

1 2080-S.E AMH SCHK H3302.1

2 **ESHB 2080** - H AMDS TO H AMD (H-3271.4/95)**970 ADOPTED 5/24/95**

3 By Representatives Cairnes and Elliot

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5 On page 24, line 36 of the amendment, strike "2,475,000" and insert
6 "1,775,000"

7 On page 25, line 9 of the amendment, strike "97,023,000" and insert
8 "96,323,000"

9 On page 26, line 9 of the amendment, after "facilities." strike
10 "Prior to July 1, 1996, no" and insert "No"

11 On page 26, beginning on line 16 of the amendment, after "(4)"
12 strike all material through "funds." on line 32, and insert "No funds
13 appropriated in this section may be used to provide financial
14 assistance to the regional transit authority."

15 Renumber the remaining subsections consecutively and correct any
16 internal references accordingly.

17 On page 27, beginning on line 1 of the amendment, strike all of
18 section 224

19 Renumber the remaining sections consecutively and correct any
20 internal references accordingly.

21 On page 42, after line 17 of the amendment, insert the following:

22 **"PART V**
23 **HIGH CAPACITY TRANSPORTATION**

24 **Sec. 501.** RCW 82.44.150 and 1994 c 241 s 1 are each amended to
25 read as follows:

26 (1) The director of licensing shall, on the twenty-fifth day of
27 February, May, August, and November of each year, advise the state
28 treasurer of the total amount of motor vehicle excise taxes imposed by

1 RCW 82.44.020 (1) and (2) remitted to the department during the
2 preceding calendar quarter ending on the last day of March, June,
3 September, and December, respectively, except for those payable under
4 RCW 82.44.030, from motor vehicle owners residing within each
5 municipality which has levied a tax under RCW 35.58.273, which amount
6 of excise taxes shall be determined by the director as follows:

7 The total amount of motor vehicle excise taxes remitted to the
8 department, except those payable under RCW 82.44.020(3) and 82.44.030,
9 from each county shall be multiplied by a fraction, the numerator of
10 which is the population of the municipality residing in such county,
11 and the denominator of which is the total population of the county in
12 which such municipality or portion thereof is located. The product of
13 this computation shall be the amount of excise taxes from motor vehicle
14 owners residing within such municipality or portion thereof. Where the
15 municipality levying a tax under RCW 35.58.273 is located in more than
16 one county, the above computation shall be made by county, and the
17 combined products shall provide the total amount of motor vehicle
18 excise taxes from motor vehicle owners residing in the municipality as
19 a whole. Population figures required for these computations shall be
20 supplied to the director by the office of financial management, who
21 shall adjust the fraction annually.

22 (2) On the first day of the months of January, April, July, and
23 October of each year, the state treasurer based upon information
24 provided by the department shall, from motor vehicle excise taxes
25 deposited in the general fund, under RCW 82.44.110(1)(g), make the
26 following deposits:

27 (a) To the high capacity transportation account created in RCW
28 47.78.010, a sum equal to four and five-tenths percent of the special
29 excise tax levied under RCW 35.58.273 by those municipalities
30 authorized to levy a special excise tax within ~~((i))~~ each county
31 ~~((with a population of two hundred ten thousand or more and (ii) each~~
32 ~~county with a population of from one hundred twenty five thousand to~~
33 ~~less than two hundred ten thousand except for those counties that do~~
34 ~~not border a county with a population as described in subsection (i) of~~
35 ~~this subsection)) that has a population of one hundred seventy-five~~
36 ~~thousand or more and has an interstate highway within its borders;~~
37 ~~except that in a case of a municipality located in a county that has a~~
38 ~~population of one hundred seventy-five thousand or more that does not~~

1 have an interstate highway located within its borders, that sum shall
2 be deposited in the passenger ferry account;

3 (b) To the central Puget Sound public transportation account
4 created in RCW 82.44.180, for revenues distributed after December 31,
5 1992, within a county with a population of one million or more and a
6 county with a population of from two hundred thousand to less than one
7 million bordering a county with a population of one million or more, a
8 sum equal to the difference between (i) the special excise tax levied
9 and collected under RCW 35.58.273 by those municipalities authorized to
10 levy and collect a special excise tax subject to the requirements of
11 subsections (3) and (4) of this section and (ii) the special excise tax
12 that the municipality would otherwise have been eligible to levy and
13 collect at a tax rate of .815 percent and been able to match with
14 locally generated tax revenues, other than the excise tax imposed under
15 RCW 35.58.273, budgeted for any public transportation purpose. Before
16 this deposit, the sum shall be reduced by an amount equal to the amount
17 distributed under (a) of this subsection for each of the municipalities
18 within the counties to which this subsection (2)(b) applies; however,
19 any transfer under this subsection (2)(b) must be greater than zero;

20 (c) To the public transportation systems account created in RCW
21 82.44.180, for revenues distributed after December 31, 1992, within
22 counties not described in (b) of this subsection, a sum equal to the
23 difference between (i) the special excise tax levied and collected
24 under RCW 35.58.273 by those municipalities authorized to levy and
25 collect a special excise tax subject to the requirements of subsections
26 (3) and (4) of this section and (ii) the special excise tax that the
27 municipality would otherwise have been eligible to levy and collect at
28 a tax rate of .815 percent and been able to match with locally
29 generated tax revenues, other than the excise tax imposed under RCW
30 35.58.273, budgeted for any public transportation purpose. Before this
31 deposit, the sum shall be reduced by an amount equal to the amount
32 distributed under (a) of this subsection for each of the municipalities
33 within the counties to which this subsection (2)(c) applies; however,
34 any transfer under this subsection (2)(c) must be greater than zero;
35 and

36 (d) To the general fund, for revenues distributed after June 30,
37 1993, and to the transportation fund, for revenues distributed after
38 June 30, 1995, a sum equal to the difference between (i) the special
39 excise tax levied and collected under RCW 35.58.273 by those

1 municipalities authorized to levy and collect a special excise tax
2 subject to the requirements of subsections (3) and (4) of this section
3 and (ii) the special excise tax that the municipality would otherwise
4 have been eligible to levy and collect at a tax rate of .815 percent
5 notwithstanding the requirements set forth in subsections (3) through
6 (6) of this section, reduced by an amount equal to distributions made
7 under (a), (b), and (c) of this subsection and RCW 82.14.046.

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

12 (a) The amount required to be remitted by the state treasurer to
13 the treasurer of any municipality levying the tax shall not exceed in
14 any calendar year the amount of locally-generated tax revenues,
15 excluding (i) the excise tax imposed under RCW 35.58.273 for the
16 purposes of this section, which shall have been budgeted by the
17 municipality to be collected in such calendar year for any public
18 transportation purposes including but not limited to operating costs,
19 capital costs, and debt service on general obligation or revenue bonds
20 issued for these purposes; and (ii) the sales and use tax equalization
21 distributions provided under RCW 82.14.046; and

22 (b) In no event may the amount remitted in a single calendar
23 quarter exceed the amount collected on behalf of the municipality under
24 RCW 35.58.273 during the calendar quarter next preceding the
25 immediately preceding quarter, excluding the sales and use tax
26 equalization distributions provided under RCW 82.14.046.

27 (4) At the close of each calendar year accounting period, but not
28 later than April 1, each municipality that has received motor vehicle
29 excise taxes under subsection (3) of this section shall transmit to the
30 director of licensing and the state auditor a written report showing by
31 source the previous year's budgeted tax revenues for public
32 transportation purposes as compared to actual collections. Any
33 municipality that has not submitted the report by April 1 shall cease
34 to be eligible to receive motor vehicle excise taxes under subsection
35 (3) of this section until the report is received by the director of
36 licensing. If a municipality has received more or less money under
37 subsection (3) of this section for the period covered by the report
38 than it is entitled to receive by reason of its locally-generated
39 collected tax revenues, the director of licensing shall, during the

1 next ensuing quarter that the municipality is eligible to receive motor
2 vehicle excise tax funds, increase or decrease the amount to be
3 remitted in an amount equal to the difference between the locally-
4 generated budgeted tax revenues and the locally-generated collected tax
5 revenues. In no event may the amount remitted for a calendar year
6 exceed the amount collected on behalf of the municipality under RCW
7 35.58.273 during that same calendar year excluding the sales and use
8 tax equalization distributions provided under RCW 82.14.046. At the
9 time of the next fiscal audit of each municipality, the state auditor
10 shall verify the accuracy of the report submitted and notify the
11 director of licensing of any discrepancies.

12 (5) The motor vehicle excise taxes imposed under RCW 35.58.273 and
13 required to be remitted under this section and RCW 82.14.046 shall be
14 remitted without legislative appropriation.

15 (6) Any municipality levying and collecting a tax under RCW
16 35.58.273 which does not have an operating, public transit system or a
17 contract for public transportation services in effect within one year
18 from the initial effective date of the tax shall return to the state
19 treasurer all motor vehicle excise taxes received under subsection (3)
20 of this section.

21 NEW SECTION. **Sec. 502.** The following acts or parts of acts are
22 each repealed:

- 23 (1) RCW 81.112.010 and 1992 c 101 s 1;
- 24 (2) RCW 81.112.020 and 1992 c 101 s 2;
- 25 (3) RCW 81.112.030 and 1994 c 44 s 1, 1993 sp.s. c 23 s 62, & 1992
26 c 101 s 3;
- 27 (4) RCW 81.112.040 and 1994 c 109 s 1 & 1992 c 101 s 4;
- 28 (5) RCW 81.112.050 and 1992 c 101 s 5;
- 29 (6) RCW 81.112.060 and 1992 c 101 s 6;
- 30 (7) RCW 81.112.070 and 1992 c 101 s 7;
- 31 (8) RCW 81.112.080 and 1992 c 101 s 8;
- 32 (9) RCW 81.112.090 and 1992 c 101 s 9;
- 33 (10) RCW 81.112.100 and 1992 c 101 s 10;
- 34 (11) RCW 81.112.110 and 1992 c 101 s 11;
- 35 (12) RCW 81.112.120 and 1992 c 101 s 12;
- 36 (13) RCW 81.112.130 and 1992 c 101 s 13;
- 37 (14) RCW 81.112.140 and 1992 c 101 s 14;
- 38 (15) RCW 81.112.150 and 1992 c 101 s 15;

- 1 (16) RCW 81.112.160 and 1992 c 101 s 16;
2 (17) RCW 81.112.170 and 1992 c 101 s 17;
3 (18) RCW 81.112.900 and 1992 c 101 s 33;
4 (19) RCW 81.112.901 and 1992 c 101 s 34; and
5 (20) RCW 81.112.902 and 1992 c 101 s 35.

6 **Sec. 503.** RCW 81.104.015 and 1992 c 101 s 19 are each amended to
7 read as follows:

8 Unless the context clearly requires otherwise, the definitions in
9 this section apply throughout this chapter.

10 (1) "High capacity transportation system" means a system of public
11 transportation services within an urbanized region operating
12 principally on exclusive rights of way, and the supporting services and
13 facilities necessary to implement such a system, including interim
14 express services and high occupancy vehicle lanes, which taken as a
15 whole, provides a substantially higher level of passenger capacity,
16 speed, and service frequency than traditional public transportation
17 systems operating principally in general purpose roadways.

18 (2) "Regional transit system" means a high capacity transportation
19 system under the jurisdiction of one or more transit agencies (~~except~~
20 ~~where a regional transit authority created under chapter 81.112 RCW~~
21 ~~exists, in which case "regional transit system" means the high capacity~~
22 ~~transportation system under the jurisdiction of a regional transit~~
23 ~~authority~~)).

24 (3) "Transit agency" means city-owned transit systems, county
25 transportation authorities, metropolitan municipal corporations, and
26 public transportation benefit areas.

27 **Sec. 504.** RCW 81.104.030 and 1993 c 428 s 1 are each amended to
28 read as follows:

29 (1) ~~In any county ((with a population of from two hundred ten~~
30 ~~thousand to less than one million that is not bordered by a county with~~
31 ~~a population of one million or more, and in each county with a~~
32 ~~population of less than two hundred ten thousand)) that has a~~
33 ~~population of one hundred seventy-five thousand or more and has an~~
34 ~~interstate highway within its borders, except for any county having a~~
35 ~~population of more than one million or a county that has a population~~
36 ~~more than four hundred thousand and is adjacent to a county with a~~
37 ~~population of more than one million, transit agencies may elect to~~

1 establish high capacity transportation service. Such agencies shall
2 form a regional policy committee with proportional representation based
3 upon population distribution within the designated service area and a
4 representative of the department of transportation, or such agencies
5 may use the designated metropolitan planning organization as the
6 regional policy committee.

7 Transit agencies participating in joint regional policy committees
8 shall seek voter approval within their own service boundaries of a high
9 capacity transportation system plan and financing plan. For transit
10 agencies in counties adjoining state or international boundaries where
11 the high capacity transportation system plan and financing plan propose
12 a bi-state or international high capacity transportation system, such
13 voter approval shall be required from only those voters residing within
14 the service area in the state of Washington.

15 (2) Transit agencies in counties adjoining state or international
16 boundaries are authorized to participate in the regional high capacity
17 transportation programs of an adjoining state or Canadian province.

18 NEW SECTION. **Sec. 505.** RCW 81.104.040 and 1992 c 101 s 21, 1991
19 c 318 s 4, & 1990 c 43 s 25 are each repealed.

20 **Sec. 506.** RCW 81.104.050 and 1992 c 101 s 22 are each amended to
21 read as follows:

22 Regional high capacity transportation service may be expanded
23 beyond the established district boundaries through interlocal
24 agreements among the transit agencies (~~(and any regional transit~~
25 ~~authorities in existence)~~)).

26 **Sec. 507.** RCW 81.104.120 and 1993 c 428 s 2 are each amended to
27 read as follows:

28 (1) Transit agencies (~~(and regional transit authorities)~~) may
29 operate or contract for commuter rail service where it is deemed to be
30 a reasonable alternative transit mode. A reasonable alternative is one
31 whose (~~(passenger)~~) costs per passenger mile, including costs of
32 trackage, equipment, maintenance, operations, and administration are
33 equal to or less than comparable bus, entrained bus, trolley, or
34 personal rapid transit systems.

35 (2) A county may use funds collected under RCW 81.100.030 or
36 81.100.060 to contract with one or more transit agencies (~~(or regional~~

1 ~~transit authorities~~) for planning, operation, and maintenance of
2 commuter rail projects which: (a) Are consistent with the regional
3 transportation plan; (b) have met the project planning and oversight
4 requirements of RCW 81.104.100 and 81.104.110; and (c) have been
5 approved by the voters within the service area of each transit agency
6 (~~or regional transit authority~~) participating in the project. For
7 transit agencies in counties adjoining state or international
8 boundaries where the high capacity transportation system plan and
9 financing plan propose a bi-state or international high capacity
10 transportation system, such voter approval shall be required from only
11 those voters residing within the service area in the state of
12 Washington. The phrase "approved by the voters" includes specific
13 funding authorization for the commuter rail project.

14 (3) The utilities and transportation commission shall maintain
15 safety responsibility for passenger rail service operating on freight
16 rail lines. Agencies providing passenger rail service on lines other
17 than freight rail lines shall maintain safety responsibility for that
18 service.

19 **Sec. 508.** RCW 81.104.140 and 1992 c 101 s 25 are each amended to
20 read as follows:

21 (1) Transit agencies authorized to provide high capacity
22 transportation service(~~(, including transit agencies and regional~~
23 ~~transit authorities,)~~) are hereby granted dedicated funding sources for
24 such systems. These dedicated funding sources, as set forth in RCW
25 81.104.150, 81.104.160, and 81.104.170, are authorized only for
26 agencies located in (~~(a) each county with a population of two hundred~~
27 ~~ten thousand or more and (b) each county with a population of from one~~
28 ~~hundred twenty five thousand to less than two hundred ten thousand~~
29 ~~except for those counties that do not border a county with a population~~
30 ~~as described under (a) of this subsection. In any county with a~~
31 ~~population of one million or more or in any county having a population~~
32 ~~of four hundred thousand or more bordering a county with a population~~
33 ~~of one million or more, these funding sources may be imposed only by a~~
34 ~~regional transit authority~~) any county that has a population of one
35 hundred seventy-five thousand or more and has an interstate highway
36 within its borders. This tax authority shall not apply to agencies
37 located in counties having a population of one million or more or in

1 counties having a population of four hundred thousand or more bordering
2 counties having a population of one million or more.

3 (2) Agencies planning to construct and operate a high capacity
4 transportation system should also seek other funds, including federal,
5 state, local, and private sector assistance.

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

8 (a) Acceptability;

9 (b) Ease of administration;

10 (c) Equity;

11 (d) Implementation feasibility;

12 (e) Revenue reliability; and

13 (f) Revenue yield.

14 (4) Agencies participating in regional high capacity transportation
15 system development are authorized to levy and collect the following
16 voter-approved local option funding sources:

17 (a) Employer tax as provided in RCW 81.104.150;

18 (b) Special motor vehicle excise tax as provided in RCW 81.104.160;

19 and

20 (c) Sales and use tax as provided in RCW 81.104.170.

21 Revenues from these taxes may be used only to support those
22 purposes prescribed in subsection (10) of this section. Before the
23 date of an election authorizing an agency to impose any of the taxes
24 enumerated in this section and authorized in RCW 81.104.150,
25 81.104.160, and 81.104.170, the agency must comply with the process
26 prescribed in RCW 81.104.100 (1) and (2) and 81.104.110. No
27 construction on exclusive right of way may occur before the
28 requirements of RCW 81.104.100(3) are met.

29 (5) Authorization in subsection (4) of this section shall not
30 adversely affect the funding authority of transit agencies not provided
31 for in this chapter. Local option funds may be used to support
32 implementation of interlocal agreements with respect to the
33 establishment of regional high capacity transportation service.
34 (~~Except when a regional transit authority exists,~~) Local
35 jurisdictions shall retain control over moneys generated within their
36 boundaries, although funds may be commingled with those generated in
37 other areas for planning, construction, and operation of high capacity
38 transportation systems as set forth in the agreements.

1 (6) Agencies planning to construct and operate high capacity
2 transportation systems may contract with the state for collection and
3 transference of voter-approved local option revenue.

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

10 (8) ~~((Agencies shall provide to the registered voters in the area
11 a document describing the systems plan and the financing plan set forth
12 in RCW 81.104.100. It shall also describe the relationship of the
13 system to regional issues such as development density at station
14 locations and activity centers, and the interrelationship of the system
15 to adopted land use and transportation demand management goals within
16 the region. This document shall be provided to the voters at least
17 twenty days prior to the date of the election))~~ When making public
18 representations about revenues available to support a proposed project
19 transit agencies, shall not assume, nor imply the availability of state
20 funds unless those funds have been specifically authorized. Any
21 assumptions of federal funds shall be based on authorizations in the
22 current six-year transportation authorization law.

23 (9) For any election in which voter approval is sought for a high
24 capacity transportation system plan and financing plan pursuant to RCW
25 81.104.040, a local voter's pamphlet shall be produced as provided in
26 chapter 29.81A RCW.

27 (10) Agencies providing high capacity transportation service shall
28 retain responsibility for revenue encumbrance, disbursement, and
29 bonding. Funds may be used for any purpose relating to planning,
30 construction, and operation of high capacity transportation systems and
31 commuter rail systems, personal rapid transit, busways, bus sets, and
32 entrained and linked buses.

33 **Sec. 509.** RCW 81.104.150 and 1992 c 101 s 26 are each amended to
34 read as follows:

35 Cities that operate transit systems, county transportation
36 authorities, metropolitan municipal corporations, and public
37 transportation benefit areas~~((, and regional transit authorities))~~ may
38 submit an authorizing proposition to the voters and if approved may

1 impose an excise tax of up to two dollars per month per employee on all
2 employers located within the agency's jurisdiction, measured by the
3 number of full-time equivalent employees, solely for the purpose of
4 providing high capacity transportation service. The rate of tax shall
5 be approved by the voters. This tax may not be imposed by(~~(1)~~) a
6 transit agency when the county within which it is located is imposing
7 an excise tax pursuant to RCW 81.100.030(~~(1) or (2) a regional transit~~
8 ~~authority when any county within the authority's boundaries is imposing~~
9 ~~an excise tax pursuant to RCW 81.100.030~~). The agency imposing the
10 tax authorized in this section may provide for exemptions from the tax
11 to such educational, cultural, health, charitable, or religious
12 organizations as it deems appropriate.

13 **Sec. 510.** RCW 81.104.160 and 1992 c 194 s 13 and 1992 c 101 s 27
14 are each reenacted and amended to read as follows:

15 (1) Cities that operate transit systems, county transportation
16 authorities, metropolitan municipal corporations, and public
17 transportation benefit areas(~~(, and regional transit authorities)~~) may
18 submit an authorizing proposition to the voters, and if approved, may
19 levy and collect an excise tax, at a rate approved by the voters, but
20 not exceeding eighty one-hundredths of one percent on the value, under
21 chapter 82.44 RCW, of every motor vehicle owned by a resident of the
22 taxing district, solely for the purpose of providing high capacity
23 transportation service. In any county imposing a motor vehicle excise
24 tax surcharge pursuant to RCW 81.100.060, the maximum tax rate under
25 this section shall be reduced to a rate equal to eighty one-hundredths
26 of one percent on the value less the equivalent motor vehicle excise
27 tax rate of the surcharge imposed pursuant to RCW 81.100.060. This
28 rate shall not apply to vehicles licensed under RCW 46.16.070 except
29 vehicles with an unladen weight of six thousand pounds or less, RCW
30 46.16.079, (~~(46.16.080,)~~) 46.16.085, or 46.16.090.

31 (2) An agency imposing a tax under subsection (1) of this section
32 may also impose a sales and use tax solely for the purpose of providing
33 high capacity transportation service, in addition to the tax authorized
34 by RCW 82.14.030, upon retail car rentals within the agency's
35 jurisdiction that are taxable by the state under chapters 82.08 and
36 82.12 RCW. The rate of tax shall bear the same ratio to the rate
37 imposed under RCW 82.08.020(2) as the excise tax rate imposed under
38 subsection (1) of this section bears to the excise tax rate imposed

1 under RCW 82.44.020 (1) and (2). The base of the tax shall be the
2 selling price in the case of a sales tax or the rental value of the
3 vehicle used in the case of a use tax. The revenue collected under
4 this subsection shall be used in the same manner as excise taxes under
5 subsection (1) of this section.

6 **Sec. 511.** RCW 81.104.170 and 1992 c 101 s 28 are each amended to
7 read as follows:

8 Cities that operate transit systems, county transportation
9 authorities, metropolitan municipal corporations, and public
10 transportation benefit areas(~~(, and regional transit authorities)~~) may
11 submit an authorizing proposition to the voters and if approved by a
12 majority of persons voting, fix and impose a sales and use tax in
13 accordance with the terms of this chapter, solely for the purpose of
14 providing high capacity transportation service.

15 The tax authorized pursuant to this section shall be in addition to
16 the tax authorized by RCW 82.14.030 and shall be collected from those
17 persons who are taxable by the state pursuant to chapters 82.08 and
18 82.12 RCW upon the occurrence of any taxable event within the taxing
19 district. The maximum rate of such tax shall be approved by the voters
20 and shall not exceed one percent of the selling price (in the case of
21 a sales tax) or value of the article used (in the case of a use tax).
22 The maximum rate of such tax that may be imposed shall not exceed
23 nine-tenths of one percent in any county that imposes a tax under RCW
24 82.14.340(~~(, or within a regional transit authority if any county~~
25 ~~within the authority imposes a tax under RCW 82.14.340)~~).

26 **Sec. 512.** RCW 81.104.180 and 1992 c 101 s 29 are each amended to
27 read as follows:

28 Cities that operate transit systems, county transportation
29 authorities, metropolitan municipal corporations, and public
30 transportation benefit areas(~~(, and regional transit authorities)~~) are
31 authorized to pledge revenues from the employer tax authorized by RCW
32 81.104.150, the special motor vehicle excise tax authorized by RCW
33 81.104.160, and the sales and use tax authorized by RCW 81.104.170, to
34 retire bonds issued solely for the purpose of providing high capacity
35 transportation service.

1 **Sec. 513.** RCW 81.104.190 and 1992 c 101 s 30 are each amended to
2 read as follows:

3 Cities that operate transit systems, county transportation
4 authorities, metropolitan municipal corporations, and public
5 transportation benefit areas(~~(, and regional transit systems)~~) may
6 contract with the state department of revenue or other appropriate
7 entities for administration and collection of any tax authorized by RCW
8 81.104.150, 81.104.160, and 81.104.170.

9 **Sec. 514.** RCW 35.58.2795 and 1994 c 158 s 6 are each amended to
10 read as follows:

11 By April 1st of each year, the legislative authority of each
12 municipality, as defined in RCW 35.58.272, (~~and each regional transit~~
13 ~~authority~~) shall prepare a six-year transit development plan for that
14 calendar year and the ensuing five years. The program shall be
15 consistent with the comprehensive plans adopted by counties, cities,
16 and towns, pursuant to chapter 35.63, 35A.63, or 36.70 RCW, the
17 inherent authority of a first class city or charter county derived from
18 its charter, or chapter 36.70A RCW. The program shall contain
19 information as to how the municipality intends to meet state and local
20 long-range priorities for public transportation, capital improvements,
21 significant operating changes planned for the system, and how the
22 municipality intends to fund program needs. The six-year plan for each
23 municipality (~~and regional transit authority~~) shall specifically set
24 forth those projects of regional significance for inclusion in the
25 transportation improvement program within that region. Each
26 municipality (~~and regional transit authority~~) shall file the six-year
27 program with the state department of transportation, the transportation
28 improvement board, and cities, counties, and regional planning councils
29 within which the municipality is located.

30 In developing its program, the municipality (~~and the regional~~
31 ~~transit authority~~) shall consider those policy recommendations
32 affecting public transportation contained in the state transportation
33 policy plan approved by the state transportation commission and, where
34 appropriate, adopted by the legislature. The municipality shall
35 conduct one or more public hearings while developing its program and
36 for each annual update.

1 **Sec. 515.** RCW 47.26.121 and 1995 c 269 s 2603 are each amended to
2 read as follows:

3 (1) There is hereby created a transportation improvement board of
4 twenty-one members, six of whom shall be county members and six of whom
5 shall be city members. The remaining members shall be: (a) One
6 representative appointed by the governor who shall be a state employee
7 with responsibility for transportation policy, planning, or funding;
8 (b) two representatives from the department of transportation; (c) two
9 representatives of public transit systems; (d) a private sector
10 representative; (e) a member representing the ports; (f) a member
11 representing nonmotorized transportation; and (g) a member representing
12 special needs transportation.

13 (2) Of the county members of the board, one shall be a county
14 engineer or public works director; one shall be the executive director
15 of the county road administration board; one shall be a county planning
16 director or planning manager; one shall be a county executive,
17 councilmember, or commissioner from a county with a population of one
18 hundred twenty-five thousand or more; one shall be a county executive,
19 councilmember, or commissioner of a county who serves on the board of
20 a public transit system; and one shall be a county executive,
21 councilmember, or commissioner from a county with a population of less
22 than one hundred twenty-five thousand. All county members of the
23 board, except the executive director of the county road administration
24 board, shall be appointed. Not more than one county member of the
25 board shall be from any one county. No more than two of the three
26 county-elected officials may represent counties located in either the
27 eastern or western part of the state as divided north and south by the
28 summit of the Cascade mountains.

29 (3) Of the city members of the board one shall be a chief city
30 engineer, public works director, or other city employee with
31 responsibility for public works activities, of a city with a population
32 of twenty thousand or more; one shall be a chief city engineer, public
33 works director, or other city employee with responsibility for public
34 works activities, of a city of less than twenty thousand population;
35 one shall be a city planning director or planning manager; one shall be
36 a mayor, commissioner, or city councilmember of a city with a
37 population of twenty thousand or more; one shall be a mayor,
38 commissioner, or city councilmember of a city who serves on the board
39 of a public transit system; and one shall be a mayor, commissioner, or

1 councilmember of a city of less than twenty thousand population. All
2 of the city members shall be appointed. Not more than one city member
3 of the board shall be from any one city. No more than two of the three
4 city-elected officials may represent cities located in either the
5 eastern or western part of the state as divided north and south by the
6 summit of the Cascade mountains.

7 (4) Of the transit members, at least one shall be a general
8 manager, executive director, or transit director of a public transit
9 system in an urban area with a population over two hundred thousand and
10 at least one representative from a rural or small urban transit system
11 in an area with a population less than two hundred thousand.

12 (5) The private sector member shall be a citizen with business,
13 management, and transportation related experience and shall be active
14 in a business community-based transportation organization.

15 (6) The public member shall have professional experience in
16 transportation or land use planning, a demonstrated interest in
17 transportation issues, and involvement with community groups or grass
18 roots organizations.

19 (7) The port member shall be a commissioner or senior staff person
20 of a public port.

21 (8) The nonmotorized transportation member shall be a citizen with
22 a demonstrated interest and involvement with a nonmotorized
23 transportation group.

24 (9) The specialized transportation member shall be a citizen with
25 a demonstrated interest and involvement with a state-wide specialized
26 needs transportation group.

27 (10) Appointments of county, city, Washington department of
28 transportation, transit, port, nonmotorized transportation, special
29 needs transportation, private sector, and public representatives shall
30 be made by the secretary of the department of transportation.
31 Appointees shall be chosen from a list of two persons for each position
32 nominated by the Washington state association of counties for county
33 members, the association of Washington cities for city members, the
34 Washington state transit association for the transit members, and the
35 Washington public ports association for the port member. The private
36 sector, public, nonmotorized transportation, and special needs members
37 shall be sought through classified advertisements in selected
38 newspapers collectively serving all urban areas of the state, and other
39 appropriate means. Persons applying for the private sector,

1 nonmotorized transportation, special needs transportation, or the
2 public member position must provide a letter of interest and a resume
3 to the secretary of the department of transportation. In the case of
4 a vacancy, the appointment shall be only for the remainder of the
5 unexpired term in which the vacancy has occurred. A vacancy shall be
6 deemed to have occurred on the board when any member elected to public
7 office completes that term of office or is removed therefrom for any
8 reason or when any member employed by a political subdivision
9 terminates such employment for whatsoever reason or when a private
10 sector, nonmotorized transportation, special needs transportation, or
11 public member resigns or is unable or unwilling to serve.

12 (11) Appointments shall be for terms of four years. Terms of all
13 appointed members shall expire on June 30th of even-numbered years.
14 The initial term of appointed members may be for less than four years.
15 No appointed member may serve more than two consecutive four-year
16 terms.

17 (12) The board shall elect a chair from among its members for a
18 two-year term.

19 (13) Expenses of the board shall be paid in accordance with RCW
20 47.26.140.

21 (14) For purposes of this section, "public transit system" means a
22 city-owned transit system, county transportation authority,
23 metropolitan municipal corporation, or public transportation benefit
24 area(~~(, or regional transit authority)~~).

25 **Sec. 516.** RCW 47.80.060 and 1992 c 101 s 31 are each amended to
26 read as follows:

27 In order to qualify for state planning funds available to regional
28 transportation planning organizations, the regional transportation
29 planning organizations containing any county with a population in
30 excess of one million shall provide voting membership on its executive
31 board to the state transportation commission, the state department of
32 transportation, and the three largest public port districts within the
33 region as determined by gross operating revenues. It shall further
34 assure that at least fifty percent of the county and city local elected
35 officials who serve on the executive board also serve on transit agency
36 boards (~~(or on a regional transit authority)~~).

1 NEW SECTION. **Sec. 517.** (1) Every regional transit authority

2 created under chapter 81.112 RCW is hereby abolished.

3 (2)(a) All reports, documents, surveys, books, records, files,
4 papers, or written material in the possession of any regional transit
5 authority created under chapter 81.112 RCW shall be delivered to the
6 custody of the transit agencies within the boundaries of the regional
7 transit authority. All cabinets, furniture, office equipment, motor
8 vehicles, and other tangible property employed by any regional transit
9 authority created under chapter 81.112 RCW shall be made available to
10 the transit agencies within the boundaries of the regional transit
11 authority. All funds, credits, or other assets held by any regional
12 transit authority created under chapter 81.112 RCW shall be assigned to
13 the transit agencies within the boundaries of the regional transit
14 authority.

15 (b) Any appropriations or grants made to any regional transit
16 authority created under chapter 81.112 RCW and any funds in the custody
17 of any regional transit authority created under chapter 81.112 RCW
18 shall, on the effective date of this section, be transferred and
19 credited to the transit agencies within the boundaries of the regional
20 transit authority.

21 (c) If any question or dispute arises as to the transfer of any
22 personnel, funds, books, documents, records, papers, files, equipment,
23 or other tangible property used or held in the exercise of the powers
24 and the performance of the duties and functions transferred, the
25 director of financial management shall make a determination as to the
26 proper allocation and certify the same to the state agencies concerned.

27 (3) All rules and all pending business before any regional transit
28 authority created under chapter 81.112 RCW shall be continued and acted
29 upon by the transit agencies within the boundaries of the regional
30 transit authority. All existing contracts and obligations shall remain
31 in full force and shall be performed by the transit agencies within the
32 boundaries of the regional transit authority.

33 (4) The transfer of the duties, functions, and personnel of any
34 regional transit authority created under chapter 81.112 RCW shall not
35 affect the validity of any act performed before the effective date of
36 this section.

37 (5) If apportionments of budgeted funds are required because of the
38 transfers directed by this section, the director of financial
39 management shall certify the apportionments to the agencies affected,

1 the state auditor, and the state treasurer. Each of these shall make
2 the appropriate transfer and adjustments in funds and appropriation
3 accounts and equipment records in accordance with the certification.

4 (6) Nothing contained in this section may be construed to alter any
5 existing collective bargaining unit or the provisions of any existing
6 collective bargaining agreement until the agreement has expired or
7 until the bargaining unit has been modified by action of the personnel
8 board as provided by law.

9 (7) The transit agencies within the boundaries of the regional
10 transit authority shall apportion equitably among themselves any assets
11 or liabilities remaining after the regional transit authority is
12 abolished.

13 NEW SECTION. **Sec. 518.** A new section is added to chapter 47.60
14 RCW to read as follows:

15 There is hereby established in the transportation fund the
16 passenger ferry account. Money in the account shall be used for
17 capital improvements for passenger ferry projects including, but not
18 limited to, pedestrian and transit facilities at ferry terminals and
19 passenger-only ferry vessels. Moneys in the account shall be expended
20 with legislative appropriation.

21 NEW SECTION. **Sec. 519.** Sections 501 through 518 of this act are
22 necessary for the immediate preservation of the public peace, health,
23 or safety, or support of the state government and its existing public
24 institutions, and shall take effect July 1, 1995."

25 Renumber the remaining parts and sections consecutively, correct
26 any internal references accordingly, and correct the title.

27 On page 65, line 30 of the amendment, after "**Sec. 538.**" strike
28 "This act is" and insert "Sections 1, 2, 101 through 110, 201 through
29 228, 301 through 304, 401 through 414, and 501 through 537 of this act
30 are"

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