
SUBSTITUTE SENATE BILL 6399

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Eide, Haugen, Swecker and Winsley; by request of Office of Financial Management)

Read first time 02/23/2000.

1 AN ACT Relating to the commute trip reduction tax credit; amending
2 RCW 82.04.4453, 82.16.048, 82.04.4454, and 82.16.049; repealing 1996 c
3 128 s 7 (uncodified); repealing 1996 c 128 s 6 and 1994 c 270 s 6
4 (uncodified); providing expiration dates; and declaring an emergency.

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

6 **Sec. 1.** RCW 82.04.4453 and 1999 c 402 s 1 are each amended to read
7 as follows:

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

18 (b) Property managers who are taxable under this chapter and
19 provide financial incentives to persons employed at a worksite managed

1 by the property manager in this state for ride sharing, for using
2 public transportation, or for using nonmotorized commuting before June
3 30, 2006, shall be allowed a credit for amounts paid to or on behalf of
4 these persons for ride sharing in vehicles carrying two or more
5 persons, for using public transportation, or for using nonmotorized
6 commuting, not to exceed sixty dollars per person per year. A person
7 may not take a credit under this section for amounts claimed for credit
8 by other persons.

9 (c) For ride sharing in vehicles carrying two persons, the credit
10 shall be equal to the amount paid to or on behalf of each employee
11 multiplied by thirty percent, but may not exceed sixty dollars per
12 employee per year. The credit may not exceed the amount of tax that
13 would otherwise be due under this chapter.

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

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

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

26 ~~(5) On the first of April, July, October, and January of each year,~~
27 ~~the state treasurer based upon information provided by the department~~
28 ~~shall deposit to the general fund a sum equal to the dollar amount of~~
29 ~~the credit provided under subsection (1) of this section from the air~~
30 ~~pollution control account, the transportation account, and the public~~
31 ~~transportation systems account. The first draw on reimbursements to~~
32 ~~the general fund must be from the air pollution control account, and~~
33 ~~reimbursements must not exceed one and one half million dollars in any~~
34 ~~calendar year for the tax credits claimed under RCW 82.04.4453 and~~
35 ~~82.16.048. Reimbursements to the general fund in excess of that amount~~
36 ~~drawn from the air pollution control account must be drawn, subject to~~
37 ~~appropriation, in equal amounts from the transportation account and the~~
38 ~~public transportation systems account; but in no case may those amounts~~

1 ~~exceed three hundred seventy five thousand dollars from each account in~~
2 ~~any calendar year.~~

3 ~~(6))~~) The commute trip reduction task force shall determine the
4 effectiveness of this tax credit as part of its ongoing evaluation of
5 the commute trip reduction law and report to the legislative
6 transportation committee and to the fiscal committees of the house of
7 representatives and the senate. The report shall include information
8 on the amount of tax credits claimed to date and recommendations on
9 future funding for the tax credit program. The report shall be
10 incorporated into the recommendations required in RCW 70.94.537(5).

11 ~~((7))~~) (5) Any person who knowingly makes a false statement of a
12 material fact in the application for a credit under subsection (1) of
13 this section is guilty of a gross misdemeanor.

14 ~~((8))~~) (6) A person may not receive credit for amounts paid to or
15 on behalf of the same employee under both this section and RCW
16 82.16.048.

17 (7) This section expires December 31, 2006.

18 **Sec. 2.** RCW 82.16.048 and 1999 c 402 s 2 are each amended to read
19 as follows:

20 (1)(a) Employers in this state who are taxable under this chapter
21 and provide financial incentives to their own or other employees for
22 ride sharing, for using public transportation, or for using
23 nonmotorized commuting before June 30, 2006, shall be allowed a credit
24 for amounts paid to or on behalf of employees for ride sharing in
25 vehicles carrying two or more persons, for using public transportation,
26 or for using nonmotorized commuting, not to exceed sixty dollars per
27 employee per year. The credit shall be equal to the amount paid to or
28 on behalf of each employee multiplied by fifty percent, but may not
29 exceed sixty dollars per employee per year.

30 (b) Property managers who are taxable under this chapter and
31 provide financial incentives to persons employed at a worksite managed
32 by the property manager in this state for ride sharing, for using
33 public transportation, or for using nonmotorized commuting before June
34 30, 2006, shall be allowed a credit for amounts paid to or on behalf of
35 these persons for ride sharing in vehicles carrying two or more
36 persons, for using public transportation, or for using nonmotorized
37 commuting, not to exceed sixty dollars per person per year. A person

1 may not take a credit under this section for amounts claimed for credit
2 by other persons.

3 (c) For ride sharing in vehicles carrying two persons, the credit
4 shall be equal to the amount paid to or on behalf of each employee
5 multiplied by thirty percent, but may not exceed sixty dollars per
6 employee per year. The credit may not exceed the amount of tax that
7 would otherwise be due under this chapter.

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

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

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

20 ~~(5) On the first of April, July, October, and January of each year,
21 the state treasurer based upon information provided by the department
22 shall deposit to the general fund a sum equal to the dollar amount of
23 the credit provided under subsection (1) of this section from the air
24 pollution control account, the transportation account, and the public
25 transportation systems account. The first draw on reimbursements to
26 the general fund must be from the air pollution control account, and
27 reimbursements must not exceed one and one half million dollars in any
28 calendar year for the tax credits claimed under RCW 82.04.4453 and
29 82.16.048. Reimbursements to the general fund in excess of that amount
30 drawn from the air pollution control account must be drawn, subject to
31 appropriation, in equal amounts from the transportation account and the
32 public transportation systems account; but in no case may those amounts
33 exceed three hundred seventy five thousand dollars from each account in
34 any calendar year.~~

35 ~~(6))~~ The commute trip reduction task force shall determine the
36 effectiveness of this tax credit as part of its ongoing evaluation of
37 the commute trip reduction law and report to the legislative
38 transportation committee and to the fiscal committees of the house of
39 representatives and the senate. The report shall include information

1 on the amount of tax credits claimed to date and recommendations on
2 future funding for the tax credit program. The report shall be
3 incorporated into the recommendations required in RCW 70.94.537(5).

4 ~~((+7))~~ (5) Any person who knowingly makes a false statement of a
5 material fact in the application for a credit under subsection (1) of
6 this section is guilty of a gross misdemeanor.

7 ~~((+8))~~ (6) A person may not receive credit for amounts paid to or
8 on behalf of the same employee under both this section and RCW
9 82.04.4453.

10 (7) This section expires December 31, 2006.

11 **Sec. 3.** RCW 82.04.4454 and 1999 c 402 s 3 are each amended to read
12 as follows:

13 (1) The department shall keep a running total of all credits
14 granted under RCW 82.04.4453 and 82.16.048 during each calendar year,
15 and shall disallow any credits that would cause the tabulation for any
16 calendar year to exceed two million two hundred twenty-five thousand
17 dollars(~~(, or the amount provided from the air pollution control~~
18 ~~account and the appropriations from the transportation account and the~~
19 ~~public transportation systems account, whichever is less)).~~

20 (2) No person is eligible for tax credits under RCW 82.04.4453 and
21 82.16.048 in excess of one hundred thousand dollars in any calendar
22 year.

23 (3) No person is eligible for tax credits under RCW 82.04.4453 in
24 excess of the amount of tax that would otherwise be due under this
25 chapter.

26 (4) No portion of an application for credit disallowed under this
27 section may be carried back or carried forward.

28 (5) This section expires December 31, 2006.

29 **Sec. 4.** RCW 82.16.049 and 1999 c 402 s 4 are each amended to read
30 as follows:

31 (1) The department shall keep a running total of all credits
32 granted under RCW 82.04.4453 and 82.16.048 during each calendar year,
33 and shall disallow any credits that would cause the tabulation for any
34 calendar year to exceed two million two hundred twenty-five thousand
35 dollars(~~(, or the amount provided from the air pollution control~~
36 ~~account and the appropriations from the transportation account and the~~
37 ~~public transportation systems account, whichever is less)).~~

1 (2) No person is eligible for tax credits under RCW 82.04.4453 and
2 82.16.048 in excess of one hundred thousand dollars in any calendar
3 year.

4 (3) No person is eligible for tax credits under RCW 82.16.048 in
5 excess of the amount of tax that would otherwise be due under this
6 chapter.

7 (4) No portion of an application for credit disallowed under this
8 section may be carried back or carried forward.

9 (5) This section expires December 31, 2006.

10 NEW SECTION. Sec. 5. The following acts or parts of acts are each
11 repealed:

12 (1) 1996 c 128 s 7 (uncodified); and

13 (2) 1996 c 128 s 6 & 1994 c 270 s 6 (uncodified).

14 NEW SECTION. Sec. 6. This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and takes effect
17 immediately.

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