

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5528

Chapter 285, Laws of 2022

67th Legislature
2022 Regular Session

REGIONAL TRANSIT AUTHORITIES—ENHANCED SERVICE ZONES—ADDITIVE REVENUE

EFFECTIVE DATE: June 9, 2022

Passed by the Senate March 7, 2022
Yeas 29 Nays 18

DENNY HECK

President of the Senate

Passed by the House March 3, 2022
Yeas 50 Nays 48

LAURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 31, 2022 4:52 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5528** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

April 1, 2022

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5528

AS AMENDED BY THE HOUSE

Passed Legislature - 2022 Regular Session

State of Washington

67th Legislature

2022 Regular Session

By Senate Transportation (originally sponsored by Senators Pedersen, Liiias, and Hawkins)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to the imposition of supplemental revenue sources
2 within a regional transit authority area to finance high capacity
3 transportation improvements, serving that area; amending RCW
4 81.104.160, 81.104.015, 81.104.100, 81.104.110, 81.104.140,
5 81.104.180, and 81.104.190; and adding new sections to chapter 81.104
6 RCW.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 81.104
9 RCW to read as follows:

10 (1) The board of a regional transit authority may establish one
11 or more enhanced service zones within a portion of the boundaries of
12 the authority in order to finance system improvements directly
13 serving the respective enhanced service zone or zones. An enhanced
14 service zone must lie entirely within the authority boundaries and
15 must comprise no less than the entire portion of a city or town that
16 lies within the authority boundaries. An enhanced service zone may
17 also include one or more entire adjacent cities or towns and adjacent
18 unincorporated areas, and must contain all or portions of one or more
19 high capacity transportation projects included within an existing
20 voter-approved regional transportation plan. There may also be

1 multiple enhanced service zones encompassing the same city or town,
2 and adjacent unincorporated area.

3 (2) Before an enhanced service zone may be established, it must
4 first be recommended to the board of the regional transit authority
5 by an advisory committee appointed by the regional transit authority
6 board and composed of board members representing the subarea in which
7 the proposed enhanced service zone is located. The advisory
8 committee's recommendations must include proposed system improvements
9 that benefit the enhanced service zone, to be financed by the excise
10 taxes authorized in subsection (5) of this section, and constructed
11 and operated by the regional transit authority. If the board
12 establishes the recommended enhanced service zone, then the board
13 must submit a ballot proposition to voters within the enhanced
14 service zone at a general or special election for approval of the
15 proposed system improvements and funding sources as provided in
16 subsection (5) of this section. The funding sources may not be
17 imposed without approval of a majority of the voters in the enhanced
18 service zone voting on the proposition. The proposition must include
19 a specific description of the proposed high capacity transportation
20 system improvement or improvements, including speed, reliability, and
21 safety enhancements to the improvements, and the funding sources to
22 be imposed within the enhanced service zone to raise revenue to fund
23 the improvement or improvements. Design and construction of the
24 system improvements approved by the voters of an enhanced service
25 zone may not delay the estimated completion date of high capacity
26 transportation system improvements contained in an existing voter-
27 approved regional transit plan, by more than six months. A regional
28 transit authority may not proceed with the construction of any system
29 improvement or improvements financed by an enhanced service zone
30 prior to providing a report regarding the engineering and financing
31 of each such system improvement to the transportation committees of
32 the legislature that confirms that the system improvement will not
33 delay the estimated completion date of high capacity transportation
34 system improvements contained in an existing voter-approved regional
35 transit plan by more than six months.

36 (3) The ballot proposition authorized by subsection (2) of this
37 section may authorize improvements that are:

38 (a) Enhancements to one or more high capacity transportation
39 systems contained in an existing voter-approved regional transit
40 plan. Enhancements include modifications to an existing system's

1 facilities that improve performance characteristics such as speed,
2 reliability, potential for future expansion, and safety or the
3 completion date of the system but do not change the mode or route
4 alignment of the system previously approved by voters, and
5 improvements to service, such as reducing headway times or adding
6 interim bus service;

7 (b) New rail improvements on alignments that are not contained in
8 an existing voter-approved regional transit plan and connect to the
9 high capacity transportation system;

10 (c) High capacity transportation system planning for future
11 system expansion within the enhanced service zone; or

12 (d) A combination of the improvements authorized by this
13 subsection.

14 (4) Application of RCW 81.104.100 and 81.104.110 are suspended
15 for any ballot proposition submitted to the voters of an enhanced
16 service zone if the improvements only contain enhancements authorized
17 by subsection (3)(a) and (c) of this section.

18 (5) A regional transit authority may levy and collect within the
19 boundaries of an enhanced service zone one or more of the following
20 voter-approved local option funding sources to finance the proposed
21 improvements within the enhanced service zone:

22 (a) A supplemental motor vehicle excise tax as provided in RCW
23 81.104.160(1)(b); and

24 (b) A commercial parking tax under section 3 of this act.

25 (6) To the extent that system improvements include new fixed rail
26 guideway components of the rail fixed guideway public transportation
27 system within a city with a population of 500,000 or more, such
28 guideway shall be in entirely exclusive rights-of-way and not contain
29 any level traffic crossings with modes not part of the rail fixed
30 guideway public transportation system.

31 (7) "System improvement or improvements," as used in this
32 section, means additions to or alterations of a high capacity
33 transportation system or rail fixed guideway public transportation
34 system as both are defined in RCW 81.104.015.

35 **Sec. 2.** RCW 81.104.160 and 2015 3rd sp.s. c 44 s 319 are each
36 amended to read as follows:

37 (1) (a) Regional transit authorities that include a county with a
38 population of more than ~~((one million five hundred thousand))~~
39 1,500,000 may submit an authorizing proposition to the voters, and if

1 approved, may levy and collect an excise tax, at a rate approved by
2 the voters, but not exceeding eight-tenths of one percent on the
3 value, under chapter 82.44 RCW, of every motor vehicle owned by a
4 resident of the taxing district, solely for the purpose of providing
5 high capacity transportation service.

6 (b) In addition to the authority provided in (a) of this
7 subsection, regional transit authorities described in (a) of this
8 subsection may submit an authorizing proposition to the voters within
9 the boundaries of an enhanced service zone described in section 1 of
10 this act, and if approved, may levy and collect a supplemental excise
11 tax within the enhanced service zone, at a rate approved by the
12 voters, but not exceeding one and one-half percent on the value,
13 under chapter 82.44 RCW, of every motor vehicle owned by a resident
14 of the enhanced service zone, solely to raise revenue to fund the
15 improvement or improvements described in section 1 of this act.

16 (c) The maximum tax (~~rate~~) rates under this subsection (~~does~~)
17 (1) do not include a motor vehicle excise tax approved before July
18 15, 2015, if the tax will terminate on the date bond debt to which
19 the tax is pledged is repaid. (~~This tax does~~) The taxes under this
20 subsection (1) do not apply to vehicles licensed under RCW 46.16A.455
21 except vehicles with an unladen weight of (~~six thousand~~) 6,000
22 pounds or less, RCW 46.16A.425 or 46.17.335(2). Notwithstanding any
23 other provision of this subsection (1) or chapter 82.44 RCW, a motor
24 vehicle excise tax imposed by a regional transit authority before or
25 after July 15, 2015, must comply with chapter 82.44 RCW as it existed
26 on January 1, 1996, until December 31st of the year in which the
27 regional transit authority repays bond debt to which a motor vehicle
28 excise tax was pledged before July 15, 2015. Motor vehicle taxes
29 collected by regional transit authorities after December 31st of the
30 year in which a regional transit authority repays bond debt to which
31 a motor vehicle excise tax was pledged before July 15, 2015, must
32 comply with chapter 82.44 RCW as it existed on the date the tax was
33 approved by voters.

34 (2) An agency and high capacity transportation corridor area may
35 impose a sales and use tax solely for the purpose of providing high
36 capacity transportation service, in addition to the tax authorized by
37 RCW 82.14.030, upon retail car rentals within the applicable
38 jurisdiction that are taxable by the state under chapters 82.08 and
39 82.12 RCW. The rate of tax may not exceed 2.172 percent. The rate of
40 tax imposed under this subsection must bear the same ratio of the

1 2.172 percent authorized that the rate imposed under subsection (1)
2 of this section bears to the rate authorized under subsection (1) of
3 this section. The base of the tax is the selling price in the case of
4 a sales tax or the rental value of the vehicle used in the case of a
5 use tax.

6 (3) Any motor vehicle excise tax previously imposed under the
7 provisions of (~~RCW 81.104.160(1)~~) subsection (1)(a) of this section
8 shall be repealed, terminated, and expire on December 5, 2002, except
9 for a motor vehicle excise tax for which revenues have been
10 contractually pledged to repay a bonded debt issued before December
11 5, 2002, as determined by *Pierce County et al. v. State*, 159 Wn.2d
12 16, 148 P.3d 1002 (2006). In the case of bonds that were previously
13 issued, the motor vehicle excise tax must comply with chapter 82.44
14 RCW as it existed on January 1, 1996.

15 (4) If a regional transit authority imposes the tax authorized
16 under subsection (1) of this section, the authority may not receive
17 any state grant funds provided in an omnibus transportation
18 appropriations act except transit coordination grants created in
19 chapter 11, Laws of 2015 3rd sp. sess.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 81.104
21 RCW to read as follows:

22 (1) Subject to the conditions of this section, a regional transit
23 authority may submit an authorizing proposition to the voters within
24 the boundaries of an enhanced service zone described in section 1 of
25 this act, and if approved, may fix and impose a parking tax on all
26 persons engaged in a commercial parking business within the enhanced
27 service zone.

28 (2) In lieu of the tax in subsection (1) of this section, a
29 regional transit authority may submit an authorizing proposition to
30 the voters within the boundaries of an enhanced service zone
31 described in section 1 of this act, and if approved, may fix and
32 impose a tax for the act or privilege of parking a motor vehicle in a
33 facility operated by a commercial parking business within the
34 enhanced service zone.

35 The regional transit authority may provide that:

36 (a) The tax is paid by the operator or owner of the motor
37 vehicle;

38 (b) The tax applies to all parking for which a fee is paid,
39 whether paid directly or indirectly through a lease, including

1 parking supplied with a lease of nonresidential space, but the tax
2 does not apply when an exclusive and individual residential parking
3 stall is provided as an inseverable condition of a residential lease
4 agreement for the duration of that lease agreement, or is charged
5 separately from the residential rent payment, as long as the parking
6 stall is in the same residential building in which the lessee
7 resides;

8 (c) The tax is collected by the operator of the facility and
9 remitted to the regional transit authority;

10 (d) The tax is a fee per vehicle or is measured by the parking
11 charge;

12 (e) The tax rate varies with zoning or location of the facility,
13 the duration of the parking, the time of entry or exit, the type or
14 use of the vehicle, or other reasonable factors; or

15 (f) Carpools, vehicles with a disabled parking placard, or
16 government vehicles are exempt from the tax.

17 (3) "Commercial parking business," as used in this section, means
18 the ownership, lease, operation, or management of a commercial
19 parking lot in which fees are charged, except that "commercial
20 parking business" does not mean lease of parking in a residential
21 building provided as an exclusive and inseverable condition of a
22 residential lease agreement for the duration of that lease agreement.
23 "Commercial parking lot" means a covered or uncovered area with
24 stalls for the purpose of parking motor vehicles.

25 (4) The rate of the tax under subsection (1) of this section may
26 be based either upon gross proceeds or the number of vehicle stalls
27 available for commercial parking use. The rates charged must be
28 uniform for the same class or type of commercial parking business.

29 (5) The regional transit authority levying the tax provided for
30 in subsection (1) or (2) of this section may provide for its payment
31 on a monthly, quarterly, or annual basis. A regional transit
32 authority may develop by ordinance or resolution rules for
33 administering the tax, including provisions for reporting by
34 commercial parking businesses, collection, and enforcement.

35 (6) The proceeds of the commercial parking tax fixed and imposed
36 by a regional transit authority under subsection (1) or (2) of this
37 section must be used to raise revenue to fund the improvement or
38 improvements described in section 1 of this act.

1 **Sec. 4.** RCW 81.104.015 and 2016 c 33 s 7 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter.

5 (1) "Enhanced service zone" means an area within a regional
6 transit authority district created pursuant to section 1 of this act.

7 (2) "High capacity transportation corridor area" means a quasi-
8 municipal corporation and independent taxing authority within the
9 meaning of Article VII, section 1 of the state Constitution, and a
10 taxing district within the meaning of Article VII, section 2 of the
11 state Constitution, created by a transit agency governing body.

12 (~~(2)~~) (3) "High capacity transportation system" means a system
13 of public transportation services within an urbanized region
14 operating principally on exclusive rights-of-way, and the supporting
15 services and facilities necessary to implement such a system,
16 including interim express services and high occupancy vehicle lanes,
17 which taken as a whole, provides a substantially higher level of
18 passenger capacity, speed, and service frequency than traditional
19 public transportation systems operating principally in general
20 purpose roadways.

21 (~~(3)~~) (4) "Rail fixed guideway public transportation system"
22 means a rail fixed guideway system, but does not include a system
23 that is not public transportation, such as seasonal, tourist, or
24 intraterminal service.

25 (~~(4)~~) (5) "Rail fixed guideway system" means a light, heavy, or
26 rapid rail system, monorail, inclined plane, funicular, trolley, or
27 other fixed rail guideway component of a high capacity transportation
28 system that is not regulated by the federal railroad administration,
29 or its successor. "Rail fixed guideway system" does not mean
30 elevators, moving sidewalks or stairs, and vehicles suspended from
31 aerial cables, unless they are an integral component of a station
32 served by a rail fixed guideway system.

33 (~~(5)~~) (6) "Regional transit system" means a high capacity
34 transportation system under the jurisdiction of one or more transit
35 agencies except where a regional transit authority created under
36 chapter 81.112 RCW exists, in which case "regional transit system"
37 means the high capacity transportation system under the jurisdiction
38 of a regional transit authority.

1 (~~(6)~~) (7) "Transit agency" means city-owned transit systems,
2 county transportation authorities, metropolitan municipal
3 corporations, and public transportation benefit areas.

4 **Sec. 5.** RCW 81.104.100 and 2011 c 127 s 1 are each amended to
5 read as follows:

6 To assure development of an effective high capacity
7 transportation system, local authorities shall follow the following
8 planning process only if their system plan includes a rail fixed
9 guideway system component or a bus rapid transit component that is
10 planned by a regional transit authority:

11 (1) Regional, multimodal transportation planning is the ongoing
12 urban transportation planning process conducted in each urbanized
13 area by its regional transportation planning organization. During
14 this process, regional transportation goals are identified, travel
15 patterns are analyzed, and future land use and travel are projected.
16 The process provides a comprehensive view of the region's
17 transportation needs but does not select specified modes to serve
18 those needs. The process shall identify a priority corridor or
19 corridors for further study of high capacity transportation
20 facilities if it is deemed feasible by local officials.

21 (2) High capacity transportation system planning is the detailed
22 evaluation of a range of high capacity transportation system options,
23 including: Do nothing, low capital, and ranges of higher capital
24 facilities. To the extent possible this evaluation shall take into
25 account the urban mass transportation administration's requirements
26 identified in subsection (3) of this section.

27 High capacity transportation system planning shall proceed as
28 follows:

29 (a) Organization and management. The responsible local transit
30 agency or agencies shall define roles for various local agencies,
31 review background information, provide for public involvement, and
32 develop a detailed work plan for the system planning process.

33 (b) Development of options. Options to be studied shall be
34 developed to ensure an appropriate range of technologies and service
35 policies can be evaluated. A do-nothing option and a low capital
36 option that maximizes the current system shall be developed. Several
37 higher capital options that consider a range of capital expenditures
38 for several candidate technologies shall be developed.

1 (c) Analysis methods. The local transit agency shall develop
2 reports describing the analysis and assumptions for the estimation of
3 capital costs, operating and maintenance costs, methods for travel
4 forecasting, a financial plan and an evaluation methodology.

5 (d) The system plan submitted to the voters pursuant to RCW
6 81.104.140 shall address, but is not limited to the following issues:

7 (i) Identification of level and types of high capacity
8 transportation services to be provided;

9 (ii) A plan of high occupancy vehicle lanes to be constructed;

10 (iii) Identification of route alignments and station locations
11 with sufficient specificity to permit calculation of costs,
12 ridership, and system impacts;

13 (iv) Performance characteristics of technologies in the system
14 plan;

15 (v) Patronage forecasts;

16 (vi) A financing plan describing: Phasing of investments; capital
17 and operating costs and expected revenues; cost-effectiveness
18 represented by a total cost per system rider and new rider estimate;
19 estimated ridership and the cost of service for each individual high
20 capacity line; and identification of the operating revenue to
21 operating expense ratio.

22 The financing plan shall specifically differentiate the proposed
23 use of funds between high capacity transportation facilities and
24 services, and high occupancy vehicle facilities;

25 (vii) Description of the relationship between the high capacity
26 transportation system plan and adopted land use plans;

27 (viii) An assessment of social, economic, and environmental
28 impacts; and

29 (ix) Mobility characteristics of the system presented, including
30 but not limited to: Qualitative description of system/service
31 philosophy and impacts; qualitative system reliability; travel time
32 and number of transfers between selected residential, employment, and
33 activity centers; and system and activity center mode splits.

34 (3) High capacity transportation project planning is the detailed
35 identification of alignments, station locations, equipment and
36 systems, construction schedules, environmental effects, and costs.
37 High capacity transportation project planning shall proceed as
38 follows: The local transit agency shall analyze and produce
39 information needed for the preparation of environmental impact
40 statements. The impact statements shall address the impact that

1 development of such a system will have on abutting or nearby property
2 owners. The process of identification of alignments and station
3 locations shall include notification of affected property owners by
4 normal legal publication. At minimum, such notification shall include
5 notice on the same day for at least three weeks in at least two
6 newspapers of general circulation in the county where such project is
7 proposed. Special notice of hearings by the conspicuous posting of
8 notice, in a manner designed to attract public attention, in the
9 vicinity of areas identified for station locations or transfer sites
10 shall also be provided.

11 In order to increase the likelihood of future federal funding,
12 the project planning processes shall follow the urban mass
13 transportation administration's requirements as described in
14 "Procedures and Technical Methods for Transit Project Planning",
15 published by the United States department of transportation, urban
16 mass transportation administration, September 1986, or the most
17 recent edition. Nothing in this subsection shall be construed to
18 preclude detailed evaluation of more than one corridor in the
19 planning process.

20 The department of transportation shall provide system and project
21 planning review and monitoring in cooperation with the expert review
22 panel identified in RCW 81.104.110. In addition, the local transit
23 agency shall maintain a continuous public involvement program and
24 seek involvement of other government agencies.

25 (4) This section does not apply to a ballot proposition submitted
26 to voters of an enhanced service zone authorized in section 1(3) (a)
27 and (c) of this act.

28 **Sec. 6.** RCW 81.104.110 and 2011 c 127 s 2 are each amended to
29 read as follows:

30 (1) The legislature recognizes that the planning processes
31 described in RCW 81.104.100 provide a recognized framework for
32 guiding high capacity transportation studies. However, the process
33 cannot guarantee appropriate decisions unless key study assumptions
34 are reasonable.

35 (2) To assure appropriate system plan assumptions and to provide
36 for review of system plan results, an expert review panel shall be
37 appointed to provide independent technical review for development of
38 any system plan which:

1 (a) Is to be funded in whole or in part by the imposition of any
2 voter-approved local option funding sources enumerated in RCW
3 81.104.140; and

4 (b) Includes a rail fixed guideway system component or a bus
5 rapid transit component that is planned by a regional transit
6 authority.

7 (3) The expert review panel shall consist of five to (~~ten~~) 10
8 members who are recognized experts in relevant fields, such as
9 transit operations, planning, emerging transportation technologies,
10 engineering, finance, law, the environment, geography, economics, and
11 political science.

12 (4) The expert review panel shall be selected cooperatively by
13 the chairs of the senate and house transportation committees, the
14 secretary of the department of transportation, and the governor to
15 assure a balance of disciplines. In the case of counties adjoining
16 another state or Canadian province the expert review panel membership
17 shall be selected cooperatively with representatives of the adjoining
18 state or Canadian province.

19 (5) The chair of the expert review panel shall be designated by
20 the appointing authorities.

21 (6) The expert review panel shall serve without compensation but
22 shall be reimbursed for expenses according to RCW 43.03.050 and
23 43.03.060. Reimbursement shall be paid from within the existing
24 resources of the local authority planning under this chapter.

25 (7) The panel shall carry out the duties set forth in subsections
26 (8) and (9) of this section until the date on which an election is
27 held to consider the high capacity transportation system and
28 financing plans.

29 (8) The expert panel shall review all reports required in RCW
30 81.104.100(2) and shall concentrate on service modes and concepts,
31 costs, patronage and financing evaluations.

32 (9) The expert panel shall provide timely reviews and comments on
33 individual reports and study conclusions to the department of
34 transportation, the regional transportation planning organization,
35 the joint regional policy committee, and the submitting lead transit
36 agency. In the case of counties adjoining another state or Canadian
37 province, the expert review panel shall provide its reviews,
38 comments, and conclusions to the representatives of the adjoining
39 state or Canadian province.

1 (10) The local authority planning under this chapter shall
2 contract for consulting services for expert review panels. The amount
3 of consultant support shall be negotiated with each expert review
4 panel by the local authority and shall be paid from within the local
5 authority's existing resources.

6 (11) This section does not apply to a ballot proposition
7 submitted to voters of an enhanced service zone authorized in section
8 1(3) (a) and (c) of this act.

9 **Sec. 7.** RCW 81.104.140 and 2015 3rd sp.s. c 44 s 318 are each
10 amended to read as follows:

11 (1) Agencies authorized to provide high capacity transportation
12 service, including transit agencies and regional transit authorities,
13 and regional transportation investment districts acting with the
14 agreement of an agency, are hereby granted dedicated funding sources
15 for such systems. These dedicated funding sources, as set forth in
16 RCW 81.104.150, 81.104.160, 81.104.170, ~~((and))~~ 81.104.175, and
17 section 3 of this act, are authorized only for agencies located in

18 (a) each county with a population of ~~((two hundred ten thousand))~~
19 210,000 or more and (b) each county with a population of from ~~((one~~
20 ~~hundred twenty-five thousand))~~ 125,000 to less than ~~((two hundred ten~~
21 ~~thousand))~~ 210,000 except for those counties that do not border a
22 county with a population as described under (a) of this subsection.
23 In any county with a population of ~~((one million))~~ 1,000,000 or more
24 or in any county having a population of ~~((four hundred thousand))~~
25 400,000 or more bordering a county with a population of ~~((one~~
26 ~~million))~~ 1,000,000 or more, these funding sources may be imposed
27 only by a regional transit authority or a regional transportation
28 investment district. Regional transportation investment districts
29 may, with the approval of the regional transit authority within its
30 boundaries, impose the taxes authorized under this chapter, but only
31 upon approval of the voters and to the extent that the maximum amount
32 of taxes authorized under this chapter have not been imposed.

33 (2) Agencies planning to construct and operate a high capacity
34 transportation system should also seek other funds, including
35 federal, state, local, and private sector assistance.

36 (3) Funding sources should satisfy each of the following criteria
37 to the greatest extent possible:

- 38 (a) Acceptability;
39 (b) Ease of administration;

- 1 (c) Equity;
- 2 (d) Implementation feasibility;
- 3 (e) Revenue reliability; and
- 4 (f) Revenue yield.

5 (4) (a) Agencies participating in regional high capacity
6 transportation system development are authorized to levy and collect
7 the following voter-approved local option funding sources:

8 (i) Employer tax as provided in RCW 81.104.150, other than by
9 regional transportation investment districts;

10 (ii) Special motor vehicle excise tax as provided in RCW
11 81.104.160;

12 (iii) Regular property tax as provided in RCW 81.104.175; (~~and~~)

13 (iv) Sales and use tax as provided in RCW 81.104.170; and

14 (v) Parking tax as provided in section 3 of this act.

15 (b) Revenues from these taxes may be used only to support those
16 purposes prescribed in subsection (~~(10)~~) (11) of this section.
17 Before the date of an election authorizing an agency to impose any of
18 the taxes enumerated in this section and authorized in RCW
19 81.104.150, 81.104.160, 81.104.170, and 81.104.175, the agency must
20 comply with the process prescribed in RCW 81.104.100 (1) and (2) and
21 81.104.110, except as otherwise provided in section 1 of this act. No
22 construction on exclusive right-of-way may occur before the
23 requirements of RCW 81.104.100(3) are met, except as otherwise
24 provided in section 1 of this act.

25 (5) Except for the regular property tax authorized in RCW
26 81.104.175, the authorization in subsection (4) of this section may
27 not adversely affect the funding authority of transit agencies not
28 provided for in this chapter. Local option funds may be used to
29 support implementation of interlocal agreements with respect to the
30 establishment of regional high capacity transportation service.
31 Except when a regional transit authority exists, local jurisdictions
32 must retain control over moneys generated within their boundaries,
33 although funds may be commingled with those generated in other areas
34 for planning, construction, and operation of high capacity
35 transportation systems as set forth in the agreements.

36 (6) Except for the regular property tax authorized in RCW
37 81.104.175, agencies planning to construct and operate high capacity
38 transportation systems may contract with the state for collection and
39 transference of voter-approved local option revenue.

1 (7) Dedicated high capacity transportation funding sources
2 authorized in RCW 81.104.150, 81.104.160, 81.104.170, and 81.104.175
3 are subject to voter approval by a simple majority. A single ballot
4 proposition may seek approval for one or more of the authorized
5 taxing sources. The ballot title must reference the document
6 identified in subsection ~~((8))~~ (9) of this section.

7 (8) Dedicated enhanced service zone funding sources authorized in
8 RCW 81.104.160(1)(b) and section 3 of this act are subject to voter
9 approval by a simple majority of the enhanced service zone.

10 (9) Agencies must provide to the registered voters in the area a
11 document describing the systems plan and the financing plan set forth
12 in RCW 81.104.100, except as otherwise provided in section 1 of this
13 act. It must also describe the relationship of the system to regional
14 issues such as development density at station locations and activity
15 centers, and the interrelationship of the system to adopted land use
16 and transportation demand management goals within the region. This
17 document must be provided to the voters at least twenty days prior to
18 the date of the election.

19 ~~((9))~~ (10) For any election in which voter approval is sought
20 for a high capacity transportation system plan and financing plan
21 pursuant to RCW 81.104.040, a local voters' pamphlet must be produced
22 as provided in chapter 29A.32 RCW.

23 ~~((10))~~ (11)(a) Agencies providing high capacity transportation
24 service must retain responsibility for revenue encumbrance,
25 disbursement, and bonding. Funds may be used for any purpose relating
26 to planning, construction, and operation of high capacity
27 transportation systems and commuter rail systems, personal rapid
28 transit, busways, bus sets, and entrained and linked buses.

29 (b) A regional transit authority that imposes a motor vehicle
30 excise tax after July 15, 2015, imposes a property tax, or increases
31 a sales and use tax to more than nine-tenths of one percent must
32 undertake a process in which the authority's board formally considers
33 inclusion of the name, Scott White, in the naming convention
34 associated with either the University of Washington or Roosevelt
35 stations.

36 **Sec. 8.** RCW 81.104.180 and 2015 3rd sp.s. c 44 s 327 are each
37 amended to read as follows:

38 Cities that operate transit systems, county transportation
39 authorities, metropolitan municipal corporations, public

1 transportation benefit areas, high capacity transportation corridor
2 areas, and regional transit authorities are authorized to pledge
3 revenues from the employer tax authorized by RCW 81.104.150, the
4 taxes authorized by RCW 81.104.160, the sales and use tax authorized
5 by RCW 81.104.170, ~~((and))~~ the property tax authorized by RCW
6 81.104.175, and the parking tax authorized by section 3 of this act,
7 to retire bonds issued solely for the purpose of providing high
8 capacity transportation service.

9 **Sec. 9.** RCW 81.104.190 and 2009 c 280 s 7 are each amended to
10 read as follows:

11 Cities that operate transit systems, county transportation
12 authorities, metropolitan municipal corporations, public
13 transportation benefit areas, high capacity transportation corridor
14 areas, and regional transit systems may contract with the state
15 department of revenue or other appropriate entities for
16 administration and collection of any tax authorized by RCW
17 81.104.150, 81.104.160, ~~((and))~~ 81.104.170, and section 3 of this
18 act.

Passed by the Senate March 7, 2022.

Passed by the House March 3, 2022.

Approved by the Governor March 31, 2022.

Filed in Office of Secretary of State April 1, 2022.

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