
SUBSTITUTE SENATE BILL 6451

State of Washington

62nd Legislature

2012 Regular Session

By Senate Transportation (originally sponsored by Senators Swecker and Haugen)

READ FIRST TIME 02/03/12.

1 AN ACT Relating to modifying certain provisions regarding
2 transportation benefit districts; amending RCW 36.73.065 and 82.80.140;
3 and reenacting and amending RCW 36.73.015.

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

5 **Sec. 1.** RCW 36.73.065 and 2007 c 329 s 1 are each amended to read
6 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 the transportation improvement or
12 improvements proposed by the district and the proposed taxes, fees,
13 charges, and the range of tolls imposed by the district to raise
14 revenue to fund the improvement or improvements.

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

18 (3) A district may not increase any taxes, fees, charges, or range

1 of tolls imposed under this chapter once the taxes, fees, charges, or
2 tolls take effect, unless authorized by the district voters pursuant to
3 RCW 36.73.160.

4 (4)(a) A district that includes all the territory within the
5 boundaries of the jurisdiction, or jurisdictions, establishing the
6 district, but not including territory in which a fee is currently being
7 collected under RCW 82.80.140, may impose by a majority vote of the
8 governing board of the district the following fees and charges:

9 (i) Up to twenty dollars of the vehicle fee authorized in RCW
10 82.80.140; or

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

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

16 (c)(i) A district solely comprised of a city or cities shall not
17 impose the fees or charges identified in (a) of this subsection within
18 one hundred eighty days after July 22, 2007, unless the county in which
19 the city or cities reside, by resolution, declares that it will not
20 impose the fees or charges identified in (a) of this subsection within
21 the one hundred eighty-day period; or

22 (ii) A district solely comprised of a city or cities identified in
23 RCW 36.73.020(6)(b) shall not impose the fees or charges until after
24 May 22, 2008, unless the county in which the city or cities reside, by
25 resolution, declares that it will not impose the fees or charges
26 identified in (a) of this subsection through May 22, 2008.

27 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
28 reached, a district that includes only the unincorporated territory of
29 a county may impose by a majority vote of the governing body of the
30 district up to twenty dollars of the vehicle fee authorized in RCW
31 82.80.140.

32 **Sec. 2.** RCW 82.80.140 and 2010 c 161 s 917 are each amended to
33 read as follows:

34 (1) Subject to the provisions of RCW 36.73.065, a transportation
35 benefit district under chapter 36.73 RCW may fix and impose an annual
36 vehicle fee, not to exceed one hundred dollars per vehicle registered
37 in the district, for each vehicle subject to vehicle license fees under

1 RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q)
2 and for each vehicle subject to gross weight license fees under RCW
3 46.17.355 with a scale weight of six thousand pounds or less.

4 (2)(a) A district that includes all the territory within the
5 boundaries of the jurisdiction, or jurisdictions, establishing the
6 district, but not including territory in which a fee is currently being
7 collected under this section, may impose by a majority vote of the
8 governing board of the district up to twenty dollars of the vehicle fee
9 authorized in subsection (1) of this section.

10 (i) If the district is countywide, the revenues of the fee
11 (~~shall~~) must be distributed to each city within the (~~county~~)
12 district by interlocal agreement that must be effective prior to
13 imposition of the fee. The interlocal agreement is effective when
14 approved by the (~~county~~) district and sixty percent of the cities
15 representing seventy-five percent of the population of the cities
16 within the (~~county~~) district in which the countywide fee is
17 collected.

18 (ii) If the district is less than countywide, the revenues of the
19 fee must be distributed to each city within the district by interlocal
20 agreement that must be effective prior to imposition of the fee.

21 (b) A district may not impose a fee under this subsection (2):

22 (i) For a passenger-only ferry transportation improvement unless
23 the vehicle fee is first approved by a majority of the voters within
24 the jurisdiction of the district; or

25 (ii) That, if combined with the fees previously imposed by another
26 district within its boundaries under RCW 36.73.065(4)(a)(i), exceeds
27 twenty dollars.

28 If a district imposes or increases a fee under this subsection (2)
29 that, if combined with the fees previously imposed by another district
30 within its boundaries, exceeds twenty dollars, the district shall
31 provide a credit for the previously imposed fees so that the combined
32 vehicle fee does not exceed twenty dollars.

33 (3) The department of licensing shall administer and collect the
34 fee. The department shall deduct a percentage amount, as provided by
35 contract, not to exceed one percent of the fees collected, for
36 administration and collection expenses incurred by it. The department
37 shall remit remaining proceeds to the custody of the state treasurer.

1 The state treasurer shall distribute the proceeds to the district on a
2 monthly basis.

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

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

8 (6) The following vehicles are exempt from the fee under this
9 section:

- 10 (a) Campers, as defined in RCW 46.04.085;
- 11 (b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and
12 46.04.181;
- 13 (c) Mopeds, as defined in RCW 46.04.304;
- 14 (d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;
- 15 (e) Private use single-axle trailer, as defined in RCW 46.04.422;
- 16 (f) Snowmobiles, as defined in RCW 46.04.546; and
- 17 (g) Vehicles registered under chapter 46.87 RCW and the
18 international registration plan.

19 **Sec. 3.** RCW 36.73.015 and 2010 c 251 s 2 and 2010 c 105 s 1 are
20 each reenacted and amended to read as follows:

21 The definitions in this section apply throughout this chapter
22 unless the context clearly requires otherwise.

- 23 (1) "City" means a city or town.
- 24 (2) "District" means a transportation benefit district created
25 under this chapter.
- 26 (3) "Supplemental transportation improvement" or "supplemental
27 improvement" means any project, work, or undertaking to provide public
28 transportation service, in addition to a district's existing or planned
29 voter-approved transportation improvements, proposed by a participating
30 city member of the district under RCW 36.73.180.

31 (4) "Transportation improvement" means a project contained in the
32 transportation plan of the state, a regional transportation planning
33 organization, city, county, or eligible jurisdiction as identified in
34 RCW 36.73.020(2). A project may include, but is not limited to,
35 investment in new or existing highways of statewide significance,
36 principal arterials of regional significance, high capacity
37 transportation, public transportation, and other transportation

1 projects and programs of local, regional, or statewide significance
2 including transportation demand management. Projects may also include
3 the operation, preservation, and maintenance of these facilities or
4 programs.

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