
SENATE BILL 5781

State of Washington

56th Legislature

1999 Regular Session

By Senators Eide, Swecker, Fraser and Costa; by request of Department of Ecology

Read first time 02/08/1999. Referred to Committee on Transportation.

1 AN ACT Relating to the commute trip reduction tax credit; amending
2 RCW 82.04.4453 and 82.16.048; amending 1996 c 128 s 7 (uncodified);
3 amending 1996 c 128 s 6 (uncodified); providing an effective date; and
4 declaring an emergency.

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

6 **Sec. 1.** RCW 82.04.4453 and 1996 c 128 s 1 are each amended to read
7 as follows:

8 (1) Employers in this state who are taxable under this chapter and
9 provide financial incentives to their employees for ride sharing, for
10 using public transportation, or for using nonmotorized commuting before
11 June 30, (~~2000~~) 2006, shall be allowed a credit for amounts paid to
12 or on behalf of employees for ride sharing in vehicles carrying two or
13 more persons, for using public transportation, or for using
14 nonmotorized commuting, not to exceed sixty dollars per employee per
15 year. The credit shall be equal to the amount paid to or on behalf of
16 each employee multiplied by fifty percent, but may not exceed sixty
17 dollars per employee per year. For ride sharing in vehicles carrying
18 two persons, the credit shall be equal to the amount paid to or on
19 behalf of each employee multiplied by thirty percent, but may not

1 exceed sixty dollars per employee per year. The credit may not exceed
2 the amount of tax that would otherwise be due under this chapter.

3 (2) Application for tax credit under this chapter may only be made
4 in the form and manner prescribed in rules adopted by the department.

5 (3) The credit shall be taken not more than once quarterly and not
6 less than once annually against taxes due for the same calendar year in
7 which the amounts for which credit is claimed were paid to or on behalf
8 of employees for ride sharing, for using public transportation, or for
9 using nonmotorized commuting and must be claimed by the due date of the
10 last tax return for the calendar year in which the payment is made.

11 (4) The director shall on the 25th of February, May, August, and
12 November of each year advise the state treasurer of the amount of
13 credit taken during the preceding calendar quarter ending on the last
14 day of December, March, June, and September, respectively.

15 (5) On the first of April, July, October, and January of each year,
16 the state treasurer based upon information provided by the department
17 shall deposit to the general fund a sum equal to the dollar amount of
18 the credit provided under subsection (1) of this section (~~((from the air
19 pollution control account to the general fund))~~). The reimbursement to
20 the general fund shall be equally drawn from the air pollution control
21 account and the high capacity transit account. However, combined total
22 deposits from the air pollution control account and the high capacity
23 transit account to the general fund shall not exceed one million five
24 hundred thousand dollars each calendar year.

25 (6) The commute trip reduction task force shall determine the
26 effectiveness of this tax credit as part of its ongoing evaluation of
27 the commute trip reduction law and report (~~((no later than December 1,
28 1997,))~~) to the legislative transportation committee and to the fiscal
29 committees of the house of representatives and the senate. The report
30 shall include information on the amount of tax credits claimed to date
31 and recommendations on future funding for the tax credit program. The
32 report shall be incorporated into the recommendations required in RCW
33 70.94.537(5).

34 (7) Any person who knowingly makes a false statement of a material
35 fact in the application for a credit under subsection (1) of this
36 section is guilty of a gross misdemeanor.

37 (8) A person may not receive credit for amounts paid to or on
38 behalf of the same employee under both this section and RCW 82.16.048.

1 **Sec. 2.** RCW 82.16.048 and 1996 c 128 s 3 are each amended to read
2 as follows:

3 (1) Employers in this state who are taxable under this chapter and
4 provide financial incentives to their employees for ride sharing, for
5 using public transportation, or for using nonmotorized commuting before
6 June 30, (~~(2000)~~) 2006, shall be allowed a credit for amounts paid to
7 or on behalf of employees for ride sharing in vehicles carrying two or
8 more persons, for using public transportation, or for using
9 nonmotorized commuting, not to exceed sixty dollars per employee per
10 year. The credit shall be equal to the amount paid to or on behalf of
11 each employee multiplied by fifty percent, but may not exceed sixty
12 dollars per employee per year. For ride sharing in vehicles carrying
13 two persons, the credit shall be equal to the amount paid to or on
14 behalf of each employee multiplied by thirty percent, but may not
15 exceed sixty dollars per employee per year. The credit may not exceed
16 the amount of tax that would otherwise be due under this chapter.

17 (2) Application for tax credit under this chapter may only be made
18 in the form and manner prescribed in rules adopted by the department.

19 (3) The credit shall be taken not more than once quarterly and not
20 less than once annually against taxes due for the same calendar year in
21 which the amounts for which credit is claimed were paid to or on behalf
22 of employees for ride sharing, for using public transportation, or for
23 using nonmotorized commuting and must be claimed by the due date of the
24 last tax return for the calendar year in which the payment is made.

25 (4) The director shall on the 25th of February, May, August, and
26 November of each year advise the state treasurer of the amount of
27 credit taken during the preceding calendar quarter ending on the last
28 day of December, March, June, and September, respectively.

29 (5) On the first of April, July, October, and January of each year,
30 the state treasurer based upon information provided by the department
31 shall deposit to the general fund a sum equal to the dollar amount of
32 the credit provided under subsection (1) of this section (~~(from the air
33 pollution control account to the general fund)~~). The reimbursement to
34 the general fund shall be equally drawn from the air pollution control
35 account and the high capacity transit account. However, combined total
36 deposits from the air pollution control account and the high capacity
37 transit account to the general fund shall not exceed one million five
38 hundred thousand dollars each calendar year.

1 (6) The commute trip reduction task force shall determine the
2 effectiveness of this tax credit as part of its ongoing evaluation of
3 the commute trip reduction law and report ((no later than December 1,
4 1997,)) to the legislative transportation committee and to the fiscal
5 committees of the house of representatives and the senate. The report
6 shall include information on the amount of tax credits claimed to date
7 and recommendations on future funding for the tax credit program. The
8 report shall be incorporated into the recommendations required in RCW
9 70.94.537(5).

10 (7) Any person who knowingly makes a false statement of a material
11 fact in the application for a credit under subsection (1) of this
12 section is guilty of a gross misdemeanor.

13 (8) A person may not receive credit for amounts paid to or on
14 behalf of the same employee under both this section and RCW 82.04.4453.

15 **Sec. 3.** 1996 c 128 s 7 (uncodified) is amended to read as follows:

16 (1) This act takes effect July 1, 1996.

17 (2) This act expires December 31, ((2000)) 2006.

18 **Sec. 4.** 1996 c 128 s 6 (uncodified) is amended to read as follows:

19 This act shall expire December 31, ((2000)) 2006.

20 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
21 preservation of the public peace, health, or safety, or support of the
22 state government and its existing public institutions, and takes effect
23 July 1, 1999.

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