
SUBSTITUTE SENATE BILL 6316

State of Washington

68th Legislature

2024 Regular Session

By Senate Transportation (originally sponsored by Senators Pedersen and King)

READ FIRST TIME 02/23/24.

1 AN ACT Relating to the state route number 520 corridor; amending
2 RCW 47.56.870; adding a new section to chapter 47.01 RCW; creating a
3 new section; and providing an effective date.

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

5 **Sec. 1.** RCW 47.56.870 and 2010 c 248 s 2 are each amended to
6 read as follows:

7 (1) The initial imposition of tolls on the state route number 520
8 corridor is authorized, the state route number 520 corridor is
9 designated an eligible toll facility, and toll revenue generated in
10 the corridor must only be expended as allowed under RCW 47.56.820.

11 (2) The state route number 520 corridor consists of that portion
12 of state route number 520 between the junctions of Interstate 5 and
13 state route number 202. (~~The toll imposed by this section shall be
14 charged only for travel on the floating bridge portion of the state
15 route number 520 corridor.~~)

16 (3) (a) In setting the toll rates for the corridor pursuant to RCW
17 47.56.850, the tolling authority shall set a variable schedule of
18 toll rates to maintain travel time, speed, and reliability on the
19 corridor and generate the necessary revenue as required under (b) of
20 this subsection.

1 (b) The tolling authority shall initially set the variable
2 schedule of toll rates, which the tolling authority may adjust at
3 least annually to reflect inflation as measured by the consumer price
4 index or as necessary to meet the redemption of bonds and interest
5 payments on the bonds, to generate revenue sufficient to provide for:

6 (i) The issuance of general obligation bonds, authorized in RCW
7 47.10.879, first payable from toll revenue and then excise taxes on
8 motor vehicle and special fuels pledged for the payment of those
9 bonds in the amount necessary to fund the state route number 520
10 bridge replacement and HOV program, subject to subsection (4) of this
11 section; and

12 (ii) Costs associated with the project designated in subsection
13 (4) of this section that are eligible under RCW 47.56.820.

14 (4)(a) The proceeds of the bonds designated in subsection
15 (3)(b)(i) of this section must be used only to fund the state route
16 number 520 bridge replacement and HOV program; however, (~~two hundred~~
17 ~~million dollars~~) \$200,000,000 of bond proceeds, in excess of the
18 proceeds necessary to complete the floating bridge segment and
19 necessary landings, must be used only to fund the state route number
20 520, Interstate 5 to Medina bridge replacement and HOV project
21 segment of the program, as identified in applicable environmental
22 impact statements, and may be used to fund effective connections for
23 high occupancy vehicles and transit for state route number 520, but
24 only to the extent those connections benefit or improve the operation
25 of state route number 520.

26 (b) The program must include the following elements within the
27 cost constraints identified in section 1, chapter 472, Laws of 2009,
28 consistent with the legislature's intent that cost savings applicable
29 to the program stay within the program and that the bridge open to
30 vehicular traffic in 2014:

31 (i) A project design, consistent with RCW 47.01.408, that
32 includes high occupancy vehicle lanes with a minimum carpool
33 occupancy requirement of three-plus persons on state route number
34 520;

35 (ii) High occupancy vehicle lane performance standards for the
36 state route number 520 corridor established by the department. The
37 department shall report to the transportation committees of the
38 legislature when average transit speeds in the two lanes that are for
39 high occupancy vehicle travel fall below (~~forty-five~~) 45 miles per
40 hour at least ten percent of the time during peak hours;

1 (iii) A work group convened by the mayor and city council of the
2 city of Seattle to include sound transit, King county metro, the
3 Seattle department of transportation, the department, the University
4 of Washington, and other persons or organizations as designated by
5 the mayor or city council to study and make recommendations of
6 alternative connections for transit, including bus routes and high
7 capacity transit, to the university link light rail line. The work
8 group must consider such techniques as grade separation, additional
9 stations, and pedestrian lids to effect these connections. The
10 recommendations must be alternatives to the transit connections
11 identified in the supplemental draft environmental impact statement
12 for the state route number 520 bridge replacement and HOV program
13 released in January 2010, and must meet the requirements under RCW
14 47.01.408, including accommodating effective connections for transit.
15 The recommendations must be within the scope of the supplemental
16 draft environmental impact statement. For the purposes of this
17 section, "effective connections for transit" means a connection that
18 connects transit stops, including high capacity transit stops, that
19 serve the state route number 520/Montlake interchange vicinity to the
20 university link light rail line, with a connection distance of less
21 than (~~one thousand two hundred~~) 1,200 feet between the stops and
22 the light rail station. The city of Seattle shall submit the
23 recommendations by October 1, 2010, to the governor and the
24 transportation committees of the legislature. However, if the city of
25 Seattle does not convene the work group required under this
26 subsection before July 1, 2010, or does not submit recommendations to
27 the governor and the transportation committees of the legislature by
28 October 1, 2010, the department must convene the work group required
29 under this subsection and meet all the requirements of this
30 subsection that are described as requirements of the city of Seattle
31 by November 30, 2010;

32 (iv) A work group convened by the department to include sound
33 transit and King county metro to study and make recommendations
34 regarding options for planning and financing high capacity transit
35 through the state route number 520 corridor. The department shall
36 submit the recommendations by January 1, 2011, to the governor and
37 the transportation committees of the legislature;

38 (v) A plan to address mitigation as a result of the state route
39 number 520 bridge replacement and HOV program at the Washington park
40 arboretum. As part of its process, the department shall consult with

1 the governing board of the Washington park arboretum, the Seattle
2 city council and mayor, and the University of Washington to identify
3 all mitigation required by state and federal law resulting from the
4 state route number 520 bridge replacement and HOV program's impact on
5 the arboretum, and to develop a project mitigation plan to address
6 these impacts. The department shall submit the mitigation plan by
7 December 31, 2010, to the governor and the transportation committees
8 of the legislature. Wetland mitigation required by state and federal
9 law as a result of the state route number 520 bridge replacement and
10 HOV program's impacts on the arboretum must, to the greatest extent
11 practicable, include on-site wetland mitigation at the Washington
12 park arboretum, and must enhance the Washington park arboretum. This
13 subsection (4)(b)(v) does not preclude any other mitigation planned
14 for the Washington park arboretum as a result of the state route
15 number 520 bridge replacement and HOV program;

16 (vi) A work group convened by the department to include the mayor
17 of the city of Seattle, the Seattle city council, the Seattle
18 department of transportation, and other persons or organizations as
19 designated by the Seattle city council and mayor to study and make
20 recommendations regarding design refinements to the preferred
21 alternative selected by the department in the supplemental draft
22 environmental impact statement process for the state route number 520
23 bridge replacement and HOV program. To accommodate a timely
24 progression of the state route number 520 bridge replacement and HOV
25 program, the design refinements recommended by the work group must be
26 consistent with the current environmental documents prepared by the
27 department for the supplemental draft environmental impact statement.
28 The department shall submit the recommendations to the legislature
29 and governor by December 31, 2010, and the recommendations must
30 inform the final environmental impact statement prepared by the
31 department; and

32 (vii) An account, created in section 5 of this act, into which
33 civil penalties generated from the nonpayment of tolls on the state
34 route number 520 corridor are deposited to be used to fund any
35 project within the program, including mitigation. However, this
36 subsection (4)(b)(vii) is contingent on the enactment by June 30,
37 2010, of either chapter 249, Laws of 2010 or chapter . . .
38 (Substitute House Bill No. 2897), Laws of 2010, but if the enacted
39 bill does not designate the department as the toll penalty
40 adjudicating agency, this subsection (4)(b)(vii) is null and void.

1 (5) The department may carry out the improvements designated in
2 subsection (4) of this section and administer the tolling program on
3 the state route number 520 corridor.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.01
5 RCW to read as follows:

6 (1)(a) The department may apply for deferral of state and local
7 sales and use taxes on the site preparation for, the construction of,
8 the acquisition of any related machinery and equipment that will
9 become a part of, and the rental of equipment for use in, the state
10 route number 520 corridor improvements - west end project.

11 (b) The application must be made to the department of revenue in
12 a form and manner prescribed by the department of revenue. The
13 application must contain information regarding estimated or actual
14 costs, time schedules for completion and operation, and other
15 information required by the department of revenue. The department of
16 revenue shall approve the application within 60 days if it meets the
17 requirements of this section.

18 (2) The department of revenue shall issue a sales and use tax
19 deferral certificate for state and local sales and use taxes imposed
20 or authorized under chapters 82.08, 82.12, and 82.14 RCW and RCW
21 81.104.170 on the project. No new deferral certificates may be issued
22 once the project is operationally complete as described in subsection
23 (3) of this section.

24 (3) If the department is granted a tax deferral under this
25 section, the department must begin paying the deferred taxes in the
26 24th year after the date certified by the department of revenue as
27 the date on which the project is operationally complete. The project,
28 which completes corridor improvements between Interstate 5 and the
29 west high rise, is operationally complete under this section when the
30 department notifies the department of revenue in writing that all
31 projects qualifying for a deferral under this section are
32 operationally complete. The first payment is due on December 31st of
33 the 24th calendar year after the certified date, with subsequent
34 annual payments due on December 31st of the following nine years.
35 Each payment shall equal 10 percent of the deferred tax.

36 (4) The department of revenue may authorize an accelerated
37 repayment schedule upon request of the department granted a deferral
38 under this section.

1 (5) Interest shall not be charged on any taxes deferred under
2 this section for the period of deferral, although all other penalties
3 and interest applicable to delinquent excise taxes may be assessed
4 and imposed for delinquent payments under this section. The debt for
5 deferred taxes is not extinguished by insolvency or other failure of
6 any private entity granted a deferral under this section.

7 (6) Applications and any other information received by the
8 department of revenue under this section are not confidential and are
9 subject to disclosure. Chapter 82.32 RCW applies to the
10 administration of this section.

11 NEW SECTION. **Sec. 3.** The provisions of RCW 82.32.805 and
12 82.32.808 do not apply to section 2 of this act.

13 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2024.

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