

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1356**

Chapter 296, Laws of 2003

58th Legislature  
2003 Regular Session

UTILITY AND TRANSPORTATION COMMISSION--FEES

EFFECTIVE DATE: 7/27/03

Passed by the House April 24, 2003  
Yeas 91 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 9, 2003  
Yeas 49 Nays 0

BRAD OWEN

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**President of the Senate**

Approved May 14, 2003.

GARY LOCKE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1356** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

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**Chief Clerk**

FILED

May 14, 2003 - 3:26 p.m.

**Secretary of State  
State of Washington**

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HOUSE BILL 1356

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AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

**State of Washington**                      **58th Legislature**                      **2003 Regular Session**

**By** Representatives Dunshee, Sommers, DeBolt and Alexander; by request of Utilities & Transportation Commission

Read first time 01/23/2003. Referred to Committee on Appropriations.

1            AN ACT Relating to updating utilities and transportation commission  
2 regulatory fees; and amending RCW 80.24.010, 81.24.010, 81.24.020,  
3 81.24.030, and 81.77.080.

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

5            **Sec. 1.** RCW 80.24.010 and 1994 c 83 s 1 are each amended to read  
6 as follows:

7            Every public service company subject to regulation by the  
8 commission shall, on or before the date specified by the commission for  
9 filing annual reports under RCW 80.04.080, file with the commission a  
10 statement on oath showing its gross operating revenue from intrastate  
11 operations for the preceding calendar year or portion thereof and pay  
12 to the commission a fee equal to one-tenth of one percent of the first  
13 fifty thousand dollars of gross operating revenue, plus two-tenths of  
14 one percent of any gross operating revenue in excess of fifty thousand  
15 dollars: PROVIDED, That the (~~fee shall in no case be less than one~~  
16 ~~dollar~~) commission may, by rule, set minimum fees that do not exceed  
17 the cost of collecting the fees. The commission may by rule waive any  
18 or all of the minimum fee established pursuant to this section.

1 The percentage rates of gross operating revenue to be paid in any  
2 year may be decreased by the commission for any class of companies  
3 subject to the payment of such fees, by general order entered before  
4 March 1st of such year, and for such purpose such companies shall be  
5 classified as follows:

6 Electrical, gas, water, telecommunications, and irrigation  
7 companies shall constitute class one. Every other company subject to  
8 regulation by the commission, for which regulatory fees are not  
9 otherwise fixed by law shall pay fees as herein provided and shall  
10 constitute additional classes according to kinds of businesses engaged  
11 in.

12 Any payment of the fee imposed by this section made after its due  
13 date shall include a late fee of two percent of the amount due.  
14 Delinquent fees shall accrue interest at the rate of one percent per  
15 month.

16 **Sec. 2.** RCW 81.24.010 and 1996 c 196 s 1 are each amended to read  
17 as follows:

18 (1) Every company subject to regulation by the commission, except  
19 auto transportation companies, steamboat companies, (~~wharfingers or~~  
20 ~~warehousemen,~~) and motor freight carriers(~~, and storage~~  
21 ~~warehousemen~~) shall, on or before the date specified by the commission  
22 for filing annual reports under RCW 81.04.080, file with the commission  
23 a statement on oath showing its gross operating revenue from intrastate  
24 operations for the preceding calendar year, or portion thereof, and pay  
25 to the commission a fee equal to one-tenth of one percent of the first  
26 fifty thousand dollars of gross operating revenue, plus two-tenths of  
27 one percent of any gross operating revenue in excess of fifty thousand  
28 dollars, except railroad companies which shall each pay to the  
29 commission a fee equal to one and one-half percent of its intrastate  
30 gross operating revenue. (~~However, the fee shall in no case be less~~  
31 ~~than one dollar~~) The commission may, by rule, set minimum fees that  
32 do not exceed the cost of collecting the fees. The commission may by  
33 rule waive any or all of the minimum fee established pursuant to this  
34 section. Any railroad association that qualifies as a not-for-profit  
35 charitable organization under the federal internal revenue code section  
36 501(c)(3) is exempt from the fee required under this subsection.

1 (2) The percentage rates of gross operating revenue to be paid in  
2 any one year may be decreased by the commission for any class of  
3 companies subject to the payment of such fees, by general order entered  
4 before March 1st of such year, and for such purpose such companies  
5 shall be classified as follows: Railroad, express, sleeping car, and  
6 toll bridge companies shall constitute class two. Every other company  
7 subject to regulation by the commission, for which regulatory fees are  
8 not otherwise fixed by law shall pay fees as herein provided and shall  
9 constitute additional classes according to kinds of businesses engaged  
10 in.

11 **Sec. 3.** RCW 81.24.020 and 1997 c 215 s 1 are each amended to read  
12 as follows:

13 ~~((By May 1st of each year))~~ On or before the date specified by the  
14 commission for filing annual reports under RCW 81.04.080, every auto  
15 transportation company must file with the commission a statement  
16 showing its gross operating revenue from intrastate operations for the  
17 preceding year and pay to the commission a fee of two-fifths of one  
18 percent of the amount of gross operating revenue. ~~((However, the fee~~  
19 ~~paid shall in no case be less than two dollars and fifty cents.))~~ The  
20 commission may, by rule, set minimum fees that do not exceed the cost  
21 of collecting the fees. The commission may by rule waive any or all of  
22 the minimum fee established pursuant to this section.

23 The percentage rate of gross operating revenue to be paid in any  
24 period may be decreased by the commission by general order entered  
25 before the fifteenth day of the month preceding the month in which the  
26 fee is due.

27 **Sec. 4.** RCW 81.24.030 and 1993 c 427 s 10 are each amended to read  
28 as follows:

29 Every commercial ferry shall, on or before ~~((the first day of April~~  
30 ~~of each year))~~ the date specified by the commission for filing annual  
31 reports under RCW 81.04.080, file with the commission a statement on  
32 oath showing its gross operating revenue from intrastate operations for  
33 the preceding calendar year, or portion thereof, and pay to the  
34 commission a fee of two-fifths of one percent of the amount of gross  
35 operating revenue: PROVIDED, That the ~~((fee so paid shall in no case~~  
36 ~~be less than five dollars))~~ commission may, by rule, set minimum fees

1 that do not exceed the cost of collecting the fees. The commission may  
2 by rule waive any or all of the minimum fee established pursuant to  
3 this section. The percentage rate of gross operating revenue to be  
4 paid in any year may be decreased by the commission by general order  
5 entered before March 1st of such year.

6 **Sec. 5.** RCW 81.77.080 and 1989 c 431 s 24 are each amended to read  
7 as follows:

8 Every solid waste collection company shall, on or before (~~the 1st~~  
9 ~~day of April of each year~~) the date specified by the commission for  
10 filing annual reports under RCW 81.04.080, file with the commission a  
11 statement on oath showing its gross operating revenue from intrastate  
12 operations for the preceding calendar year, or portion thereof, and pay  
13 to the commission a fee equal to one percent of the amount of gross  
14 operating revenue: PROVIDED, That the (~~fee shall in no case be less~~  
15 ~~than one dollar~~) commission may, by rule, set minimum fees that do not  
16 exceed the cost of collecting the fees. The commission may by rule  
17 wave any or all of the minimum fee established pursuant to this  
18 section.

19 It is the intent of the legislature that the fees collected under  
20 the provisions of this chapter shall reasonably approximate the cost of  
21 supervising and regulating motor carriers subject thereto, and to that  
22 end the utilities and transportation commission is authorized to  
23 decrease the schedule of fees provided in this section by general order  
24 entered before March 1st of any year in which it determines that the  
25 moneys then in the solid waste collection companies account of the  
26 public service revolving fund and the fees currently to be paid will  
27 exceed the reasonable cost of supervising and regulating such carriers.

28 All fees collected under this section or under any other provision  
29 of this chapter shall be paid to the commission and shall be by it  
30 transmitted to the state treasurer within thirty days to be deposited  
31 to the credit of the public service revolving fund.

Passed by the House April 24, 2003.

Passed by the Senate April 9, 2003.

Approved by the Governor May 14, 2003.

Filed in Office of Secretary of State May 14, 2003.