
HOUSE BILL 2127

State of Washington

67th Legislature

2022 Regular Session

By Representative Young

Read first time 02/25/22. Referred to Committee on Transportation.

1 AN ACT Relating to the Tacoma Narrows bridge toll debt; and
2 amending RCW 47.46.190, 47.46.200, and 47.46.110.

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

4 **Sec. 1.** RCW 47.46.190 and 2018 c 195 s 1 are each amended to
5 read as follows:

6 (1) The legislature finds funding of the Tacoma Narrows bridge
7 facility to be distinct from other Washington state tolling
8 facilities due to its increasing debt service costs, which is the
9 primary driver of the facility's escalating costs. Washington state
10 has since recommended and established financing structures with
11 steadier levels of debt service payments for subsequent tolled
12 transportation facilities, supporting better management of the
13 state's debt burden and a lower financial burden for toll ratepayers.

14 (2) The Tacoma Narrows bridge facility debt service structure
15 resulted, in part, from a decision by the legislature to fund
16 construction of the bridge without drawing from state tax dollars. As
17 a result, toll revenue was committed to fund (~~ninety-nine~~) 99
18 percent of bridge construction costs, as well as the associated
19 interest payments and other associated debt service costs. This is
20 not the standard more recently utilized by the legislature, as is the
21 case of the state route 520 bridge's construction(~~(, seventy-two)~~)

1 project and the construction of the portion of state route number 99
2 that is a deep bore tunnel, wherein 72 percent and six percent of
3 which ((is)), respectively, are to be paid for with toll revenues. In
4 light of the maximum burden for bridge construction that was placed
5 on Tacoma Narrows bridge toll ratepayers, there is no equitable
6 reason that the burden of future debt service payment increases
7 should be borne by these same toll ratepayers.

8 (3) The legislature established the Tacoma Narrows bridge work
9 group in 2017 and tasked it with identifying opportunities for long-
10 term toll payer relief from increasing toll rates on the Tacoma
11 Narrows bridge. ~~((The work group recommended a request of up to one
12 hundred twenty-five million dollars in state funding from the
13 legislature to offset future debt service payment increases,
14 allocated across the remaining years of tolling at levels that result
15 in maintaining toll rates at fiscal year 2018 levels.))~~ In 2018, the
16 legislature enacted the first phase of corrective funding measures
17 and, with an eye on future revenue, established a financial structure
18 base from which to enact future equitable solutions. The legislature
19 now finds that current revenues are in place to enact phase two of
20 the corrective funding measures and intends to convert the 2018
21 monetary allocations into permanent state grants to bring further
22 stability to the Tacoma Narrows bridge toll rate setting and to
23 offset the tolling revenue impacts of the COVID-19 pandemic.

24 (4) ~~((Due to the findings aforementioned, an alternative is put
25 forward by the legislature. State contribution loans))~~ It is the
26 intent of the legislature that state appropriations or transfers for
27 each fiscal biennium, without an expectation of repayment from
28 tollpayers, are to be made from other accounts to the Tacoma Narrows
29 toll bridge account created in RCW 47.56.165 through the life of the
30 debt service plan of up to a total of ((eighty-five million dollars,
31 and will be repaid in annual amounts beginning after the debt service
32 and deferred sales tax are fully repaid)) \$85,000,000. It is the
33 intent of the legislature that the commission will:

34 (a) Maintain tolls at no more than toll rates effective at the
35 fiscal year 2018 level until fiscal year 2022; and

36 (b) Maintain tolls at no more than ~~((twenty-five))~~ 25 cents
37 higher than the toll rates effective at the fiscal year 2018 level
38 beginning in fiscal year 2022 until such time as the debt service and
39 deferred sales tax obligation is fully met according to the repayment

1 schedule in place as of June 7, 2018(~~(, and until any state~~
2 ~~contribution loans are fully repaid)~~).

3 (5) To offset part of the toll rate increases that would
4 otherwise be necessary to meet increases in future debt service
5 payments, it is the intent of the legislature that (~~(the state~~
6 ~~treasurer make state contribution loan transfers)~~) sufficient amounts
7 of funds be appropriated or transferred from other accounts to the
8 Tacoma Narrows toll bridge account created in RCW 47.56.165 on the
9 first day of each fiscal biennium, beginning in the 2019-2021 fiscal
10 biennium, through the life of the debt service plan. It is the intent
11 of the legislature that the (~~(state treasurer make state contribution~~
12 ~~loan transfers in)~~) amounts (~~(necessary)~~) are adequately sufficient
13 to ensure debt service payments are made in full after toll revenue
14 from the Tacoma Narrows bridge toll facility is applied to the debt
15 payment amounts and other required costs.

16 (6) This section does not create a private right of action.

17 **Sec. 2.** RCW 47.46.200 and 2018 c 195 s 2 are each amended to
18 read as follows:

19 (1) Through 2031, the commission shall submit to the
20 transportation committees of the legislature on an annual basis a
21 report that includes sufficient information to enable the legislature
22 to determine an adequate amount of contribution from nontoll sources
23 required for each fiscal biennium to maintain tolls for the Tacoma
24 Narrows toll bridge at no more than (~~(twenty-five)~~) 25 cents higher
25 than the toll rates effective at the fiscal year 2018 level, while
26 also maintaining the Tacoma Narrows toll bridge debt service plan
27 repayment schedule in place as of June 7, 2018. The report must be
28 submitted by January 5th of each year.

29 (~~(Beginning in 2031, and until such time as the state~~
30 ~~contribution loans described in RCW 47.46.190(4) are repaid, the~~
31 ~~commission shall submit to the transportation committees of the~~
32 ~~legislature on an annual basis a report that includes information~~
33 ~~detailing the annual expected toll revenue to be used for repayment~~
34 ~~of the state contribution loans while maintaining tolls at no more~~
35 ~~than twenty-five cents higher than the toll rates effective at the~~
36 ~~fiscal year 2018 level. The report must be submitted by January 5th~~
37 ~~of each year.~~

38 ~~(3))~~) This section does not create a private right of action.

1 **Sec. 3.** RCW 47.46.110 and 2018 c 195 s 3 are each amended to
2 read as follows:

3 (1) The commission shall retain toll charges on any existing and
4 future facilities constructed under this chapter and financed
5 primarily by bonds issued by the state until:

6 (a) All costs of investigation, financing, acquisition of
7 property, and construction advanced from the motor vehicle fund have
8 been fully repaid, except as provided in subsection (2)(b) of this
9 section;

10 (b) Obligations incurred in constructing that facility have been
11 fully paid; and

12 (c) The motor vehicle fund is fully repaid under RCW 47.46.140(~~+~~
13 ~~and~~

14 ~~(d) The accounts from which moneys are provided to reduce the~~
15 ~~debt service according to RCW 47.46.190(5) are fully repaid)).~~

16 (2) This section does not:

17 (a) Prohibit the use of toll revenues to fund maintenance,
18 operations, or management of facilities constructed under this
19 chapter except as prohibited by RCW 47.56.245;

20 (b) Require repayment of funds specifically appropriated as a
21 nonreimbursable state financial contribution to a project.

22 (3) Notwithstanding the provisions of subsection (2)(a) of this
23 section, upon satisfaction of the conditions enumerated in subsection
24 (1) of this section:

25 (a) The facility must be operated as a toll-free facility; and

26 (b) The operation, maintenance, upkeep, and repair of the
27 facility must be paid from funds appropriated for the use of the
28 department for the construction and maintenance of the primary state
29 highways of the state of Washington.

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