

SHB 2531 - H AMD 1063

By Representative Murray

ADOPTED AS AMENDED 02/27/2004

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 For counties specified under RCW 36.120.030(1), the boundaries must be
16 coextensive with two or more contiguous counties, and for counties
17 specified under RCW 36.120.030(2), the boundaries may be multicounty,
18 county-wide, or less than county-wide; however, a city must be wholly
19 inside or outside the boundaries of the district.

20 (6) "Regional transportation investment district planning
21 committee" or "planning committee" means the advisory committee created
22 under RCW 36.120.030 to create and propose to county legislative
23 authorities a regional transportation investment plan to develop,
24 finance, and construct transportation projects.

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

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

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

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

36 ~~(b) A capital improvement or improvements to all or a portion of a~~

1 ~~highway of statewide significance, including an extension, and may~~
2 ~~include the following associated multimodal capital improvements:~~

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

4 ~~(ii) High occupancy vehicle lanes;~~

5 ~~(iii) Flyover ramps;~~

6 ~~(iv) Park and ride lots;~~

7 ~~(v) Bus pullouts;~~

8 ~~(vi) Vans for vanpools;~~

9 ~~(vii) Buses; and~~

10 ~~(viii) Signalization, ramp metering, and other transportation~~
11 ~~system management improvements.~~

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

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

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

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

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

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

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

36 ~~(d)) a project or program contained in the transportation plan of~~
37 ~~the state or of a regional transportation planning organization,~~

1 including operations, preservation, and maintenance ((are excluded from
2 this definition and may not be included in a regional transportation
3 investment plan)) of the projects or programs.

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

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

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

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

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

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

31 (3) The members of the legislative authorities participating in
32 planning under this chapter shall serve as the district planning
33 committee. In addition, for counties planning under subsection (2) of
34 this section, the planning committee must also include mayors or city
35 council members of cities within the district so that the proportional
36 membership on the planning committee in terms of members with weighted

1 votes reflects the relative population of persons living within the
2 respective jurisdictions. Members of the planning committee receive no
3 compensation, but may be reimbursed for travel and incidental expenses
4 as the planning committee deems appropriate.

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

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

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

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

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

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

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

35 (1) A regional transportation investment district planning
36 committee shall adopt a regional transportation investment plan

1 providing for the development, construction, and financing of
2 transportation projects. The planning committee may consider the
3 following factors in formulating its plan:

4 (a) Land use planning criteria;

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

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

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

17 (3) The planning committee shall:

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

20 (b) Adopt a plan proposing the:

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

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

25 ~~((+e))~~ (d) Recommend sources of revenue authorized by RCW
26 36.120.050 and a financing plan to fund selected transportation
27 projects. The overall plan of the district must leverage the
28 district's financial contributions so that the federal, state, local,
29 and other revenue sources continue to fund major congestion relief and
30 ~~((transportation capacity))~~ mobility improvement projects in each
31 county and the district. A combination of local, state, and federal
32 revenues may be necessary to pay for transportation projects, and the
33 planning committee shall consider all of these revenue sources in
34 developing a plan.

35 (4) For counties under RCW 36.120.030(1), the plan must use tax
36 revenues and related debt for projects that generally benefit a
37 participating county in proportion to the general level of tax revenues

1 generated within that participating county. This equity principle
2 applies to all modifications to the plan, appropriation of contingency
3 funds not identified within the project estimate, and future phases of
4 the plan. During implementation of the plan, the board shall retain
5 the flexibility to manage distribution of revenues, debt, and project
6 schedules so that the district may effectively implement the plan.
7 Nothing in this section should be interpreted to prevent the district
8 from pledging district-wide tax revenues for payment of any contract or
9 debt entered into under RCW 36.120.130.

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

27 (6) For counties under RCW 36.120.030(1), if a county opts not to
28 adopt the plan or participate in the regional transportation investment
29 district, but two or more contiguous counties do choose to continue to
30 participate, then the planning committee may, within ninety days,
31 redefine the regional transportation investment plan and the ballot
32 measure to be submitted to the people to reflect elimination of the
33 county, and submit the redefined plan to the legislative authorities of
34 the remaining counties for their decision as to whether to continue to
35 adopt the redefined plan and participate. This action must be
36 completed within sixty days after receipt of the redefined plan.

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

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

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

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

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

29 (i) 0.1 percent only for high-priority projects;

30 (ii) 0.1 percent only for public transportation purposes, commute
31 trip reduction programs, or high-priority projects, or a combination
32 thereof;

33 (b) A local option vehicle license fee, as specified under RCW
34 82.80.100, of up to one hundred dollars per vehicle registered in the
35 district. As used in this subsection, "vehicle" means motor vehicle as

1 defined in RCW 46.04.320. Certain classes of vehicles, as defined
2 under chapter 46.04 RCW, may be exempted from this fee;

3 (c) A parking tax under RCW 82.80.030;

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

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

7 (f) A mileage charge under section 16 of this act;

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

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

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

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

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

- 1 (1) The planning committee shall consider the following criteria
2 for selecting transportation projects to improve corridor performance:
3 (a) Reduced level of congestion and improved safety;
4 (b) Improved travel time;
5 (c) Improved air quality;
6 (d) Increases in daily and peak period person and vehicle trip
7 capacity;
8 (e) Reductions in person and vehicle delay;
9 (f) Improved personal mobility;
10 (g) Improved freight mobility; and
11 ~~((g))~~ (h) Cost-effectiveness of the investment.

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

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

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

20 Two or more contiguous county legislative authorities under RCW
21 36.120.030(1) and a county or county legislative authorities under RCW
22 36.120.030(2), upon receipt of the regional transportation investment
23 plan under RCW 36.120.040, may ~~((certify the plan to the ballot,~~
24 ~~including identification of the tax options))~~ submit to the voters of
25 the proposed district a single ballot measure that approves formation
26 of the district, approves the regional transportation investment plan,
27 and approves the revenue sources necessary to ~~((fund))~~ finance the
28 plan. ~~((County legislative authorities))~~ The planning committee may
29 draft ~~((a ballot title,))~~ the ballot measure on behalf of the county
30 legislative authorities, and the county legislative authorities may
31 give notice as required by law for ballot measures, and perform other
32 duties as required to ~~((put the plan before))~~ submit the measure to
33 voters of the proposed district for their approval or rejection ~~((as a~~
34 ~~single ballot measure that both approves formation of the district and~~
35 ~~approves the plan))~~. Counties may negotiate interlocal agreements
36 necessary to implement the plan. The electorate will be the voters

1 voting within the boundaries of the participating counties. A simple
2 majority of the total persons voting on the single ballot measure (~~to~~
3 ~~approve the plan, establish the district, and approve the taxes and~~
4 ~~fees~~) is required for approval of the measure.

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

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

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

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

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

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

30 (b) For districts in counties under RCW 36.120.030(2), the board
31 adopts a resolution to modify the plan and the county or counties
32 submit to the voters in the district a ballot measure that redefines
33 the scope of the plan, its projects, its schedule, its costs, or the
34 revenue sources.

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

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

8 (a) A majority of the board approves the change;

9 (b) The modifications are limited to projects within the county;

10 (c) The county submits to the voters in the county a ballot measure
11 that redefines:

12 (i) Projects;

13 (ii) Scopes of projects; or

14 (iii) Costs; and

15 (iv) The financial plan for the county;

16 (d) The proposed modifications maintain the equity of the plan and
17 (~~does not~~) do not increase the total level of plan expenditure for
18 the county.

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

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

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

1 (b) Alternatively for districts in counties under RCW
2 36.120.030(1), upon adoption of a resolution by two or more
3 participating counties:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 (1) If approved by the majority of the voters within its boundaries
28 voting on the ballot proposition, a regional transportation investment
29 district may impose a sales and use tax of up to (~~0.5~~) 0.2 percent of
30 the selling price or value of the article used in the case of a use
31 tax. The tax authorized by this section is in addition to the tax
32 authorized by RCW 82.14.030 and must be collected from those persons
33 who are taxable by the state under chapters 82.08 and 82.12 RCW upon
34 the occurrence of any taxable event within the taxing district. Motor

1 vehicles are exempt from the sales and use tax imposed under this
2 subsection.

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

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

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

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

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

27 (e) The value of a motor vehicle must be determined under RCW
28 82.12.010.

29 (f) Except as specifically stated in this subsection (2), chapters
30 82.12 and 82.32 RCW apply to the use tax. The use tax is a local tax
31 imposed under the authority of chapter 82.14 RCW, and chapter 82.14 RCW
32 applies fully to the use tax.

33 NEW SECTION. **Sec. 16.** A new section is added to chapter 82.80 RCW
34 to read as follows:

35 (1) The legislative authority of a regional transportation
36 investment district may impose a charge based upon vehicle miles

1 traveled. This charge may be, but is not limited to, a charge upon the
2 vehicle miles traveled within the district by a vehicle, upon vehicle
3 miles traveled within certain corridors in the district, or upon total
4 vehicle miles traveled by a vehicle registered to a person whose legal
5 residence is within the district.

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

12 (3) The mileage charge under this section is subject to the
13 approval of the transportation commission or its statutory successor
14 and of a majority of the voters within the district boundaries voting
15 on formation of the district. The mileage charge must be part of the
16 investment plan of the district.

17 NEW SECTION. **Sec. 17.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected."

21 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 changes to existing local option fuel tax authority
for the RTID.

(5) Clarifies that the boundaries of the RTID in central Puget
Sound must be coextensive with two or more contiguous counties.

(6) Removes requirement that RTID planning committee consult with
county executives and with largest city in each participating county.

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