82.44.180
14 beginning July 1, (~~1993~~) 1995.

15 (i) 5.9686 percent into the county criminal justice assistance
16 account created in RCW 82.14.310 through December 31, 1993.

17 (j) 1.1937 percent into the municipal criminal justice assistance
18 account for distribution under RCW 82.14.320 through December 31, 1993.

19 (k) 1.1937 percent into the municipal criminal justice assistance
20 account for distribution under RCW 82.14.330 through December 31, 1993.

21 (2) The state treasurer shall deposit the excise taxes collected
22 under RCW 82.44.020(2) into the transportation fund.

23 (3) The state treasurer shall deposit the excise tax imposed by RCW
24 82.44.020(3) into the air pollution control account created by RCW
25 70.94.015.

26 **Sec. 2.** RCW 82.44.150 and 1991 c 309 s 5 and 1991 c 199 s 222 are
27 each reenacted and amended to read as follows:

28 (1) The director of licensing shall, on the twenty-fifth day of
29 February, May, August, and November of each year, advise the state
30 treasurer of the total amount of motor vehicle excise taxes imposed by
31 RCW 82.44.020 (1) and (2) remitted to the department during the
32 preceding calendar quarter ending on the last day of March, June,
33 September, and December, respectively, except for those payable under
34 RCW 82.44.030, from motor vehicle owners residing within each
35 municipality which has levied a tax under RCW 35.58.273, which amount
36 of excise taxes shall be determined by the director as follows:

37 The total amount of motor vehicle excise taxes remitted to the
38 department, except those payable under RCW 82.44.020(3) and 82.44.030,

1 from each county shall be multiplied by a fraction, the numerator of
2 which is the population of the municipality residing in such county,
3 and the denominator of which is the total population of the county in
4 which such municipality or portion thereof is located. The product of
5 this computation shall be the amount of excise taxes from motor vehicle
6 owners residing within such municipality or portion thereof. Where the
7 municipality levying a tax under RCW 35.58.273 is located in more than
8 one county, the above computation shall be made by county, and the
9 combined products shall provide the total amount of motor vehicle
10 excise taxes from motor vehicle owners residing in the municipality as
11 a whole. Population figures required for these computations shall be
12 supplied to the director by the office of financial management, who
13 shall adjust the fraction annually.

14 (2) On the first day of the months of January, April, July, and
15 October of each year, the state treasurer based upon information
16 provided by the department shall, from motor vehicle excise taxes
17 deposited in the general fund, under RCW ~~((82.44.110(7)))~~
18 82.44.110(1)(g), make the following deposits:

19 (a) To the high capacity transportation account created in RCW
20 47.78.010, a sum equal to four and five-tenths percent of the special
21 excise tax levied under RCW 35.58.273 by those municipalities
22 authorized to levy a special excise tax within (i) each county with a
23 population of two hundred ten thousand or more and (ii) each county
24 with a population of from one hundred twenty-five thousand to less than
25 two hundred ten thousand except for those counties that do not border
26 a county with a population as described in subsection (i) of this
27 subsection;

28 (b) To the central Puget Sound public transportation account
29 created in RCW 82.44.180, for revenues distributed after December 31,
30 1992, within a county with a population of one million or more and a
31 county with a population of from two hundred thousand to less than one
32 million bordering a county with a population of one million or more, a
33 sum equal to the difference between (i) the special excise tax levied
34 and collected under RCW 35.58.273 by those municipalities authorized to
35 levy and collect a special excise tax subject to the requirements of
36 subsections (3) and (4) of this section and (ii) the special excise tax
37 that the municipality would otherwise have been eligible to levy and
38 collect at a tax rate of .815 percent and been able to match with
39 locally generated tax revenues, other than the excise tax imposed under

1 RCW 35.58.273, budgeted for any public transportation purpose. Before
2 this deposit, the sum shall be reduced by an amount equal to the amount
3 distributed under (a) of this subsection for each of the municipalities
4 within the counties to which this subsection (2)(b) applies; however,
5 any transfer under this subsection (2)(b) must be greater than zero;

6 (c) To the public transportation systems account created in RCW
7 82.44.180, for revenues distributed after December 31, 1992, within
8 counties not described in (b) of this subsection, a sum equal to the
9 difference between (i) the special excise tax levied and collected
10 under RCW 35.58.273 by those municipalities authorized to levy and
11 collect a special excise tax subject to the requirements of subsections
12 (3) and (4) of this section and (ii) the special excise tax that the
13 municipality would otherwise have been eligible to levy and collect at
14 a tax rate of .815 percent and been able to match with locally
15 generated tax revenues, other than the excise tax imposed under RCW
16 35.58.273, budgeted for any public transportation purpose. Before this
17 deposit, the sum shall be reduced by an amount equal to the amount
18 distributed under (a) of this subsection for each of the municipalities
19 within the counties to which this subsection (2)(c) applies; however,
20 any transfer under this subsection (2)(c) must be greater than zero;
21 and

22 (d) To the ~~((transportation))~~ general fund ~~((created in RCW~~
23 ~~82.44.180))~~, for revenues distributed after June 30, ~~((1991))~~ 1993, and
24 to the transportation fund, for revenues distributed after June 30,
25 1995, a sum equal to the difference between (i) the special excise tax
26 levied and collected under RCW 35.58.273 by those municipalities
27 authorized to levy and collect a special excise tax subject to the
28 requirements of subsections (3) and (4) of this section and (ii) the
29 special excise tax that the municipality would otherwise have been
30 eligible to levy and collect at a tax rate of .815 percent
31 notwithstanding the requirements set forth in subsections (3) through
32 (6) of this section, reduced by an amount equal to distributions made
33 under (a), (b), and (c) of this subsection.

34 (3) On the first day of the months of January, April, July, and
35 October of each year, the state treasurer, based upon information
36 provided by the department, shall remit motor vehicle excise tax
37 revenues imposed and collected under RCW 35.58.273 as follows:

38 (a) The amount required to be remitted by the state treasurer to
39 the treasurer of any municipality levying the tax shall not exceed in

1 any calendar year the amount of locally-generated tax revenues,
2 excluding the excise tax imposed under RCW 35.58.273 for the purposes
3 of this section, which shall have been budgeted by the municipality to
4 be collected in such calendar year for any public transportation
5 purposes including but not limited to operating costs, capital costs,
6 and debt service on general obligation or revenue bonds issued for
7 these purposes; and

8 (b) In no event may the amount remitted in a single calendar
9 quarter exceed the amount collected on behalf of the municipality under
10 RCW 35.58.273 during the calendar quarter next preceding the
11 immediately preceding quarter.

12 (4) At the close of each calendar year accounting period, but not
13 later than April 1, each municipality that has received motor vehicle
14 excise taxes under subsection (3) of this section shall transmit to the
15 director of licensing and the state auditor a written report showing by
16 source the previous year's budgeted tax revenues for public
17 transportation purposes as compared to actual collections. Any
18 municipality that has not submitted the report by April 1 shall cease
19 to be eligible to receive motor vehicle excise taxes under subsection
20 (3) of this section until the report is received by the director of
21 licensing. If a municipality has received more or less money under
22 subsection (3) of this section for the period covered by the report
23 than it is entitled to receive by reason of its locally-generated
24 collected tax revenues, the director of licensing shall, during the
25 next ensuing quarter that the municipality is eligible to receive motor
26 vehicle excise tax funds, increase or decrease the amount to be
27 remitted in an amount equal to the difference between the locally-
28 generated budgeted tax revenues and the locally-generated collected tax
29 revenues. In no event may the amount remitted for a calendar year
30 exceed the amount collected on behalf of the municipality under RCW
31 35.58.273 during that same calendar year. At the time of the next
32 fiscal audit of each municipality, the state auditor shall verify the
33 accuracy of the report submitted and notify the director of licensing
34 of any discrepancies.

35 (5) The motor vehicle excise taxes imposed under RCW 35.58.273 and
36 required to be remitted under this section shall be remitted without
37 legislative appropriation.

38 (6) Any municipality levying and collecting a tax under RCW
39 35.58.273 which does not have an operating, public transit system or a

1 contract for public transportation services in effect within one year
2 from the initial effective date of the tax shall return to the state
3 treasurer all motor vehicle excise taxes received under subsection (3)
4 of this section.

5 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and shall take
8 effect June 30, 1993.

Passed the Senate April 25, 1993.

Passed the House April 24, 1993.

Approved by the Governor May 17, 1993.

Filed in Office of Secretary of State May 17, 1993.