
SENATE BILL 5593

State of Washington

58th Legislature

2003 Regular Session

By Senators Shin, Haugen, Fairley and Regala

Read first time 01/31/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to funding for transportation; amending RCW
2 82.36.025; reenacting and amending RCW 82.36.025 and 46.68.090;
3 creating a new section; providing for submission of part of this act to
4 a vote of the people; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that growing traffic
7 congestion is having a severe impact on the quality of life and the
8 economy in Washington state. It is incumbent upon the legislature to
9 act quickly to address urgent transportation needs and to demonstrate
10 to the public that transportation funds are being used efficiently and
11 effectively to provide congestion relief and to enhance freight
12 mobility.

13 The legislature also recognizes that taxpayers desire a voice in
14 the imposition of taxes and fees. It is therefore the intent of the
15 legislature to provide both the immediate response to critical
16 transportation issues by providing phased-in fuel tax increases in the
17 2003 legislative session and sending additional fuel tax increases to
18 a public vote in 2004, to be effective in 2005 and 2006.

1 **Sec. 2.** RCW 82.36.025 and 1999 c 269 s 16 and 1999 c 94 s 29 are
2 each reenacted and amended to read as follows:

3 ~~Until July 1, 2004, a motor vehicle fuel tax rate of ((twenty-~~
4 ~~three)) twenty-six cents per gallon ((shall apply)) applies to the~~
5 ~~sale, distribution, or use of motor vehicle fuel. Beginning July 1,~~
6 ~~2004, a motor vehicle fuel tax rate of twenty-eight cents per gallon~~
7 ~~applies to the sale, distribution, or use of motor vehicle fuel.~~

8 **Sec. 3.** RCW 82.36.025 and 2003 c . . . s 2 (section 2 of this act)
9 are each amended to read as follows:

10 ~~((Until July 1, 2004, a motor vehicle fuel tax rate of twenty six~~
11 ~~cents per gallon applies to the sale, distribution, or use of motor~~
12 ~~vehiele fuel.)) (1) Beginning July 1, 2004, a motor vehicle fuel tax~~
13 ~~rate of twenty-eight cents per gallon applies to the sale,~~
14 ~~distribution, or use of motor vehicle fuel.~~

15 (2) Beginning July 1, 2005, a motor vehicle fuel tax rate of
16 thirty-one cents per gallon applies to the sale, distribution, or use
17 of motor vehicle fuel.

18 (3) Beginning July 1, 2006, a motor vehicle fuel tax rate of
19 thirty-three cents per gallon applies to the sale, distribution, or use
20 of motor vehicle fuel.

21 **Sec. 4.** RCW 46.68.090 and 1999 c 269 s 2 and 1999 c 94 s 6 are
22 each reenacted and amended to read as follows:

23 (1) All moneys that have accrued or may accrue to the motor vehicle
24 fund from the motor vehicle fuel tax and special fuel tax shall be
25 first expended for purposes enumerated in (a) and (b) of this
26 subsection. ~~Until July 1, 2004, the remaining net tax amount shall be~~
27 ~~distributed monthly by the state treasurer in the following proportions~~
28 ~~((set forth in (c) through (l) of this subsection)): For distribution~~
29 ~~to the motor vehicle fund an amount equal to 11.5385 percent to be~~
30 ~~expended for highway purposes of the state as defined in RCW 46.68.130;~~
31 ~~the remaining 88.4615 percent will be distributed as set forth in (c)~~
32 ~~through (l) of this subsection. Beginning July 1, 2004, the remaining~~
33 ~~net tax amount will be distributed monthly by the state treasurer in~~
34 ~~the following proportions: For distribution to the motor vehicle fund~~
35 ~~an amount equal to 17.8571 percent to be expended for highway purposes~~

1 of the state as defined in RCW 46.68.130; the remaining 82.1429 percent
2 will be distributed as set forth in (c) through (l) of this subsection.

3 (a) For payment of refunds of motor vehicle fuel tax and special
4 fuel tax that has been paid and is refundable as provided by law;

5 (b) For payment of amounts to be expended pursuant to
6 appropriations for the administrative expenses of the offices of state
7 treasurer, state auditor, and the department of licensing of the state
8 of Washington in the administration of the motor vehicle fuel tax and
9 the special fuel tax, which sums shall be distributed monthly;

10 (c) For distribution to the motor vehicle fund an amount equal to
11 44.387 percent to be expended for highway purposes of the state as
12 defined in RCW 46.68.130;

13 (d) For distribution to the special category C account, hereby
14 created in the motor vehicle fund, an amount equal to 3.2609 percent to
15 be expended for special category C projects. Special category C
16 projects are category C projects that, due to high cost only, will
17 require bond financing to complete construction.

18 The following criteria, listed in order of priority, shall be used
19 in determining which special category C projects have the highest
20 priority:

21 (i) Accident experience;

22 (ii) Fatal accident experience;

23 (iii) Capacity to move people and goods safely and at reasonable
24 speeds without undue congestion; and

25 (iv) Continuity of development of the highway transportation
26 network.

27 Moneys deposited in the special category C account in the motor
28 vehicle fund may be used for payment of debt service on bonds the
29 proceeds of which are used to finance special category C projects under
30 this subsection (1)(d);

31 (e) For distribution to the Puget Sound ferry operations account in
32 the motor vehicle fund an amount equal to 2.3283 percent;

33 (f) For distribution to the Puget Sound capital construction
34 account in the motor vehicle fund an amount equal to 2.3726 percent;

35 (g) For distribution to the urban arterial trust account in the
36 motor vehicle fund an amount equal to 7.5597 percent;

37 (h) For distribution to the transportation improvement account in

1 the motor vehicle fund an amount equal to 5.6739 percent and expended
2 in accordance with RCW 47.26.086;

3 (i) For distribution to the cities and towns from the motor vehicle
4 fund an amount equal to 10.6961 percent in accordance with RCW
5 46.68.110;

6 (j) For distribution to the counties from the motor vehicle fund an
7 amount equal to 19.2287 percent: (i) Out of which there shall be
8 distributed from time to time, as directed by the department of
9 transportation, those sums as may be necessary to carry out the
10 provisions of RCW 47.56.725; and (ii) less any amounts appropriated to
11 the county road administration board to implement the provisions of RCW
12 47.56.725(4), with the balance of such county share to be distributed
13 monthly as the same accrues for distribution in accordance with RCW
14 46.68.120;

15 (k) For distribution to the county arterial preservation account,
16 hereby created in the motor vehicle fund an amount equal to 1.9565
17 percent. These funds shall be distributed by the county road
18 administration board to counties in proportions corresponding to the
19 number of paved arterial lane miles in the unincorporated area of each
20 county and shall be used for improvements to sustain the structural,
21 safety, and operational integrity of county arterials. The county road
22 administration board shall adopt reasonable rules and develop policies
23 to implement this program and to assure that a pavement management
24 system is used;

25 (l) For distribution to the rural arterial trust account in the
26 motor vehicle fund an amount equal to 2.5363 percent and expended in
27 accordance with RCW 36.79.020.

28 (2) Nothing in this section or in RCW 46.68.130 may be construed so
29 as to violate any terms or conditions contained in any highway
30 construction bond issues now or hereafter authorized by statute and
31 whose payment is by such statute pledged to be paid from any excise
32 taxes on motor vehicle fuel and special fuels.

33 NEW SECTION. **Sec. 5.** Sections 1, 2, and 4 of this act are
34 necessary for the immediate preservation of the public peace, health,
35 or safety, or support of the state government and its existing public
36 institutions, and take effect immediately.

1 NEW SECTION. **Sec. 6.** The secretary of state shall submit section
2 3 of this act to the people for their adoption and ratification, or
3 rejection, at the general election to be held in this state in November
4 2004, in accordance with Article II, section 1 of the state
5 Constitution and the laws adopted to facilitate its operation.

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