
HOUSE BILL 1606

State of Washington

65th Legislature

2017 Regular Session

By Representatives Pike, Tarleton, Orcutt, Stambaugh, Harmsworth, Gregerson, and Hargrove

Read first time 01/25/17. Referred to Committee on Transportation.

1 AN ACT Relating to requiring transportation benefit districts to
2 hold public hearings prior to imposing fees or charges by a vote of
3 the governing board; and amending RCW 36.73.065.

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

5 **Sec. 1.** RCW 36.73.065 and 2015 3rd sp.s. c 44 s 309 are each
6 amended to read as follows:

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

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

20 (3) A district may not increase any taxes, fees, charges, or
21 range of tolls imposed or change a rebate program under this chapter

1 once the taxes, fees, charges, tolls, or rebate program takes effect,
2 except:

3 (a) If authorized by the district voters pursuant to RCW
4 36.73.160;

5 (b) With respect to a change in a rebate program, a material
6 change policy adopted pursuant to RCW 36.73.160 is followed and the
7 change does not reduce the percentage level or rebate amount;

8 (c) For up to forty dollars of the vehicle fee authorized in RCW
9 82.80.140 by the governing board of the district if a vehicle fee of
10 twenty dollars has been imposed for at least twenty-four months; or

11 (d) For up to fifty dollars of the vehicle fee authorized in RCW
12 82.80.140 by the governing board of the district if a vehicle fee of
13 forty dollars has been imposed for at least twenty-four months and a
14 district has met the requirements of subsection (6) of this section.

15 (4)(a) A district that includes all the territory within the
16 boundaries of the jurisdiction, or jurisdictions, establishing the
17 district may, after holding a public hearing, impose by a majority
18 vote of the governing board of the district the following fees and
19 charges:

20 (i) Up to twenty dollars of the vehicle fee authorized in RCW
21 82.80.140;

22 (ii) Up to forty dollars of the vehicle fee authorized in RCW
23 82.80.140 if a vehicle fee of twenty dollars has been imposed for at
24 least twenty-four months;

25 (iii) Up to fifty dollars of the vehicle fee authorized in RCW
26 82.80.140 if a vehicle fee of forty dollars has been imposed for at
27 least twenty-four months and a district has met the requirements of
28 subsection (6) of this section; or

29 (iv) A fee or charge in accordance with RCW 36.73.120.

30 (b) The vehicle fee authorized in (a) of this subsection may only
31 be imposed for a passenger-only ferry transportation improvement if
32 the vehicle fee is first approved by a majority of the voters within
33 the jurisdiction of the district.

34 (c)(i) A district solely comprised of a city or cities may not
35 impose the fees or charges identified in (a) of this subsection
36 within one hundred eighty days after July 22, 2007, unless the county
37 in which the city or cities reside, by resolution, declares that it
38 will not impose the fees or charges identified in (a) of this
39 subsection within the one hundred eighty-day period; or

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

6 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
7 reached, a district that includes only the unincorporated territory
8 of a county may impose by a majority vote of the governing body of
9 the district up to: (a) Twenty dollars of the vehicle fee authorized
10 in RCW 82.80.140, (b) forty dollars of the vehicle fee authorized in
11 RCW 82.80.140 if a fee of twenty dollars has been imposed for at
12 least twenty-four months, or (c) fifty dollars of the vehicle fee
13 authorized in RCW 82.80.140 if a vehicle fee of forty dollars has
14 been imposed for at least twenty-four months and a district has met
15 the requirements of subsection (6) of this section.

16 (6) If a district intends to impose a vehicle fee of more than
17 forty dollars by a majority vote of the governing body of the
18 district, the governing body must publish notice of this intention,
19 in one or more newspapers of general circulation within the district,
20 by April 1st of the year in which the vehicle fee is to be imposed.
21 If within ninety days of the date of publication a petition is filed
22 with the county auditor containing the signatures of eight percent of
23 the number of voters registered and voting in the district for the
24 office of the governor at the last preceding gubernatorial election,
25 the county auditor must canvass the signatures in the same manner as
26 prescribed in RCW 29A.72.230 and certify their sufficiency to the
27 governing body within two weeks. The proposition to impose the
28 vehicle fee must then be submitted to the voters of the district at a
29 special election, called for this purpose, no later than the date on
30 which a primary election would be held under RCW 29A.04.311. The
31 vehicle fee may then be imposed only if approved by a majority of the
32 voters of the district voting on the proposition.

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