

SHB 2531 - H AMD 1018

By Representative Murray

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 36.120.010 and 2002 c 56 s 101 are each amended to
4 read as follows:

5 The legislature finds that:

6 (1) The capacity of many of Washington state's transportation
7 facilities have failed to keep up with the state's growth, particularly
8 in major urban regions;

9 (2) The state cannot by itself fund, in a timely way, many of the
10 major capacity and other improvements required on highways of statewide
11 significance (~~((in the state's largest urbanized area))~~) and facilities
12 that are an identified risk for failure;

13 (3) Providing a transportation system that provides efficient
14 mobility for persons and freight requires a shared partnership and
15 responsibility between the state, local, and regional governments and
16 the private sector; and

17 (4) Timely construction and development of significant
18 transportation improvement projects can best be achieved through
19 enhanced funding options for governments at the county and regional
20 levels, using already existing tax authority to address roadway and
21 multimodal needs and new authority for regions to address critical
22 transportation projects (~~((of statewide significance))~~).

23 **Sec. 2.** RCW 36.120.020 and 2002 c 56 s 102 are each amended to
24 read as follows:

25 The definitions in this section apply throughout this chapter
26 unless the context clearly requires otherwise.

27 (1) "Board" means the governing body of a regional transportation
28 investment district.

1 (2) "Department" means the Washington state department of
2 transportation.

3 (3) "Highway of statewide significance" means an existing or
4 proposed state route or federal interstate designated as a highway of
5 statewide significance by the transportation commission, its successor
6 entity, or the legislature.

7 (4) "Lead agency" means a public agency that by law can plan,
8 design, and build a transportation project and has been so designated
9 by the district.

10 (5) "Regional transportation investment district" or "district"
11 means a municipal corporation (~~((whose boundaries are coextensive with~~
12 ~~two or more contiguous counties and))~~) that has been created by a county
13 legislative authority or authorities and a vote of the people under
14 this chapter to implement a regional transportation investment plan.

15 (6) "Regional transportation investment district planning
16 committee" or "planning committee" means the advisory committee created
17 under RCW 36.120.030 to create and propose to county legislative
18 authorities a regional transportation investment plan to develop,
19 finance, and construct transportation projects. For counties specified
20 under RCW 36.120.030(2), the district may be less than county-wide;
21 however, a city must be wholly inside or outside the boundaries of the
22 district.

23 (7) "Regional transportation investment plan" or "plan" means a
24 plan to develop, construct, and finance a transportation project or
25 projects.

26 (8)(a) "Transportation project" means(~~(+~~
27 ~~(a) A capital improvement or improvements to a highway that has~~
28 ~~been designated, in whole or in part, as a highway of statewide~~
29 ~~significance, including an extension, that:~~

30 ~~(i) Adds a lane or new lanes to an existing state or federal~~
31 ~~highway; or~~

32 ~~(ii) Repairs or replaces a lane or lanes damaged by an event~~
33 ~~declared an emergency by the governor before January 1, 2002.~~

34 ~~(b) A capital improvement or improvements to all or a portion of a~~
35 ~~highway of statewide significance, including an extension, and may~~
36 ~~include the following associated multimodal capital improvements:~~

37 ~~(i) Approaches to highways of statewide significance;~~

1 ~~(ii) High occupancy vehicle lanes;~~
2 ~~(iii) Flyover ramps;~~
3 ~~(iv) Park and ride lots;~~
4 ~~(v) Bus pullouts;~~
5 ~~(vi) Vans for vanpools;~~
6 ~~(vii) Buses; and~~
7 ~~(viii) Signalization, ramp metering, and other transportation~~
8 ~~system management improvements.~~

9 ~~(c) A capital improvement or improvements to all or a portion of a~~
10 ~~city street, county road, or existing highway or the creation of a new~~
11 ~~highway that intersects with a highway of statewide significance, if~~
12 ~~all of the following conditions are met:~~

13 ~~(i) The project is included in a plan that makes highway~~
14 ~~improvement projects that add capacity to a highway or highways of~~
15 ~~statewide significance;~~

16 ~~(ii) The secretary of transportation determines that the project~~
17 ~~would better relieve traffic congestion than investing that same money~~
18 ~~in adding capacity to a highway of statewide significance;~~

19 ~~(iii) Matching money equal to one third of the total cost of the~~
20 ~~project is provided by local entities, including but not limited to a~~
21 ~~metropolitan planning organization, county, city, port, or private~~
22 ~~entity in which a county participating in a plan is located. Local~~
23 ~~entities may use federal grants to meet this matching requirement;~~

24 ~~(iv) In no case may the cumulative regional transportation~~
25 ~~investment district contribution to all projects constructed under this~~
26 ~~subsection (8)(c) exceed ten percent of the revenues generated by the~~
27 ~~district;~~

28 ~~(v) In no case may the cumulative regional transportation~~
29 ~~investment district contribution to all projects constructed under this~~
30 ~~subsection (8)(c) exceed one billion dollars; and~~

31 ~~(vi) The specific projects are included within the plan and~~
32 ~~submitted as part of the plan to a vote of the people.~~

33 ~~(d)) a project or program contained in the transportation plan of~~
34 ~~the state or of a regional transportation planning organization,~~
35 ~~including operations, preservation, and maintenance ((are excluded from~~
36 ~~this definition and may not be included in a regional transportation~~
37 ~~investment plan)) of the projects or programs.~~

1 (b) "High-priority project" means the restoration, reconstruction,
2 or improvement of a transportation facility of regional significance
3 that has failed or is an identified risk for failure in terms of its
4 design life expectancy or other factors.

5 (9) "Weighted vote" means a vote that reflects the population each
6 board or planning committee member represents relative to the
7 population represented by the total membership of the board or planning
8 committee. Population will be determined using the federal 2000 census
9 or subsequent federal census data.

10 **Sec. 3.** RCW 36.120.030 and 2002 c 56 s 103 are each amended to
11 read as follows:

12 Regional transportation investment district planning committees are
13 advisory entities that are created, convened, and empowered as follows:

14 (1) A county with a population over one million five hundred
15 thousand persons and any adjoining counties with a population over five
16 hundred thousand persons may create a regional transportation
17 investment district and shall convene a regional transportation
18 investment district planning committee. To proceed with developing a
19 plan, including submission of a plan to county legislative authorities
20 for placement on a ballot, at least two contiguous counties must be
21 included in the plan.

22 (2) For counties other than those counties specified in subsection
23 (1) of this section, the county legislative authority may create a
24 regional transportation investment district and shall convene a
25 regional transportation investment planning committee. Counties may by
26 resolution of each county's legislative authority create a district to
27 include more than one county.

28 (3) The members of the legislative authorities participating in
29 planning under this chapter shall serve as the district planning
30 committee. In addition, for counties planning under subsection (2) of
31 this section, the planning committee must also include mayors or city
32 council members of cities within the district so that the proportional
33 membership on the planning committee in terms of members with weighted
34 votes reflects the relative population of persons living within the
35 respective jurisdictions. Members of the planning committee receive no

1 compensation, but may be reimbursed for travel and incidental expenses
2 as the planning committee deems appropriate.

3 The secretary of transportation, or the appropriate regional
4 administrator of the department, as named by the secretary, shall serve
5 on the committee as a nonvoting member.

6 ~~((3))~~ (4) A regional transportation investment district planning
7 committee may be entitled to state funding, as appropriated by the
8 legislature, for start-up funding to pay for salaries, expenses,
9 overhead, supplies, and similar expenses ordinarily and necessarily
10 incurred in selecting transportation projects and funding for those
11 transportation projects under this chapter. Upon creation of a
12 regional transportation investment district, the district shall within
13 one year reimburse the state for any sums advanced for these start-up
14 costs from the state.

15 ~~((4))~~ (5) The planning committee shall conduct its affairs and
16 formulate a regional transportation investment plan as provided under
17 RCW 36.120.040, except that ~~((it))~~ planning committees for counties
18 under subsection (1) of this section shall elect an executive board of
19 seven members to discharge the duties of the planning committee and
20 formulate a regional transportation investment plan, subject to the
21 approval of the full committee.

22 ~~((5))~~ (6) At its first meeting, a regional transportation
23 investment district planning committee may elect officers and provide
24 for the adoption of rules and other operating procedures.

25 ~~((6))~~ (7) Governance of and decisions by a regional
26 transportation investment district planning committee must be by a
27 sixty-percent weighted majority vote of the total membership.

28 ~~((7))~~ (8) The planning committee may dissolve itself at any time
29 by a two-thirds weighted majority vote of the total membership of the
30 planning committee.

31 **Sec. 4.** RCW 36.120.040 and 2003 c 194 s 1 are each amended to read
32 as follows:

33 (1) A regional transportation investment district planning
34 committee shall adopt a regional transportation investment plan
35 providing for the development, construction, and financing of

1 transportation projects. The planning committee may consider the
2 following factors in formulating its plan:

3 (a) Land use planning criteria;

4 (b) The input of cities located within a participating county; and

5 (c) The input of regional transportation planning organizations in
6 which a participating county is located. A regional transportation
7 planning organization in which a participating county is located shall
8 review its adopted regional transportation plan and submit, for the
9 planning committee's consideration, its list of transportation
10 improvement priorities.

11 (2) The planning committee may coordinate its activities with the
12 department, which shall provide services, data, and personnel to assist
13 in this planning as desired by the planning committee. In addition,
14 the planning committee may coordinate with affected cities, towns, and
15 other local governments that engage in transportation planning.

16 (3) The planning committee shall:

17 (a) Conduct public meetings that are needed to assure active public
18 participation in the development of the plan;

19 (b) In counties identified in RCW 36.120.030(1), consult regularly
20 with, and seek input from, the county executive of each participating
21 county and the mayor and city legislative authority of the largest city
22 in each participating county and any other cities over one hundred
23 thousand in population;

24 (c) Adopt a plan proposing the:

25 (i) Creation of a regional transportation investment district; and

26 (ii) Construction of transportation projects to improve or maintain
27 mobility within each county(~~(.——Operations,——maintenance,——and~~
28 ~~preservation of facilities or systems may not be part of the plan))~~);

29 ((~~e~~)) (d) Recommend sources of revenue authorized by RCW
30 36.120.050 and a financing plan to fund selected transportation
31 projects. The overall plan of the district must leverage the
32 district's financial contributions so that the federal, state, local,
33 and other revenue sources continue to fund major congestion relief and
34 ((~~transportation capacity~~)) mobility improvement projects in each
35 county and the district. A combination of local, state, and federal
36 revenues may be necessary to pay for transportation projects, and the

1 planning committee shall consider all of these revenue sources in
2 developing a plan.

3 (4) For counties under RCW 36.120.030(1), the plan must use tax
4 revenues and related debt for projects that generally benefit a
5 participating county in proportion to the general level of tax revenues
6 generated within that participating county. This equity principle
7 applies to all modifications to the plan, appropriation of contingency
8 funds not identified within the project estimate, and future phases of
9 the plan. During implementation of the plan, the board shall retain
10 the flexibility to manage distribution of revenues, debt, and project
11 schedules so that the district may effectively implement the plan.
12 Nothing in this section should be interpreted to prevent the district
13 from pledging district-wide tax revenues for payment of any contract or
14 debt entered into under RCW 36.120.130.

15 (5) Before adopting the plan, the planning committee, with
16 assistance from the department, shall work with the lead agency to
17 develop accurate cost forecasts for transportation projects. This
18 project costing methodology must be integrated with revenue forecasts
19 in developing the plan and must at a minimum include estimated project
20 costs in constant dollars as well as year of expenditure dollars, the
21 range of project costs reflected by the level of project design,
22 project contingencies, identification of mitigation costs, the range of
23 revenue forecasts, and project and plan cash flow and bond analysis.
24 The plan submitted to the voters must provide cost estimates for each
25 project, including reasonable contingency costs. Plans submitted to
26 the voters must provide that the maximum amount possible of the funds
27 raised will be used to fund projects in the plan, including
28 environmental improvements and mitigation, and that administrative
29 costs be minimized. If actual revenue exceeds actual plan costs, the
30 excess revenues must be used to retire any outstanding debt associated
31 with the plan.

32 (6) For counties under RCW 36.120.030(1), if a county opts not to
33 adopt the plan or participate in the regional transportation investment
34 district, but two or more contiguous counties do choose to continue to
35 participate, then the planning committee may, within ninety days,
36 redefine the regional transportation investment plan and the ballot
37 measure to be submitted to the people to reflect elimination of the

1 county, and submit the redefined plan to the legislative authorities of
2 the remaining counties for their decision as to whether to continue to
3 adopt the redefined plan and participate. This action must be
4 completed within sixty days after receipt of the redefined plan.

5 (7) Once adopted, the plan must be forwarded to the participating
6 county legislative authority or authorities to initiate the election
7 process under RCW 36.120.070. The planning committee shall at the same
8 time provide notice to each city and town within the district, the
9 governor, the chairs of the transportation committees of the
10 legislature, the secretary of transportation, and each legislator whose
11 legislative district is partially or wholly within the boundaries of
12 the district.

13 (8) If the ballot measure is not approved, the planning committee
14 may redefine the selected transportation projects, financing plan, and
15 the ballot measure. The county legislative authority or authorities
16 may approve the new plan and ballot measure, and may then submit the
17 revised proposition to the voters at the next election or a special
18 election. If no ballot measure is approved by the voters by the third
19 vote, the planning committee is dissolved.

20 **Sec. 5.** RCW 36.120.050 and 2003 c 350 s 4 are each amended to read
21 as follows:

22 (1) A regional transportation investment district planning
23 committee may, as part of a regional transportation investment plan,
24 recommend the imposition of some or all of the following revenue
25 sources, which a regional transportation investment district may impose
26 upon approval of the voters as provided in this chapter:

27 (a) A regional sales and use tax, as specified in RCW 82.14.430, of
28 up to ~~((0.5))~~ 0.2 percent of the selling price, in the case of a sales
29 tax, or value of the article used, in the case of a use tax, upon the
30 occurrence of any taxable event in the regional transportation
31 investment district. The proceeds of this tax may be spent only as
32 follows:

- 33 (i) 0.1 percent only for high-priority projects;
34 (ii) 0.1 percent only for public transportation purposes, commute
35 trip reduction programs, or high-priority projects, or a combination
36 thereof;

1 (b) A local option vehicle license fee, as specified under RCW
2 82.80.100, of up to one hundred dollars per vehicle registered in the
3 district. As used in this subsection, "vehicle" means motor vehicle as
4 defined in RCW 46.04.320. Certain classes of vehicles, as defined
5 under chapter 46.04 RCW, may be exempted from this fee;

6 (c) A parking tax under RCW 82.80.030;

7 (d) A local motor vehicle excise tax under RCW 81.100.060 and
8 chapter 81.104 RCW;

9 (e) A local option fuel tax under RCW 82.80.120;

10 (f) A mileage charge under section 19 of this act;

11 (g) An employer excise tax under RCW 81.100.030; and

12 ((~~g~~)) (h) With the approval of the transportation commission, or
13 its successor, vehicle tolls on ((~~new or reconstructed facilities~~)) a
14 local or regional arterial or state or federal highway within the
15 boundaries of the district. The plan must identify the facilities to
16 be tolled and the purpose of the toll. Unless otherwise specified by
17 law or contract, the department shall administer the collection of
18 vehicle tolls on designated facilities, and the state transportation
19 commission, or its successor, shall be the tolling authority.

20 (2) Taxes, fees, and tolls may not be imposed without an
21 affirmative vote of the majority of the voters within the boundaries of
22 the district voting on a ballot proposition as set forth in RCW
23 36.120.070. Revenues from these taxes and fees may be used only to
24 implement the plan as set forth in this chapter. A district may
25 contract with the state department of revenue or other appropriate
26 entities for administration and collection of any of the taxes or fees
27 authorized in this section. In authorizing these revenue sources, it
28 is the intent of the legislature to provide a range of options that can
29 be tailored to meet the transportation needs identified by local
30 elected officials, with voter approval. The legislature does not
31 intend that all local option tax sources will be used by a single
32 district, nor that each revenue source will necessarily be imposed to
33 its maximum limit.

34 (3) Existing statewide motor vehicle fuel and special fuel taxes,
35 at the distribution rates in effect on January 1, 2001, are not
36 intended to be altered by this chapter.

1 **Sec. 6.** RCW 36.120.060 and 2002 c 56 s 106 are each amended to
2 read as follows:

3 (1) The planning committee shall consider the following criteria
4 for selecting transportation projects to improve corridor performance:

5 (a) Reduced level of congestion and improved safety;

6 (b) Improved travel time;

7 (c) Improved air quality;

8 (d) Increases in daily and peak period person and vehicle trip
9 capacity;

10 (e) Reductions in person and vehicle delay;

11 (f) Improved personal mobility;

12 (g) Improved freight mobility; and

13 ~~((g))~~ (h) Cost-effectiveness of the investment.

14 (2) The planning committee shall develop and weight other criteria
15 as necessary to ensure that high-priority projects are accomplished.

16 (3) These criteria represent only minimum standards that must be
17 considered in selecting transportation improvement projects. The board
18 shall also consider rules and standards for benchmarks adopted by the
19 transportation commission or its successor.

20 **Sec. 7.** RCW 36.120.070 and 2002 c 56 s 107 are each amended to
21 read as follows:

22 Two or more contiguous county legislative authorities under RCW
23 36.120.030(1) and a county or county legislative authorities under RCW
24 36.120.030(2), upon receipt of the regional transportation investment
25 plan under RCW 36.120.040, may ~~((certify the plan to the ballot,~~
26 ~~including identification of the tax options)) submit to the voters of~~
27 the proposed district a single ballot measure that approves formation
28 of the district, approves the regional transportation investment plan,
29 and approves the revenue sources necessary to ~~((fund))~~ finance
30 the plan. ~~((County legislative authorities))~~ The planning committee may
31 draft ~~((a ballot title,))~~ the ballot measure on behalf of the county
32 legislative authorities, and the county legislative authorities may
33 give notice as required by law for ballot measures, and perform other
34 duties as required to ~~((put the plan before))~~ submit the measure to the
35 voters of the proposed district for their approval or rejection ~~((as a~~
36 single ballot measure that both approves formation of the district and

1 ~~approves the plan~~). Counties may negotiate interlocal agreements
2 necessary to implement the plan. The electorate will be the voters
3 voting within the boundaries of the participating counties. A simple
4 majority of the total persons voting on the single ballot measure (~~to~~
5 ~~approve the plan, establish the district, and approve the taxes and~~
6 ~~fees~~) is required for approval of the measure.

7 **Sec. 8.** RCW 36.120.090 and 2002 c 56 s 109 are each amended to
8 read as follows:

9 (1) The governing board of a district consists of the members of
10 the legislative authority of each member county, acting ex officio and
11 independently. The secretary of transportation or the appropriate
12 regional administrator of the department, as named by the secretary,
13 shall also serve as a nonvoting member of the board. For districts in
14 counties under RCW 36.120.030(1), the governing board may elect an
15 executive board of seven members to discharge the duties of the
16 governing board subject to the approval of the full governing board.

17 (2) A sixty-percent majority of the weighted votes of the total
18 board membership is required to submit to the county or counties a
19 modified plan under RCW 36.120.140 or any other proposal to be
20 submitted to the voters. The county or counties may, with majority
21 vote of each county legislative authority, submit a modified plan or
22 proposal to the voters.

23 **Sec. 9.** RCW 36.120.140 and 2003 c 194 s 2 are each amended to read
24 as follows:

25 (1) The board may modify the plan to change transportation projects
26 or revenue sources if:

27 (a) For districts in counties under RCW 36.120.030(1), two or more
28 participating counties adopt a resolution to modify the plan(~~+~~) and
29 (~~(+b)~~) the counties submit to the voters in the district a ballot
30 measure that redefines the scope of the plan, its projects, its
31 schedule, its costs, or the revenue sources;

32 (b) For districts in counties under RCW 36.120.030(2), the board
33 adopts a resolution to modify the plan and the county or counties
34 submit to the voters in the district a ballot measure that redefines

1 the scope of the plan, its projects, its schedule, its costs, or the
2 revenue sources.

3 If the voters of either type of district fail to approve the
4 redefined plan, the district shall continue to work on and complete the
5 plan, and the projects in it, that was originally approved by the
6 voters. If the voters approve the redefined plan, the district shall
7 work on and complete the projects under the redefined plan.

8 (2) The board may modify the plan to change transportation projects
9 within a participating county if:

- 10 (a) A majority of the board approves the change;
- 11 (b) The modifications are limited to projects within the county;
- 12 (c) The county submits to the voters in the county a ballot measure
13 that redefines:
 - 14 (i) Projects;
 - 15 (ii) Scopes of projects; or
 - 16 (iii) Costs; and
 - 17 (iv) The financial plan for the county;
- 18 (d) The proposed modifications maintain the equity of the plan and
19 (~~does not~~) do not increase the total level of plan expenditure for
20 the county.

21 If the voters fail to approve the modified plan, the district shall
22 continue to work on and complete the plan, and the projects in it, that
23 was originally approved by the voters. If the voters approve the
24 redefined plan, the district shall work on and complete the projects
25 under the redefined plan.

26 (3) If a transportation project cost exceeds its original cost by
27 more than twenty percent as identified in the plan:

- 28 (a) The board shall, in coordination with the county legislative
29 authorities, submit to the voters in the district or county a ballot
30 measure that redefines the scope of the transportation project, its
31 schedule, or its costs. If the voters fail to approve the redefined
32 transportation project, the district shall terminate work on that
33 transportation project, except that the district may take reasonable
34 steps to use, preserve, or connect any improvement already constructed.
35 The remainder of any funds that would otherwise have been expended on
36 the terminated transportation project must first be used to retire any

1 outstanding debt attributable to the plan and then may be used to
2 implement the remainder of the plan.

3 (b) Alternatively for districts in counties under RCW
4 36.120.030(1), upon adoption of a resolution by two or more
5 participating counties:

6 (i) The counties shall submit to the voters in the district a
7 ballot measure that redefines the scope of the plan, its transportation
8 projects, its schedule, or its costs. If the voters fail to approve
9 the redefined plan, the district shall terminate work on that plan,
10 except that the district may take reasonable steps to use, preserve, or
11 connect any improvement already constructed. The remainder of any
12 funds must be used to retire any outstanding debt attributable to the
13 plan; or

14 (ii) The counties may elect to have the district continue the
15 transportation project without submitting an additional ballot proposal
16 to the voters.

17 (4) To assure accountability to the public for the timely
18 construction of the transportation improvement project or projects
19 within cost projections, the district shall issue a report, at least
20 annually, to the public and copies of the report to newspapers of
21 record in the district. In the report, the district shall indicate the
22 status of transportation project costs, transportation project
23 expenditures, revenues, and construction schedules. The report may
24 also include progress towards meeting the performance criteria provided
25 under this chapter.

26 **Sec. 10.** RCW 36.120.190 and 2002 c 56 s 201 are each amended to
27 read as follows:

28 For districts in counties under RCW 36.120.030(1), at the option of
29 the planning committee, and with the explicit approval of the regional
30 transit authority, the participating counties may choose to impose any
31 remaining high capacity transportation taxes under chapter 81.104 RCW
32 that have not otherwise been used by a regional transit authority and
33 submit to the voters a common ballot measure that creates the district,
34 approves the regional transportation investment plan, implements the
35 taxes, and implements any remaining high capacity transportation taxes
36 within the boundaries of the regional transportation investment

1 district. Collection and expenditures of any high capacity
2 transportation taxes implemented under this section must be determined
3 by agreement between the participating counties or district and the
4 regional transit authority electing to submit high capacity
5 transportation taxes to the voters under a common ballot measure as
6 provided in this section. If the measure fails, all such unused high
7 capacity transportation taxes revert back to and remain with the
8 regional transit authority. A project constructed with this funding is
9 not considered a "transportation project" under RCW 36.120.020.

10 **Sec. 11.** RCW 36.120.200 and 2002 c 56 s 401 are each amended to
11 read as follows:

12 The regional transportation investment district account is created
13 in the custody of the state treasurer. The purpose of this account is
14 to act as an account into which may be deposited state money, if any,
15 that may be used in conjunction with district money to fund
16 transportation projects. Additionally, (~~the~~) districts may deposit
17 funds into this account for disbursement, as appropriate, on
18 transportation projects. Nothing in this section requires any state
19 matching money. All money deposited in the regional transportation
20 investment district account will be used for design, right of way
21 acquisition, capital acquisition, and construction, or for the payment
22 of debt service associated with these activities, for regionally funded
23 transportation projects developed under this chapter. Only the
24 district may authorize expenditures from the account. The account is
25 subject to allotment procedures under chapter 43.88 RCW. An
26 appropriation is not required for expenditures from this account.

27 NEW SECTION. **Sec. 12.** A new section is added to chapter 36.120
28 RCW to read as follows:

29 Notwithstanding any provision to the contrary in this chapter, a
30 regional transportation investment district may impose vehicle tolls on
31 local and regional arterials with the approval of the transportation
32 commission, or its successor, and upon approval of a majority of the
33 voters voting on a regional transportation investment plan ballot
34 measure within its boundaries as authorized in this chapter. These

1 tolls may be imposed to generate revenue to fund the regional
2 transportation investment plan.

3 **Sec. 13.** RCW 47.56.076 and 2002 c 56 s 403 are each amended to
4 read as follows:

5 With the approval of the transportation commission, or its
6 successor, and upon approval of a majority of the voters within its
7 boundaries voting on the ballot proposition, and only for the purposes
8 authorized in RCW 36.120.050(1)((+f+)) (h), a regional transportation
9 investment district may impose vehicle tolls on a state ((~~routes where~~
10 ~~improvements financed in whole or in part by a regional transportation~~
11 ~~investment district add additional lanes to, or reconstruct lanes on,~~
12 ~~a highway of statewide significance)) or federal highway within the~~
13 boundaries of the district. The department shall administer the
14 collection of vehicle tolls on designated facilities unless otherwise
15 specified in law or by contract, and the state transportation
16 commission, or its successor, shall ((be the tolling authority)) set
17 and impose the tolls in amounts sufficient to implement the regional
18 transportation investment plan.

19 NEW SECTION. **Sec. 14.** A new section is added to chapter 47.56 RCW
20 to read as follows:

21 Notwithstanding any provision to the contrary in this chapter, a
22 regional transportation investment district may impose vehicle tolls on
23 either Lake Washington bridge upon approval of a majority of the voters
24 voting on a regional transportation investment plan ballot measure
25 within its boundaries as authorized in chapter 36.120 RCW and RCW
26 47.56.076.

27 **Sec. 15.** RCW 82.14.430 and 2002 c 56 s 405 are each amended to
28 read as follows:

29 (1) If approved by the majority of the voters within its boundaries
30 voting on the ballot proposition, a regional transportation investment
31 district may impose a sales and use tax of up to ((0.5)) 0.2 percent of
32 the selling price or value of the article used in the case of a use
33 tax. The tax authorized by this section is in addition to the tax
34 authorized by RCW 82.14.030 and must be collected from those persons

1 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
2 the occurrence of any taxable event within the taxing district. Motor
3 vehicles are exempt from the sales and use tax imposed under this
4 subsection.

5 (2) If approved by the majority of the voters within its boundaries
6 voting on the ballot proposition, a regional transportation investment
7 district may impose a tax on the use of a motor vehicle within a
8 regional transportation investment district. The tax applies to those
9 persons who reside within the regional transportation investment
10 district. The rate of the tax may not exceed (~~(0.5)~~) 0.2 percent of
11 the value of the motor vehicle. The tax authorized by this subsection
12 is in addition to the tax authorized under RCW 82.14.030 and must be
13 imposed and collected at the time a taxable event under RCW
14 82.08.020(1) or 82.12.020 takes place. All revenue received under this
15 subsection must be deposited in the local sales and use tax account and
16 distributed to the regional transportation investment district
17 according to RCW 82.14.050. The following provisions apply to the use
18 tax in this subsection:

19 (a) Where persons are taxable under chapter 82.08 RCW, the seller
20 shall collect the use tax from the buyer using the collection
21 provisions of RCW 82.08.050.

22 (b) Where persons are taxable under chapter 82.12 RCW, the use tax
23 must be collected using the provisions of RCW 82.12.045.

24 (c) "Motor vehicle" has the meaning provided in RCW 46.04.320, but
25 does not include farm tractors or farm vehicles as defined in RCW
26 46.04.180 and 46.04.181, off-road and nonhighway vehicles as defined in
27 RCW 46.09.020, and snowmobiles as defined in RCW 46.10.010.

28 (d) "Person" has the meaning given in RCW 82.04.030.

29 (e) The value of a motor vehicle must be determined under RCW
30 82.12.010.

31 (f) Except as specifically stated in this subsection (2), chapters
32 82.12 and 82.32 RCW apply to the use tax. The use tax is a local tax
33 imposed under the authority of chapter 82.14 RCW, and chapter 82.14 RCW
34 applies fully to the use tax.

35 **Sec. 16.** RCW 82.80.120 and 2003 c 350 s 3 are each amended to read
36 as follows:

1 (1) For purposes of this section:

2 (a) "Distributor" means every person who imports, refines,
3 manufactures, produces, or compounds motor vehicle fuel and special
4 fuel as defined in RCW 82.36.010 and 82.38.020, respectively, and sells
5 or distributes the fuel into a (~~county~~) district;

6 (b) "Person" has the same meaning as in RCW 82.04.030;

7 (c) "District" means a regional transportation investment district
8 under chapter 36.120 RCW.

9 (2) A regional transportation investment district under chapter
10 36.120 RCW, subject to the conditions of this section, may levy
11 additional excise taxes (~~(equal to ten percent of the statewide motor~~
12 ~~vehicle fuel tax rate under RCW 82.36.025)) of no more than six cents
13 on each gallon of motor vehicle fuel as defined in RCW 82.36.010 and on
14 each gallon of special fuel as defined in RCW 82.38.020 sold within the
15 boundaries of the district. The additional excise tax is subject to
16 the approval of a majority of the voters within the district
17 boundaries. Vehicles paying an annual license fee under RCW 82.38.075
18 are exempt from the district's fuel excise tax. The additional excise
19 taxes are subject to the same exceptions and rights of refund as
20 applicable to other motor vehicle fuel and special fuel excise taxes
21 levied under chapters 82.36 and 82.38 RCW. The proposed tax may not be
22 levied less than one month from the date the election results are
23 certified. The commencement date for the levy of any tax under this
24 section will be the first day of January, April, July, or October.~~

25 (3) The local option motor vehicle fuel tax on each gallon of motor
26 vehicle fuel and on each gallon of special fuel is imposed upon the
27 distributor of the fuel.

28 (4) A taxable event for the purposes of this section occurs upon
29 the first distribution of the fuel within the boundaries of the
30 district to a retail outlet, bulk fuel user, or ultimate user of the
31 fuel.

32 (5) All administrative provisions in chapters 82.01, 82.03, and
33 82.32 RCW, insofar as they are applicable, apply to local option fuel
34 taxes imposed under this section.

35 (6) Before the effective date of the imposition of the fuel taxes
36 under this section, a district shall contract with the department of
37 revenue for the administration and collection of the taxes. The

1 contract must provide that a percentage amount, not to exceed one
2 percent of the taxes imposed under this section, will be deposited into
3 the local tax administration account created in the custody of the
4 state treasurer. The department of revenue may spend money from this
5 account, upon appropriation, for the administration of the local taxes
6 imposed under this section.

7 (7) The state treasurer shall distribute monthly to the district
8 levying the tax as part of the regional transportation investment
9 district plan, after the deductions for payments and expenditures as
10 provided in RCW 46.68.090(1) (a) and (b).

11 (8) The proceeds of the additional taxes levied by a district in
12 this section, to be used as a part of a regional transportation
13 investment district plan, must be used in accordance with chapter
14 36.120 RCW, but only for those areas that are considered "highway
15 purposes" as that term is construed in Article II, section 40 of the
16 state Constitution.

17 (9) A district may not levy the tax in this section if a member
18 county is levying the tax in RCW 82.80.010 or 82.80.110.

19 NEW SECTION. **Sec. 17.** A new section is added to chapter 82.80 RCW
20 to read as follows:

21 (1) The legislative authority of a regional transportation
22 investment district may impose a charge based upon vehicle miles
23 traveled. This charge may be, but is not limited to, a charge upon the
24 vehicle miles traveled within the district by a vehicle, upon vehicle
25 miles traveled within certain corridors in the district, or upon total
26 vehicle miles traveled by a vehicle registered to a person whose legal
27 residence is within the district.

28 (2) Charges imposed may be collected either periodically in a
29 manner prescribed by the district or annually by the department of
30 licensing upon renewal of the vehicle license. The district may
31 identify categories of miles driven that are subject to or exempt from
32 the charge, including but not limited to, travel outside the district,
33 travel in specified corridors, or exempt or maximum mileage charges.

34 (3) The mileage charge under this section is subject to the
35 approval of the transportation commission or its statutory successor

1 and of a majority of the voters within the district boundaries voting
2 on formation of the district. The mileage charge must be part of the
3 investment plan of the district.

4 NEW SECTION. **Sec. 18.** If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 remainder of the act or the application of the provision to other
7 persons or circumstances is not affected."

8 Correct the title.

EFFECT: (1) Defines high-priority projects as transportation facilities of regional significance at risk for failure and makes those projects a priority for RTID investment.

(2) Requires that for the local option sales tax 0.1% may be only spent on high-priority projects and 0.1% may only be spent on high-priority projects, public transportation, and commute trip reduction.

(3) Removes the authorization for RTIDs to impose a sales tax on motor fuel.

(4) Eliminates indexing for the local option fuel tax imposed by the RTID and restricts the local option tax so that it can only be imposed by the RTID, a county for RTID purposes, or a county for county/city purposes.

(5) Restricts use of the 6-cent local option fuel tax revenues to highway purposes.

(6) Removes the limitation that prevents the RTID from imposing both the 6 cents/per gallon local option fuel tax and the mileage charge.

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