

ESSB 6774 - H COMM AMD
By Committee on Transportation

ADOPTED AS AMENDED 03/05/2010

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

3 "Sec. 1. RCW 36.73.020 and 2009 c 515 s 14 are each amended to
4 read as follows:

5 (1) The legislative authority of a county or city may establish a
6 transportation benefit district within the county or city area or
7 within the area specified in subsection (2) of this section, for the
8 purpose of acquiring, constructing, improving, providing, and funding
9 a transportation improvement within the district that is consistent
10 with any existing state, regional, (~~and~~) or local transportation
11 plans and necessitated by existing or reasonably foreseeable congestion
12 levels. The transportation improvements shall be owned by the county
13 of jurisdiction if located in an unincorporated area, by the city of
14 jurisdiction if located in an incorporated area, or by the state in
15 cases where the transportation improvement is or becomes a state
16 highway. However, if deemed appropriate by the governing body of the
17 transportation benefit district, a transportation improvement may be
18 owned by a participating port district or transit district, unless
19 otherwise prohibited by law. Transportation improvements shall be
20 administered and maintained as other public streets, roads, highways,
21 and transportation improvements. To the extent practicable, the
22 district shall consider the following criteria when selecting
23 transportation improvements:

- 24 (a) Reduced risk of transportation facility failure and improved
25 safety;
- 26 (b) Improved travel time;
- 27 (c) Improved air quality;
- 28 (d) Increases in daily and peak period trip capacity;
- 29 (e) Improved modal connectivity;
- 30 (f) Improved freight mobility;

- 1 (g) Cost-effectiveness of the investment;
2 (h) Optimal performance of the system through time;
3 (i) Improved accessibility for, or other benefits to, persons with
4 special transportation needs as defined in RCW 47.06B.012; and
5 (j) Other criteria, as adopted by the governing body.

6 (2) Subject to subsection (6) of this section, the district may
7 include area within more than one county, city, port district, county
8 transportation authority, or public transportation benefit area, if the
9 legislative authority of each participating jurisdiction has agreed to
10 the inclusion as provided in an interlocal agreement adopted pursuant
11 to chapter 39.34 RCW. However, the boundaries of the district need not
12 include all territory within the boundaries of the participating
13 jurisdictions comprising the district.

14 (3) The members of the legislative authority proposing to establish
15 the district, acting ex officio and independently, shall constitute the
16 governing body of the district: PROVIDED, That where a district
17 includes area within more than one jurisdiction under subsection (2) of
18 this section, the district shall be governed under an interlocal
19 agreement adopted pursuant to chapter 39.34 RCW(~~(.—However)~~), with the
20 governing body (~~(shall be)~~) being composed of (a) at least five members
21 including at least one elected official from the legislative authority
22 of each participating jurisdiction or (b) the governing body of the
23 metropolitan planning organization serving the district, but only if
24 the district boundaries are identical to the boundaries of the
25 metropolitan planning organization serving the district. However, only
26 those members of the governing body of a metropolitan planning
27 organization that are elected officials may determine whether the
28 district will impose or seek voter approval of any authorized taxes,
29 charges, or fees. Members that are not elected officials are ex
30 officio, nonvoting members of the district's governing body for
31 purposes of making decisions to impose or seek approval of taxes,
32 charges, or fees.

33 (4) The treasurer of the jurisdiction proposing to establish the
34 district shall act as the ex officio treasurer of the district, unless
35 an interlocal agreement states otherwise.

36 (5) The electors of the district shall all be registered voters
37 residing within the district.

1 (6) Prior to December 1, 2007, the authority under this section,
2 regarding the establishment of or the participation in a district,
3 shall not apply to:

4 (a) Counties with a population greater than one million five
5 hundred thousand persons and any adjoining counties with a population
6 greater than five hundred thousand persons;

7 (b) Cities with any area within the counties under (a) of this
8 subsection; and

9 (c) Other jurisdictions with any area within the counties under (a)
10 of this subsection."

11 Correct the title.

EFFECT: Establishes that only elected members of the governing
body of a metropolitan planning organization that governs a
transportation benefit district may determine whether the district will
impose or seek voter approval of any authorized taxes, charges, or
fees.

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