
HOUSE BILL 1954

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By Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Llias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist, and Moeller

Read first time 02/22/13. Referred to Committee on Transportation.

1 AN ACT Relating to transportation revenue; amending RCW 82.36.025,
2 82.38.030, 46.68.090, 46.17.200, 46.20.293, 46.29.050, 46.68.041,
3 46.70.061, 46.10.530, 46.17.355, 82.21.030, 82.44.125, 47.60.322,
4 36.73.065, 82.80.010, 82.80.140, and 82.14.045; reenacting and amending
5 RCW 46.52.130 and 46.09.520; adding new sections to chapter 46.68 RCW;
6 adding a new section to chapter 47.04 RCW; adding a new section to
7 chapter 82.44 RCW; adding a new section to chapter 46.17 RCW; adding
8 new sections to chapter 82.80 RCW; creating new sections; providing
9 effective dates; and providing an expiration date.

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

11 **Sec. 1.** RCW 82.36.025 and 2007 c 515 s 3 are each amended to read
12 as follows:

13 (1) A motor vehicle fuel tax rate of twenty-three cents per gallon
14 on motor vehicle fuel shall be imposed on motor vehicle fuel licensees,
15 other than motor vehicle fuel distributors.

16 (2) Beginning July 1, 2003, an additional and cumulative motor
17 vehicle fuel tax rate of five cents per gallon on motor vehicle fuel
18 shall be imposed on motor vehicle fuel licensees, other than motor

1 vehicle fuel distributors. This subsection (2) expires when the bonds
2 issued for transportation 2003 projects are retired.

3 (3) Beginning July 1, 2005, an additional and cumulative motor
4 vehicle fuel tax rate of three cents per gallon on motor vehicle fuel
5 shall be imposed on motor vehicle fuel licensees, other than motor
6 vehicle fuel distributors.

7 (4) Beginning July 1, 2006, an additional and cumulative motor
8 vehicle fuel tax rate of three cents per gallon on motor vehicle fuel
9 shall be imposed on motor vehicle fuel licensees, other than motor
10 vehicle fuel distributors.

11 (5) Beginning July 1, 2007, an additional and cumulative motor
12 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
13 shall be imposed on motor vehicle fuel licensees, other than motor
14 vehicle fuel distributors.

15 (6) Beginning July 1, 2008, an additional and cumulative motor
16 vehicle fuel tax rate of one and one-half cents per gallon on motor
17 vehicle fuel shall be imposed on motor vehicle fuel licensees, other
18 than motor vehicle fuel distributors.

19 (7) Beginning August 1, 2013, an additional and cumulative motor
20 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
21 shall be imposed on motor vehicle fuel licensees, other than motor
22 vehicle fuel distributors.

23 (8) Beginning July 1, 2014, an additional and cumulative motor
24 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
25 shall be imposed on motor vehicle fuel licensees, other than motor
26 vehicle fuel distributors.

27 (9) Beginning July 1, 2015, an additional and cumulative motor
28 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
29 shall be imposed on motor vehicle fuel licensees, other than motor
30 vehicle fuel distributors.

31 (10) Beginning July 1, 2016, an additional and cumulative motor
32 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
33 shall be imposed on motor vehicle fuel licensees, other than motor
34 vehicle fuel distributors.

35 (11) Beginning July 1, 2017, an additional and cumulative motor
36 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
37 shall be imposed on motor vehicle fuel licensees, other than motor
38 vehicle fuel distributors.

1 **Sec. 2.** RCW 82.38.030 and 2007 c 515 s 21 are each amended to read
2 as follows:

3 (1) There is hereby levied and imposed upon special fuel licensees,
4 other than special fuel distributors, a tax at the rate of twenty-three
5 cents per gallon of special fuel, or each one hundred cubic feet of
6 compressed natural gas, measured at standard pressure and temperature.

7 (2) Beginning July 1, 2003, an additional and cumulative tax rate
8 of five cents per gallon of special fuel, or each one hundred cubic
9 feet of compressed natural gas, measured at standard pressure and
10 temperature shall be imposed on special fuel licensees, other than
11 special fuel distributors. This subsection (2) expires when the bonds
12 issued for transportation 2003 projects are retired.

13 (3) Beginning July 1, 2005, an additional and cumulative tax rate
14 of three cents per gallon of special fuel, or each one hundred cubic
15 feet of compressed natural gas, measured at standard pressure and
16 temperature shall be imposed on special fuel licensees, other than
17 special fuel distributors.

18 (4) Beginning July 1, 2006, an additional and cumulative tax rate
19 of three cents per gallon of special fuel, or each one hundred cubic
20 feet of compressed natural gas, measured at standard pressure and
21 temperature shall be imposed on special fuel licensees, other than
22 special fuel distributors.

23 (5) Beginning July 1, 2007, an additional and cumulative tax rate
24 of two cents per gallon of special fuel, or each one hundred cubic feet
25 of compressed natural gas, measured at standard pressure and
26 temperature shall be imposed on special fuel licensees, other than
27 special fuel distributors.

28 (6) Beginning July 1, 2008, an additional and cumulative tax rate
29 of one and one-half cents per gallon of special fuel, or each one
30 hundred cubic feet of compressed natural gas, measured at standard
31 pressure and temperature shall be imposed on special fuel licensees,
32 other than special fuel distributors.

33 (7) Beginning August 1, 2013, an additional and cumulative tax rate
34 of two cents per gallon of special fuel, or each one hundred cubic feet
35 of compressed natural gas, measured at standard pressure and
36 temperature shall be imposed on special fuel licensees, other than
37 special fuel distributors.

1 (8) Beginning July 1, 2014, an additional and cumulative tax rate
2 of two cents per gallon of special fuel, or each one hundred cubic feet
3 of compressed natural gas, measured at standard pressure and
4 temperature shall be imposed on special fuel licensees, other than
5 special fuel distributors.

6 (9) Beginning July 1, 2015, an additional and cumulative tax rate
7 of two cents per gallon of special fuel, or each one hundred cubic feet
8 of compressed natural gas, measured at standard pressure and
9 temperature shall be imposed on special fuel licensees, other than
10 special fuel distributors.

11 (10) Beginning July 1, 2016, an additional and cumulative tax rate
12 of two cents per gallon of special fuel, or each one hundred cubic feet
13 of compressed natural gas, measured at standard pressure and
14 temperature shall be imposed on special fuel licensees, other than
15 special fuel distributors.

16 (11) Beginning July 1, 2017, an additional and cumulative tax rate
17 of two cents per gallon of special fuel, or each one hundred cubic feet
18 of compressed natural gas, measured at standard pressure and
19 temperature shall be imposed on special fuel licensees, other than
20 special fuel distributors.

21 (12) Taxes are imposed when:

22 (a) Special fuel is removed in this state from a terminal if the
23 special fuel is removed at the rack unless the removal is to a licensed
24 exporter for direct delivery to a destination outside of the state, or
25 the removal is by a special fuel supplier for direct delivery to an
26 international fuel tax agreement licensee under RCW 82.38.320;

27 (b) Special fuel is removed in this state from a refinery if either
28 of the following applies:

29 (i) The removal is by bulk transfer and the refiner or the owner of
30 the special fuel immediately before the removal is not a licensee; or

31 (ii) The removal is at the refinery rack unless the removal is to
32 a licensed exporter for direct delivery to a destination outside of the
33 state, or the removal is to a special fuel supplier for direct delivery
34 to an international fuel tax agreement licensee under RCW 82.38.320;

35 (c) Special fuel enters into this state for sale, consumption, use,
36 or storage, unless the fuel enters this state for direct delivery to an
37 international fuel tax agreement licensee under RCW 82.38.320, if
38 either of the following applies:

- 1 (i) The entry is by bulk transfer and the importer is not a
2 licensee; or
- 3 (ii) The entry is not by bulk transfer;
- 4 (d) Special fuel is sold or removed in this state to an unlicensed
5 entity unless there was a prior taxable removal, entry, or sale of the
6 special fuel;
- 7 (e) Blended special fuel is removed or sold in this state by the
8 blender of the fuel. The number of gallons of blended special fuel
9 subject to tax is the difference between the total number of gallons of
10 blended special fuel removed or sold and the number of gallons of
11 previously taxed special fuel used to produce the blended special fuel;
- 12 (f) Dyed special fuel is used on a highway, as authorized by the
13 internal revenue code, unless the use is exempt from the special fuel
14 tax;
- 15 (g) Dyed special fuel is held for sale, sold, used, or is intended
16 to be used in violation of this chapter;
- 17 (h) Special fuel purchased by an international fuel tax agreement
18 licensee under RCW 82.38.320 is used on a highway; and
- 19 (i) Special fuel is sold by a licensed special fuel supplier to a
20 special fuel distributor, special fuel importer, or special fuel
21 blender and the special fuel is not removed from the bulk transfer-
22 terminal system.

23 **Sec. 3.** RCW 46.68.090 and 2011 c 120 s 4 are each amended to read
24 as follows:

25 (1) All moneys that have accrued or may accrue to the motor vehicle
26 fund from the motor vehicle fuel tax and special fuel tax shall be
27 first expended for purposes enumerated in (a) and (b) of this
28 subsection. The remaining net tax amount shall be distributed monthly
29 by the state treasurer in accordance with subsections (2) through (7)
30 of this section.

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

33 (b) For payment of amounts to be expended pursuant to
34 appropriations for the administrative expenses of the offices of state
35 treasurer, state auditor, and the department of licensing of the state
36 of Washington in the administration of the motor vehicle fuel tax and
37 the special fuel tax, which sums shall be distributed monthly.

1 (2) All of the remaining net tax amount collected under RCW
2 82.36.025(1) and 82.38.030(1) shall be distributed as set forth in (a)
3 through (j) of this section.

4 (a) For distribution to the motor vehicle fund an amount equal to
5 44.387 percent to be expended for highway purposes of the state as
6 defined in RCW 46.68.130;

7 (b) For distribution to the special category C account, hereby
8 created in the motor vehicle fund, an amount equal to 3.2609 percent to
9 be expended for special category C projects. Special category C
10 projects are category C projects that, due to high cost only, will
11 require bond financing to complete construction.

12 The following criteria, listed in order of priority, shall be used
13 in determining which special category C projects have the highest
14 priority:

15 (i) Accident experience;

16 (ii) Fatal accident experience;

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

19 (iv) Continuity of development of the highway transportation
20 network.

21 Moneys deposited in the special category C account in the motor
22 vehicle fund may be used for payment of debt service on bonds the
23 proceeds of which are used to finance special category C projects under
24 this subsection (2)(b);

25 (c) For distribution to the Puget Sound ferry operations account in
26 the motor vehicle fund an amount equal to 2.3283 percent;

27 (d) For distribution to the Puget Sound capital construction
28 account in the motor vehicle fund an amount equal to 2.3726 percent;

29 (e) For distribution to the transportation improvement account in
30 the motor vehicle fund an amount equal to 7.5597 percent;

31 (f) For distribution to the transportation improvement account in
32 the motor vehicle fund an amount equal to 5.6739 percent and expended
33 in accordance with RCW 47.26.086;

34 (g) For distribution to the cities and towns from the motor vehicle
35 fund an amount equal to 10.6961 percent in accordance with RCW
36 46.68.110;

37 (h) For distribution to the counties from the motor vehicle fund an
38 amount equal to 19.2287 percent: (i) Out of which there shall be

1 distributed from time to time, as directed by the department of
2 transportation, those sums as may be necessary to carry out the
3 provisions of RCW 47.56.725; and (ii) less any amounts appropriated to
4 the county road administration board to implement the provisions of RCW
5 47.56.725(4), with the balance of such county share to be distributed
6 monthly as the same accrues for distribution in accordance with RCW
7 46.68.120;

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

18 (j) For distribution to the rural arterial trust account in the
19 motor vehicle fund an amount equal to 2.5363 percent and expended in
20 accordance with RCW 36.79.020.

21 (3) The remaining net tax amount collected under RCW 82.36.025(2)
22 and 82.38.030(2) shall be distributed to the transportation 2003
23 account (nickel account).

24 (4) The remaining net tax amount collected under RCW 82.36.025(3)
25 and 82.38.030(3) shall be distributed as follows:

26 (a) 8.3333 percent shall be distributed to the incorporated cities
27 and towns of the state in accordance with RCW 46.68.110;

28 (b) 8.3333 percent shall be distributed to counties of the state in
29 accordance with RCW 46.68.120; and

30 (c) The remainder shall be distributed to the transportation
31 partnership account created in RCW 46.68.290.

32 (5) The remaining net tax amount collected under RCW 82.36.025(4)
33 and 82.38.030(4) shall be distributed as follows:

34 (a) 8.3333 percent shall be distributed to the incorporated cities
35 and towns of the state in accordance with RCW 46.68.110;

36 (b) 8.3333 percent shall be distributed to counties of the state in
37 accordance with RCW 46.68.120; and

1 (c) The remainder shall be distributed to the transportation
2 partnership account created in RCW 46.68.290.

3 (6) The remaining net tax amount collected under RCW 82.36.025 (5)
4 and (6) and 82.38.030 (5) and (6) shall be distributed to the
5 transportation partnership account created in RCW 46.68.290.

6 (7) The remaining net tax amount collected under RCW 82.36.025 (7),
7 (8), (9), (10), and (11) and 82.38.030 (7), (8), (9), (10), and (11)
8 shall be distributed as follows:

9 (a) Twenty percent shall be distributed to the maintenance,
10 operations, and preservation account created in section 4 of this act;

11 (b) 1.9 percent shall be distributed to the transportation
12 improvement account created in RCW 47.26.084 for the use of the
13 transportation improvement board;

14 (c) 1.1 percent shall be distributed to the county arterial
15 preservation account created in subsection (2)(i) of this section for
16 the sole use of the county road administration board;

17 (d) Sixteen percent shall be distributed into the Puget Sound ferry
18 operations account created in RCW 47.60.530;

19 (e) 6.5 percent shall be distributed to counties under RCW
20 46.68.122;

21 (f) 6.5 percent shall be distributed to cities under RCW 46.68.110;
22 and

23 (g) The remainder shall be distributed to the connecting
24 Washington account created in section 5 of this act.

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

30 NEW SECTION. Sec. 4. A new section is added to chapter 46.68 RCW
31 to read as follows:

32 The maintenance, operations, and preservation account is created in
33 the state treasury. All receipts from RCW 46.68.090(7)(a) must be
34 deposited into the account. Moneys in the account may be spent only
35 after appropriation. Expenditures from the account must be used only
36 for the maintenance, operations, administration, and preservation of
37 the state highway system, which is defined for purposes of this section

1 as activities undertaken to (1) provide, maintain, and operate
2 serviceable roadways through planned strategies of cost-effective
3 treatments to existing roadways and appurtenances that preserve the
4 highway system, (2) retard future deterioration, (3) preserve or
5 improve safety, and (4) maintain the functional condition of the
6 existing highway system.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 46.68 RCW
8 to read as follows:

9 The connecting Washington account is created in the motor vehicle
10 fund. All receipts from RCW 46.68.090(7)(g), section 21(6) of this
11 act, and section 24 (1) and (2)(c) of this act must be deposited into
12 the account. Moneys in the account may be spent only after
13 appropriation. Expenditures from the account must be used only for
14 projects or improvements identified as connecting Washington projects
15 or improvements in the omnibus transportation appropriations act,
16 including any principal and interest on bonds authorized for the
17 projects or improvements.

18 **Sec. 6.** RCW 46.17.200 and 2012 c 74 s 3 are each amended to read
19 as follows:

20 (1) In addition to all other fees and taxes required by law, the
21 department, county auditor or other agent, or subagent appointed by the
22 director shall charge:

23 (a) The following license plate fees for each license plate, unless
24 the owner or type of vehicle is exempt from payment:

25	FEE TYPE	FEE	DISTRIBUTION
26	Original issue	\$ 10.00	RCW 46.68.070
27	Reflectivity	\$ 2.00	RCW 46.68.070
28	Replacement	\$ 10.00	RCW 46.68.070
29	Original issue,	\$ 4.00	RCW 46.68.070
30	motorcycle		
31	Replacement,	\$ 4.00	RCW 46.68.070
32	motorcycle		
33	Original issue, moped	\$ 1.50	RCW 46.68.070

1 (b) A license plate retention fee, as required under RCW
2 46.16A.200(10)(c), of twenty dollars if the owner wishes to retain the
3 current license plate number upon license plate replacement, unless the
4 owner or type of vehicle is exempt from payment. The twenty dollar fee
5 must be deposited in the multimodal transportation account created in
6 RCW 47.66.070.

7 (c) A ten dollar license plate transfer fee, as required under RCW
8 46.16A.200(8)(a), when transferring standard issue license plates from
9 one vehicle to another, unless the owner or type of vehicle is exempt
10 from payment. The ten dollar license plate transfer fee must be
11 deposited in the motor vehicle fund created in RCW 46.68.070.

12 (d) Former prisoner of war license plates, as described in RCW
13 46.18.235, may be transferred to a replacement vehicle upon payment of
14 a five dollar license plate fee, in addition to any other fee required
15 by law.

16 (2) Each original issue license plate fee and original issue
17 motorcycle license plate fee paid under subsection (1)(a) of this
18 section and two dollars of each replacement motorcycle license plate
19 fee paid under subsection (1)(a) of this section is for the sole use of
20 the department of transportation for the benefit of major freight
21 corridors.

22 (3) The department may, upon request, provide license plates that
23 have been used and returned to the department to individuals for
24 nonvehicular use. The department may charge a fee of up to five
25 dollars per license plate to cover costs or recovery for postage and
26 handling. The department may waive the fee for license plates used in
27 educational projects and may, by rule, provide standards for the fee
28 waiver and restrictions on the number of license plates provided to any
29 one person. The fee must be deposited in the motor vehicle fund
30 created in RCW 46.68.070.

31 **Sec. 7.** RCW 46.20.293 and 2012 c 74 s 4 are each amended to read
32 as follows:

33 The department is authorized to provide juvenile courts with the
34 department's record of traffic charges compiled under RCW 46.52.101 and
35 13.50.200, against any minor upon the request of any state juvenile
36 court or duly authorized officer of any juvenile court of this state.
37 Further, the department is authorized to provide any juvenile court

1 with any requested service which the department can reasonably perform
2 which is not inconsistent with its legal authority which substantially
3 aids juvenile courts in handling traffic cases and which promotes
4 highway safety.

5 The department is authorized to furnish to the parent, parents, or
6 guardian of any person under eighteen years of age who is not
7 emancipated from such parent, parents, or guardian, the department
8 records of traffic charges compiled against the person and shall
9 collect for the copy a fee of thirteen dollars, (~~(fifty)~~) thirty-eight
10 and one-half percent of which must be deposited in the highway safety
11 fund and (~~(fifty)~~) sixty-one and one-half percent of which must be
12 deposited according to RCW 46.68.038.

13 **Sec. 8.** RCW 46.29.050 and 2012 c 74 s 5 are each amended to read
14 as follows:

15 (1) The department shall upon request furnish any person or his or
16 her attorney a certified abstract of his or her driving record, which
17 abstract shall include enumeration of any motor vehicle accidents in
18 which such person has been involved. Such abstract shall (a) indicate
19 the total number of vehicles involved, whether the vehicles were
20 legally parked or moving, and whether the vehicles were occupied at the
21 time of the accident; and (b) contain reference to any convictions of
22 the person for violation of the motor vehicle laws as reported to the
23 department, reference to any findings that the person has committed a
24 traffic infraction which have been reported to the department, and a
25 record of any vehicles registered in the name of the person. The
26 department shall collect for each abstract the sum of thirteen dollars,
27 (~~(fifty)~~) thirty-eight and one-half percent of which shall be deposited
28 in the highway safety fund and (~~(fifty)~~) sixty-one and one-half percent
29 of which must be deposited according to RCW 46.68.038.

30 (2) The department shall upon request furnish any person who may
31 have been injured in person or property by any motor vehicle, with an
32 abstract of all information of record in the department pertaining to
33 the evidence of the ability of any driver or owner of any motor vehicle
34 to respond in damages. The department shall collect for each abstract
35 the sum of thirteen dollars, (~~(fifty)~~) thirty-eight and one-half
36 percent of which shall be deposited in the highway safety fund and

1 ((fifty)) sixty-one and one-half percent of which must be deposited
2 according to RCW 46.68.038.

3 **Sec. 9.** RCW 46.52.130 and 2012 c 74 s 6 and 2012 c 73 s 1 are each
4 reenacted and amended to read as follows:

5 Upon a proper request, the department may furnish an abstract of a
6 person's driving record as permitted under this section.

7 (1) **Contents of abstract of driving record.** An abstract of a
8 person's driving record, whenever possible, must include:

9 (a) An enumeration of motor vehicle accidents in which the person
10 was driving, including:

11 (i) The total number of vehicles involved;

12 (ii) Whether the vehicles were legally parked or moving;

13 (iii) Whether the vehicles were occupied at the time of the
14 accident; and

15 (iv) Whether the accident resulted in a fatality;

16 (b) Any reported convictions, forfeitures of bail, or findings that
17 an infraction was committed based upon a violation of any motor vehicle
18 law;

19 (c) The status of the person's driving privilege in this state; and

20 (d) Any reports of failure to appear in response to a traffic
21 citation or failure to respond to a notice of infraction served upon
22 the named individual by an arresting officer.

23 (2) **Release of abstract of driving record.** An abstract of a
24 person's driving record may be furnished to the following persons or
25 entities:

26 (a) **Named individuals.** (i) An abstract of the full driving record
27 maintained by the department may be furnished to the individual named
28 in the abstract.

29 (ii) Nothing in this section prevents a court from providing a copy
30 of the driver's abstract to the individual named in the abstract,
31 provided that the named individual has a pending or open infraction or
32 criminal case in that court. A pending case includes criminal cases
33 that have not reached a disposition by plea, stipulation, trial, or
34 amended charge. An open infraction or criminal case includes cases on
35 probation, payment agreement or subject to, or in collections. Courts
36 may charge a reasonable fee for the production and copying of the
37 abstract for the individual.

1 (b) **Employers or prospective employers.** (i)(A) An abstract of the
2 full driving record maintained by the department may be furnished to an
3 employer or prospective employer or an agent acting on behalf of an
4 employer or prospective employer of the named individual for purposes
5 related to driving by the individual as a condition of employment or
6 otherwise at the direction of the employer.

7 (B) Release of an abstract of the driving record of an employee or
8 prospective employee requires a statement signed by: (I) The employee
9 or prospective employee that authorizes the release of the record; and
10 (II) the employer attesting that the information is necessary for
11 employment purposes related to driving by the individual as a condition
12 of employment or otherwise at the direction of the employer. If the
13 employer or prospective employer authorizes an agent to obtain this
14 information on their behalf, this must be noted in the statement.

15 (C) Upon request of the person named in the abstract provided under
16 this subsection, and upon that same person furnishing copies of court
17 records ruling that the person was not at fault in a motor vehicle
18 accident, the department must indicate on any abstract provided under
19 this subsection that the person was not at fault in the motor vehicle
20 accident.

21 (ii) In addition to the methods described in (b)(i) of this
22 subsection, the director may enter into a contractual agreement with an
23 employer or its agent for the purpose of reviewing the driving records
24 of existing employees for changes to the record during specified
25 periods of time. The department shall establish a fee for this
26 service, which must be deposited in the highway safety fund. The fee
27 for this service must be set at a level that will not result in a net
28 revenue loss to the state. Any information provided under this
29 subsection must be treated in the same manner and is subject to the
30 same restrictions as driving record abstracts.

31 (c) **Volunteer organizations.** (i) An abstract of the full driving
32 record maintained by the department may be furnished to a volunteer
33 organization or an agent for a volunteer organization for which the
34 named individual has submitted an application for a position that would
35 require driving by the individual at the direction of the volunteer
36 organization.

37 (ii) Release of an abstract of the driving record of a prospective
38 volunteer requires a statement signed by: (A) The prospective

1 volunteer that authorizes the release of the record; and (B) the
2 volunteer organization attesting that the information is necessary for
3 purposes related to driving by the individual at the direction of the
4 volunteer organization. If the volunteer organization authorizes an
5 agent to obtain this information on their behalf, this must be noted in
6 the statement.

7 (d) **Transit authorities.** An abstract of the full driving record
8 maintained by the department may be furnished to an employee or agent
9 of a transit authority checking prospective volunteer vanpool drivers
10 for insurance and risk management needs.

11 (e) **Insurance carriers.** (i) An abstract of the driving record
12 maintained by the department covering the period of not more than the
13 last three years may be furnished to an insurance company or its agent:

14 (A) That has motor vehicle or life insurance in effect covering the
15 named individual;

16 (B) To which the named individual has applied; or

17 (C) That has insurance in effect covering the employer or a
18 prospective employer of the named individual.

19 (ii) The abstract provided to the insurance company must:

20 (A) Not contain any information related to actions committed by law
21 enforcement officers or firefighters, as both terms are defined in RCW
22 41.26.030, or by Washington state patrol officers, while driving
23 official vehicles in the performance of their occupational duty. This
24 does not apply to any situation where the vehicle was used in the
25 commission of a misdemeanor or felony;

26 (B) Include convictions under RCW 46.61.5249 and 46.61.525, except
27 that the abstract must report the convictions only as negligent driving
28 without reference to whether they are for first or second degree
29 negligent driving; and

30 (C) Exclude any deferred prosecution under RCW 10.05.060, except
31 that if a person is removed from a deferred prosecution under RCW
32 10.05.090, the abstract must show the deferred prosecution as well as
33 the removal.

34 (iii) Any policy of insurance may not be canceled, nonrenewed,
35 denied, or have the rate increased on the basis of information
36 regarding an accident included in the abstract of a driving record,
37 unless the policyholder was determined to be at fault.

1 (iv) Any insurance company or its agent, for underwriting purposes
2 relating to the operation of commercial motor vehicles, may not use any
3 information contained in the abstract relative to any person's
4 operation of motor vehicles while not engaged in such employment. Any
5 insurance company or its agent, for underwriting purposes relating to
6 the operation of noncommercial motor vehicles, may not use any
7 information contained in the abstract relative to any person's
8 operation of commercial motor vehicles.

9 (v) The director may enter into a contractual agreement with an
10 insurance company or its agent for the limited purpose of reviewing the
11 driving records of existing policyholders for changes to the record
12 during specified periods of time. The department shall establish a fee
13 for this service, which must be deposited in the highway safety fund.
14 The fee for this service must be set at a level that will not result in
15 a net revenue loss to the state. Any information provided under this
16 subsection must be treated in the same manner and is subject to the
17 same restrictions as driving record abstracts.

18 (f) **Alcohol/drug assessment or treatment agencies.** An abstract of
19 the driving record maintained by the department covering the period of
20 not more than the last five years may be furnished to an alcohol/drug
21 assessment or treatment agency approved by the department of social and
22 health services to which the named individual has applied or been
23 assigned for evaluation or treatment, for purposes of assisting
24 employees in making a determination as to what level of treatment, if
25 any, is appropriate, except that the abstract must:

26 (i) Also include records of alcohol-related offenses, as defined in
27 RCW 46.01.260(2), covering a period of not more than the last ten
28 years; and

29 (ii) Indicate whether an alcohol-related offense was originally
30 charged as a violation of either RCW 46.61.502 or 46.61.504.

31 (g) **City attorneys and county prosecuting attorneys.** An abstract
32 of the full driving record maintained by the department, including
33 whether a recorded violation is an alcohol-related offense, as defined
34 in RCW 46.01.260(2), that was originally charged as a violation of
35 either RCW 46.61.502 or 46.61.504, may be furnished to city attorneys
36 or county prosecuting attorneys. City attorneys and county prosecuting
37 attorneys may provide the driving record to alcohol/drug assessment or

1 treatment agencies approved by the department of social and health
2 services to which the named individual has applied or been assigned for
3 evaluation or treatment.

4 (h) **State colleges, universities, or agencies, or units of local**
5 **government.** An abstract of the full driving record maintained by the
6 department may be furnished to (i) state colleges, universities, or
7 agencies for employment and risk management purposes or (ii) units of
8 local government authorized to self-insure under RCW 48.62.031 for
9 employment and risk management purposes.

10 (i) **Superintendent of public instruction.** An abstract of the full
11 driving record maintained by the department may be furnished to the
12 superintendent of public instruction for review of public school bus
13 driver records. The superintendent or superintendent's designee may
14 discuss information on the driving record with an authorized
15 representative of the employing school district for employment and risk
16 management purposes.

17 (3) **Release to third parties prohibited.** Any person or entity
18 receiving an abstract of a person's driving record under subsection
19 (2)(b) through (i) of this section shall use the abstract exclusively
20 for his, her, or its own purposes or as otherwise expressly permitted
21 under this section, and shall not divulge any information contained in
22 the abstract to a third party.

23 (4) **Fee.** The director shall collect a thirteen dollar fee for each
24 abstract of a person's driving record furnished by the department.
25 ((Fifty)) Thirty-eight and one-half percent of the fee must be
26 deposited in the highway safety fund, and ((fifty)) sixty-one and one-
27 half percent of the fee must be deposited according to RCW 46.68.038.

28 (5) **Violation.** (a) Any negligent violation of this section is a
29 gross misdemeanor.

30 (b) Any intentional violation of this section is a class C felony.

31 **Sec. 10.** RCW 46.68.041 and 2004 c 95 s 15 are each amended to read
32 as follows:

33 (1) Except as provided in subsection (2) of this section, the
34 department ((shall)) must forward all funds accruing under ((the
35 provisions of)) chapter 46.20 RCW together with a proper identifying,
36 detailed report to the state treasurer who ((shall)) must deposit such
37 moneys to the credit of the highway safety fund.

1 (2)(a) Sixty-three percent of each fee collected by the department
2 under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) (~~shall~~) must
3 be deposited in the impaired driving safety account.

4 (b)(i)(A) \$2.88 of each driver's license issuance fee paid under
5 RCW 46.20.161 must be deposited in the state patrol highway account for
6 the sole use of the Washington state patrol for highway activities.

7 (B) If the driver's license issuance fee paid under RCW 46.20.161
8 is for a driver's license with a term of less than six years, the
9 amount to be deposited in the state patrol highway account for the sole
10 use of the Washington state patrol for highway activities is \$0.48
11 multiplied by the number of years in the term of the driver's license.

12 (ii)(A) \$21.12 of each driver's license issuance fee paid under RCW
13 46.20.161 is for the sole use of the transportation improvement board.

14 (B) If the driver's license issuance fee paid under RCW 46.20.161
15 is for a driver's license with a term of less than six years, the
16 amount for the sole use of the transportation improvement board is
17 \$3.52 multiplied by the number of years in the term of the driver's
18 license.

19 (C)(I) Ninety percent of moneys received under this subsection
20 (2)(b)(ii) must be deposited in the transportation improvement account
21 for the transportation improvement board urban arterial program.

22 (II) Ten percent of moneys received under this subsection
23 (2)(b)(ii) must be deposited in the small city pavement and sidewalk
24 account for the transportation improvement board small city pavement
25 and sidewalk program.

26 (c)(i) \$4.28 of each driver's license renewal fee paid under RCW
27 46.20.181(2) be deposited in the motor vehicle fund.

28 (ii)(A) \$6.02 of each driver's license renewal fee paid under RCW
29 46.20.181(2) is for the sole use of the department of transportation
30 for local programs.

31 (B)(I) Twenty-five percent of moneys received under this subsection
32 (2)(c)(ii) must be deposited in the freight mobility investment account
33 for the freight mobility strategic investment board to meet urgent
34 freight corridor improvement and preservation needs.

35 (II) Seventy-five percent of moneys received under this subsection
36 (2)(c)(ii) must be deposited in the highway safety fund for safe routes
37 to school program projects.

1 (iii) \$7.01 of each driver's license renewal fee paid under RCW
2 46.20.181(2) must be deposited in the Puget Sound ferry operations
3 account for the sole use of the department of transportation for marine
4 operations by the Washington state ferries.

5 (iv) \$6.69 of each driver's license renewal fee paid under RCW
6 46.20.181(2) must be deposited in the county arterial preservation
7 account for the sole use of the county road administration board for
8 the county arterial preservation program.

9 (d) If the driver's license renewal fee paid under RCW 46.20.181(4)
10 is for a driver's license with a term of less than six years, the
11 amount to be deposited in the motor vehicle fund is four dollars
12 multiplied by the number of years in the term of the driver's license.

13 (e) If the driver's license renewal fee paid under RCW 46.20.181(5)
14 is for a driver's license with a term of less than six years, the
15 amount to be deposited in the state patrol highway account for the sole
16 use of the Washington state patrol for highway activities is four
17 dollars multiplied by the number of years in the term of the driver's
18 license.

19 (f) Thirty dollars of each identicard fee paid under RCW 46.20.117
20 must be deposited in the Puget Sound ferry operations account for the
21 sole use of the department of transportation for marine operations by
22 the Washington state ferries.

23 (g) Five dollars of each driver's instruction permit fee paid under
24 RCW 46.20.055 must be deposited in the state patrol highway account for
25 the sole use of the Washington state patrol for highway activities.

26 (h) Fifteen dollars of each driver's licensing examination fee paid
27 under RCW 46.20.120(2) must be deposited in the Puget Sound ferry
28 operations account for the sole use of the department of transportation
29 for marine operations by the Washington state ferries.

30 (i) Five dollars of each duplicate or replacement fee paid under
31 RCW 46.20.200 must be deposited in the state patrol highway account for
32 the sole use of the Washington state patrol for highway activities.

33 (j) One hundred seventy-five dollars of each hearing request fee
34 paid under RCW 46.20.308 must be deposited in the state patrol highway
35 account for the sole use of the Washington state patrol for highway
36 activities.

1 **Sec. 11.** RCW 46.70.061 and 2012 c 74 s 7 are each amended to read
2 as follows:

3 (1) The annual fees for original licenses issued for twelve
4 consecutive months from the date of issuance under this chapter shall
5 be:

6 (a) Vehicle dealers, principal place of business for each and every
7 license classification: Nine hundred seventy-five dollars;

8 (b) Vehicle dealers, each subagency, and temporary subagency: One
9 hundred dollars;

10 (c) Vehicle manufacturers: Five hundred dollars.

11 (2) The annual fee for renewal of any license issued pursuant to
12 this chapter shall be:

13 (a) Vehicle dealers, principal place of business for each and every
14 license classification: Three hundred twenty-five dollars;

15 (b) Vehicle dealer, each and every subagency: Twenty-five dollars;

16 (c) Vehicle manufacturers: Two hundred fifty dollars.

17 If any licensee fails or neglects to apply for such renewal within
18 thirty days after the expiration of the license, or assigned renewal
19 date under a staggered licensing system, the license shall be declared
20 canceled by the director, in which case the licensee will be required
21 to apply for an original license and pay the fee required for the
22 original license.

23 (3) The fee for the transfer to another location of any license
24 classification issued pursuant to this chapter shall be twenty-five
25 dollars.

26 (4) The fee for vehicle dealer license plates and manufacturer
27 license plates shall be the amount required by law for vehicle license
28 plates exclusive of excise tax and gross weight and tonnage fees.

29 (5)(a) All fees collected under this chapter shall be deposited in
30 the state treasury and credited to the motor vehicle fund.

31 (b) Two hundred twenty-five dollars of each fee paid under
32 subsection (1)(a) of this section is for the sole use of the department
33 of transportation for the benefit of major freight corridors.

34 (c) Seventy-five dollars of each fee paid under subsection (2)(a)
35 of this section is for the sole use of the department of transportation
36 for the benefit of major freight corridors.

37 (6) The fees prescribed in this section are in addition to any
38 excise taxes imposed by chapter 82.44 RCW.

1 **Sec. 12.** RCW 46.09.520 and 2010 1st sp.s. c 37 s 936 and 2010 c
2 161 s 222 are each reenacted and amended to read as follows:

3 (1) From time to time, but at least once each year, the state
4 treasurer shall refund from the motor vehicle fund one percent of the
5 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
6 based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle
7 fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per
8 gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007;
9 (c) twenty-one cents per gallon of motor vehicle fuel from July 1,
10 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor
11 vehicle fuel from July 1, 2009, through June 30, 2011; (~~and~~) (e)
12 twenty-three cents per gallon of motor vehicle fuel beginning July 1,
13 2011; (f) twenty-five cents per gallon of motor vehicle fuel beginning
14 August 1, 2013; (g) twenty-seven cents per gallon of motor vehicle fuel
15 beginning July 1, 2014; (h) twenty-nine cents per gallon of motor
16 vehicle fuel beginning July 1, 2015; (i) thirty-one cents per gallon of
17 motor vehicle fuel beginning July 1, 2016; (j) thirty-three cents per
18 gallon of motor vehicle fuel beginning July 1, 2017, and thereafter,
19 less proper deductions for refunds and costs of collection as provided
20 in RCW 46.68.090.

21 (2) The treasurer shall place these funds in the general fund as
22 follows:

23 (a) Thirty-six percent shall be credited to the ORV and nonhighway
24 vehicle account and administered by the department of natural resources
25 solely for acquisition, planning, development, maintenance, and
26 management of ORV, nonmotorized, and nonhighway road recreation
27 facilities, and information programs and maintenance of nonhighway
28 roads;

29 (b) Three and one-half percent shall be credited to the ORV and
30 nonhighway vehicle account and administered by the department of fish
31 and wildlife solely for the acquisition, planning, development,
32 maintenance, and management of ORV, nonmotorized, and nonhighway road
33 recreation facilities and the maintenance of nonhighway roads;

34 (c) Two percent shall be credited to the ORV and nonhighway vehicle
35 account and administered by the parks and recreation commission solely
36 for the acquisition, planning, development, maintenance, and management
37 of ORV, nonmotorized, and nonhighway road recreation facilities; and

1 (d) Fifty-eight and one-half percent shall be credited to the
2 nonhighway and off-road vehicle activities program account to be
3 administered by the board for planning, acquisition, development,
4 maintenance, and management of ORV, nonmotorized, and nonhighway road
5 recreation facilities and for education, information, and law
6 enforcement programs. The funds under this subsection shall be
7 expended in accordance with the following limitations:

8 (i) Not more than thirty percent may be expended for education,
9 information, and law enforcement programs under this chapter;

10 (ii) Not less than seventy percent may be expended for ORV,
11 nonmotorized, and nonhighway road recreation facilities. Except as
12 provided in (d)(iii) of this subsection, of this amount:

13 (A) Not less than thirty percent, together with the funds the board
14 receives under RCW 46.68.045, may be expended for ORV recreation
15 facilities;

16 (B) Not less than thirty percent may be expended for nonmotorized
17 recreation facilities. Funds expended under this subsection
18 (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation
19 facilities funds; and

20 (C) Not less than thirty percent may be expended for nonhighway
21 road recreation facilities;

22 (iii) The board may waive the minimum percentage cited in (d)(ii)
23 of this subsection due to insufficient requests for funds or projects
24 that score low in the board's project evaluation. Funds remaining
25 after such a waiver must be allocated in accordance with board policy.

26 (3) On a yearly basis an agency may not, except as provided in RCW
27 46.68.045, expend more than ten percent of the funds it receives under
28 this chapter for general administration expenses incurred in carrying
29 out this chapter.

30 (4) During the 2009-2011 fiscal biennium, the legislature may
31 appropriate such amounts as reflect the excess fund balance in the NOVA
32 account to the department of natural resources to install consistent
33 off-road vehicle signage at department-managed recreation sites, and to
34 implement the recreation opportunities on department-managed lands in
35 the Reiter block and Ahtanum state forest, and to the state parks and
36 recreation commission. The legislature finds that the appropriation of
37 funds from the NOVA account during the 2009-2011 fiscal biennium for
38 maintenance and operation of state parks or to improve accessibility

1 for boaters and off-road vehicle users at state parks will benefit
2 boaters and off-road vehicle users and others who use nonhighway and
3 nonmotorized recreational facilities. The appropriations under this
4 subsection are not required to follow the specific distribution
5 specified in subsection (2) of this section.

6 **Sec. 13.** RCW 46.10.530 and 2003 c 361 s 408 are each amended to
7 read as follows:

8 From time to time, but at least once each four years, the
9 department shall determine the amount of moneys paid to it as motor
10 vehicle fuel tax that is tax on snowmobile fuel. Such determination
11 shall use one hundred thirty-five gallons as the average yearly fuel
12 usage per snowmobile, the number of registered snowmobiles during the
13 calendar year under determination, and a fuel tax rate of: (1)
14 Nineteen cents per gallon of motor vehicle fuel from July 1, 2003,
15 through June 30, 2005; (2) twenty cents per gallon of motor vehicle
16 fuel from July 1, 2005, through June 30, 2007; (3) twenty-one cents per
17 gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009;
18 (4) twenty-two cents per gallon of motor vehicle fuel from July 1,
19 2009, through June 30, 2011; (~~and~~) (5) twenty-three cents per gallon
20 of motor vehicle fuel beginning July 1, 2011; (6) twenty-five cents per
21 gallon of motor vehicle fuel beginning August 1, 2013; (7) twenty-seven
22 cents per gallon of motor vehicle fuel beginning July 1, 2014; (8)
23 twenty-nine cents per gallon of motor vehicle fuel beginning July 1,
24 2015; (9) thirty-one cents per gallon of motor vehicle fuel beginning
25 July 1, 2016; (10) thirty-three cents per gallon of motor vehicle fuel
26 beginning July 1, 2017, and thereafter.

27 **Sec. 14.** RCW 46.17.355 and 2011 c 171 s 61 are each amended to
28 read as follows:

29 (1) In lieu of the vehicle license fee required under RCW 46.17.350
30 and before accepting an application for a vehicle registration for
31 motor vehicles described in RCW 46.16A.455, the department, county
32 auditor or other agent, or subagent appointed by the director shall
33 require the applicant, unless specifically exempt, to pay the following
34 license fee by weight:

	WEIGHT	SCHEDULE A	SCHEDULE B
1			
2	4,000 pounds	\$ 38.00	\$ 38.00
3	6,000 pounds	\$ 48.00	\$ 48.00
4	8,000 pounds	\$ 58.00	\$ 58.00
5	10,000 pounds	\$ 60.00	\$ 60.00
6	12,000 pounds	\$ 77.00	\$ 77.00
7	14,000 pounds	\$ 88.00	\$ 88.00
8	16,000 pounds	\$ 100.00	\$ 100.00
9	18,000 pounds	\$ 152.00	\$ 152.00
10	20,000 pounds	\$ 169.00	\$ 169.00
11	22,000 pounds	\$ 183.00	\$ 183.00
12	24,000 pounds	\$ 198.00	\$ 198.00
13	26,000 pounds	\$ 209.00	\$ 209.00
14	28,000 pounds	\$ 247.00	\$ 247.00
15	30,000 pounds	\$ 285.00	\$ 285.00
16	32,000 pounds	\$ 344.00	\$ 344.00
17	34,000 pounds	\$ 366.00	\$ 366.00
18	36,000 pounds	\$ 397.00	\$ 397.00
19	38,000 pounds	\$ 436.00	\$ 436.00
20	40,000 pounds	\$ 499.00	\$ 499.00
21	42,000 pounds	\$ 519.00	\$ 609.00
22	44,000 pounds	\$ 530.00	\$ 620.00
23	46,000 pounds	\$ 570.00	\$ 660.00
24	48,000 pounds	\$ 594.00	\$ 684.00
25	50,000 pounds	\$ 645.00	\$ 735.00
26	52,000 pounds	\$ 678.00	\$ 768.00
27	54,000 pounds	\$ 732.00	\$ 822.00
28	56,000 pounds	\$ 773.00	\$ 863.00
29	58,000 pounds	\$ 804.00	\$ 894.00
30	60,000 pounds	\$ 857.00	\$ 947.00
31	62,000 pounds	\$ 919.00	\$ 1,009.00
32	64,000 pounds	\$ 939.00	\$ 1,029.00
33	66,000 pounds	\$ 1,046.00	\$ 1,136.00
34	68,000 pounds	\$ 1,091.00	\$ 1,181.00
35	70,000 pounds	\$ 1,175.00	\$ 1,265.00

1	72,000 pounds	\$ 1,257.00	\$ 1,347.00
2	74,000 pounds	\$ 1,366.00	\$ 1,456.00
3	76,000 pounds	\$ 1,476.00	\$ 1,566.00
4	78,000 pounds	\$ 1,612.00	\$ 1,702.00
5	80,000 pounds	\$ 1,740.00	\$ 1,830.00
6	82,000 pounds	\$ 1,861.00	\$ 1,951.00
7	84,000 pounds	\$ 1,981.00	\$ 2,071.00
8	86,000 pounds	\$ 2,102.00	\$ 2,192.00
9	88,000 pounds	\$ 2,223.00	\$ 2,313.00
10	90,000 pounds	\$ 2,344.00	\$ 2,434.00
11	92,000 pounds	\$ 2,464.00	\$ 2,554.00
12	94,000 pounds	\$ 2,585.00	\$ 2,675.00
13	96,000 pounds	\$ 2,706.00	\$ 2,796.00
14	98,000 pounds	\$ 2,827.00	\$ 2,917.00
15	100,000 pounds	\$ 2,947.00	\$ 3,037.00
16	102,000 pounds	\$ 3,068.00	\$ 3,158.00
17	104,000 pounds	\$ 3,189.00	\$ 3,279.00
18	105,500 pounds	\$ 3,310.00	\$ 3,400.00

19 (2) Schedule A applies to vehicles either used exclusively for
20 hauling logs or that do not tow trailers. Schedule B applies to
21 vehicles that tow trailers and are not covered under Schedule A.

22 (3) If the resultant gross weight is not listed in the table
23 provided in subsection (1) of this section, it must be increased to the
24 next higher weight.

25 (4) The license fees provided in subsection (1) of this section and
26 the freight project fee provided in subsection (6) of this section are
27 in addition to the filing fee required under RCW 46.17.005 and any
28 other fee or tax required by law.

29 (5) The license fee based on declared gross weight as provided in
30 subsection (1) of this section must be distributed under RCW 46.68.035.

31 (6) In addition to the license fee based on declared gross weight
32 as provided in subsection (1) of this section, the department, county
33 auditor or other agent, or subagent appointed by the director must
34 require an applicant with a vehicle with a declared gross weight of
35 10,000 pounds or more, unless specifically exempt, to pay a freight
36 project fee equal to fifteen percent of the license fee provided in

1 subsection (1) of this section, which must be distributed under section
2 15 of this act.

3 NEW SECTION. Sec. 15. A new section is added to chapter 46.68 RCW
4 to read as follows:

5 The freight project fee imposed under RCW 46.17.355(6) must be
6 distributed as follows:

7 (1) Fifty percent to the freight mobility investment account
8 created in RCW 46.68.300 to be used exclusively for rail intersection
9 improvements and local freight connector projects; and

10 (2) Fifty percent to the connecting Washington account created in
11 section 5 of this act to be used exclusively for major freight
12 corridors.

13 NEW SECTION. Sec. 16. A new section is added to chapter 47.04 RCW
14 to read as follows:

15 (1) There is levied a twenty-five dollar per bicycle fee on each
16 retail sale of a new bicycle, as defined in RCW 46.04.071, with a
17 purchase price of five hundred dollars or more. The fee imposed in
18 this section must be paid by the buyer to the seller, and each seller
19 must collect from the buyer the full amount of the fee. The fee
20 collected from the buyer by the seller must be paid to the department
21 of revenue in accordance with RCW 82.32.045.

22 (2) The department of revenue must incorporate into its regular
23 audit cycle a reconciliation of the number of bicycles, with a purchase
24 price of five hundred dollars or more, sold and the amount of revenue
25 collected by the businesses selling new bicycles, with a purchase price
26 of five hundred dollars or more, at retail. The department of revenue
27 must collect on the business excise tax return from the businesses
28 selling new bicycles at retail:

29 (a) The number of bicycles sold with a purchase price of five
30 hundred dollars or more; and

31 (b) The fee levied in this section.

32 (3) All other applicable provisions of chapter 82.32 RCW have full
33 force and application with respect to the fee imposed under this
34 section. The department of revenue must administer this section.

35 (4) All receipts from the fee imposed under this section must be

1 deposited into the complete streets grant program account created in
2 RCW 47.04.325.

3 **Sec. 17.** RCW 82.21.030 and 1989 c 2 s 10 are each amended to read
4 as follows:

5 (1) A tax is imposed on the privilege of possession of hazardous
6 substances in this state. The rate of the tax shall be (~~seven-tenths~~
7 ~~of~~) one percent multiplied by the wholesale value of the substance.

8 (2)(a) Seventy percent of the moneys collected under this chapter
9 shall be deposited in the toxics control accounts under RCW
10 70.105D.070; and

11 (b) Thirty percent of the moneys collected under this chapter shall
12 be deposited in the accounts created in section 18 of this act.

13 (3) Chapter 82.32 RCW applies to the tax imposed in this chapter.
14 The tax due dates, reporting periods, and return requirements
15 applicable to chapter 82.04 RCW apply equally to the tax imposed in
16 this chapter.

17 NEW SECTION. **Sec. 18.** A new section is added to chapter 46.68 RCW
18 to read as follows:

19 (1) The state transportation storm water pollution and fish passage
20 barrier account, the transportation improvement board storm water
21 pollution account, the county road administration board storm water
22 pollution account, and the department of ecology storm water pollution
23 account are created in the state treasury.

24 (2) The following moneys must be deposited into the state
25 transportation storm water pollution and fish passage barrier account:

26 (a) Those revenues that are raised by the tax imposed under RCW
27 82.21.030 and are attributable to that portion of the rate equal to
28 11.67 one-hundredths of one percent; and (b) any other money
29 appropriated or transferred to the account by the legislature. Moneys
30 in the account may be used only for activities or projects that
31 mitigate or prevent contamination of storm water by toxic storm water
32 pollutants from highways and other transportation infrastructure or for
33 the removal of fish passage barriers related to the transportation
34 system.

35 (3) The following moneys must be deposited into the transportation
36 improvement board storm water pollution account: (a) Those revenues

1 that are raised by the tax imposed under RCW 82.21.030 and are
2 attributable to that portion of the rate equal to 5.83 one-hundredths
3 of one percent; and (b) any other money appropriated or transferred to
4 the account by the legislature. Moneys in the account must be used by
5 the transportation improvement board for grants or loans to local
6 governments for activities or projects that mitigate or prevent
7 contamination of storm water by toxic storm water pollutants from
8 highways and other transportation infrastructure.

9 (4) The following moneys must be deposited into the county road
10 administration board storm water pollution account: (a) Those revenues
11 that are raised by the tax imposed under RCW 82.21.030 and are
12 attributable to that portion of the rate equal to 5.83 one-hundredths
13 of one percent; and (b) any other money appropriated or transferred to
14 the account by the legislature. Moneys in the account must be used by
15 the county road administration board for grants or loans to local
16 governments for activities or projects that mitigate or prevent
17 contamination of storm water by toxic storm water pollutants from
18 highways and other transportation infrastructure.

19 (5)(a) The following moneys must be deposited into the department
20 of ecology storm water pollution account: (i) Those revenues that are
21 raised by the tax imposed under RCW 82.21.030 and are attributable to
22 that portion of the rate equal to 6.67 one-hundredths of one percent;
23 and (ii) any other money appropriated or transferred to the account by
24 the legislature.

25 (b) Fifty percent of the moneys in the account must be used by the
26 department of ecology for grants or loans to local governments for
27 activities or projects that mitigate or prevent contamination of storm
28 water by toxic storm water pollutants from highways and other
29 transportation infrastructure by retrofitting existing transportation
30 infrastructure.

31 (c) Fifty percent of the moneys in the account must be used by the
32 department of ecology for grants or loans to the department of
33 transportation for activities or projects that mitigate or prevent
34 contamination of storm water by toxic storm water pollutants from
35 highways and other transportation infrastructure by retrofitting
36 existing transportation infrastructure.

37 (6) Moneys in the accounts created in this section may be spent
38 only after appropriation.

1 NEW SECTION. **Sec. 19.** A new section is added to chapter 82.44 RCW
2 to read as follows:

3 (1) A statewide motor vehicle excise tax of seven-tenths of one
4 percent is imposed at the time of vehicle registration renewal on the
5 value of every motor vehicle registered under RCW 46.17.350(1) (h),
6 (j), or (n) and every privately owned vehicle registered under RCW
7 46.17.355 that is less than ten thousand pounds gross vehicle weight,
8 based on the valuation schedules in RCW 82.44.035. This subsection
9 does not apply to vehicles defined in RCW 46.04.140, 46.04.181,
10 46.04.126, 46.04.190, 46.04.465, or 46.04.521.

11 (2) A statewide motor vehicle excise tax of seven-tenths of one
12 percent is imposed at the time of vehicle registration renewal on
13 vehicles registered under RCW 46.17.350(1)(i), 46.61.723, or 46.61.725,
14 or RCW 46.04.365 if registered for use on a highway, as defined in RCW
15 47.04.010, based on the valuation schedules in RCW 82.44.035.

16 (3) A statewide motor vehicle excise tax of three and one-half
17 tenths of one percent is imposed at the time of vehicle registration
18 renewal on vehicles registered under RCW 46.17.350(1) (g) or (q) based
19 on the valuation schedules under RCW 82.44.035.

20 (4) A statewide motor vehicle excise tax imposed under this section
21 is in addition to any other fee or tax required by law.

22 **Sec. 20.** RCW 82.44.125 and 2010 c 161 s 908 are each amended to
23 read as follows:

24 (1) The motor vehicle excise tax authorized under this chapter
25 applies to the following vehicles:

- 26 (a) Commercial trailers, as defined in RCW 46.04.136;
- 27 (b) Farm trucks registered under RCW 46.16A.425;
- 28 (c) Fixed load vehicles, as defined in RCW 46.04.186;
- 29 (d) Motor homes, as defined in RCW 46.04.305;
- 30 (e) Motor trucks, as defined in RCW 46.04.310, with a scale weight
31 greater than six thousand pounds;
- 32 (f) Motor vehicles, as defined in RCW 46.04.320; (~~and~~)
- 33 (g) Trailers, as defined in RCW 46.04.620; and
- 34 (h) Travel trailers, as defined in RCW 46.04.623.

35 (2) The motor vehicle excise tax authorized under this chapter does
36 not apply to the following vehicles:

- 37 (a) Campers, as defined in RCW 46.04.085;

1 (b) Dock and warehouse tractors and their cars or trailers;
2 (c) Equipment not designed primarily for use on public highways;
3 (d) Exempt registered vehicles;
4 (e) Lumber carriers of the type known as spiders;
5 (f) Mobile homes, as defined in RCW 46.04.302;
6 (g) Passenger motor vehicles, as described in RCW 82.44.015;
7 (h) (~~Travel trailers, as defined in RCW 46.04.623;~~
8 ~~(i)~~) Vehicles not used on the public highways; and
9 (~~(j)~~) (i) Vehicles owned by nonresident military personnel of the
10 armed forces of the United States stationed in the state of Washington
11 if the nonresident military member was a nonresident of this state when
12 enlisted into military service.

13 NEW SECTION. **Sec. 21.** A new section is added to chapter 46.68 RCW
14 to read as follows:

15 The director shall forward all proceeds from the motor vehicle
16 excise tax imposed under section 19 of this act to the state treasurer
17 to be distributed according to the following method:

18 (1)(a) 33.34 percent must be distributed quarterly statewide to
19 transit authorities according to the distribution formula in (b) of
20 this subsection. The moneys must be used for operations.

21 (b)(i) One-third must be distributed based on vehicle miles of
22 service provided;

23 (ii) One-third must be distributed based on the number of vehicle
24 hours of service provided; and

25 (iii) One-third must be distributed based on the number of
26 passenger trips.

27 (c) For the purposes of this section:

28 (i) "Transit authorities" has the same meaning as provided in RCW
29 9.91.025.

30 (ii) "Vehicle miles of service," "vehicle hours of service," and
31 "passenger trips" are transit service metrics as reported by the public
32 transportation program of the department of transportation in the most
33 recent annual report required in RCW 35.58.2796 that is made available
34 prior to the calendar year in which the distribution occurs;

35 (2) 8.25 percent must be distributed to counties under RCW
36 46.68.122;

37 (3) 8.25 percent must be distributed to cities under RCW 46.68.110;

1 (4) One million five hundred thousand dollars must be distributed
2 annually to the essential rail assistance account created in RCW
3 47.76.250;

4 (5) Five million dollars must be distributed annually to the
5 transportation improvement account created in RCW 47.26.084 for the use
6 of the transportation improvement board; and

7 (6) The remainder must be distributed to the connecting Washington
8 account created in section 5 of this act.

9 NEW SECTION. **Sec. 22.** Section 19 of this act applies to vehicle
10 registration renewals that are due or become due on or after June 30,
11 2014.

12 **Sec. 23.** RCW 47.60.322 and 2011 1st sp.s. c 16 s 2 are each
13 amended to read as follows:

14 (1) The capital vessel replacement account is created in the motor
15 vehicle fund. All revenues generated from the vessel replacement
16 surcharge under RCW 47.60.315(7) and the amount of service fees
17 required under section 24(2) of this act must be deposited into the
18 account. Moneys in the account may be spent only after appropriation.
19 Expenditures from the account may be used only for the construction or
20 purchase of ferry vessels and to pay the principal and interest on
21 bonds authorized for the construction or purchase of ferry vessels.
22 However, expenditures from the account must first be used to support
23 the construction or purchase, including any applicable financing costs,
24 of a ferry vessel with a carrying capacity of at least one hundred
25 forty-four cars.

26 (2) The state treasurer may not transfer any moneys from the
27 capital vessel replacement account except to the transportation 2003
28 account (nickel account) for debt service on bonds issued for the
29 construction of ((a)) 144-car class ferry vessels.

30 NEW SECTION. **Sec. 24.** A new section is added to chapter 46.17 RCW
31 to read as follows:

32 (1) The department and a county auditor or other agent appointed by
33 the director shall collect a service fee of five dollars for each
34 vehicle registration renewal processed by the department or that county

1 auditor's or other agent's office. The service fee must be deposited
2 into the connecting Washington account created in section 5 of this
3 act.

4 (2)(a) The department and a county auditor or other agent appointed
5 by the director shall collect a service fee of twelve dollars for each
6 certificate of title transaction processed by the department or that
7 county auditor's or other agent's office.

8 (b) Each fiscal year, the service fees collected under (a) of this
9 subsection must be deposited into the capital vessel replacement
10 account as authorized in RCW 47.60.322, except as required in (c) of
11 this subsection.

12 (c) Any service fees collected under (a) of this subsection that
13 are in excess of seven million dollars per fiscal year must be
14 deposited into the connecting Washington account created in section 5
15 of this act.

16 NEW SECTION. **Sec. 25.** Sections 23 and 24 of this act apply to
17 vehicle registrations that are due or become due on or after January 1,
18 2014.

19 LOCAL REVENUE OPTIONS

20 NEW SECTION. **Sec. 26.** (1) It is the intent of the legislature to
21 provide diversified local revenue options that may be tailored to the
22 needs of each jurisdiction. In the case of public transit systems in
23 particular, there is a need for additional revenue sources beyond the
24 current sales and use tax options, which may, on their own, not be
25 sufficient to meet the funding challenges of a particular system.

26 (2) It is also the intent that local governments provide countywide
27 transportation planning and coordinate with other municipalities,
28 transit systems, transportation benefit districts, planning
29 organizations, and other transportation agencies. It is critical that
30 all transportation infrastructure is well planned, coordinated, and
31 maintained at the local levels to provide a seamless transportation
32 infrastructure to enable people and goods to move safely and
33 efficiently throughout the state and to bolster and improve the state's
34 economy.

1 (3) The legislature finds that the purchasing power of funds to pay
2 for local transportation needs continues to decline while costs have
3 risen. Without additional funding, counties and cities will continue
4 to struggle financially to preserve and maintain county roads, city
5 streets, and bridges; pavement conditions will to continue to decline;
6 and public transit systems will be forced to cut services at a time
7 when demand for transit services is increasing.

8 **Sec. 27.** RCW 36.73.065 and 2012 c 152 s 3 are each amended to read
9 as follows:

10 (1) Except as provided in subsection (4) of this section, taxes,
11 fees, charges, and tolls may not be imposed by a district without
12 approval of a majority of the voters in the district voting on a
13 proposition at a general or special election. The proposition must
14 include a specific description of: (a) The transportation improvement
15 or improvements proposed by the district; (b) any rebate program
16 proposed to be established under RCW 36.73.067; and (c) the proposed
17 taxes, fees, charges, and the range of tolls imposed by the district to
18 raise revenue to fund the improvement or improvements or rebate
19 program, as applicable.

20 (2) Voter approval under this section must be accorded substantial
21 weight regarding the validity of a transportation improvement as
22 defined in RCW 36.73.015.

23 (3) A district may not increase any taxes, fees, charges, or range
24 of tolls imposed or change a rebate program under this chapter once the
25 taxes, fees, charges, tolls, or rebate program takes effect, unless
26 authorized by the district voters pursuant to RCW 36.73.160 or up to
27 forty dollars of the vehicle fee authorized in RCW 82.80.140 by the
28 governing board of the district.

29 (4)(a) A district that includes all the territory within the
30 boundaries of the jurisdiction, or jurisdictions, establishing the
31 district may impose by a majority vote of the governing board of the
32 district the following fees and charges:

33 (i) Up to (~~twenty~~) forty dollars of the vehicle fee authorized in
34 RCW 82.80.140; or

35 (ii) A fee or charge in accordance with RCW 36.73.120.

36 (b) The vehicle fee authorized in (a) of this subsection may only

1 be imposed for a passenger-only ferry transportation improvement if the
2 vehicle fee is first approved by a majority of the voters within the
3 jurisdiction of the district.

4 (c)(i) A district solely comprised of a city or cities (~~shall~~)
5 may not impose the fees or charges identified in (a) of this subsection
6 within one hundred eighty days after July 22, 2007, unless the county
7 in which the city or cities reside, by resolution, declares that it
8 will not impose the fees or charges identified in (a) of this
9 subsection within the one hundred eighty-day period; or

10 (ii) A district solely comprised of a city or cities identified in
11 RCW 36.73.020(6)(b) may not impose the fees or charges until after May
12 22, 2008, unless the county in which the city or cities reside, by
13 resolution, declares that it will not impose the fees or charges
14 identified in (a) of this subsection through May 22, 2008.

15 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
16 reached, a district that includes only the unincorporated territory of
17 a county may impose by a majority vote of the governing body of the
18 district up to (~~twenty~~) forty dollars of the vehicle fee authorized
19 in RCW 82.80.140.

20 NEW SECTION. Sec. 28. A new section is added to chapter 82.80 RCW
21 to read as follows:

22 (1) A county with a population of one million or more may impose,
23 by a majority of persons voting on the proposition or by a majority
24 vote of the county council, a local motor vehicle excise tax of up to
25 seven-tenths of one percent annually on the value of every motor
26 vehicle registered to a person residing within the county based on the
27 valuation schedules in RCW 82.44.035. A motor vehicle excise tax may
28 not be imposed on vehicles licensed under RCW 46.17.355, except for
29 motor vehicles with an unladen weight of six thousand pounds or less,
30 RCW 46.16A.425, 46.17.335, or 46.17.350(1)(c).

31 (2) A county imposing a tax under this section must contract,
32 before the effective date of the resolution or ordinance imposing the
33 local motor vehicle excise tax, administration and collection to the
34 department of licensing, as appropriate, which must deduct an amount,
35 as provided by contract, for administration and collection expenses
36 incurred by the department.

1 (3)(a) A county imposing a tax under this section must use sixty
2 percent of the net funds, after any deductions pursuant to subsection
3 (2) of this section, for the operation, maintenance, or capital needs
4 of public transportation systems.

5 (b) The remaining forty percent of the net funds, after any
6 deductions pursuant to subsection (2) of this section, must be used for
7 the operations and maintenance of local roads and must be distributed
8 on a pro rata basis to the county imposing the local motor vehicle
9 excise tax and to incorporated cities and towns within the county based
10 upon the population of the unincorporated portion of the county, the
11 population of an incorporated city, or the population of an
12 incorporated town as a percentage of the total population of the
13 county.

14 (4) For purposes of this section, the population of an incorporated
15 city or town is the most recent population determined by the office of
16 financial management.

17 NEW SECTION. **Sec. 29.** A new section is added to chapter 82.80 RCW
18 to read as follows:

19 (1) The governing body of a public transportation benefit area
20 located in a county with a population of five hundred thousand or more
21 that also contains a city with a population of seventy-five thousand or
22 more operating a transit system pursuant to chapter 35.95 RCW may, by
23 resolution or ordinance, for the sole purpose of providing funds for
24 the operation, maintenance, or capital needs of public transportation
25 systems, submit an authorizing proposition to the voters and, if
26 approved by a majority of persons voting on the proposition, impose a
27 local motor vehicle excise tax of up to seven-tenths of one percent
28 annually on the value of every motor vehicle registered to a person
29 residing within the public transportation benefit area based on the
30 valuation schedules in RCW 82.44.035. A motor vehicle excise tax may
31 not be imposed on vehicles licensed under RCW 46.17.355, except for
32 motor vehicles with an unladen weight of six thousand pounds or less,
33 RCW 46.16A.425, 46.17.335, or 46.17.350(1)(c).

34 (2) The governing body of a public transportation benefit area
35 imposing a tax under this section must contract, before the effective
36 date of the resolution or ordinance imposing the local motor vehicle
37 excise tax, administration and collection to the department of

1 licensing, as appropriate, which must deduct an amount, as provided by
2 contract, for administration and collection expenses incurred by the
3 department.

4 **Sec. 30.** RCW 82.80.010 and 2003 c 350 s 1 are each amended to read
5 as follows:

6 (1) For purposes of this section:

7 (a) "Distributor" means every person who imports, refines,
8 manufactures, produces, or compounds motor vehicle fuel and special
9 fuel as defined in RCW 82.36.010 and 82.38.020, respectively, and sells
10 or distributes the fuel into a county;

11 (b) "Person" has the same meaning as in RCW 82.04.030.

12 (2) Subject to the conditions of this section, any county may levy,
13 by approval of its legislative body and a majority of the registered
14 voters of the county voting on the proposition at a general or special
15 election, additional excise taxes equal to ~~((ten percent of the
16 statewide motor vehicle fuel tax rate under RCW 82.36.025))~~ one cent,
17 two cents, or three cents on each gallon of motor vehicle fuel as
18 defined in RCW 82.36.010 and on each gallon of special fuel as defined
19 in RCW 82.38.020 sold within the boundaries of the county. Vehicles
20 paying an annual license fee under RCW 82.38.075 are exempt from the
21 county fuel excise tax. An election held under this section must be
22 held not more than twelve months before the date on which the proposed
23 tax is to be levied. The ballot setting forth the proposition
24 ~~((shall))~~ must state the tax rate that is proposed. The county's
25 authority to levy additional excise taxes under this section includes
26 the incorporated and unincorporated areas of the county. The
27 additional excise taxes are subject to the same exceptions and rights
28 of refund as applicable to other motor vehicle fuel and special fuel
29 excise taxes levied under chapters 82.36 and 82.38 RCW. The proposed
30 tax ~~((shall))~~ may not be levied less than one month from the date the
31 election results are certified by the county election officer. The
32 commencement date for the levy of any tax under this section ~~((shall
33 be))~~ is the first day of January, April, July, or October.

34 (3) The local option motor vehicle fuel tax on each gallon of motor
35 vehicle fuel and on each gallon of special fuel is imposed upon the
36 distributor of the fuel.

1 (4) A taxable event for the purposes of this section occurs upon
2 the first distribution of the fuel within the boundaries of a county to
3 a retail outlet, bulk fuel user, or ultimate user of the fuel.

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

7 (6) Before the effective date of the imposition of the fuel taxes
8 under this section, a county (~~shall~~) must contract with the
9 department of revenue for the administration and collection of the
10 taxes. The contract must provide that a percentage amount, not to
11 exceed one percent of the taxes imposed under this section, will be
12 deposited into the local tax administration account created in the
13 custody of the state treasurer. The department of revenue may spend
14 money from this account, upon appropriation, for the administration of
15 the local taxes imposed under this section.

16 (7) The state treasurer (~~shall~~) must distribute monthly to the
17 levying county and cities contained therein the proceeds of the
18 additional excise taxes collected under this section, after the
19 deductions for payments and expenditures as provided in RCW
20 46.68.090(1) (a) and (b) and under the conditions and limitations
21 provided in RCW 82.80.080.

22 (8) The proceeds of the additional excise taxes levied under this
23 section (~~shall~~) must be used strictly for transportation purposes in
24 accordance with RCW 82.80.070.

25 (9) A county may not levy the tax under this section if they are
26 levying the tax in RCW 82.80.110 or if they are a member of a regional
27 transportation investment district levying the tax in RCW 82.80.120.

28 **Sec. 31.** RCW 82.80.140 and 2010 c 161 s 917 are each amended to
29 read as follows:

30 (1) Subject to the provisions of RCW 36.73.065, a transportation
31 benefit district under chapter 36.73 RCW may fix and impose an annual
32 vehicle fee, not to exceed one hundred dollars per vehicle registered
33 in the district, for each vehicle subject to vehicle license fees under
34 RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q)
35 and for each vehicle subject to gross weight license fees under RCW
36 46.17.355 with a scale weight of six thousand pounds or less.

1 (2)(a) A district that includes all the territory within the
2 boundaries of the jurisdiction, or jurisdictions, establishing the
3 district may impose by a majority vote of the governing board of the
4 district up to (~~twenty~~) forty dollars of the vehicle fee authorized
5 in subsection (1) of this section. If the district is countywide, the
6 revenues of the fee shall be distributed to each city within the county
7 by interlocal agreement. The interlocal agreement is effective when
8 approved by the county and sixty percent of the cities representing
9 seventy-five percent of the population of the cities within the county
10 in which the countywide fee is collected.

11 (b) A district may not impose a fee under this subsection (2):
12 (i) For a passenger-only ferry transportation improvement unless
13 the vehicle fee is first approved by a majority of the voters within
14 the jurisdiction of the district; or
15 (ii) That, if combined with the fees previously imposed by another
16 district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds
17 (~~twenty~~) forty dollars.

18 If a district imposes or increases a fee under this subsection (2)
19 that, if combined with the fees previously imposed by another district
20 within its boundaries, exceeds (~~twenty~~) forty dollars, the district
21 shall provide a credit for the previously imposed fees so that the
22 combined vehicle fee does not exceed (~~twenty~~) forty dollars.

23 (3) The department of licensing shall administer and collect the
24 fee. The department shall deduct a percentage amount, as provided by
25 contract, not to exceed one percent of the fees collected, for
26 administration and collection expenses incurred by it. The department
27 shall remit remaining proceeds to the custody of the state treasurer.
28 The state treasurer shall distribute the proceeds to the district on a
29 monthly basis.

30 (4) No fee under this section may be collected until six months
31 after approval under RCW 36.73.065.

32 (5) The vehicle fee under this section applies only when renewing
33 a vehicle registration, and is effective upon the registration renewal
34 date as provided by the department of licensing.

35 (6) The following vehicles are exempt from the fee under this
36 section:

37 (a) Campers, as defined in RCW 46.04.085;

- 1 (b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and
2 46.04.181;
- 3 (c) Mopeds, as defined in RCW 46.04.304;
- 4 (d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;
- 5 (e) Private use single-axle trailer, as defined in RCW 46.04.422;
- 6 (f) Snowmobiles, as defined in RCW 46.04.546; and
- 7 (g) Vehicles registered under chapter 46.87 RCW and the
8 international registration plan.

9 **Sec. 32.** RCW 82.14.045 and 2008 c 86 s 102 are each amended to
10 read as follows:

11 (1)(a) The legislative body of any city pursuant to RCW 35.92.060,
12 of any county which has created an unincorporated transportation
13 benefit area pursuant to RCW 36.57.100 and 36.57.110, of any public
14 transportation benefit area pursuant to RCW 36.57A.080 and 36.57A.090,
15 of any county transportation authority established pursuant to chapter
16 36.57 RCW, and of any metropolitan municipal corporation within a
17 county with a population of one million or more pursuant to chapter
18 35.58 RCW, may, by resolution or ordinance for the sole purpose of
19 providing funds for the operation, maintenance, or capital needs of
20 public transportation systems or public transportation limited to
21 persons with special needs under RCW 36.57.130 and 36.57A.180, and in
22 lieu of the excise taxes authorized by RCW 35.95.040, submit an
23 authorizing proposition to the voters or include such authorization in
24 a proposition to perform the function of public transportation or
25 public transportation limited to persons with special needs under RCW
26 36.57.130 and 36.57A.180, and if approved by a majority of persons
27 voting thereon, impose a sales and use tax in accordance with the terms
28 of this chapter. Where an authorizing proposition is submitted by a
29 county on behalf of an unincorporated transportation benefit area, it
30 shall be voted upon by the voters residing within the boundaries of
31 such unincorporated transportation benefit area and, if approved, the
32 sales and use tax shall be imposed only within such area.
33 Notwithstanding any provisions of this section to the contrary, any
34 county in which a county public transportation plan has been adopted
35 pursuant to RCW 36.57.070 and the voters of such county have authorized
36 the imposition of a sales and use tax pursuant to the provisions of
37 section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1, 1975,

1 shall be authorized to fix and impose a sales and use tax as provided
2 in this section at not to exceed the rate so authorized without
3 additional approval of the voters of such county as otherwise required
4 by this section.

5 (b)(i) The tax authorized under this section may also be imposed if
6 the legislative body of any of the entities set forth in (a) of this
7 subsection establishes an enhanced public transportation zone within a
8 portion of the territory of the entity and if approved by the voters in
9 the enhanced public transportation zone in the manner provided for in
10 this section. An enhanced public transportation zone may include all
11 or a portion of any city or town as long as all or a portion of the
12 city or town is within the territory of the establishing entity. The
13 establishing entity must consult with the department of revenue on
14 sales tax collection methods when establishing the boundaries of the
15 enhanced public transportation zone.

16 (ii) A tax imposed pursuant to this subsection (1)(b), when
17 combined with the existing rate of tax imposed by the establishing
18 entity, may not exceed the rate allowed under this section, and expires
19 either five years after imposition, unless reauthorized in the manner
20 provided for in this section, or upon failure of a reauthorization.
21 Prior to reauthorization, the enhanced public transportation zone
22 boundaries must be readjusted, if necessary, to meet the definition
23 provided for in (b)(iv) of this subsection. A tax imposed pursuant to
24 this subsection (1)(b) must be imposed only in the territory of the
25 enhanced public transportation zone. The revenue from the tax imposed
26 pursuant to this subsection (1)(b) must be expended only for public
27 transportation service within the enhanced public transportation zone
28 and must not supplant existing revenues allocated to the enhanced
29 public transportation zone.

30 (iii) Six months prior to the voter authorization or
31 reauthorization of the tax authorized under this subsection (1)(b), the
32 establishing entity must determine a baseline level of fixed-route
33 public transportation service. This baseline level of service must be
34 publicly posted on the web site of the establishing entity. Upon the
35 collection of the tax imposed pursuant to this subsection (1)(b),
36 fixed-route public transportation service within the enhanced public
37 transportation zone must increase proportionally to additional revenue
38 generated within the enhanced public transportation zone. Service

1 hours within the enhanced public transportation zone must increase from
2 the baseline level in accordance with the establishing entity's most
3 recent cost of fixed-route public transportation per service hour, as
4 approved by the national transit database. A report on the increase in
5 public transportation service must be publicly posted annually on the
6 establishing entity's web site.

7 (iv) For purposes of this subsection (1)(b), "enhanced public
8 transportation zone" means a zone in which the establishing entity by
9 resolution or ordinance finds that the zone warrants consistent and
10 sustainable transportation service levels of passenger capacity, speed,
11 and service frequency to serve persons within the zone that would
12 otherwise be substantially disadvantaged if the zone were not created.
13 An enhanced public transportation zone must include fifty-five percent
14 or more of the population of the establishing entity designated as low
15 income or minority for purposes of Title VI of the federal civil rights
16 act of 1964, but may not include more than forty-nine percent of the
17 population of the establishing entity. The boundaries of any enhanced
18 public transportation zone must follow election precinct lines as far
19 as practicable.

20 (c) The tax authorized by this section shall be in addition to the
21 tax authorized by RCW 82.14.030 and shall be collected from those
22 persons who are taxable by the state under chapters 82.08 and 82.12 RCW
23 upon the occurrence of any taxable event within such city, public
24 transportation benefit area, county, or metropolitan municipal
25 corporation as the case may be. The rate of such tax shall be one-
26 tenth, two-tenths, three-tenths, four-tenths, five-tenths, six-tenths,
27 seven-tenths, eight-tenths, or nine-tenths of one percent of the
28 selling price (in the case of a sales tax) or value of the article used
29 (in the case of a use tax). The rate of such tax shall not exceed the
30 rate authorized by the voters unless such increase shall be similarly
31 approved.

32 (2)(a) In the event a metropolitan municipal corporation imposes a
33 sales and use tax pursuant to this chapter no city, county which has
34 created an unincorporated transportation benefit area, public
35 transportation benefit area authority, or county transportation
36 authority wholly within such metropolitan municipal corporation shall
37 be empowered to impose and/or collect taxes under RCW 35.95.040 or this

1 section, but nothing herein shall prevent such city or county from
2 imposing sales and use taxes pursuant to any other authorization.

3 (b) In the event a county transportation authority imposes a sales
4 and use tax under this section, no city, county which has created an
5 unincorporated transportation benefit area, public transportation
6 benefit area, or metropolitan municipal corporation, located within the
7 territory of the authority, shall be empowered to impose or collect
8 taxes under RCW 35.95.040 or this section.

9 (c) In the event a public transportation benefit area imposes a
10 sales and use tax under this section, no city, county which has created
11 an unincorporated transportation benefit area, or metropolitan
12 municipal corporation, located wholly or partly within the territory of
13 the public transportation benefit area, shall be empowered to impose or
14 collect taxes under RCW 35.95.040 or this section.

15 NEW SECTION. **Sec. 33.** If any provision of this act or its
16 application to any person or circumstance is held invalid, the
17 remainder of the act or the application of the provision to other
18 persons or circumstances is not affected.

19 NEW SECTION. **Sec. 34.** Sections 1 through 5 and 12 through 25 of
20 this act take effect August 1, 2013.

21 NEW SECTION. **Sec. 35.** Sections 6 through 11 of this act take
22 effect July 1, 2015.

23 NEW SECTION. **Sec. 36.** Sections 26 through 32 of this act take
24 effect January 1, 2014.

25 NEW SECTION. **Sec. 37.** Sections 6 through 11 of this act expire
26 July 1, 2022.

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