
ENGROSSED SUBSTITUTE SENATE BILL 5987

State of Washington

64th Legislature

2015 Regular Session

By Senate Transportation (originally sponsored by Senators King, Hobbs, Fain, Lillas, and Litzow)

READ FIRST TIME 02/24/15.

1 AN ACT Relating to transportation revenue; amending RCW
2 82.36.025, 82.38.030, 82.38.030, 46.68.090, 46.68.090, 46.09.520,
3 46.10.530, 79A.25.070, 46.17.355, 46.17.365, 46.17.323, 46.25.052,
4 46.25.060, 46.25.100, 46.20.202, 46.17.050, 46.17.060, 47.60.322,
5 46.12.650, 36.73.065, 82.80.140, 36.73.015, 82.14.045, 81.104.140,
6 81.104.160, 84.52.043, 84.52.043, 84.52.010, 84.52.010, 84.04.120,
7 81.104.180, 81.112.050, 47.04.320, 47.04.325, 47.46.060, and
8 81.77.170; amending 2013 c 225 s 650 (uncodified); reenacting and
9 amending RCW 43.84.092, 43.84.092, 46.09.520, and 81.104.170; adding
10 a new section to chapter 46.68 RCW; adding a new section to chapter
11 46.37 RCW; adding a new section to chapter 46.16A RCW; adding a new
12 section to chapter 46.17 RCW; adding new sections to chapter 36.57A
13 RCW; adding a new section to chapter 82.14 RCW; adding a new section
14 to chapter 82.80 RCW; adding a new section to chapter 81.104 RCW;
15 adding a new section to chapter 47.29 RCW; creating new sections;
16 repealing RCW 82.38.083; repealing 2013 c 225 s 305; prescribing
17 penalties; providing effective dates; providing contingent effective
18 dates; providing expiration dates; providing contingent expiration
19 dates; and declaring an emergency.

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

1 PART I

2 MOTOR VEHICLE AND SPECIAL FUEL TAXES

3 **Sec. 101.** RCW 82.36.025 and 2007 c 515 s 3 are each amended to
4 read as follows:

5 (1) A motor vehicle fuel tax rate of twenty-three cents per
6 gallon on motor vehicle fuel shall be imposed on motor vehicle fuel
7 licensees, other than motor vehicle fuel distributors.

8 (2) Beginning July 1, 2003, an additional and cumulative motor
9 vehicle fuel tax rate of five cents per gallon on motor vehicle fuel
10 shall be imposed on motor vehicle fuel licensees, other than motor
11 vehicle fuel distributors. This subsection (2) expires when the bonds
12 issued for transportation 2003 projects are retired.

13 (3) Beginning July 1, 2005, an additional and cumulative motor
14 vehicle fuel tax rate of three cents per gallon on motor vehicle fuel
15 shall be imposed on motor vehicle fuel licensees, other than motor
16 vehicle fuel distributors.

17 (4) Beginning July 1, 2006, an additional and cumulative motor
18 vehicle fuel tax rate of three cents per gallon on motor vehicle fuel
19 shall be imposed on motor vehicle fuel licensees, other than motor
20 vehicle fuel distributors.

21 (5) Beginning July 1, 2007, an additional and cumulative motor
22 vehicle fuel tax rate of two cents per gallon on motor vehicle fuel
23 shall be imposed on motor vehicle fuel licensees, other than motor
24 vehicle fuel distributors.

25 (6) Beginning July 1, 2008, an additional and cumulative motor
26 vehicle fuel tax rate of one and one-half cents per gallon on motor
27 vehicle fuel shall be imposed on motor vehicle fuel licensees, other
28 than motor vehicle fuel distributors.

29 (7) Beginning July 1, 2015, an additional and cumulative motor
30 vehicle fuel tax rate of five cents per gallon on motor vehicle fuel
31 shall be imposed on motor vehicle fuel licensees, other than motor
32 vehicle fuel distributors.

33 (8) Section 101, chapter ..., Laws of 2015 (section 101 of this
34 act) takes effect only if the following are enacted by June 30, 2015:

35 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

36 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

37 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

38 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

39 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

1 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

2 **Sec. 102.** RCW 82.38.030 and 2014 c 216 s 201 are each amended to
3 read as follows:

4 (1) There is levied and imposed upon fuel licensees a tax at the
5 rate of twenty-three cents per each gallon of fuel, measured at
6 standard pressure and temperature.

7 (2) Beginning July 1, 2003, an additional and cumulative tax rate
8 of five cents per each gallon of fuel, measured at standard pressure
9 and temperature is imposed on fuel licensees. This subsection (2)
10 expires when the bonds issued for transportation 2003 projects are
11 retired.

12 (3) Beginning July 1, 2005, an additional and cumulative tax rate
13 of three cents per each gallon of fuel, measured at standard pressure
14 and temperature is imposed on fuel licensees.

15 (4) Beginning July 1, 2006, an additional and cumulative tax rate
16 of three cents per each gallon of fuel, measured at standard pressure
17 and temperature is imposed on fuel licensees.

18 (5) Beginning July 1, 2007, an additional and cumulative tax rate
19 of two cents per each gallon of fuel, measured at standard pressure
20 and temperature is imposed on fuel licensees.

21 (6) Beginning July 1, 2008, an additional and cumulative tax rate
22 of one and one-half cents per each gallon of fuel, measured at
23 standard pressure and temperature is imposed on fuel licensees.

24 (7) Beginning July 1, 2015, an additional and cumulative tax rate
25 of five cents per each gallon of fuel, measured at standard pressure
26 and temperature is imposed on fuel licensees.

27 (8) Taxes are imposed when:

28 (a) Fuel is removed in this state from a terminal if the fuel is
29 removed at the rack unless the removal is by a licensed supplier or
30 distributor for direct delivery to a destination outside of the
31 state, or the removal is by a fuel supplier for direct delivery to an
32 international fuel tax agreement licensee under RCW 82.38.320;

33 (b) Fuel is removed in this state from a refinery if either of
34 the following applies:

35 (i) The removal is by bulk transfer and the refiner or the owner
36 of the fuel immediately before the removal is not a licensed
37 supplier; or

38 (ii) The removal is at the refinery rack unless the removal is to
39 a licensed supplier or distributor for direct delivery to a

1 destination outside of the state, or the removal is to a licensed
2 supplier for direct delivery to an international fuel tax agreement
3 licensee under RCW 82.38.320;

4 (c) Fuel enters into this state for sale, consumption, use, or
5 storage, unless the fuel enters this state for direct delivery to an
6 international fuel tax agreement licensee under RCW 82.38.320, if
7 either of the following applies:

8 (i) The entry is by bulk transfer and the importer is not a
9 licensed supplier; or

10 (ii) The entry is not by bulk transfer;

11 (d) Fuel enters this state by means outside the bulk transfer-
12 terminal system and is delivered directly to a licensed terminal
13 unless the owner is a licensed distributor or supplier;

14 (e) Fuel is sold or removed in this state to an unlicensed entity
15 unless there was a prior taxable removal, entry, or sale of the fuel;

16 (f) Blended fuel is removed or sold in this state by the blender
17 of the fuel. The number of gallons of blended fuel subject to tax is
18 the difference between the total number of gallons of blended fuel
19 removed or sold and the number of gallons of previously taxed fuel
20 used to produce the blended fuel;

21 (g) Dyed special fuel is used on a highway, as authorized by the
22 internal revenue code, unless the use is exempt from the fuel tax;

23 (h) Dyed special fuel is held for sale, sold, used, or is
24 intended to be used in violation of this chapter;

25 (i) Special fuel purchased by an international fuel tax agreement
26 licensee under RCW 82.38.320 is used on a highway; and

27 (j) Fuel is sold by a licensed fuel supplier to a fuel
28 distributor or fuel blender and the fuel is not removed from the bulk
29 transfer-terminal system.

30 (9) Section 102, chapter ..., Laws of 2015 (section 102 of this
31 act) takes effect only if the following are enacted by June 30, 2015:

32 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

33 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

34 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

35 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

36 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

37 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

38 **Sec. 103.** RCW 82.38.030 and 2015 c ... s 102 (section 102 of
39 this act) are each amended to read as follows:

1 (1) There is levied and imposed upon fuel licensees a tax at the
2 rate of twenty-three cents per each gallon of fuel, measured at
3 standard pressure and temperature.

4 (2) Beginning July 1, 2003, an additional and cumulative tax rate
5 of five cents per each gallon of fuel, measured at standard pressure
6 and temperature is imposed on fuel licensees. This subsection (2)
7 expires when the bonds issued for transportation 2003 projects are
8 retired.

9 (3) Beginning July 1, 2005, an additional and cumulative tax rate
10 of three cents per each gallon of fuel, measured at standard pressure
11 and temperature is imposed on fuel licensees.

12 (4) Beginning July 1, 2006, an additional and cumulative tax rate
13 of three cents per each gallon of fuel, measured at standard pressure
14 and temperature is imposed on fuel licensees.

15 (5) Beginning July 1, 2007, an additional and cumulative tax rate
16 of two cents per each gallon of fuel, measured at standard pressure
17 and temperature is imposed on fuel licensees.

18 (6) Beginning July 1, 2008, an additional and cumulative tax rate
19 of one and one-half cents per each gallon of fuel, measured at
20 standard pressure and temperature is imposed on fuel licensees.

21 (7) Beginning July 1, 2015, an additional and cumulative tax rate
22 of five cents per each gallon of fuel, measured at standard pressure
23 and temperature is imposed on fuel licensees.

24 (8) Beginning July 1, 2016, an additional and cumulative tax rate
25 of four and two-tenths cents per each gallon of fuel, measured at
26 standard pressure and temperature is imposed on fuel licensees.

27 (9) Beginning July 1, 2017, an additional and cumulative tax rate
28 of two and one-half cents per each gallon of fuel, measured at
29 standard pressure and temperature is imposed on fuel licensees.

30 (10) Taxes are imposed when:

31 (a) Fuel is removed in this state from a terminal if the fuel is
32 removed at the rack unless the removal is by a licensed supplier or
33 distributor for direct delivery to a destination outside of the
34 state, or the removal is by a fuel supplier for direct delivery to an
35 international fuel tax agreement licensee under RCW 82.38.320;

36 (b) Fuel is removed in this state from a refinery if either of
37 the following applies:

38 (i) The removal is by bulk transfer and the refiner or the owner
39 of the fuel immediately before the removal is not a licensed
40 supplier; or

1 (ii) The removal is at the refinery rack unless the removal is to
2 a licensed supplier or distributor for direct delivery to a
3 destination outside of the state, or the removal is to a licensed
4 supplier for direct delivery to an international fuel tax agreement
5 licensee under RCW 82.38.320;

6 (c) Fuel enters into this state for sale, consumption, use, or
7 storage, unless the fuel enters this state for direct delivery to an
8 international fuel tax agreement licensee under RCW 82.38.320, if
9 either of the following applies:

10 (i) The entry is by bulk transfer and the importer is not a
11 licensed supplier; or

12 (ii) The entry is not by bulk transfer;

13 (d) Fuel enters this state by means outside the bulk transfer-
14 terminal system and is delivered directly to a licensed terminal
15 unless the owner is a licensed distributor or supplier;

16 (e) Fuel is sold or removed in this state to an unlicensed entity
17 unless there was a prior taxable removal, entry, or sale of the fuel;

18 (f) Blended fuel is removed or sold in this state by the blender
19 of the fuel. The number of gallons of blended fuel subject to tax is
20 the difference between the total number of gallons of blended fuel
21 removed or sold and the number of gallons of previously taxed fuel
22 used to produce the blended fuel;

23 (g) Dyed special fuel is used on a highway, as authorized by the
24 internal revenue code, unless the use is exempt from the fuel tax;

25 (h) Dyed special fuel is held for sale, sold, used, or is
26 intended to be used in violation of this chapter;

27 (i) Special fuel purchased by an international fuel tax agreement
28 licensee under RCW 82.38.320 is used on a highway; and

29 (j) Fuel is sold by a licensed fuel supplier to a fuel
30 distributor or fuel blender and the fuel is not removed from the bulk
31 transfer-terminal system.

32 ~~((+9))~~ (11) Section 102, chapter ..., Laws of 2015 (section 102
33 of this act) and section 103, chapter ..., Laws of 2015 (section 103
34 of this act) take~~((s))~~ effect only if the following are enacted by
35 June 30, 2015:

36 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

37 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

38 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

39 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

40 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

1 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

2 **Sec. 104.** RCW 46.68.090 and 2011 c 120 s 4 are each amended to
3 read as follows:

4 (1) All moneys that have accrued or may accrue to the motor
5 vehicle fund from the motor vehicle fuel tax and special fuel tax
6 shall be first expended for purposes enumerated in (a) and (b) of
7 this subsection. The remaining net tax amount shall be distributed
8 monthly by the state treasurer in accordance with subsections (2)
9 through ~~((7))~~ (8) of this section.

10 (a) For payment of refunds of motor vehicle fuel tax and special
11 fuel tax that has been paid and is refundable as provided by law;

12 (b) For payment of amounts to be expended pursuant to
13 appropriations for the administrative expenses of the offices of
14 state treasurer, state auditor, and the department of licensing of
15 the state of Washington in the administration of the motor vehicle
16 fuel tax and the special fuel tax, which sums shall be distributed
17 monthly.

18 (2) All of the remaining net tax amount collected under RCW
19 82.36.025(1) and 82.38.030(1) shall be distributed as set forth in
20 (a) through (j) of this subsection.

21 (a) For distribution to the motor vehicle fund an amount equal to
22 44.387 percent to be expended for highway purposes of the state as
23 defined in RCW 46.68.130;

24 (b) For distribution to the special category C account, hereby
25 created in the motor vehicle fund, an amount equal to 3.2609 percent
26 to be expended for special category C projects. Special category C
27 projects are category C projects that, due to high cost only, will
28 require bond financing to complete construction.

29 The following criteria, listed in order of priority, shall be
30 used in determining which special category C projects have the
31 highest priority:

32 (i) Accident experience;

33 (ii) Fatal accident experience;

34 (iii) Capacity to move people and goods safely and at reasonable
35 speeds without undue congestion; and

36 (iv) Continuity of development of the highway transportation
37 network.

38 Moneys deposited in the special category C account in the motor
39 vehicle fund may be used for payment of debt service on bonds the

1 proceeds of which are used to finance special category C projects
2 under this subsection (2)(b);

3 (c) For distribution to the Puget Sound ferry operations account
4 in the motor vehicle fund an amount equal to 2.3283 percent;

5 (d) For distribution to the Puget Sound capital construction
6 account in the motor vehicle fund an amount equal to 2.3726 percent;

7 (e) For distribution to the transportation improvement account in
8 the motor vehicle fund an amount equal to 7.5597 percent;

9 (f) For distribution to the transportation improvement account in
10 the motor vehicle fund an amount equal to 5.6739 percent and expended
11 in accordance with RCW 47.26.086;

12 (g) For distribution to the cities and towns from the motor
13 vehicle fund an amount equal to 10.6961 percent in accordance with
14 RCW 46.68.110;

15 (h) For distribution to the counties from the motor vehicle fund
16 an amount equal to 19.2287 percent: (i) Out of which there shall be
17 distributed from time to time, as directed by the department of
18 transportation, those sums as may be necessary to carry out the
19 provisions of RCW 47.56.725; and (ii) less any amounts appropriated
20 to the county road administration board to implement the provisions
21 of RCW 47.56.725(4), with the balance of such county share to be
22 distributed monthly as the same accrues for distribution in
23 accordance with RCW 46.68.120;

24 (i) For distribution to the county arterial preservation account,
25 hereby created in the motor vehicle fund an amount equal to 1.9565
26 percent. These funds shall be distributed by the county road
27 administration board to counties in proportions corresponding to the
28 number of paved arterial lane miles in the unincorporated area of
29 each county and shall be used for improvements to sustain the
30 structural, safety, and operational integrity of county arterials.
31 The county road administration board shall adopt reasonable rules and
32 develop policies to implement this program and to assure that a
33 pavement management system is used;

34 (j) For distribution to the rural arterial trust account in the
35 motor vehicle fund an amount equal to 2.5363 percent and expended in
36 accordance with RCW 36.79.020.

37 (3) The remaining net tax amount collected under RCW 82.36.025(2)
38 and 82.38.030(2) shall be distributed to the transportation 2003
39 account (nickel account).

1 (4) The remaining net tax amount collected under RCW 82.36.025(3)
2 and 82.38.030(3) shall be distributed as follows:

3 (a) 8.3333 percent shall be distributed to the incorporated
4 cities and towns of the state in accordance with RCW 46.68.110;

5 (b) 8.3333 percent shall be distributed to counties of the state
6 in accordance with RCW 46.68.120; and

7 (c) The remainder shall be distributed to the transportation
8 partnership account created in RCW 46.68.290.

9 (5) The remaining net tax amount collected under RCW 82.36.025(4)
10 and 82.38.030(4) shall be distributed as follows:

11 (a) 8.3333 percent shall be distributed to the incorporated
12 cities and towns of the state in accordance with RCW 46.68.110;

13 (b) 8.3333 percent shall be distributed to counties of the state
14 in accordance with RCW 46.68.120; and

15 (c) The remainder shall be distributed to the transportation
16 partnership account created in RCW 46.68.290.

17 (6) The remaining net tax amount collected under RCW 82.36.025
18 (5) and (6) and 82.38.030 (5) and (6) shall be distributed to the
19 transportation partnership account created in RCW 46.68.290.

20 (7) The remaining net tax amount collected under RCW 82.36.025(7)
21 and 82.38.030(7) shall be distributed to the connecting Washington
22 account created in section 106 of this act.

23 (8) Nothing in this section or in RCW 46.68.130 may be construed
24 so as to violate any terms or conditions contained in any highway
25 construction bond issues now or hereafter authorized by statute and
26 whose payment is by such statute pledged to be paid from any excise
27 taxes on motor vehicle fuel and special fuels.

28 (9) Section 104, chapter ..., Laws of 2015 (section 104 of this
29 act) takes effect only if the following are enacted by June 30, 2015:

30 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

31 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

32 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

33 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

34 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

35 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

36 **Sec. 105.** RCW 46.68.090 and 2013 c 225 s 645 are each amended to
37 read as follows:

38 (1) All moneys that have accrued or may accrue to the motor
39 vehicle fund from the motor vehicle fuel tax and special fuel tax

1 must be first expended for purposes enumerated in (a) and (b) of this
2 subsection. The remaining net tax amount must be distributed monthly
3 by the state treasurer in accordance with subsections (2) through
4 (~~(7)~~) (8) of this section.

5 (a) For payment of refunds of motor vehicle fuel tax and special
6 fuel tax that has been paid and is refundable as provided by law;

7 (b) For payment of amounts to be expended pursuant to
8 appropriations for the administrative expenses of the offices of
9 state treasurer, state auditor, and the department of licensing of
10 the state of Washington in the administration of the motor vehicle
11 fuel tax and the special fuel tax, which sums must be distributed
12 monthly.

13 (2) All of the remaining net tax amount collected under RCW
14 82.38.030(1) must be distributed as set forth in (a) through (j) of
15 this subsection.

16 (a) For distribution to the motor vehicle fund an amount equal to
17 44.387 percent to be expended for highway purposes of the state as
18 defined in RCW 46.68.130;

19 (b)(i) For distribution to the special category C account, hereby
20 created in the motor vehicle fund, an amount equal to 3.2609 percent
21 to be expended for special category C projects. Special category C
22 projects are category C projects that, due to high cost only, will
23 require bond financing to complete construction.

24 (ii) The following criteria, listed in order of priority, must be
25 used in determining which special category C projects have the
26 highest priority:

27 (A) Accident experience;

28 (B) Fatal accident experience;

29 (C) Capacity to move people and goods safely and at reasonable
30 speeds without undue congestion; and

31 (D) Continuity of development of the highway transportation
32 network.

33 (iii) Moneys deposited in the special category C account in the
34 motor vehicle fund may be used for payment of debt service on bonds
35 the proceeds of which are used to finance special category C projects
36 under this subsection (2)(b);

37 (c) For distribution to the Puget Sound ferry operations account
38 in the motor vehicle fund an amount equal to 2.3283 percent;

39 (d) For distribution to the Puget Sound capital construction
40 account in the motor vehicle fund an amount equal to 2.3726 percent;

1 (e) For distribution to the transportation improvement account in
2 the motor vehicle fund an amount equal to 7.5597 percent;

3 (f) For distribution to the transportation improvement account in
4 the motor vehicle fund an amount equal to 5.6739 percent and expended
5 in accordance with RCW 47.26.086;

6 (g) For distribution to the cities and towns from the motor
7 vehicle fund an amount equal to 10.6961 percent in accordance with
8 RCW 46.68.110;

9 (h) For distribution to the counties from the motor vehicle fund
10 an amount equal to 19.2287 percent: (i) Out of which there must be
11 distributed from time to time, as directed by the department of
12 transportation, those sums as may be necessary to carry out the
13 provisions of RCW 47.56.725; and (ii) less any amounts appropriated
14 to the county road administration board to implement the provisions
15 of RCW 47.56.725(4), with the balance of such county share to be
16 distributed monthly as the same accrues for distribution in
17 accordance with RCW 46.68.120;

18 (i) For distribution to the county arterial preservation account,
19 hereby created in the motor vehicle fund an amount equal to 1.9565
20 percent. These funds must be distributed by the county road
21 administration board to counties in proportions corresponding to the
22 number of paved arterial lane miles in the unincorporated area of
23 each county and must be used for improvements to sustain the
24 structural, safety, and operational integrity of county arterials.
25 The county road administration board must adopt reasonable rules and
26 develop policies to implement this program and to assure that a
27 pavement management system is used;

28 (j) For distribution to the rural arterial trust account in the
29 motor vehicle fund an amount equal to 2.5363 percent and expended in
30 accordance with RCW 36.79.020.

31 (3) The remaining net tax amount collected under RCW 82.38.030(2)
32 must be distributed to the transportation 2003 account (nickel
33 account).

34 (4) The remaining net tax amount collected under RCW 82.38.030(3)
35 must be distributed as follows:

36 (a) 8.3333 percent must be distributed to the incorporated cities
37 and towns of the state in accordance with RCW 46.68.110;

38 (b) 8.3333 percent must be distributed to counties of the state
39 in accordance with RCW 46.68.120; and

1 (c) The remainder must be distributed to the transportation
2 partnership account created in RCW 46.68.290.

3 (5) The remaining net tax amount collected under RCW 82.38.030(4)
4 must be distributed as follows:

5 (a) 8.3333 percent must be distributed to the incorporated cities
6 and towns of the state in accordance with RCW 46.68.110;

7 (b) 8.3333 percent must be distributed to counties of the state
8 in accordance with RCW 46.68.120; and

9 (c) The remainder must be distributed to the transportation
10 partnership account created in RCW 46.68.290.

11 (6) The remaining net tax amount collected under RCW 82.38.030
12 (5) and (6) must be distributed to the transportation partnership
13 account created in RCW 46.68.290.

14 (7) The remaining net tax amount collected under RCW 82.38.030
15 (7), (8), and (9) must be distributed to the connecting Washington
16 account created in section 106 of this act.

17 (8) Nothing in this section or in RCW 46.68.130 may be construed
18 so as to violate any terms or conditions contained in any highway
19 construction bond issues now or hereafter authorized by statute and
20 whose payment is by such statute pledged to be paid from any excise
21 taxes on motor vehicle fuel and special fuels.

22 (9) Section 105, chapter ..., Laws of 2015 (section 105 of this
23 act) takes effect only if the following are enacted by June 30, 2015:

24 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

25 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

26 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

27 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

28 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

29 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

30 NEW SECTION. Sec. 106. A new section is added to chapter 46.68
31 RCW to read as follows:

32 (1) The connecting Washington account is created in the motor
33 vehicle fund. Moneys in the account may be spent only after
34 appropriation. Expenditures from the account must be used only for
35 projects or improvements identified as connecting Washington projects
36 or improvements in a transportation appropriations act, including any
37 principal and interest on bonds authorized for the projects or
38 improvements.

1 (2) Moneys in the connecting Washington account and any other
2 revenue generated from this act may not be expended on the state
3 route number 99 Alaskan Way viaduct replacement project.

4 (3) In addition to any other revenue that is directed to the
5 connecting Washington account, the following fees are deposited into
6 the account if the executive branch adopts, orders, or otherwise
7 implements any fuel standard, or sets carbon reduction requirements,
8 for fuel distributors or vehicles based upon or defined by the carbon
9 intensity of the fuel or greenhouse gas emissions, including a low
10 carbon fuel standard:

11 (a) The portion of vehicle weight fees under RCW 46.17.365(1)
12 that are the result of fee increases in section 202 of this act;

13 (b) Weight fees on vehicles under RCW 46.17.365(3);

14 (c) The portion of commercial driver's license related fees under
15 RCW 46.25.052, 46.25.060, and 46.25.100 that are the result of fee
16 increases in sections 206 through 208 of this act; and

17 (d) The portion of the enhanced driver's license and identicard
18 fees under RCW 46.20.202 that are a result of fee increases in
19 section 209 of this act.

20 (4) This section takes effect only if the following are enacted
21 by June 30, 2015:

22 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

23 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

24 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

25 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

26 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

27 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

28 **Sec. 107.** RCW 43.84.092 and 2014 c 112 s 106, 2014 c 74 s 5, and
29 2014 c 32 s 6 are each reenacted and amended to read as follows:

30 (1) All earnings of investments of surplus balances in the state
31 treasury shall be deposited to the treasury income account, which
32 account is hereby established in the state treasury.

33 (2) The treasury income account shall be utilized to pay or
34 receive funds associated with federal programs as required by the
35 federal cash management improvement act of 1990. The treasury income
36 account is subject in all respects to chapter 43.88 RCW, but no
37 appropriation is required for refunds or allocations of interest
38 earnings required by the cash management improvement act. Refunds of
39 interest to the federal treasury required under the cash management

1 improvement act fall under RCW 43.88.180 and shall not require
2 appropriation. The office of financial management shall determine the
3 amounts due to or from the federal government pursuant to the cash
4 management improvement act. The office of financial management may
5 direct transfers of funds between accounts as deemed necessary to
6 implement the provisions of the cash management improvement act, and
7 this subsection. Refunds or allocations shall occur prior to the
8 distributions of earnings set forth in subsection (4) of this
9 section.

10 (3) Except for the provisions of RCW 43.84.160, the treasury
11 income account may be utilized for the payment of purchased banking
12 services on behalf of treasury funds including, but not limited to,
13 depository, safekeeping, and disbursement functions for the state
14 treasury and affected state agencies. The treasury income account is
15 subject in all respects to chapter 43.88 RCW, but no appropriation is
16 required for payments to financial institutions. Payments shall occur
17 prior to distribution of earnings set forth in subsection (4) of this
18 section.

19 (4) Monthly, the state treasurer shall distribute the earnings
20 credited to the treasury income account. The state treasurer shall
21 credit the general fund with all the earnings credited to the
22 treasury income account except:

23 (a) The following accounts and funds shall receive their
24 proportionate share of earnings based upon each account's and fund's
25 average daily balance for the period: The aeronautics account, the
26 aircraft search and rescue account, the Alaskan Way viaduct
27 replacement project account, the brownfield redevelopment trust fund
28 account, the budget stabilization account, the capital vessel
29 replacement account, the capitol building construction account, the
30 Cedar River channel construction and operation account, the Central
31 Washington University capital projects account, the charitable,
32 educational, penal and reformatory institutions account, the cleanup
33 settlement account, the Columbia river basin water supply development
34 account, the Columbia river basin taxable bond water supply
35 development account, the Columbia river basin water supply revenue
36 recovery account, the common school construction fund, the community
37 forest trust account, the connecting Washington account, the county
38 arterial preservation account, the county criminal justice assistance
39 account, the deferred compensation administrative account, the
40 deferred compensation principal account, the department of licensing

1 services account, the department of retirement systems expense
2 account, the developmental disabilities community trust account, the
3 diesel idle reduction account, the drinking water assistance account,
4 the drinking water assistance administrative account, the drinking
5 water assistance repayment account, the Eastern Washington University
6 capital projects account, the Interstate 405 express toll lanes
7 operations account, the education construction fund, the education
8 legacy trust account, the election account, the energy freedom
9 account, the energy recovery act account, the essential rail
10 assistance account, The Evergreen State College capital projects
11 account, the federal forest revolving account, the ferry bond
12 retirement fund, the freight mobility investment account, the freight
13 mobility multimodal account, the grade crossing protective fund, the
14 public health services account, the high capacity transportation
15 account, the state higher education construction account, the higher
16 education construction account, the highway bond retirement fund, the
17 highway infrastructure account, the highway safety fund, the high
18 occupancy toll lanes operations account, the hospital safety net
19 assessment fund, the industrial insurance premium refund account, the
20 judges' retirement account, the judicial retirement administrative
21 account, the judicial retirement principal account, the local
22 leasehold excise tax account, the local real estate excise tax
23 account, the local sales and use tax account, the marine resources
24 stewardship trust account, the medical aid account, the mobile home
25 park relocation fund, the motor vehicle fund, the motorcycle safety
26 education account, the multimodal transportation account, the
27 multiuse roadway safety account, the municipal criminal justice
28 assistance account, the natural resources deposit account, the oyster
29 reserve land account, the pension funding stabilization account, the
30 perpetual surveillance and maintenance account, the public employees'
31 retirement system plan 1 account, the public employees' retirement
32 system combined plan 2 and plan 3 account, the public facilities
33 construction loan revolving account beginning July 1, 2004, the
34 public health supplemental account, the public works assistance
35 account, the Puget Sound capital construction account, the Puget
36 Sound ferry operations account, the real estate appraiser commission
37 account, the recreational vehicle account, the regional mobility
38 grant program account, the resource management cost account, the
39 rural arterial trust account, the rural mobility grant program
40 account, the rural Washington loan fund, the site closure account,

1 the skilled nursing facility safety net trust fund, the small city
2 pavement and sidewalk account, the special category C account, the
3 special wildlife account, the state employees' insurance account, the
4 state employees' insurance reserve account, the state investment
5 board expense account, the state investment board commingled trust
6 fund accounts, the state patrol highway account, the state route
7 number 520 civil penalties account, the state route number 520
8 corridor account, the state wildlife account, the supplemental
9 pension account, the Tacoma Narrows toll bridge account, the
10 teachers' retirement system plan 1 account, the teachers' retirement
11 system combined plan 2 and plan 3 account, the tobacco prevention and
12 control account, the tobacco settlement account, the toll facility
13 bond retirement account, the transportation 2003 account (nickel
14 account), the transportation equipment fund, the transportation fund,
15 the transportation improvement account, the transportation
16 improvement board bond retirement account, the transportation
17 infrastructure account, the transportation partnership account, the
18 traumatic brain injury account, the tuition recovery trust fund, the
19 University of Washington bond retirement fund, the University of
20 Washington building account, the volunteer firefighters' and reserve
21 officers' relief and pension principal fund, the volunteer
22 firefighters' and reserve officers' administrative fund, the
23 Washington judicial retirement system account, the Washington law
24 enforcement officers' and firefighters' system plan 1 retirement
25 account, the Washington law enforcement officers' and firefighters'
26 system plan 2 retirement account, the Washington public safety
27 employees' plan 2 retirement account, the Washington school
28 employees' retirement system combined plan 2 and 3 account, the
29 Washington state health insurance pool account, the Washington state
30 patrol retirement account, the Washington State University building
31 account, the Washington State University bond retirement fund, the
32 water pollution control revolving administration account, the water
33 pollution control revolving fund, the Western Washington University
34 capital projects account, the Yakima integrated plan implementation
35 account, the Yakima integrated plan implementation revenue recovery
36 account, and the Yakima integrated plan implementation taxable bond
37 account. Earnings derived from investing balances of the agricultural
38 permanent fund, the normal school permanent fund, the permanent
39 common school fund, the scientific permanent fund, the state

1 university permanent fund, and the state reclamation revolving
2 account shall be allocated to their respective beneficiary accounts.

3 (b) Any state agency that has independent authority over accounts
4 or funds not statutorily required to be held in the state treasury
5 that deposits funds into a fund or account in the state treasury
6 pursuant to an agreement with the office of the state treasurer shall
7 receive its proportionate share of earnings based upon each account's
8 or fund's average daily balance for the period.

9 (5) In conformance with Article II, section 37 of the state
10 Constitution, no treasury accounts or funds shall be allocated
11 earnings without the specific affirmative directive of this section.

12 (6) Section 107, chapter ..., Laws of 2015 (section 107 of this
13 act) takes effect only if the following are enacted by June 30, 2015:

14 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

15 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

16 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

17 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

18 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

19 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

20 **Sec. 108.** RCW 43.84.092 and 2014 c 112 s 107, 2014 c 74 s 6, and
21 2014 c 32 s 7 are each reenacted and amended to read as follows:

22 (1) All earnings of investments of surplus balances in the state
23 treasury shall be deposited to the treasury income account, which
24 account is hereby established in the state treasury.

25 (2) The treasury income account shall be utilized to pay or
26 receive funds associated with federal programs as required by the
27 federal cash management improvement act of 1990. The treasury income
28 account is subject in all respects to chapter 43.88 RCW, but no
29 appropriation is required for refunds or allocations of interest
30 earnings required by the cash management improvement act. Refunds of
31 interest to the federal treasury required under the cash management
32 improvement act fall under RCW 43.88.180 and shall not require
33 appropriation. The office of financial management shall determine the
34 amounts due to or from the federal government pursuant to the cash
35 management improvement act. The office of financial management may
36 direct transfers of funds between accounts as deemed necessary to
37 implement the provisions of the cash management improvement act, and
38 this subsection. Refunds or allocations shall occur prior to the

1 distributions of earnings set forth in subsection (4) of this
2 section.

3 (3) Except for the provisions of RCW 43.84.160, the treasury
4 income account may be utilized for the payment of purchased banking
5 services on behalf of treasury funds including, but not limited to,
6 depository, safekeeping, and disbursement functions for the state
7 treasury and affected state agencies. The treasury income account is
8 subject in all respects to chapter 43.88 RCW, but no appropriation is
9 required for payments to financial institutions. Payments shall occur
10 prior to distribution of earnings set forth in subsection (4) of this
11 section.

12 (4) Monthly, the state treasurer shall distribute the earnings
13 credited to the treasury income account. The state treasurer shall
14 credit the general fund with all the earnings credited to the
15 treasury income account except:

16 (a) The following accounts and funds shall receive their
17 proportionate share of earnings based upon each account's and fund's
18 average daily balance for the period: The aeronautics account, the
19 aircraft search and rescue account, the Alaskan Way viaduct
20 replacement project account, the brownfield redevelopment trust fund
21 account, the budget stabilization account, the capital vessel
22 replacement account, the capitol building construction account, the
23 Cedar River channel construction and operation account, the Central
24 Washington University capital projects account, the charitable,
25 educational, penal and reformatory institutions account, the cleanup
26 settlement account, the Columbia river basin water supply development
27 account, the Columbia river basin taxable bond water supply
28 development account, the Columbia river basin water supply revenue
29 recovery account, the Columbia river crossing project account, the
30 common school construction fund, the community forest trust account,
31 the connecting Washington account, the county arterial preservation
32 account, the county criminal justice assistance account, the deferred
33 compensation administrative account, the deferred compensation
34 principal account, the department of licensing services account, the
35 department of retirement systems expense account, the developmental
36 disabilities community trust account, the diesel idle reduction
37 account, the drinking water assistance account, the drinking water
38 assistance administrative account, the drinking water assistance
39 repayment account, the Eastern Washington University capital projects
40 account, the Interstate 405 express toll lanes operations account,

1 the education construction fund, the education legacy trust account,
2 the election account, the energy freedom account, the energy recovery
3 act account, the essential rail assistance account, The Evergreen
4 State College capital projects account, the federal forest revolving
5 account, the ferry bond retirement fund, the freight mobility
6 investment account, the freight mobility multimodal account, the
7 grade crossing protective fund, the public health services account,
8 the high capacity transportation account, the state higher education
9 construction account, the higher education construction account, the
10 highway bond retirement fund, the highway infrastructure account, the
11 highway safety fund, the high occupancy toll lanes operations
12 account, the hospital safety net assessment fund, the industrial
13 insurance premium refund account, the judges' retirement account, the
14 judicial retirement administrative account, the judicial retirement
15 principal account, the local leasehold excise tax account, the local
16 real estate excise tax account, the local sales and use tax account,
17 the marine resources stewardship trust account, the medical aid
18 account, the mobile home park relocation fund, the motor vehicle
19 fund, the motorcycle safety education account, the multimodal
20 transportation account, the multiuse roadway safety account, the
21 municipal criminal justice assistance account, the natural resources
22 deposit account, the oyster reserve land account, the pension funding
23 stabilization account, the perpetual surveillance and maintenance
24 account, the public employees' retirement system plan 1 account, the
25 public employees' retirement system combined plan 2 and plan 3
26 account, the public facilities construction loan revolving account
27 beginning July 1, 2004, the public health supplemental account, the
28 public works assistance account, the Puget Sound capital construction
29 account, the Puget Sound ferry operations account, the real estate
30 appraiser commission account, the recreational vehicle account, the
31 regional mobility grant program account, the resource management cost
32 account, the rural arterial trust account, the rural mobility grant
33 program account, the rural Washington loan fund, the site closure
34 account, the skilled nursing facility safety net trust fund, the
35 small city pavement and sidewalk account, the special category C
36 account, the special wildlife account, the state employees' insurance
37 account, the state employees' insurance reserve account, the state
38 investment board expense account, the state investment board
39 commingled trust fund accounts, the state patrol highway account, the
40 state route number 520 civil penalties account, the state route

1 number 520 corridor account, the state wildlife account, the
2 supplemental pension account, the Tacoma Narrows toll bridge account,
3 the teachers' retirement system plan 1 account, the teachers'
4 retirement system combined plan 2 and plan 3 account, the tobacco
5 prevention and control account, the tobacco settlement account, the
6 toll facility bond retirement account, the transportation 2003
7 account (nickel account), the transportation equipment fund, the
8 transportation fund, the transportation improvement account, the
9 transportation improvement board bond retirement account, the
10 transportation infrastructure account, the transportation partnership
11 account, the traumatic brain injury account, the tuition recovery
12 trust fund, the University of Washington bond retirement fund, the
13 University of Washington building account, the volunteer
14 firefighters' and reserve officers' relief and pension principal
15 fund, the volunteer firefighters' and reserve officers'
16 administrative fund, the Washington judicial retirement system
17 account, the Washington law enforcement officers' and firefighters'
18 system plan 1 retirement account, the Washington law enforcement
19 officers' and firefighters' system plan 2 retirement account, the
20 Washington public safety employees' plan 2 retirement account, the
21 Washington school employees' retirement system combined plan 2 and 3
22 account, the Washington state health insurance pool account, the
23 Washington state patrol retirement account, the Washington State
24 University building account, the Washington State University bond
25 retirement fund, the water pollution control revolving administration
26 account, the water pollution control revolving fund, the Western
27 Washington University capital projects account, the Yakima integrated
28 plan implementation account, the Yakima integrated plan
29 implementation revenue recovery account, and the Yakima integrated
30 plan implementation taxable bond account. Earnings derived from
31 investing balances of the agricultural permanent fund, the normal
32 school permanent fund, the permanent common school fund, the
33 scientific permanent fund, the state university permanent fund, and
34 the state reclamation revolving account shall be allocated to their
35 respective beneficiary accounts.

36 (b) Any state agency that has independent authority over accounts
37 or funds not statutorily required to be held in the state treasury
38 that deposits funds into a fund or account in the state treasury
39 pursuant to an agreement with the office of the state treasurer shall

1 receive its proportionate share of earnings based upon each account's
2 or fund's average daily balance for the period.

3 (5) In conformance with Article II, section 37 of the state
4 Constitution, no treasury accounts or funds shall be allocated
5 earnings without the specific affirmative directive of this section.

6 (6) Section 108, chapter ..., Laws of 2015 (section 108 of this
7 act) takes effect only if the following are enacted by June 30, 2015:

8 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

9 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

10 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

11 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

12 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

13 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

14 **Nonhighway Refunds**

15 **Sec. 109.** RCW 46.09.520 and 2010 1st sp.s. c 37 s 936 and 2010 c
16 161 s 222 are each reenacted and amended to read as follows:

17 (1) From time to time, but at least once each year, the state
18 treasurer shall refund from the motor vehicle fund one percent of the
19 motor vehicle fuel tax revenues collected under chapter 82.36 RCW,
20 based on a tax rate of: (a) Nineteen cents per gallon of motor
21 vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty
22 cents per gallon of motor vehicle fuel from July 1, 2005, through
23 June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel
24 from July 1, 2007, through June 30, 2009; (d) twenty-two cents per
25 gallon of motor vehicle fuel from July 1, 2009, through June 30,
26 2011; ~~((and))~~ (e) twenty-three cents per gallon of motor vehicle fuel
27 beginning July 1, 2011; and (f) twenty-eight cents per gallon of
28 motor vehicle fuel beginning July 1, 2015, and thereafter, less
29 proper deductions for refunds and costs of collection as provided in
30 RCW 46.68.090.

31 (2) The treasurer shall place these funds in the general fund as
32 follows:

33 (a) Thirty-six percent shall be credited to the ORV and
34 nonhighway vehicle account and administered by the department of
35 natural resources solely for acquisition, planning, development,
36 maintenance, and management of ORV, nonmotorized, and nonhighway road
37 recreation facilities, and information programs and maintenance of
38 nonhighway roads;

1 (b) Three and one-half percent shall be credited to the ORV and
2 nonhighway vehicle account and administered by the department of fish
3 and wildlife solely for the acquisition, planning, development,
4 maintenance, and management of ORV, nonmotorized, and nonhighway road
5 recreation facilities and the maintenance of nonhighway roads;

6 (c) Two percent shall be credited to the ORV and nonhighway
7 vehicle account and administered by the parks and recreation
8 commission solely for the acquisition, planning, development,
9 maintenance, and management of ORV, nonmotorized, and nonhighway road
10 recreation facilities; and

11 (d) Fifty-eight and one-half percent shall be credited to the
12 nonhighway and off-road vehicle activities program account to be
13 administered by the board for planning, acquisition, development,
14 maintenance, and management of ORV, nonmotorized, and nonhighway road
15 recreation facilities and for education, information, and law
16 enforcement programs. The funds under this subsection shall be
17 expended in accordance with the following limitations:

18 (i) Not more than thirty percent may be expended for education,
19 information, and law enforcement programs under this chapter;

20 (ii) Not less than seventy percent may be expended for ORV,
21 nonmotorized, and nonhighway road recreation facilities. Except as
22 provided in (d)(iii) of this subsection, of this amount:

23 (A) Not less than thirty percent, together with the funds the
24 board receives under RCW 46.68.045, may be expended for ORV
25 recreation facilities;

26 (B) Not less than thirty percent may be expended for nonmotorized
27 recreation facilities. Funds expended under this subsection
28 (2)(d)(ii)(B) shall be known as Ira Spring outdoor recreation
29 facilities funds; and

30 (C) Not less than thirty percent may be expended for nonhighway
31 road recreation facilities;

32 (iii) The board may waive the minimum percentage cited in (d)(ii)
33 of this subsection due to insufficient requests for funds or projects
34 that score low in the board's project evaluation. Funds remaining
35 after such a waiver must be allocated in accordance with board
36 policy.

37 (3) On a yearly basis an agency may not, except as provided in
38 RCW 46.68.045, expend more than ten percent of the funds it receives
39 under this chapter for general administration expenses incurred in
40 carrying out this chapter.

1 (4) During the 2009-2011 fiscal biennium, the legislature may
2 appropriate such amounts as reflect the excess fund balance in the
3 NOVA account to the department of natural resources to install
4 consistent off-road vehicle signage at department-managed recreation
5 sites, and to implement the recreation opportunities on department-
6 managed lands in the Reiter block and Ahtanum state forest, and to
7 the state parks and recreation commission. The legislature finds that
8 the appropriation of funds from the NOVA account during the 2009-2011
9 fiscal biennium for maintenance and operation of state parks or to
10 improve accessibility for boaters and off-road vehicle users at state
11 parks will benefit boaters and off-road vehicle users and others who
12 use nonhighway and nonmotorized recreational facilities. The
13 appropriations under this subsection are not required to follow the
14 specific distribution specified in subsection (2) of this section.

15 (5) Section 109, chapter ..., Laws of 2015 (section 109 of this
16 act) takes effect only if the following are enacted by June 30, 2015:

17 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

18 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

19 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

20 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

21 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

22 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

23 **Sec. 110.** RCW 46.09.520 and 2015 c ... s 109 (section 109 of
24 this act) are each amended to read as follows:

25 (1) From time to time, but at least once each year, the state
26 treasurer must refund from the motor vehicle fund one percent of the
27 motor vehicle fuel tax revenues collected under chapter 82.38 RCW,
28 based on a tax rate of: (a) Nineteen cents per gallon of motor
29 vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty
30 cents per gallon of motor vehicle fuel from July 1, 2005, through
31 June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel
32 from July 1, 2007, through June 30, 2009; (d) twenty-two cents per
33 gallon of motor vehicle fuel from July 1, 2009, through June 30,
34 2011; (e) twenty-three cents per gallon of motor vehicle fuel
35 beginning July 1, 2011; ~~((and))~~ (f) twenty-eight cents per gallon of
36 motor vehicle fuel beginning July 1, 2015; (g) thirty-two and two-
37 tenths cents per gallon of motor vehicle fuel beginning July 1, 2016;
38 and (h) thirty-four and seven-tenths cents per gallon of motor
39 vehicle fuel beginning July 1, 2017, and thereafter, less proper

1 deductions for refunds and costs of collection as provided in RCW
2 46.68.090.

3 (2) The treasurer must place these funds in the general fund as
4 follows:

5 (a) Thirty-six percent must be credited to the ORV and nonhighway
6 vehicle account and administered by the department of natural
7 resources solely for acquisition, planning, development, maintenance,
8 and management of ORV, nonmotorized, and nonhighway road recreation
9 facilities, and information programs and maintenance of nonhighway
10 roads;

11 (b) Three and one-half percent must be credited to the ORV and
12 nonhighway vehicle account and administered by the department of fish
13 and wildlife solely for the acquisition, planning, development,
14 maintenance, and management of ORV, nonmotorized, and nonhighway road
15 recreation facilities and the maintenance of nonhighway roads;

16 (c) Two percent must be credited to the ORV and nonhighway
17 vehicle account and administered by the parks and recreation
18 commission solely for the acquisition, planning, development,
19 maintenance, and management of ORV, nonmotorized, and nonhighway road
20 recreation facilities; and

21 (d) Fifty-eight and one-half percent must be credited to the
22 nonhighway and off-road vehicle activities program account to be
23 administered by the board for planning, acquisition, development,
24 maintenance, and management of ORV, nonmotorized, and nonhighway road
25 recreation facilities and for education, information, and law
26 enforcement programs. The funds under this subsection must be
27 expended in accordance with the following limitations:

28 (i) Not more than thirty percent may be expended for education,
29 information, and law enforcement programs under this chapter;

30 (ii) Not less than seventy percent may be expended for ORV,
31 nonmotorized, and nonhighway road recreation facilities. Except as
32 provided in (d)(iii) of this subsection, of this amount:

33 (A) Not less than thirty percent, together with the funds the
34 board receives under RCW 46.68.045, may be expended for ORV
35 recreation facilities;

36 (B) Not less than thirty percent may be expended for nonmotorized
37 recreation facilities. Funds expended under this subsection
38 (2)(d)(ii)(B) are known as Ira Spring outdoor recreation facilities
39 funds; and

1 (C) Not less than thirty percent may be expended for nonhighway
2 road recreation facilities;

3 (iii) The board may waive the minimum percentage cited in (d)(ii)
4 of this subsection due to insufficient requests for funds or projects
5 that score low in the board's project evaluation. Funds remaining
6 after such a waiver must be allocated in accordance with board
7 policy.

8 (3) On a yearly basis an agency may not, except as provided in
9 RCW 46.68.045, expend more than ten percent of the funds it receives
10 under this chapter for general administration expenses incurred in
11 carrying out this chapter.

12 (4) During the 2009-2011 fiscal biennium, the legislature may
13 appropriate such amounts as reflect the excess fund balance in the
14 NOVA account to the department of natural resources to install
15 consistent off-road vehicle signage at department-managed recreation
16 sites, and to implement the recreation opportunities on department-
17 managed lands in the Reiter block and Ahtanum state forest, and to
18 the state parks and recreation commission. The legislature finds that
19 the appropriation of funds from the NOVA account during the 2009-2011
20 fiscal biennium for maintenance and operation of state parks or to
21 improve accessibility for boaters and off-road vehicle users at state
22 parks will benefit boaters and off-road vehicle users and others who
23 use nonhighway and nonmotorized recreational facilities. The
24 appropriations under this subsection are not required to follow the
25 specific distribution specified in subsection (2) of this section.

26 (5) Section 109, chapter ..., Laws of 2015 (section 109 of this
27 act) and section 110, chapter ..., Laws of 2015 (section 110 of this
28 act) take(~~s~~) effect only if the following are enacted by June 30,
29 2015:

- 30 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
- 31 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
- 32 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
- 33 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
- 34 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
- 35 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

36 **Sec. 111.** RCW 46.10.530 and 2003 c 361 s 408 are each amended to
37 read as follows:

38 (1) From time to time, but at least once each four years, the
39 department shall determine the amount of moneys paid to it as motor

1 vehicle fuel tax that is tax on snowmobile fuel. Such determination
2 shall use one hundred thirty-five gallons as the average yearly fuel
3 usage per snowmobile, the number of registered snowmobiles during the
4 calendar year under determination, and a fuel tax rate of: (~~(+1)~~)
5 (a) Nineteen cents per gallon of motor vehicle fuel from July 1,
6 2003, through June 30, 2005; (~~(+2)~~) (b) twenty cents per gallon of
7 motor vehicle fuel from July 1, 2005, through June 30, 2007; (~~(+3)~~)
8 (c) twenty-one cents per gallon of motor vehicle fuel from July 1,
9 2007, through June 30, 2009; (~~(+4)~~) (d) twenty-two cents per gallon
10 of motor vehicle fuel from July 1, 2009, through June 30, 2011; (~~and~~
11 ~~(+5)~~) (e) twenty-three cents per gallon of motor vehicle fuel
12 beginning July 1, 2011; (f) twenty-eight cents per gallon of motor
13 vehicle fuel beginning July 1, 2015; (g) thirty-two and two-tenths
14 cents per gallon of motor vehicle fuel beginning July 1, 2016; and
15 (h) thirty-four and seven-tenths cents per gallon of motor vehicle
16 fuel beginning July 1, 2017, and thereafter.

17 (2) Section 111, chapter ..., Laws of 2015 (section 111 of this
18 act) takes effect only if the following are enacted by June 30, 2015:

19 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

20 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

21 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

22 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

23 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

24 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

25 **Sec. 112.** RCW 79A.25.070 and 2010 c 23 s 3 are each amended to
26 read as follows:

27 (1) Upon expiration of the time limited by RCW 82.36.330 for
28 claiming of refunds of tax on marine fuel, the state of Washington
29 shall succeed to the right to such refunds. The director of
30 licensing, after taking into account past and anticipated claims for
31 refunds from and deposits to the marine fuel tax refund account,
32 shall request the state treasurer to transfer monthly from the marine
33 fuel tax refund account an amount equal to the proportion of the
34 moneys in the account representing a motor vehicle fuel tax rate of:
35 (~~(+1)~~) (a) Nineteen cents per gallon of motor vehicle fuel from July
36 1, 2003, through June 30, 2005; (~~(+2)~~) (b) twenty cents per gallon
37 of motor vehicle fuel from July 1, 2005, through June 30, 2007;
38 (~~(+3)~~) (c) twenty-one cents per gallon of motor vehicle fuel from
39 July 1, 2007, through June 30, 2009; (~~(+4)~~) (d) twenty-two cents per

1 gallon of motor vehicle fuel from July 1, 2009, through June 30,
2 2011; ~~((and—(5)))~~ (e) twenty-three cents per gallon of motor vehicle
3 fuel beginning July 1, 2011; (f) twenty-eight cents per gallon of
4 motor vehicle fuel beginning July 1, 2015; (g) thirty-two and two-
5 tenths cents per gallon of motor vehicle fuel beginning July 1, 2016;
6 and (h) thirty-four and seven-tenths cents per gallon of motor
7 vehicle fuel beginning July 1, 2017, and thereafter, to the
8 recreation resource account and the remainder to the motor vehicle
9 fund.

10 (2) Section 112, chapter ..., Laws of 2015 (section 112 of this
11 act) takes effect only if the following are enacted by June 30, 2015:

12 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

13 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

14 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

15 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

16 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

17 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

18 Handling Loss Deduction

19 NEW SECTION. Sec. 113. (1) RCW 82.38.083 (Deductions—Handling
20 losses—Reports) and 2013 c 225 s 205 are each repealed.

21 (2) This section takes effect only if the following are enacted
22 by June 30, 2015:

23 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

24 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

25 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

26 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

27 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

28 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

29 PART II

30 FEES

31 License Fees By Weight & Freight Project Fee

32 **Sec. 201.** RCW 46.17.355 and 2011 c 171 s 61 are each amended to
33 read as follows:

34 (1) In lieu of the vehicle license fee required under RCW
35 46.17.350 and before accepting an application for a vehicle
36 registration for motor vehicles described in RCW 46.16A.455, the

1 department, county auditor or other agent, or subagent appointed by
 2 the director shall require the applicant, unless specifically exempt,
 3 to pay the following license fee by weight:

4	WEIGHT	SCHEDULE A	SCHEDULE B
5	4,000 pounds	(\$ 38.00) <u>\$ 53.00</u>	(\$ 38.00) <u>\$ 53.00</u>
6	6,000 pounds	(\$ 48.00) <u>\$ 73.00</u>	(\$ 48.00) <u>\$ 73.00</u>
7	8,000 pounds	(\$ 58.00) <u>\$ 93.00</u>	(\$ 58.00) <u>\$ 93.00</u>
8	10,000 pounds	(\$ 60.00) <u>\$ 93.00</u>	(\$ 60.00) <u>\$ 93.00</u>
9	12,000 pounds	(\$ 77.00) <u>\$ 81.00</u>	(\$ 77.00) <u>\$ 81.00</u>
10	14,000 pounds	\$ 88.00	\$ 88.00
11	16,000 pounds	\$ 100.00	\$ 100.00
12	18,000 pounds	\$ 152.00	\$ 152.00
13	20,000 pounds	\$ 169.00	\$ 169.00
14	22,000 pounds	\$ 183.00	\$ 183.00
15	24,000 pounds	\$ 198.00	\$ 198.00
16	26,000 pounds	\$ 209.00	\$ 209.00
17	28,000 pounds	\$ 247.00	\$ 247.00
18	30,000 pounds	\$ 285.00	\$ 285.00
19	32,000 pounds	\$ 344.00	\$ 344.00
20	34,000 pounds	\$ 366.00	\$ 366.00
21	36,000 pounds	\$ 397.00	\$ 397.00
22	38,000 pounds	\$ 436.00	\$ 436.00
23	40,000 pounds	\$ 499.00	\$ 499.00
24	42,000 pounds	\$ 519.00	\$ 609.00
25	44,000 pounds	\$ 530.00	\$ 620.00
26	46,000 pounds	\$ 570.00	\$ 660.00
27	48,000 pounds	\$ 594.00	\$ 684.00
28	50,000 pounds	\$ 645.00	\$ 735.00
29	52,000 pounds	\$ 678.00	\$ 768.00
30	54,000 pounds	\$ 732.00	\$ 822.00
31	56,000 pounds	\$ 773.00	\$ 863.00
32	58,000 pounds	\$ 804.00	\$ 894.00
33	60,000 pounds	\$ 857.00	\$ 947.00

1	62,000 pounds	\$ 919.00	\$ 1,009.00
2	64,000 pounds	\$ 939.00	\$ 1,029.00
3	66,000 pounds	\$ 1,046.00	\$ 1,136.00
4	68,000 pounds	\$ 1,091.00	\$ 1,181.00
5	70,000 pounds	\$ 1,175.00	\$ 1,265.00
6	72,000 pounds	\$ 1,257.00	\$ 1,347.00
7	74,000 pounds	\$ 1,366.00	\$ 1,456.00
8	76,000 pounds	\$ 1,476.00	\$ 1,566.00
9	78,000 pounds	\$ 1,612.00	\$ 1,702.00
10	80,000 pounds	\$ 1,740.00	\$ 1,830.00
11	82,000 pounds	\$ 1,861.00	\$ 1,951.00
12	84,000 pounds	\$ 1,981.00	\$ 2,071.00
13	86,000 pounds	\$ 2,102.00	\$ 2,192.00
14	88,000 pounds	\$ 2,223.00	\$ 2,313.00
15	90,000 pounds	\$ 2,344.00	\$ 2,434.00
16	92,000 pounds	\$ 2,464.00	\$ 2,554.00
17	94,000 pounds	\$ 2,585.00	\$ 2,675.00
18	96,000 pounds	\$ 2,706.00	\$ 2,796.00
19	98,000 pounds	\$ 2,827.00	\$ 2,917.00
20	100,000 pounds	\$ 2,947.00	\$ 3,037.00
21	102,000 pounds	\$ 3,068.00	\$ 3,158.00
22	104,000 pounds	\$ 3,189.00	\$ 3,279.00
23	105,500 pounds	\$ 3,310.00	\$ 3,400.00

24 (2) Schedule A applies to vehicles either used exclusively for
25 hauling logs or that do not tow trailers. Schedule B applies to
26 vehicles that tow trailers and are not covered under Schedule A.

27 (3) If the resultant gross weight is not listed in the table
28 provided in subsection (1) of this section, it must be increased to
29 the next higher weight.

30 (4) The license fees provided in subsection (1) of this section
31 and the freight project fee provided in subsection (6) of this
32 section are in addition to the filing fee required under RCW
33 46.17.005 and any other fee or tax required by law.

1 (5) The license fee based on declared gross weight as provided in
2 subsection (1) of this section must be distributed under RCW
3 46.68.035.

4 (6) In addition to the license fee based on declared gross weight
5 as provided in subsection (1) of this section, the department, county
6 auditor or other agent, or subagent appointed by the director must
7 require an applicant with a vehicle with a declared gross weight of
8 more than 10,000 pounds, unless specifically exempt, to pay a freight
9 project fee equal to fifteen percent of the license fee provided in
10 subsection (1) of this section, rounded to the nearest whole dollar,
11 which must be distributed under RCW 46.68.035.

12 (7) Beginning July 1, 2022, in addition to the license fee based
13 on declared gross weight as provided in subsection (1) of this
14 section, the department, county auditor or other agent, or subagent
15 appointed by the director must require an applicant with a vehicle
16 with a declared gross weight of less than or equal to 12,000 pounds,
17 unless specifically exempt, to pay an additional weight fee of eight
18 dollars, which must be distributed under RCW 46.68.035.

19 (8) Section 201, chapter ..., Laws of 2015 (section 201 of this
20 act) takes effect only if the following are enacted by June 30, 2015:

- 21 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
- 22 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
- 23 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
- 24 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
- 25 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
- 26 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

27 **Passenger Vehicle Weight Fees**

28 **Sec. 202.** RCW 46.17.365 and 2010 c 161 s 533 are each amended to
29 read as follows:

30 (1) A person applying for a motor vehicle registration and paying
31 the vehicle license fee required in RCW 46.17.350(1) (a), (d), (e),
32 (h), (j), (n), and (o) shall pay a motor vehicle weight fee in
33 addition to all other fees and taxes required by law. The motor
34 vehicle weight fee:

35 (a) Must be based on the motor vehicle scale weight as follows:

<u>WEIGHT</u>	<u>FEE</u>
<u>4,000 pounds</u>	<u>\$ 25.00</u>

1	<u>6,000 pounds</u>	<u>\$ 45.00</u>
2	<u>8,000 pounds</u>	<u>\$ 65.00</u>
3	<u>16,000 pounds and over</u>	<u>\$ 72.00;</u>

4 (b) ~~((Is the difference determined by subtracting the vehicle~~
5 ~~license fee required in RCW 46.17.350 from the license fee in~~
6 ~~Schedule B of RCW 46.17.355, plus two dollars)) If the resultant
7 motor vehicle scale weight is not listed in the table provided in (a)
8 of this subsection, must be increased to the next highest weight; and~~

9 (c) Must be distributed under RCW 46.68.415 unless the executive
10 branch adopts, orders, or otherwise implements any fuel standard, or
11 sets carbon reduction requirements, for fuel distributors or vehicles
12 based upon or defined by the carbon intensity of the fuel or
13 greenhouse gas emissions, including a low carbon fuel standard, in
14 which case the portion of revenue that is the result of fee increases
15 in this section (section 202 of this act) must be distributed to the
16 connecting Washington account created under section 106 of this act.

17 (2) A person applying for a motor home vehicle registration
18 shall, in lieu of the motor vehicle weight fee required in subsection
19 (1) of this section, pay a motor home vehicle weight fee of seventy-
20 five dollars in addition to all other fees and taxes required by law.
21 The motor home vehicle weight fee must be distributed under RCW
22 46.68.415.

23 (3) Beginning July 1, 2022, in addition to the motor vehicle
24 weight fee as provided in subsection (1) of this section, the
25 department, county auditor or other agent, or subagent appointed by
26 the director must require an applicant to pay an additional weight
27 fee of eight dollars, which must be distributed to the multimodal
28 transportation account under RCW 47.66.070 unless the executive
29 branch adopts, orders, or otherwise implements any fuel standard, or
30 sets carbon reduction requirements, for fuel distributors or vehicles
31 based upon or defined by the carbon intensity of the fuel or
32 greenhouse gas emissions, including a low carbon fuel standard, in
33 which case the fee must be distributed to the connecting Washington
34 account created under section 106 of this act.

35 (4) The department shall:

36 (a) Rely on motor vehicle empty scale weights provided by vehicle
37 manufacturers, or other sources defined by the department, to
38 determine the weight of each motor vehicle; and

1 (b) Adopt rules for determining weight for vehicles without
2 manufacturer empty scale weights.

3 (5) Section 202, chapter ..., Laws of 2015 (section 202 of this
4 act) takes effect only if the following are enacted by June 30, 2015:

5 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

6 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

7 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

8 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

9 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

10 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

11 NEW SECTION. Sec. 203. Sections 201 and 202 of this act apply
12 to vehicle registrations that are due or become due on or after July
13 1, 2016.

14 **Electric Vehicle Fee**

15 **Sec. 204.** RCW 46.17.323 and 2012 c 74 s 10 are each amended to
16 read as follows:

17 (1) Before accepting an application for an annual vehicle
18 registration renewal for ~~((an—electric))~~ a vehicle that uses
19 ~~((propulsion units powered solely by))~~ at least one method of
20 propulsion that is capable of being reenergized by an external source
21 of electricity, the department, county auditor or other agent, or
22 subagent appointed by the director must require the applicant to pay
23 a one hundred dollar fee in addition to any other fees and taxes
24 required by law. The one hundred dollar fee is due only at the time
25 of annual registration renewal.

26 (2) This section only applies to:

27 (a) A vehicle that is designed to have the capability to drive at
28 a speed of more than thirty-five miles per hour; and

29 (b) An annual vehicle registration renewal that is due on or
30 after February 1, 2013.

31 (3)(a) The fee under this section is imposed to provide funds to
32 mitigate the impact of vehicles on state roads and highways and for
33 the purpose of evaluating the feasibility of transitioning from a
34 revenue collection system based on fuel taxes to a road user
35 assessment system, and is separate and distinct from other vehicle
36 license fees. Proceeds from the fee must be ~~((used for highway~~
37 ~~purposes, and))~~ deposited into the transportation innovative

1 partnership account created in RCW 47.29.230 for the purpose of
2 creating and funding the Washington electric vehicle infrastructure
3 bank as provided in section 403 of this act. By July 1, 2026, or once
4 the total number of electric vehicles subject to this fee has reached
5 one-half of one percent of the state's total registered vehicle
6 fleet, whichever occurs first, or if the executive branch adopts,
7 orders, or otherwise implements any fuel standard, or sets carbon
8 reduction requirements, for fuel distributors or vehicles based upon
9 or defined by the carbon intensity of the fuel or greenhouse gas
10 emissions, including a low carbon fuel standard, proceeds must be
11 deposited in the motor vehicle fund created in RCW 46.68.070((
12 subject to)) and distributed in the manner provided in (b) of this
13 subsection.

14 ~~(b) ((If in any year the amount of proceeds from the fee~~
15 ~~collected under this section exceeds one million dollars, the excess~~
16 ~~amount over one million dollars must be deposited))~~ Any fee proceeds
17 eligible for deposit in the motor vehicle fund must be distributed as
18 follows:

19 (i) Seventy percent to the motor vehicle fund created in RCW
20 46.68.070;

21 (ii) Fifteen percent to the transportation improvement account
22 created in RCW 47.26.084; and

23 (iii) Fifteen percent to the rural arterial trust account created
24 in RCW 36.79.020.

25 (4) Section 204, chapter ..., Laws of 2015 (section 204 of this
26 act) takes effect only if the following are enacted by June 30, 2015:

27 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

28 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

29 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

30 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

31 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

32 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

33 NEW SECTION. Sec. 205. Section 204 of this act applies to
34 vehicle registrations that are due or become due on or after July 1,
35 2017.

36 **Commercial Driver's License Fees**

1 **Sec. 206.** RCW 46.25.052 and 2013 c 224 s 5 are each amended to
2 read as follows:

3 (1) The department may issue a CLP to an applicant who is at
4 least eighteen years of age and holds a valid Washington state
5 driver's license and who has:

6 (a) Submitted an application on a form or in a format provided by
7 the department;

8 (b) Passed the general knowledge examination required for
9 issuance of a CDL under RCW 46.25.060 for the commercial motor
10 vehicle classification in which the applicant operates or expects to
11 operate; and

12 (c) Paid the appropriate examination fee or fees and an
13 application fee of (~~ten~~) forty dollars.

14 (2) A CLP must be marked "commercial learner's permit" or "CLP,"
15 and must be, to the maximum extent practicable, tamperproof. Other
16 than a photograph of the applicant, it must include, but not be
17 limited to, the information required on a CDL under RCW 46.25.080(1).

18 (3) The holder of a CLP may drive a commercial motor vehicle on a
19 highway only when in possession of a valid driver's license and
20 accompanied by the holder of a valid CDL who has the proper CDL
21 classification and endorsement or endorsements necessary to operate
22 the commercial motor vehicle. The CDL holder must at all times be
23 physically present in the front seat of the vehicle next to the CLP
24 holder or, in the case of a passenger vehicle, directly behind or in
25 the first row behind the driver and must have the CLP holder under
26 observation and direct supervision.

27 (4) A CLP may be classified in the same manner as a CDL under RCW
28 46.25.080(2)(a).

29 (5) CLPs may be issued with only P, S, or N endorsements as
30 described in RCW 46.25.080(2)(b).

31 (a) The holder of a CLP with a P endorsement must have taken and
32 passed the P endorsement knowledge examination. The holder of a CLP
33 with a P endorsement is prohibited from operating a commercial motor
34 vehicle carrying passengers other than authorized employees or
35 representatives of the department and the federal motor carrier
36 safety administration, examiners, other trainees, and the CDL holder
37 accompanying the CLP holder as required under subsection (2) of this
38 section. The P endorsement must be class specific.

39 (b) The holder of a CLP with an S endorsement must have taken and
40 passed the S endorsement knowledge examination. The holder of a CLP

1 with an S endorsement is prohibited from operating a school bus with
2 passengers other than authorized employees or representatives of the
3 department and the federal motor carrier safety administration,
4 examiners, other trainees, and the CDL holder accompanying the CLP
5 holder as required under subsection (2) of this section.

6 (c) The holder of a CLP with an N endorsement must have taken and
7 passed the N endorsement knowledge examination. The holder of a CLP
8 with an N endorsement may only operate an empty tank vehicle and is
9 prohibited from operating any tank vehicle that previously contained
10 hazardous materials and has not been purged of any residue.

11 (6) A CLP may be issued with appropriate restrictions as
12 described in RCW 46.25.080(2)(c). In addition, a CLP may be issued
13 with the following restrictions:

14 (a) "P" restricts the driver from operating a bus with
15 passengers;

16 (b) "X" restricts the driver from operating a tank vehicle that
17 contains cargo; and

18 (c) Any restriction as established by rule of the department.

19 (7) The holder of a CLP is not authorized to operate a commercial
20 motor vehicle transporting hazardous materials.

21 (8) A CLP may not be issued for a period to exceed one hundred
22 eighty days. The department may renew the CLP for one additional one
23 hundred eighty-day period without requiring the CLP holder to retake
24 the general and endorsement knowledge examinations.

25 (9) The department must transmit the fees collected for CLPs to
26 the state treasurer for deposit in the highway safety fund unless the
27 executive branch adopts, orders, or otherwise implements any fuel
28 standard, or sets carbon reduction requirements, for fuel
29 distributors or vehicles based upon or defined by the carbon
30 intensity of the fuel or greenhouse gas emissions, including a low
31 carbon fuel standard, in which case the portion of revenue that is
32 the result of fee increases in this section (section 206 of this act)
33 must be distributed to the connecting Washington account created
34 under section 106 of this act.

35 (10) Section 206, chapter ..., Laws of 2015 (section 206 of this
36 act) takes effect only if the following are enacted by June 30, 2015:

37 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

38 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

39 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

40 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

1 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
2 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

3 **Sec. 207.** RCW 46.25.060 and 2013 c 224 s 6 are each amended to
4 read as follows:

5 (1)(a) No person may be issued a commercial driver's license
6 unless that person:

7 (i) Is a resident of this state;

8 (ii) Has successfully completed a course of instruction in the
9 operation of a commercial motor vehicle that has been approved by the
10 director or has been certified by an employer as having the skills
11 and training necessary to operate a commercial motor vehicle safely;

12 (iii) If he or she does not hold a valid commercial driver's
13 license of the appropriate classification, has been issued a
14 commercial learner's permit under RCW 46.25.052; and

15 (iv) Has passed a knowledge and skills examination for driving a
16 commercial motor vehicle that complies with minimum federal standards
17 established by federal regulation enumerated in 49 C.F.R. Part 383,
18 subparts F, G, and H, in addition to other requirements imposed by
19 state law or federal regulation. The department may not allow the
20 person to take the skills examination during the first fourteen days
21 after initial issuance of the person's commercial learner's permit.
22 The examinations must be prescribed and conducted by the department.

23 (b) In addition to the fee charged for issuance or renewal of any
24 license, the applicant shall pay a fee of no more than ~~((ten))~~
25 thirty-five dollars for ~~((each))~~ the classified knowledge
26 examination, classified endorsement knowledge examination, or any
27 combination of classified license and endorsement knowledge
28 examinations. The applicant shall pay a fee of no more than ~~((one))~~
29 two hundred fifty dollars for each classified skill examination or
30 combination of classified skill examinations conducted by the
31 department.

32 (c) The department may authorize a person, including an agency of
33 this or another state, an employer, a private driver training
34 facility, or other private institution, or a department, agency, or
35 instrumentality of local government, to administer the skills
36 examination specified by this section under the following conditions:

37 (i) The examination is the same which would otherwise be
38 administered by the state;

1 (ii) The third party has entered into an agreement with the state
2 that complies with the requirements of 49 C.F.R. Sec. 383.75; and

3 (iii) The director has adopted rules as to the third party
4 testing program and the development and justification for fees
5 charged by any third party.

6 (d) If the applicant's primary use of a commercial driver's
7 license is for any of the following, then the applicant shall pay a
8 fee of no more than (~~seventy-five~~) two hundred twenty-five dollars
9 for (~~each~~) the classified skill examination or combination of
10 classified skill examinations whether conducted by the department or
11 a third-party tester:

12 (i) Public benefit not-for-profit corporations that are federally
13 supported head start programs; or

14 (ii) Public benefit not-for-profit corporations that support
15 early childhood education and assistance programs as described in RCW
16 43.215.405(2).

17 (e) If the applicant's primary use of a commercial driver's
18 license is to drive a school bus, the applicant shall pay a fee of no
19 more than one hundred dollars for the classified skill examination or
20 combination of classified skill examinations conducted by the
21 department.

22 (f) Payment of the examination fees under this subsection
23 entitles the applicant to take the examination up to two times in
24 order to pass.

25 (2)(a) The department may waive the skills examination and the
26 requirement for completion of a course of instruction in the
27 operation of a commercial motor vehicle specified in this section for
28 a commercial driver's license applicant who meets the requirements of
29 49 C.F.R. Sec. 383.77.

30 (b) An applicant who operates a commercial motor vehicle for
31 agribusiness purposes is exempt from the course of instruction
32 completion and employer skills and training certification
33 requirements under this section. By January 1, 2010, the department
34 shall submit recommendations regarding the continuance of this
35 exemption to the transportation committees of the legislature. For
36 purposes of this subsection (2)(b), "agribusiness" means a private
37 carrier who in the normal course of business primarily transports:

38 (i) Farm machinery, farm equipment, implements of husbandry, farm
39 supplies, and materials used in farming;

1 (ii) Agricultural inputs, such as seed, feed, fertilizer, and
2 crop protection products;

3 (iii) Unprocessed agricultural commodities, as defined in RCW
4 17.21.020, where such commodities are produced by farmers, ranchers,
5 vineyardists, or orchardists; or

6 (iv) Any combination of (b)(i) through (iii) of this subsection.

7 The department shall notify the transportation committees of the
8 legislature if the federal government takes action affecting the
9 exemption provided in this subsection (2)(b).

10 (3) A commercial driver's license or commercial learner's permit
11 may not be issued to a person while the person is subject to a
12 disqualification from driving a commercial motor vehicle, or while
13 the person's driver's license is suspended, revoked, or canceled in
14 any state, nor may a commercial driver's license be issued to a
15 person who has a commercial driver's license issued by any other
16 state unless the person first surrenders all such licenses, which
17 must be returned to the issuing state for cancellation.

18 (4) The fees under this section must be deposited into the
19 highway safety fund unless the executive branch adopts, orders, or
20 otherwise implements any fuel standard, or sets carbon reduction
21 requirements, for fuel distributors or vehicles based upon or defined
22 by the carbon intensity of the fuel or greenhouse gas emissions,
23 including a low carbon fuel standard, in which case the portion of
24 revenue that is the result of fee increases in this section (section
25 207 of this act) must be distributed to the connecting Washington
26 account created under section 106 of this act.

27 (5) Section 207, chapter ..., Laws of 2015 (section 207 of this
28 act) takes effect only if the following are enacted by June 30, 2015:

29 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

30 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

31 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

32 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

33 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

34 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

35 **Sec. 208.** RCW 46.25.100 and 2013 c 224 s 12 are each amended to
36 read as follows:

37 (1) When a person has been disqualified from operating a
38 commercial motor vehicle, the person is not entitled to have the
39 commercial driver's license or commercial learner's permit restored

1 until after the expiration of the appropriate disqualification period
2 required under RCW 46.25.090 or until the department has received a
3 drug and alcohol assessment and evidence is presented of satisfactory
4 participation in or completion of any required drug or alcohol
5 treatment program for ending the disqualification under RCW
6 46.25.090(7). After expiration of the appropriate period and upon
7 payment of a requalification fee of (~~twenty~~) thirty-five dollars,
8 or one hundred fifty dollars if the person has been disqualified
9 under RCW 46.25.090(7), the person may apply for a new, duplicate, or
10 renewal commercial driver's license or commercial learner's permit as
11 provided by law. If the person has been disqualified for a period of
12 one year or more, the person shall demonstrate that he or she meets
13 the commercial driver's license or commercial learner's permit
14 qualification standards specified in RCW 46.25.060.

15 (2) The fees under this section must be deposited into the
16 highway safety fund unless the executive branch adopts, orders, or
17 otherwise implements any fuel standard, or sets carbon reduction
18 requirements, for fuel distributors or vehicles based upon or defined
19 by the carbon intensity of the fuel or greenhouse gas emissions,
20 including a low carbon fuel standard, in which case the portion of
21 revenue that is the result of fee increases in this section (section
22 208 of this act) must be distributed to the connecting Washington
23 account created under section 106 of this act.

24 (3) Section 208, chapter ..., Laws of 2015 (section 208 of this
25 act) takes effect only if the following are enacted by June 30, 2015:

- 26 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
27 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
28 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
29 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
30 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
31 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

32 **Enhanced Driver's License & Identocard Fees**

33 **Sec. 209.** RCW 46.20.202 and 2007 c 7 s 1 are each amended to
34 read as follows:

35 (1) The department may enter into a memorandum of understanding
36 with any federal agency for the purposes of facilitating the crossing
37 of the border between the state of Washington and the Canadian
38 province of British Columbia.

1 (2) The department may enter into an agreement with the Canadian
2 province of British Columbia for the purposes of implementing a
3 border-crossing initiative.

4 (3)(a) The department may issue an enhanced driver's license or
5 identicard for the purposes of crossing the border between the state
6 of Washington and the Canadian province of British Columbia to an
7 applicant who provides the department with proof of: United States
8 citizenship, identity, and state residency. The department shall
9 continue to offer a standard driver's license and identicard. If the
10 department chooses to issue an enhanced driver's license, the
11 department must allow each applicant to choose between a standard
12 driver's license or identicard, or an enhanced driver's license or
13 identicard.

14 (b) The department shall implement a one-to-many biometric
15 matching system for the enhanced driver's license or identicard. An
16 applicant for an enhanced driver's license or identicard shall submit
17 a biometric identifier as designated by the department. The biometric
18 identifier must be used solely for the purpose of verifying the
19 identity of the holders and for any purpose set out in RCW 46.20.037.
20 Applicants are required to sign a declaration acknowledging their
21 understanding of the one-to-many biometric match.

22 (c) The enhanced driver's license or identicard must include
23 reasonable security measures to protect the privacy of Washington
24 state residents, including reasonable safeguards to protect against
25 unauthorized disclosure of data about Washington state residents. If
26 the enhanced driver's license or identicard includes a radio
27 frequency identification chip, or similar technology, the department
28 shall ensure that the technology is encrypted or otherwise secure
29 from unauthorized data access.

30 (d) The requirements of this subsection are in addition to the
31 requirements otherwise imposed on applicants for a driver's license
32 or identicard. The department shall adopt such rules as necessary to
33 meet the requirements of this subsection. From time to time the
34 department shall review technological innovations related to the
35 security of identity cards and amend the rules related to enhanced
36 driver's licenses and identicards as the director deems consistent
37 with this section and appropriate to protect the privacy of
38 Washington state residents.

39 (e) Notwithstanding RCW 46.20.118, the department may make images
40 associated with enhanced drivers' licenses or identicards from the

1 negative file available to United States customs and border agents
2 for the purposes of verifying identity.

3 ~~(4) ((The department may set a fee for the issuance of enhanced~~
4 ~~drivers' licenses and identicards under this section.))~~ The fee for
5 an enhanced driver's license or enhanced identicard is fifty-four
6 dollars, which is in addition to the fees for any regular driver's
7 license or identicard. If the enhanced driver's license or enhanced
8 identicard is issued, renewed, or extended for a period other than
9 six years, the fee for each class is nine dollars for each year that
10 the enhanced driver's license or enhanced identicard is issued,
11 renewed, or extended.

12 (5) The enhanced driver's license and enhanced identicard fee
13 under this section must be deposited into the highway safety fund
14 unless the executive branch adopts, orders, or otherwise implements
15 any fuel standard, or sets carbon reduction requirements, for fuel
16 distributors or vehicles based upon or defined by the carbon
17 intensity of the fuel or greenhouse gas emissions, including a low
18 carbon fuel standard, in which case the portion of revenue that is
19 the result of fee increases in this section (section 209 of this act)
20 must be distributed to the connecting Washington account created
21 under section 106 of this act.

22 (6) Section 209, chapter ..., Laws of 2015 (section 209 of this
23 act) takes effect only if the following are enacted by June 30, 2015:

24 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

25 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

26 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

27 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

28 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

29 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

30 **Studded Tire Fee**

31 NEW SECTION. Sec. 210. A new section is added to chapter 46.37
32 RCW to read as follows:

33 (1)(a) In addition to all other fees imposed on the retail sale
34 of tires, a five dollar fee is imposed on the retail sale of each new
35 tire sold that contains studs. For the purposes of this subsection,
36 "new tire sold that contains studs" means a tire that is manufactured
37 for vehicle purposes and contains metal studs, and does not include
38 bicycle tires or retreaded vehicle tires.

1 (b) The five dollar fee must be paid by the buyer to the seller,
2 and each seller must collect from the buyer the full amount of the
3 fee. The fee collected from the buyer by the seller must be paid to
4 the department of revenue in accordance with RCW 82.32.045; however,
5 the seller retains ten percent of the fee collected.

6 (c) The portion of the fee paid to the department of revenue
7 under (b) of this subsection must be deposited in the motor vehicle
8 fund created under RCW 46.68.070.

9 (2) The fee to be collected by the seller, less the ten percent
10 that the seller retains as specified in subsection (1)(b) of this
11 section, must be held in trust by the seller until paid to the
12 department of revenue, and any seller who appropriates or converts
13 the fee collected to any use other than the payment of the fee on the
14 due date is guilty of a gross misdemeanor.

15 (3) Any seller that fails to collect the fee imposed under this
16 section or, having collected the fee, fails to pay it to the
17 department of revenue by the date due, whether such failure is the
18 result of the seller or the result of acts or conditions beyond the
19 seller's control, is personally liable to the state for the amount of
20 the fee.

21 (4) The amount of the fee, until paid by the buyer to the seller
22 or to the department of revenue, constitutes a debt from the buyer to
23 the seller. Any seller who fails or refuses to collect the fee as
24 required with the intent to violate this section or to gain some
25 advantage or benefit and any buyer who refuses to pay the fee due is
26 guilty of a misdemeanor.

27 (5) The department of revenue must collect on the business excise
28 tax return from the businesses selling new tires that contain studs
29 at retail the number of tires sold and the fee imposed under this
30 section. The department of revenue must incorporate into its audit
31 cycle a reconciliation of the number of tires sold and the amount of
32 revenue collected by the businesses selling new tires that contain
33 studs.

34 (6) All other applicable provisions of chapter 82.32 RCW have
35 full force and application with respect to the fee imposed under this
36 section.

37 (7) The department of revenue must administer this section.

38 (8) This section takes effect only if the following are enacted
39 by June 30, 2015:

40 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

- 1 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
- 2 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
- 3 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
- 4 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
- 5 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

6 **Report of Sale & Transitional Ownership Fees**

7 **Sec. 211.** RCW 46.17.050 and 2014 c 59 s 3 are each amended to
8 read as follows:

9 (1) Before accepting a report of sale filed under RCW
10 46.12.650(2), the department, county auditor or other agent, or
11 subagent appointed by the director shall require the applicant to
12 pay(

13 (+)) the filing fee under RCW 46.17.005(1), the license plate
14 technology fee under RCW 46.17.015, (~~and~~) the license service fee
15 under RCW 46.17.025 (~~to the county auditor or other agent; and~~

16 (+)), and the service fee under RCW 46.17.040(1)(b) (~~to the~~
17 subagent)).

18 (2) Services fees collected under this section by the department
19 or county auditor or other agent appointed by the director must be
20 credited to the capital vessel replacement account under RCW
21 47.60.322.

22 (3) Section 211, chapter ..., Laws of 2015 (section 211 of this
23 act) takes effect only if the following are enacted by June 30, 2015:

24 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

25 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

26 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

27 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

28 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

29 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

30 **Sec. 212.** RCW 46.17.060 and 2014 c 59 s 4 are each amended to
31 read as follows:

32 (1) Before accepting a transitional ownership record filed under
33 RCW 46.12.660, the department, county auditor or other agent, or
34 subagent appointed by the director shall require the applicant to
35 pay(

1 ~~(1))~~ the filing fee under RCW 46.17.005(1), the license plate
2 technology fee under RCW 46.17.015, (~~and~~) the license service fee
3 under RCW 46.17.025 (~~to the county auditor or other agent; and~~
4 ~~(2))~~, and the service fee under RCW 46.17.040(1)(b) (~~to the~~
5 subagent)).

6 (2) Services fees collected under this section by the department
7 or county auditor or other agent appointed by the director must be
8 credited to the capital vessel replacement account under RCW
9 47.60.322.

10 (3) Section 212, chapter ..., Laws of 2015 (section 212 of this
11 act) takes effect only if the following are enacted by June 30, 2015:

12 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

13 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

14 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

15 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

16 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

17 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

18 **Sec. 213.** RCW 47.60.322 and 2014 c 59 s 1 are each amended to
19 read as follows:

20 (1) The capital vessel replacement account is created in the
21 motor vehicle fund. All revenues generated from the vessel
22 replacement surcharge under RCW 47.60.315(7) and service fees
23 collected by the department of licensing or county auditor or other
24 agent appointed by the director under RCW 46.17.040, 46.17.050, and
25 46.17.060 must be deposited into the account. Moneys in the account
26 may be spent only after appropriation. Expenditures from the account
27 may be used only for the construction or purchase of ferry vessels
28 and to pay the principal and interest on bonds authorized for the
29 construction or purchase of ferry vessels. However, expenditures from
30 the account must first be used to support the construction or
31 purchase, including any applicable financing costs, of a ferry vessel
32 with a carrying capacity of at least one hundred forty-four cars.

33 (2) The state treasurer may not transfer any moneys from the
34 capital vessel replacement account except to the transportation 2003
35 account (nickel account) for debt service on bonds issued for the
36 construction of 144-car class ferry vessels.

37 (3) Section 213, chapter ..., Laws of 2015 (section 213 of this
38 act) takes effect only if the following are enacted by June 30, 2015:

39 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

- 1 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
2 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
3 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
4 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
5 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

6 **Sec. 214.** RCW 46.12.650 and 2010 c 161 s 309 are each amended to
7 read as follows:

8 (1) **Releasing interest.** An owner releasing interest in a vehicle
9 shall:

10 (a) Sign the release of interest section provided on the
11 certificate of title or on a release of interest document or form
12 approved by the department;

13 (b) Give the certificate of title or most recent evidence of
14 ownership to the person gaining the interest in the vehicle;

15 (c) Give the person gaining interest in the vehicle an odometer
16 disclosure statement if one is required; and

17 (d) Report the vehicle sold as provided in subsection (2) of this
18 section.

19 (2) **Report of sale.** An owner shall notify the department, county
20 auditor or other agent, or subagent appointed by the director in
21 writing within (~~five~~) twenty-one business days after a vehicle is
22 or has been:

23 (a) Sold;

24 (b) Given as a gift to another person;

25 (c) Traded, either privately or to a dealership;

26 (d) Donated to charity;

27 (e) Turned over to an insurance company or wrecking yard; or

28 (f) Disposed of.

29 (3) **Report of sale properly filed.** A report of sale is properly
30 filed if it is received by the department, county auditor or other
31 agent, or subagent appointed by the director within (~~five~~) twenty-
32 one business days after the date of sale or transfer and it includes:

33 (a) The date of sale or transfer;

34 (b) The owner's name and address;

35 (c) The name and address of the person acquiring the vehicle;

36 (d) The vehicle identification number and license plate number;

37 (e) A date or stamp by the department showing it was received on
38 or before the (~~fifth~~) twenty-first business day after the date of
39 sale or transfer; and

1 (f) Payment of the fees required under RCW 46.17.050 (~~if the~~
2 ~~report of sale is processed by a county auditor or other agent or~~
3 ~~subagent appointed by the director~~)).

4 (4) **Report of sale - administration.** (a) The department shall:

5 (~~(a)~~) (i) Provide or approve reports of sale forms;

6 (~~(b)~~) (ii) Provide a system enabling an owner to submit reports
7 of sale electronically;

8 (~~(c)~~) (iii) Immediately update the department's vehicle record
9 when a report of sale has been filed;

10 (~~(d)~~) (iv) Provide instructions on release of interest forms
11 that allow the seller of a vehicle to release their interest in a
12 vehicle at the same time a financial institution, as defined in RCW
13 (~~30.22.040~~) 30A.22.040, releases its lien on the vehicle; and

14 (~~(e)~~) (v) Send a report to the department of revenue that lists
15 vehicles for which a report of sale has been received but no transfer
16 of ownership has taken place. The department shall send the report
17 once each quarter.

18 (b) A report of sale that is received by the department, county
19 auditor or other agent, or subagent appointed by the director after
20 the twenty-first day becomes effective on the day it is received by
21 the department, county auditor or other agent, or subagent appointed
22 by the director.

23 (5)(a) **Transferring ownership.** A person who has recently acquired
24 a vehicle by purchase, exchange, gift, lease, inheritance, or legal
25 action shall apply to the department, county auditor or other agent,
26 or subagent appointed by the director for a new certificate of title
27 within fifteen days of delivery of the vehicle. A secured party who
28 has possession of the certificate of title shall either:

29 (i) Apply for a new certificate of title on behalf of the owner
30 and pay the fee required under RCW 46.17.100; or

31 (ii) Provide all required documents to the owner, as long as the
32 transfer was not a breach of its security agreement, to allow the
33 owner to apply for a new certificate of title.

34 (b) Compliance with this subsection does not affect the rights of
35 the secured party.

36 (6) **Certificate of title delivered to secured party.** The
37 certificate of title must be kept by or delivered to the person who
38 becomes the secured party when a security interest is reserved or
39 created at the time of the transfer of ownership. The parties must
40 comply with RCW 46.12.675.

1 (7) **Penalty for late transfer.** A person who has recently acquired
2 a motor vehicle by purchase, exchange, gift, lease, inheritance, or
3 legal action who does not apply for a new certificate of title within
4 fifteen calendar days of delivery of the vehicle is charged a
5 penalty, as described in RCW 46.17.140, when applying for a new
6 certificate of title. It is a misdemeanor to fail or neglect to apply
7 for a transfer of ownership within forty-five days after delivery of
8 the vehicle. The misdemeanor is a single continuing offense for each
9 day that passes regardless of the number of days that have elapsed
10 following the forty-five day time period.

11 (8) **Penalty for late transfer - exceptions.** The penalty is not
12 charged if the delay in application is due to at least one of the
13 following:

14 (a) The department requests additional supporting documents;

15 (b) The department, county auditor or other agent, or subagent
16 fails to perform or is neglectful;

17 (c) The owner is prevented from applying due to an illness or
18 extended hospitalization;

19 (d) The legal owner fails or neglects to release interest;

20 (e) The owner did not know of the filing of a report of sale by
21 the previous owner and signs an affidavit to the fact; or

22 (f) The department finds other conditions exist that adequately
23 explain the delay.

24 (9) **Review and issue.** The department shall review applications
25 for certificates of title and issue certificates of title when it has
26 determined that all applicable provisions of law have been complied
27 with.

28 (10) **Rules.** The department may adopt rules as necessary to
29 implement this section.

30 (11) Section 214, chapter ..., Laws of 2015 (section 214 of this
31 act) takes effect only if the following are enacted by June 30, 2015:

32 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

33 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

34 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

35 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

36 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

37 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

38 **Intermittent-Use Trailer Fee**

1 NEW SECTION. **Sec. 215.** A new section is added to chapter 46.16A
2 RCW to read as follows:

3 (1) A trailer that is used only for intermittent personal use,
4 including participation in club activities, exhibitions, tours, and
5 parades, may be issued a permanent license plate and registration.
6 The permanent license plate and registration is valid until the
7 trailer is sold, permanently removed from the state, or otherwise
8 disposed of by the registered owner. To be eligible to receive a
9 permanent license plate and registration, the registered owner of the
10 intermittent-use trailer must:

11 (a) Apply for a permanent license plate and registration with the
12 department, county auditor or other agent, or subagent appointed by
13 the director; and

14 (b) Pay the fee required under section 216 of this act.

15 (2) A trailer with a permanent license plate and registration
16 under this section is exempt from annual registration renewal under
17 RCW 46.16A.110.

18 (3) The permanent license plate and registration under this
19 section expire when the trailer changes ownership, is permanently
20 removed from the state, or is otherwise disposed of, and must be
21 removed from the trailer prior to conveyance.

22 (4) A person in violation of this section is subject to a traffic
23 infraction with a maximum fine of one hundred fifty dollars including
24 all other applicable assessments and fees.

25 (5) In lieu of displaying a standard issue license plate, a
26 person applying for a permanent license plate and registration under
27 this section for a trailer that is at least thirty years old may
28 apply to the department to display a license plate that was issued by
29 the department the year that the intermittent-use trailer was
30 manufactured.

31 (6) For purposes of this section, "intermittent personal use"
32 means use that is not general or daily, but seasonal or sporadic, and
33 not more than once per week on average.

34 (7) The department may adopt rules to implement this section.

35 (8) This section takes effect only if the following are enacted
36 by June 30, 2015:

37 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

38 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

39 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

40 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

- 1 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
2 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

3 **NEW SECTION.** **Sec. 216.** A new section is added to chapter 46.17
4 RCW to read as follows:

5 (1) Before accepting an application for a permanent intermittent-
6 use trailer license plate and registration authorized under section
7 215 of this act, the department, county auditor or other agent, or
8 subagent appointed by the director must require an applicant to pay a
9 one hundred eighty-seven dollar and fifty cent fee. The one hundred
10 eighty-seven dollar and fifty cent fee must be deposited and
11 distributed under RCW 46.68.030.

12 (2) This section takes effect only if the following are enacted
13 by June 30, 2015:

- 14 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
15 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
16 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
17 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
18 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
19 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

20 **PART III**

21 **LOCAL REVENUE OPTIONS**

22 **Transportation Benefit Districts**

23 **Sec. 301.** RCW 36.73.065 and 2012 c 152 s 3 are each amended to
24 read as follows:

25 (1) Except as provided in subsection (4) of this section, taxes,
26 fees, charges, and tolls may not be imposed by a district without
27 approval of a majority of the voters in the district voting on a
28 proposition at a general or special election. The proposition must
29 include a specific description of: (a) The transportation improvement
30 or improvements proposed by the district; (b) any rebate program
31 proposed to be established under RCW 36.73.067; and (c) the proposed
32 taxes, fees, charges, and the range of tolls imposed by the district
33 to raise revenue to fund the improvement or improvements or rebate
34 program, as applicable.

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

1 (3) A district may not increase any taxes, fees, charges, or
2 range of tolls imposed or change a rebate program under this chapter
3 once the taxes, fees, charges, tolls, or rebate program takes effect,
4 ~~((unless))~~ except:

5 (a) If authorized by the district voters pursuant to RCW
6 36.73.160; or

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

10 (4)(a) A district that includes all the territory within the
11 boundaries of the jurisdiction, or jurisdictions, establishing the
12 district may impose by a majority vote of the governing board of the
13 district the following fees and charges:

14 (i) Up to twenty dollars of the vehicle fee authorized in RCW
15 82.80.140; ~~((or))~~

16 (ii) Up to forty dollars of the vehicle fee authorized in RCW
17 82.80.140 if a vehicle fee of twenty dollars has been imposed for at
18 least twenty-four months; or

19 (iii) A fee or charge in accordance with RCW 36.73.120.

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

24 (c)(i) A district solely comprised of a city or cities ~~((shall))~~
25 may not impose the fees or charges identified in (a) of this
26 subsection within one hundred eighty days after July 22, 2007, unless
27 the county in which the city or cities reside, by resolution,
28 declares that it will not impose the fees or charges identified in
29 (a) of this subsection within the one hundred eighty-day period; or

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

35 (5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be
36 reached, a district that includes only the unincorporated territory
37 of a county may impose by a majority vote of the governing body of
38 the district up to: (a) Twenty dollars of the vehicle fee authorized
39 in RCW 82.80.140; or (b) forty dollars of the vehicle fee authorized

1 in RCW 82.80.140 if a fee of twenty dollars has been imposed for at
2 least twenty-four months.

3 (6) Section 301, chapter ..., Laws of 2015 (section 301 of this
4 act) takes effect only if the following are enacted by June 30, 2015:

5 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

6 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

7 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

8 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

9 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

10 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

11 **Sec. 302.** RCW 82.80.140 and 2010 c 161 s 917 are each amended to
12 read as follows:

13 (1) Subject to the provisions of RCW 36.73.065, a transportation
14 benefit district under chapter 36.73 RCW may fix and impose an annual
15 vehicle fee, not to exceed one hundred dollars per vehicle registered
16 in the district, for each vehicle subject to vehicle license fees
17 under RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n)
18 through (q) and for each vehicle subject to gross weight license fees
19 under RCW 46.17.355 with a scale weight of six thousand pounds or
20 less.

21 (2)(a) A district that includes all the territory within the
22 boundaries of the jurisdiction, or jurisdictions, establishing the
23 district may impose by a majority vote of the governing board of the
24 district up to twenty dollars of the vehicle fee authorized in
25 subsection (1) of this section or up to forty dollars of the vehicle
26 fee authorized in subsection (1) of this section if a twenty dollar
27 vehicle fee has been imposed for at least twenty-four months.

28 If the district is countywide, the revenues of the fee (~~shall~~)
29 must be distributed to each city within the (~~county~~) district by
30 interlocal agreement. The interlocal agreement is effective when
31 approved by the (~~county~~) district and sixty percent of the cities
32 representing seventy-five percent of the population of the cities
33 within the (~~county~~) district in which the countywide fee is
34 collected.

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

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

1 (ii) That, if combined with the fees previously imposed by
2 another district within its boundaries under RCW 36.73.065(4)(a)(i),
3 exceeds (~~twenty~~) forty dollars.

4 If a district imposes or increases a fee under this subsection
5 (2) that, if combined with the fees previously imposed by another
6 district within its boundaries, exceeds (~~twenty~~) forty dollars, the
7 district shall provide a credit for the previously imposed fees so
8 that the combined vehicle fee does not exceed (~~twenty~~) forty
9 dollars.

10 (3) The department of licensing shall administer and collect the
11 fee. The department shall deduct a percentage amount, as provided by
12 contract, not to exceed one percent of the fees collected, for
13 administration and collection expenses incurred by it. The department
14 shall remit remaining proceeds to the custody of the state treasurer.
15 The state treasurer shall distribute the proceeds to the district on
16 a monthly basis.

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

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

22 (6) The following vehicles are exempt from the fee under this
23 section:

24 (a) Campers, as defined in RCW 46.04.085;

25 (b) Farm tractors or farm vehicles, as defined in RCW 46.04.180
26 and 46.04.181;

27 (c) Mopeds, as defined in RCW 46.04.304;

28 (d) Off-road and nonhighway vehicles, as defined in RCW
29 46.04.365;

30 (e) Private use single-axle trailer, as defined in RCW 46.04.422;

31 (f) Snowmobiles, as defined in RCW 46.04.546; and

32 (g) Vehicles registered under chapter 46.87 RCW and the
33 international registration plan.

34 (7) Section 302, chapter ..., Laws of 2015 (section 302 of this
35 act) takes effect only if the following are enacted by June 30, 2015:

36 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

37 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

38 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

39 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

40 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

1 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

2 **Sec. 303.** RCW 36.73.015 and 2012 c 152 s 1 are each amended to
3 read as follows:

4 The definitions in this section apply throughout this chapter
5 unless the context clearly requires otherwise.

6 (1) "City" means a city or town.

7 (2) "District" means a transportation benefit district created
8 under this chapter.

9 (3) "Low-income" means household income that is at or below
10 (~~forty-five~~) seventy-five percent of the median household income,
11 adjusted for household size, for the district in which the fees,
12 taxes, or tolls were imposed.

13 (4) "Rebate program" means an optional program established by a
14 transportation benefit district that includes a city with a
15 population of five hundred thousand persons or more for the purpose
16 of providing rebates to low-income individuals for fees, taxes,
17 and/or tolls imposed by such transportation benefit district for: (a)
18 Vehicle fees imposed under RCW 36.73.040(3)(b); (b) sales and use
19 taxes imposed under RCW 36.73.040(3)(a); and/or (c) tolls imposed
20 under RCW 36.73.040(3)(d).

21 (5) "Supplemental transportation improvement" or "supplemental
22 improvement" means any project, work, or undertaking to provide
23 public transportation service, in addition to a district's existing
24 or planned voter-approved transportation improvements, proposed by a
25 participating city member of the district under RCW 36.73.180.

26 (6) "Transportation improvement" means a project contained in the
27 transportation plan of the state, a regional transportation planning
28 organization, city, county, or eligible jurisdiction as identified in
29 RCW 36.73.020(2). A project may include investment in new or existing
30 highways of statewide significance, principal arterials of regional
31 significance, high capacity transportation, public transportation,
32 and other transportation projects and programs of regional or
33 statewide significance including transportation demand management.
34 Projects may also include the operation, preservation, and
35 maintenance of these facilities or programs.

36 **Community Transit Sales Tax**

1 **Sec. 304.** RCW 82.14.045 and 2008 c 86 s 102 are each amended to
2 read as follows:

3 (1) The legislative body of any city pursuant to RCW 35.92.060,
4 of any county which has created an unincorporated transportation
5 benefit area pursuant to RCW 36.57.100 and 36.57.110, of any public
6 transportation benefit area pursuant to RCW 36.57A.080 and
7 36.57A.090, of any county transportation authority established
8 pursuant to chapter 36.57 RCW, and of any metropolitan municipal
9 corporation within a county with a population of one million or more
10 pursuant to chapter 35.58 RCW, may, by resolution or ordinance for
11 the sole purpose of providing funds for the operation, maintenance,
12 or capital needs of public transportation systems or public
13 transportation limited to persons with special needs under RCW
14 36.57.130 and 36.57A.180, and in lieu of the excise taxes authorized
15 by RCW 35.95.040, submit an authorizing proposition to the voters or
16 include such authorization in a proposition to perform the function
17 of public transportation or public transportation limited to persons
18 with special needs under RCW 36.57.130 and 36.57A.180, and if
19 approved by a majority of persons voting thereon, impose a sales and
20 use tax in accordance with the terms of this chapter. Where an
21 authorizing proposition is submitted by a county on behalf of an
22 unincorporated transportation benefit area, it shall be voted upon by
23 the voters residing within the boundaries of such unincorporated
24 transportation benefit area and, if approved, the sales and use tax
25 shall be imposed only within such area. Notwithstanding any
26 provisions of this section to the contrary, any county in which a
27 county public transportation plan has been adopted pursuant to RCW
28 36.57.070 and the voters of such county have authorized the
29 imposition of a sales and use tax pursuant to the provisions of
30 section 10, chapter 167, Laws of 1974 ex. sess., prior to July 1,
31 1975, shall be authorized to fix and impose a sales and use tax as
32 provided in this section at not to exceed the rate so authorized
33 without additional approval of the voters of such county as otherwise
34 required by this section.

35 The tax authorized by this section shall be in addition to the
36 tax authorized by RCW 82.14.030 and shall be collected from those
37 persons who are taxable by the state under chapters 82.08 and 82.12
38 RCW upon the occurrence of any taxable event within such city, public
39 transportation benefit area, county, or metropolitan municipal
40 corporation as the case may be. The rate of such tax shall be one-

1 tenth, two-tenths, three-tenths, four-tenths, five-tenths, six-
2 tenths, seven-tenths, eight-tenths, or nine-tenths of one percent of
3 the selling price (in the case of a sales tax) or value of the
4 article used (in the case of a use tax). The rate of such tax shall
5 not exceed the rate authorized by the voters unless such increase
6 shall be similarly approved.

7 (2)(a) In the event a metropolitan municipal corporation imposes
8 a sales and use tax pursuant to this chapter no city, county which
9 has created an unincorporated transportation benefit area, public
10 transportation benefit area authority, or county transportation
11 authority wholly within such metropolitan municipal corporation shall
12 be empowered to impose and/or collect taxes under RCW 35.95.040 or
13 this section, but nothing herein shall prevent such city or county
14 from imposing sales and use taxes pursuant to any other
15 authorization.

16 (b) In the event a county transportation authority imposes a
17 sales and use tax under this section, no city, county which has
18 created an unincorporated transportation benefit area, public
19 transportation benefit area, or metropolitan municipal corporation,
20 located within the territory of the authority, shall be empowered to
21 impose or collect taxes under RCW 35.95.040 or this section.

22 (c) In the event a public transportation benefit area imposes a
23 sales and use tax under this section, no city, county which has
24 created an unincorporated transportation benefit area, or
25 metropolitan municipal corporation, located wholly or partly within
26 the territory of the public transportation benefit area, shall be
27 empowered to impose or collect taxes under RCW 35.95.040 or this
28 section.

29 (3) The legislative body of a public transportation benefit area
30 located in a county with a population of seven hundred thousand or
31 more that also contains a city with a population of seventy-five
32 thousand or more operating a transit system pursuant to chapter 35.95
33 RCW may submit an authorizing proposition to the voters and, if
34 approved by a majority of persons voting on the proposition, impose a
35 sales and use tax in accordance with the terms of this chapter of
36 one-tenth, two-tenths, or three-tenths of one percent of the selling
37 price, in the case of a sales tax, or value of the article used, in
38 the case of a use tax, in addition to the rate in subsection (1) of
39 this section.

1 (4) Section 304, chapter ..., Laws of 2015 (section 304 of this
2 act) takes effect only if the following are enacted by June 30, 2015:
3 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
4 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
5 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
6 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
7 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
8 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

9 **Passenger-Only Ferry Service Districts**

10 NEW SECTION. Sec. 305. A new section is added to chapter 36.57A
11 RCW to read as follows:

12 (1) A governing body of a public transportation benefit area,
13 located in a county that only borders the western side of Puget Sound
14 with a population of more than two hundred thousand and contains one
15 or more Washington state ferries terminals, may establish one or more
16 passenger-only ferry service districts within all or a portion of the
17 boundaries of the public transportation benefit area establishing the
18 passenger-only ferry service district. A passenger-only ferry service
19 district may include all or a portion of a city or town as long as
20 all or a portion of the city or town boundaries are within the
21 boundaries of the establishing public transportation benefit area.
22 The members of the public transportation benefit area governing body
23 proposing to establish the passenger-only ferry service district,
24 acting ex officio and independently, constitutes the governing body
25 of the passenger-only ferry service district.

26 (2) A passenger-only ferry service district may establish,
27 finance, and provide passenger-only ferry service, and associated
28 services to support and augment passenger-only ferry service
29 operation, within its boundaries in the same manner as authorized for
30 public transportation benefit areas under this chapter.

31 (3) A passenger-only ferry service district constitutes a body
32 corporate and possesses all the usual powers of a corporation for
33 public purposes as well as all other powers that may be conferred by
34 statute including, but not limited to, the authority to hire
35 employees, staff, and services, to enter into contracts, to acquire,
36 hold, and dispose of real and personal property, and to sue and be
37 sued. Public works contract limits applicable to the public
38 transportation benefit area that established the passenger-only ferry

1 service district apply to the district. For purposes of this section,
2 "passenger-only ferry service district" means a quasi-municipal
3 corporation and independent taxing authority within the meaning of
4 Article VII, section 1 of the state Constitution, and a taxing
5 district within the meaning of Article VII, section 2 of the state
6 Constitution, created by the legislative body of a public
7 transportation benefit area.

8 (4) Before a passenger-only ferry service district may provide
9 passenger-only ferry service, it must develop a passenger-only ferry
10 investment plan, including elements: To operate or contract for the
11 operation of passenger-only ferry services; to purchase, lease, or
12 rent ferry vessels and dock facilities for the provision of transit
13 service; and to identify other activities necessary to implement the
14 plan. The plan must set forth terminal locations to be served,
15 projected costs of providing services, and revenues to be generated
16 from tolls, locally collected tax revenues, and other revenue
17 sources. The plan must ensure that services provided under the plan
18 are for the benefit of the residents of the passenger-only ferry
19 service district. The passenger-only ferry service district may use
20 any of its powers to carry out this purpose, unless otherwise
21 prohibited by law. In addition, the passenger-only ferry service
22 district may enter into: Contracts and agreements to operate
23 passenger-only ferry service; public-private partnerships; and
24 design-build, general contractor/construction management, or other
25 alternative procurement processes substantially consistent with
26 chapter 39.10 RCW.

27 (5) A passenger-only ferry service district may be dissolved by a
28 majority vote of the governing body when all obligations under any
29 general obligation bonds issued by the passenger-only ferry service
30 district have been discharged and any other contractual obligations
31 of the passenger-only ferry service district have either been
32 discharged or assumed by another governmental entity.

33 (6) This section takes effect only if the following are enacted
34 by June 30, 2015:

- 35 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
- 36 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
- 37 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
- 38 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
- 39 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
- 40 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

1 NEW SECTION. **Sec. 306.** A new section is added to chapter 36.57A
2 RCW to read as follows:

3 (1) A passenger-only ferry service district may, as part of a
4 passenger-only ferry investment plan, recommend some or all of the
5 following revenue sources as provided in this chapter:

6 (a) A sales and use tax, as authorized in section 307 of this
7 act;

8 (b) A parking tax, as authorized in section 308 of this act;

9 (c) Tolls for passengers, packages, and, where applicable,
10 parking; and

11 (d) Charges or licensing fees for advertising, leasing space for
12 services to ferry passengers, and other revenue generating
13 activities.

14 (2) Taxes may not be imposed without an affirmative vote of the
15 majority of the voters within the boundaries of the passenger-only
16 ferry service district voting on a single ballot proposition to both
17 approve a passenger-only ferry investment plan and to approve taxes
18 to implement the plan. Revenues from these taxes and fees may be used
19 only to implement the plan and must be used for the benefit of the
20 residents of the passenger-only ferry service district. A district
21 must contract with the department of revenue for the administration
22 and collection of a sales and use tax as authorized in section 307 of
23 this act. A district may contract with other appropriate entities for
24 the administration and collection of any of the other taxes or
25 charges authorized in this section.

26 (3) This section takes effect only if the following are enacted
27 by June 30, 2015:

28 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

29 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

30 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

31 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

32 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

33 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

34 NEW SECTION. **Sec. 307.** A new section is added to chapter 82.14
35 RCW to read as follows:

36 (1) Passenger-only ferry service districts providing passenger-
37 only ferry service as provided in section 305 of this act may submit
38 an authorizing proposition to the voters and, if approved by a
39 majority of persons voting, fix and impose a sales and use tax in

1 accordance with the terms of this chapter, solely for the purpose of
2 providing passenger-only ferry service and associated services to
3 support and augment passenger-only ferry service operation.

4 (2) The tax authorized under this section is in addition to other
5 taxes authorized by law and must be collected from those persons who
6 are taxable by the state under chapters 82.08 and 82.12 RCW upon the
7 occurrence of a taxable event within the taxing district. The maximum
8 rate of the tax must be approved by the voters and may not exceed
9 three-tenths of one percent of the selling price in the case of a
10 sales tax or value of the article used in the case of a use tax.

11 (3) This section takes effect only if the following are enacted
12 by June 30, 2015:

13 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

14 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

15 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

16 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

17 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

18 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

19 NEW SECTION. **Sec. 308.** A new section is added to chapter 82.80
20 RCW to read as follows:

21 (1) Subject to the conditions of this section, a passenger-only
22 ferry service district located in a county with a population of one
23 million or less as of January 1, 2016, may fix and impose a parking
24 tax on all persons engaged in a commercial parking business within
25 its respective jurisdiction.

26 (2) In lieu of the tax in subsection (1) of this section, a
27 passenger-only ferry service district located in a county with a
28 population of one million or less as of January 1, 2016, may fix and
29 impose a tax for the act or privilege of parking a motor vehicle in a
30 facility operated by a commercial parking business. The passenger-
31 only ferry service district may provide that:

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

34 (b) The tax applies to all parking for which a fee is paid,
35 whether paid or leased, including parking supplied with a lease of
36 nonresidential space;

37 (c) The tax is collected by the operator of the facility and
38 remitted to the city, county, or passenger-only ferry service
39 district;

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

3 (e) The tax rate varies with zoning or location of the facility,
4 the duration of the parking, the time of entry or exit, the type or
5 use of the vehicle, or other reasonable factors; and

6 (f) Tax exempt carpools, vehicles with special license plates and
7 parking placards for persons with disabilities, or government
8 vehicles are exempt from the tax.

9 (3) The rate of the tax under subsection (1) of this section may
10 be based either upon gross proceeds or the number of vehicle stalls
11 available for commercial parking use. The rates charged must be
12 uniform for the same class or type of commercial parking business.

13 (4) The passenger-only ferry service district levying the tax
14 provided for in subsection (1) or (2) of this section may provide for
15 its payment on a monthly, quarterly, or annual basis.

16 (5) The proceeds of the parking tax imposed by a passenger-only
17 ferry service district under subsection (1) or (2) of this section
18 must be used as provided in section 306 of this act.

19 (6) "Commercial parking business" as used in this section, means
20 the ownership, lease, operation, or management of a commercial
21 parking lot in which fees are charged. "Commercial parking lot" means
22 a covered or uncovered area with stalls for the purpose of parking
23 motor vehicles.

24 (7) This section takes effect only if the following are enacted
25 by June 30, 2015:

26 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

27 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

28 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

29 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

30 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

31 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

32 NEW SECTION. **Sec. 309.** A new section is added to chapter 36.57A
33 RCW to read as follows:

34 (1) To carry out the purposes of this chapter, a passenger-only
35 ferry service district may issue general obligation bonds, not to
36 exceed an amount, together with any other outstanding nonvoter-
37 approved general obligation indebtedness, equal to one and one-half
38 percent of the value of the taxable property within the area, as the
39 term "value of the taxable property" is defined in RCW 39.36.015. A

1 passenger-only ferry service district may also issue general
2 obligation bonds for capital purposes only, together with any
3 outstanding general obligation indebtedness, not to exceed an amount
4 equal to five percent of the value of the taxable property within the
5 area, as the term "value of the taxable property" is defined in RCW
6 39.36.015, when authorized by the voters of the area pursuant to
7 Article VIII, section 6 of the state Constitution.

8 (2) General obligation bonds with a maturity in excess of twenty-
9 five years may not be issued. The governing body of the passenger-
10 only ferry service district must by resolution determine for each
11 general obligation bond issue the amount, date, terms, conditions,
12 denominations, maximum fixed or variable interest rate or rates,
13 maturity or maturities, redemption rights, registration privileges,
14 manner of execution, manner of sale, callable provisions, if any,
15 covenants, and form, including registration as to principal and
16 interest, registration as to principal only, or bearer. Registration
17 may include, but not be limited to: (a) A book entry system of
18 recording the ownership of a bond whether or not physical bonds are
19 issued, or (b) recording the ownership of a bond together with the
20 requirement that the transfer of ownership may only be effected by
21 the surrender of the old bond and either the reissuance of the old
22 bond or the issuance of a new bond to the new owner. Facsimile
23 signatures may be used on the bonds and any coupons. Refunding
24 general obligation bonds may be issued in the same manner as general
25 obligation bonds are issued.

26 (3) Whenever general obligation bonds are issued to fund specific
27 projects or enterprises that generate revenues, charges, user fees,
28 or special assessments, the passenger-only ferry service district may
29 specifically pledge all or a portion of the revenues, charges, user
30 fees, or special assessments to refund the general obligation bonds.
31 The passenger-only ferry service district may also pledge any other
32 revenues that may be available to the district.

33 (4) In addition to general obligation bonds, a passenger-only
34 ferry service district may issue revenue bonds to be issued and sold
35 in accordance with chapter 39.46 RCW.

36 (5) This section takes effect only if the following are enacted
37 by June 30, 2015:

- 38 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
- 39 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
- 40 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

- 1 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
2 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
3 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

4 **Sound Transit Funding - ST3**

5 **Sec. 310.** RCW 81.104.140 and 2002 c 56 s 202 are each amended to
6 read as follows:

7 (1) Agencies authorized to provide high capacity transportation
8 service, including transit agencies and regional transit authorities,
9 and regional transportation investment districts acting with the
10 agreement of an agency, are hereby granted dedicated funding sources
11 for such systems. These dedicated funding sources, as set forth in
12 RCW 81.104.150, 81.104.160, (~~and~~) 81.104.170, and section 313 of
13 this act, are authorized only for agencies located in (a) each county
14 with a population of two hundred ten thousand or more and (b) each
15 county with a population of from one hundred twenty-five thousand to
16 less than two hundred ten thousand except for those counties that do
17 not border a county with a population as described under (a) of this
18 subsection. In any county with a population of one million or more or
19 in any county having a population of four hundred thousand or more
20 bordering a county with a population of one million or more, these
21 funding sources may be imposed only by a regional transit authority
22 or a regional transportation investment district. Regional
23 transportation investment districts may, with the approval of the
24 regional transit authority within its boundaries, impose the taxes
25 authorized under this chapter, but only upon approval of the voters
26 and to the extent that the maximum amount of taxes authorized under
27 this chapter have not been imposed.

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

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

- 33 (a) Acceptability;
34 (b) Ease of administration;
35 (c) Equity;
36 (d) Implementation feasibility;
37 (e) Revenue reliability; and
38 (f) Revenue yield.

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

4 ~~((a))~~ (i) Employer tax as provided in RCW 81.104.150, other
5 than by regional transportation investment districts;

6 ~~((b))~~ (ii) Special motor vehicle excise tax as provided in RCW
7 81.104.160; ~~((and~~

8 ~~(e))~~ (iii) Regular property tax as provided in section 313 of
9 this act; and

10 (iv) Sales and use tax as provided in RCW 81.104.170.

11 (b) Revenues from these taxes may be used only to support those
12 purposes prescribed in subsection (10) of this section. Before the
13 date of an election authorizing an agency to impose any of the taxes
14 enumerated in this section and authorized in RCW 81.104.150,
15 81.104.160, ~~((and))~~ 81.104.170, and section 313 of this act, the
16 agency must comply with the process prescribed in RCW 81.104.100 (1)
17 and (2) and 81.104.110. No construction on exclusive right-of-way may
18 occur before the requirements of RCW 81.104.100(3) are met.

19 (5) Except for the regular property tax authorized in section 313
20 of this act, the authorization in subsection (4) of this section
21 ~~((shall))~~ may not adversely affect the funding authority of transit
22 agencies not provided for in this chapter. Local option funds may be
23 used to support implementation of interlocal agreements with respect
24 to the establishment of regional high capacity transportation
25 service. Except when a regional transit authority exists, local
26 jurisdictions ~~((shall))~~ must retain control over moneys generated
27 within their boundaries, although funds may be commingled with those
28 generated in other areas for planning, construction, and operation of
29 high capacity transportation systems as set forth in the agreements.

30 (6) Except for the regular property tax authorized in section 313
31 of this act, agencies planning to construct and operate high capacity
32 transportation systems may contract with the state for collection and
33 transference of voter-approved local option revenue.

34 (7) Dedicated high capacity transportation funding sources
35 authorized in RCW 81.104.150, 81.104.160, ~~((and))~~ 81.104.170 ~~((shall~~
36 ~~be)),~~ and section 313 of this act are subject to voter approval by a
37 simple majority. A single ballot proposition may seek approval for
38 one or more of the authorized taxing sources. The ballot title
39 ~~((shall))~~ must reference the document identified in subsection (8) of
40 this section.

1 (8) Agencies (~~shall~~) must provide to the registered voters in
2 the area a document describing the systems plan and the financing
3 plan set forth in RCW 81.104.100. It (~~shall~~) must also describe the
4 relationship of the system to regional issues such as development
5 density at station locations and activity centers, and the
6 interrelationship of the system to adopted land use and
7 transportation demand management goals within the region. This
8 document (~~shall~~) must be provided to the voters at least twenty
9 days prior to the date of the election.

10 (9) For any election in which voter approval is sought for a high
11 capacity transportation system plan and financing plan pursuant to
12 RCW 81.104.040, a local voter's pamphlet (~~shall~~) must be produced
13 as provided in chapter (~~29.81A~~) 29A.32 RCW.

14 (10) Agencies providing high capacity transportation service
15 (~~shall~~) must retain responsibility for revenue encumbrance,
16 disbursement, and bonding. Funds may be used for any purpose relating
17 to planning, construction, and operation of high capacity
18 transportation systems and commuter rail systems, personal rapid
19 transit, busways, bus sets, and entrained and linked buses.

20 (11) Section 310, chapter ..., Laws of 2015 (section 310 of this
21 act) takes effect only if the following are enacted by June 30, 2015:

22 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

23 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

24 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

25 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

26 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

27 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

28 **Sec. 311.** RCW 81.104.160 and 2010 c 161 s 903 are each amended
29 to read as follows:

30 (1) Regional transit authorities that include a county with a
31 population of more than one million five hundred thousand may submit
32 an authorizing proposition to the voters, and if approved, may levy
33 and collect an excise tax, at a rate approved by the voters, but not
34 exceeding three-tenths of one percent on the value, under chapter
35 82.44 RCW, of every motor vehicle owned by a resident of the taxing
36 district, solely for the purpose of providing high capacity
37 transportation service. The maximum tax rate under this subsection
38 does not include a motor vehicle excise tax approved before the
39 effective date of this section if the tax will terminate on the date

1 bond debt to which the tax is pledged is repaid. This tax does not
2 apply to vehicles licensed under RCW 46.16A.455 except vehicles with
3 an unladen weight of six thousand pounds or less, RCW 46.16A.425 or
4 46.17.335(2). Notwithstanding any other provision of this subsection
5 or chapter 82.44 RCW, a motor vehicle excise tax imposed by a
6 regional transit authority before or after the effective date of this
7 section must comply with chapter 82.44 RCW as it existed on January
8 1, 1996, until December 31st of the year in which the regional
9 transit authority repays bond debt to which a motor vehicle excise
10 tax was pledged before the effective date of this section. Motor
11 vehicle taxes collected by regional transit authorities after
12 December 31st of the year in which a regional transit authority
13 repays bond debt to which a motor vehicle excise tax was pledged
14 before the effective date of this section must comply with chapter
15 82.44 RCW as it existed on the date the tax was approved by voters.

16 (2) An agency and high capacity transportation corridor area may
17 impose a sales and use tax solely for the purpose of providing high
18 capacity transportation service, in addition to the tax authorized by
19 RCW 82.14.030, upon retail car rentals within the applicable
20 jurisdiction that are taxable by the state under chapters 82.08 and
21 82.12 RCW. The rate of tax (~~shall~~) may not exceed 2.172 percent.
22 The rate of tax imposed under this subsection must bear the same
23 ratio of the 2.172 percent authorized that the rate imposed under
24 subsection (1) of this section bears to the rate authorized under
25 subsection (1) of this section. The base of the tax (~~shall be~~) is
26 the selling price in the case of a sales tax or the rental value of
27 the vehicle used in the case of a use tax.

28 (3) Any motor vehicle excise tax previously imposed under the
29 provisions of RCW 81.104.160(1) shall be repealed, terminated, and
30 expire on December 5, 2002, except for a motor vehicle excise tax for
31 which revenues have been contractually pledged to repay a bonded debt
32 issued before December 5, 2002, as determined by *Pierce County et al.*
33 *v. State*, 159 Wn.2d 16, 148 P.3d 1002 (2006). In the case of bonds
34 that were previously issued, the motor vehicle excise tax must comply
35 with chapter 82.44 RCW as it existed on January 1, 1996.

36 (4) If a regional transit authority imposes the tax authorized
37 under subsection (1) of this section, the authority may not receive
38 any state funds provided in an omnibus transportation appropriations
39 act.

1 (5) Section 311, chapter ..., Laws of 2015 (section 311 of this
2 act) takes effect only if the following are enacted by June 30, 2015:

3 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

4 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

5 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

6 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

7 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

8 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

9 **Sec. 312.** RCW 81.104.170 and 2009 c 469 s 106 and 2009 c 280 s 5
10 are each reenacted and amended to read as follows:

11 (1) 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 authorities may submit an authorizing
15 proposition to the voters and if approved by a majority of persons
16 voting, fix and impose a sales and use tax in accordance with the
17 terms of this chapter, solely for the purpose of providing high
18 capacity transportation service.

19 (2) The tax authorized pursuant to this section (~~(shall be)~~) is
20 in addition to the tax authorized by RCW 82.14.030 and (~~shall~~) must
21 be collected from those persons who are taxable by the state pursuant
22 to chapters 82.08 and 82.12 RCW upon the occurrence of any taxable
23 event within the taxing district.

24 (a) Except for the tax imposed under (b) of this subsection by
25 regional transit authorities that include a county with a population
26 of more than one million five hundred thousand, the maximum rate of
27 such tax (~~shall~~) must be approved by the voters and (~~shall~~) may
28 not exceed one percent of the selling price (in the case of a sales
29 tax) or value of the article used (in the case of a use tax). The
30 maximum rate of such tax that may be imposed (~~shall~~) may not exceed
31 nine-tenths of one percent in any county that imposes a tax under RCW
32 82.14.340, or within a regional transit authority if any county
33 within the authority imposes a tax under RCW 82.14.340.

34 (b) The maximum rate of such tax that may be imposed by a
35 regional transit authority that includes a county with a population
36 of more than one million five hundred thousand must be approved by
37 the voters and may not exceed 1.4 percent. If a regional transit
38 authority imposes the tax authorized under this subsection (2)(b) in

1 excess of 0.9 percent, the authority may not receive any state funds
2 provided in an omnibus transportation appropriations act.

3 (3)(a) The exemptions in RCW 82.08.820 and 82.12.820 are for the
4 state portion of the sales and use tax and do not extend to the tax
5 authorized in this section.

6 (b) The exemptions in RCW 82.08.962 and 82.12.962 are for the
7 state and local sales and use taxes and include the tax authorized by
8 this section.

9 (4) Section 312, chapter ..., Laws of 2015 (section 312 of this
10 act) takes effect only if the following are enacted by June 30, 2015:

11 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

12 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

13 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

14 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

15 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

16 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

17 NEW SECTION. Sec. 313. A new section is added to chapter 81.104
18 RCW to read as follows:

19 (1) A regional transit authority that includes a county with a
20 population of more than one million five hundred thousand may impose
21 a regular property tax levy in an amount not to exceed ten cents per
22 thousand dollars of the assessed value of property in the regional
23 transit authority district in accordance with the terms of this
24 section.

25 (2) Any tax imposed under this section must be used for the
26 purpose of providing high capacity transportation service, as set
27 forth in a proposition that is approved by a majority of the persons
28 residing within the authority that vote on the proposition.

29 (3) Property taxes imposed under this section may be imposed for
30 the period of time required to pay the cost to plan, design,
31 construct, operate, and maintain the transit facilities set forth in
32 the approved proposition. Property taxes pledged to repay bonds may
33 be imposed at the pledged amount until the bonds are retired. After
34 the bonds are retired, property taxes authorized under this section
35 must be:

36 (a) Reduced to the level required to operate and maintain the
37 regional transit authority's transit facilities; or

38 (b) Terminated, unless the taxes have been extended by public
39 vote.

1 (4) The limitations in RCW 84.52.043 do not apply to the tax
2 authorized in this section.

3 (5) The limitation in RCW 84.55.010 does not apply to the first
4 levy imposed under this section.

5 (6) If a regional transit authority imposes the tax authorized
6 under subsection (1) of this section, the authority may not receive
7 any state funds provided in an omnibus transportation appropriations
8 act.

9 (7) This section takes effect only if the following are enacted
10 by June 30, 2015:

11 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

12 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

13 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

14 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

15 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

16 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

17 **Sec. 314.** RCW 84.52.043 and 2011 c 275 s 2 are each amended to
18 read as follows:

19 Within and subject to the limitations imposed by RCW 84.52.050 as
20 amended, the regular ad valorem tax levies upon real and personal
21 property by the taxing districts hereafter named are as follows:

22 (1) Levies of the senior taxing districts are as follows: (a) The
23 levy by the state may not exceed three dollars and sixty cents per
24 thousand dollars of assessed value adjusted to the state equalized
25 value in accordance with the indicated ratio fixed by the state
26 department of revenue to be used exclusively for the support of the
27 common schools; (b) the levy by any county may not exceed one dollar
28 and eighty cents per thousand dollars of assessed value; (c) the levy
29 by any road district may not exceed two dollars and twenty-five cents
30 per thousand dollars of assessed value; and (d) the levy by any city
31 or town may not exceed three dollars and thirty-seven and one-half
32 cents per thousand dollars of assessed value. However any county is
33 hereby authorized to increase its levy from one dollar and eighty
34 cents to a rate not to exceed two dollars and forty-seven and one-
35 half cents per thousand dollars of assessed value for general county
36 purposes if the total levies for both the county and any road
37 district within the county do not exceed four dollars and five cents
38 per thousand dollars of assessed value, and no other taxing district
39 has its levy reduced as a result of the increased county levy.

1 (2) The aggregate levies of junior taxing districts and senior
2 taxing districts, other than the state, may not exceed five dollars
3 and ninety cents per thousand dollars of assessed valuation. The term
4 "junior taxing districts" includes all taxing districts other than
5 the state, counties, road districts, cities, towns, port districts,
6 and public utility districts. The limitations provided in this
7 subsection do not apply to: (a) Levies at the rates provided by
8 existing law by or for any port or public utility district; (b)
9 excess property tax levies authorized in Article VII, section 2 of
10 the state Constitution; (c) levies for acquiring conservation futures
11 as authorized under RCW 84.34.230; (d) levies for emergency medical
12 care or emergency medical services imposed under RCW 84.52.069; (e)
13 levies to finance affordable housing for very low-income housing
14 imposed under RCW 84.52.105; (f) the portions of levies by
15 metropolitan park districts that are protected under RCW 84.52.120;
16 (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies
17 for criminal justice purposes under RCW 84.52.135; (i) the portions
18 of levies by fire protection districts that are protected under RCW
19 84.52.125; (j) levies by counties for transit-related purposes under
20 RCW 84.52.140; ~~((and))~~ (k) the protected portion of the levies
21 imposed under RCW 86.15.160 by flood control zone districts in a
22 county with a population of seven hundred seventy-five thousand or
23 more that are coextensive with a county; and (l) levies imposed by a
24 regional transit authority under section 313 of this act.

25 (3) Section 314, chapter ..., Laws of 2015 (section 314 of this
26 act) takes effect only if the following are enacted by June 30, 2015:

27 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

28 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

29 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

30 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

31 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

32 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

33 **Sec. 315.** RCW 84.52.043 and 2009 c 551 s 6 are each amended to
34 read as follows:

35 Within and subject to the limitations imposed by RCW 84.52.050 as
36 amended, the regular ad valorem tax levies upon real and personal
37 property by the taxing districts hereafter named (~~shall be~~) are as
38 follows:

1 (1) Levies of the senior taxing districts (~~shall be~~) are as
2 follows: (a) The levy by the state (~~shall~~) may not exceed three
3 dollars and sixty cents per thousand dollars of assessed value
4 adjusted to the state equalized value in accordance with the
5 indicated ratio fixed by the state department of revenue to be used
6 exclusively for the support of the common schools; (b) the levy by
7 any county (~~shall~~) may not exceed one dollar and eighty cents per
8 thousand dollars of assessed value; (c) the levy by any road district
9 (~~shall~~) may not exceed two dollars and twenty-five cents per
10 thousand dollars of assessed value; and (d) the levy by any city or
11 town (~~shall~~) may not exceed three dollars and thirty-seven and one-
12 half cents per thousand dollars of assessed value. However any county
13 is hereby authorized to increase its levy from one dollar and eighty
14 cents to a rate not to exceed two dollars and forty-seven and one-
15 half cents per thousand dollars of assessed value for general county
16 purposes if the total levies for both the county and any road
17 district within the county do not exceed four dollars and five cents
18 per thousand dollars of assessed value, and no other taxing district
19 has its levy reduced as a result of the increased county levy.

20 (2) The aggregate levies of junior taxing districts and senior
21 taxing districts, other than the state, (~~shall~~) may not exceed five
22 dollars and ninety cents per thousand dollars of assessed valuation.
23 The term "junior taxing districts" includes all taxing districts
24 other than the state, counties, road districts, cities, towns, port
25 districts, and public utility districts. The limitations provided in
26 this subsection (~~shall~~) do not apply to: (a) Levies at the rates
27 provided by existing law by or for any port or public utility
28 district; (b) excess property tax levies authorized in Article VII,
29 section 2 of the state Constitution; (c) levies for acquiring
30 conservation futures as authorized under RCW 84.34.230; (d) levies
31 for emergency medical care or emergency medical services imposed
32 under RCW 84.52.069; (e) levies to finance affordable housing for
33 very low-income housing imposed under RCW 84.52.105; (f) the portions
34 of levies by metropolitan park districts that are protected under RCW
35 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130;
36 (h) levies for criminal justice purposes under RCW 84.52.135; (i) the
37 portions of levies by fire protection districts that are protected
38 under RCW 84.52.125; (~~and~~) (j) levies by counties for transit-
39 related purposes under RCW 84.52.140; and (k) levies imposed by a
40 regional transit authority under section 313 of this act.

1 (3) Section 315, chapter ..., Laws of 2015 (section 315 of this
2 act) takes effect only if the following are enacted by June 30, 2015:

3 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

4 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

5 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

6 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

7 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

8 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

9 **Sec. 316.** RCW 84.52.010 and 2011 1st sp.s. c 28 s 2 are each
10 amended to read as follows:

11 (1) Except as is permitted under RCW 84.55.050, all taxes must be
12 levied or voted in specific amounts.

13 (2) The rate percent of all taxes for state and county purposes,
14 and purposes of taxing districts coextensive with the county, must be
15 determined, calculated and fixed by the county assessors of the
16 respective counties, within the limitations provided by law, upon the
17 assessed valuation of the property of the county, as shown by the
18 completed tax rolls of the county, and the rate percent of all taxes
19 levied for purposes of taxing districts within any county must be
20 determined, calculated and fixed by the county assessors of the
21 respective counties, within the limitations provided by law, upon the
22 assessed valuation of the property of the taxing districts
23 respectively.

24 (3) When a county assessor finds that the aggregate rate of tax
25 levy on any property, that is subject to the limitations set forth in
26 RCW 84.52.043 or 84.52.050, exceeds the limitations provided in
27 either of these sections, the assessor must recompute and establish a
28 consolidated levy in the following manner:

29 (a) The full certified rates of tax levy for state, county,
30 county road district, regional transit authority, and city or town
31 purposes must be extended on the tax rolls in amounts not exceeding
32 the limitations established by law; however any state levy takes
33 precedence over all other levies and may not be reduced for any
34 purpose other than that required by RCW 84.55.010. If, as a result of
35 the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069,
36 84.52.105, the portion of the levy by a metropolitan park district
37 that was protected under RCW 84.52.120, 84.52.125, 84.52.135,
38 84.52.140, and the protected portion of the levy under RCW 86.15.160
39 by flood control zone districts in a county with a population of

1 seven hundred seventy-five thousand or more that are coextensive with
2 a county, the combined rate of regular property tax levies that are
3 subject to the one percent limitation exceeds one percent of the true
4 and fair value of any property, then these levies must be reduced as
5 follows:

6 (i) The portion of the levy by a metropolitan park district that
7 has a population of less than one hundred fifty thousand and is
8 located in a county with a population of one million five hundred
9 thousand or more that is protected under RCW 84.52.120 must be
10 reduced until the combined rate no longer exceeds one percent of the
11 true and fair value of any property or must be eliminated;

12 (ii) If the combined rate of regular property tax levies that are
13 subject to the one percent limitation still exceeds one percent of
14 the true and fair value of any property, the protected portion of the
15 levy imposed under RCW 86.15.160 by a flood control zone district in
16 a county with a population of seven hundred seventy-five thousand or
17 more that is coextensive with a county must be reduced until the
18 combined rate no longer exceeds one percent of the true and fair
19 value of any property or must be eliminated;

20 (iii) If the combined rate of regular property tax levies that
21 are subject to the one percent limitation still exceeds one percent
22 of the true and fair value of any property, the levy imposed by a
23 county under RCW 84.52.140 must be reduced until the combined rate no
24 longer exceeds one percent of the true and fair value of any property
25 or must be eliminated;

26 (iv) If the combined rate of regular property tax levies that are
27 subject to the one percent limitation still exceeds one percent of
28 the true and fair value of any property, the portion of the levy by a
29 fire protection district that is protected under RCW 84.52.125 must
30 be reduced until the combined rate no longer exceeds one percent of
31 the true and fair value of any property or must be eliminated;

32 (v) If the combined rate of regular property tax levies that are
33 subject to the one percent limitation still exceeds one percent of
34 the true and fair value of any property, the levy imposed by a county
35 under RCW 84.52.135 must be reduced until the combined rate no longer
36 exceeds one percent of the true and fair value of any property or
37 must be eliminated;

38 (vi) If the combined rate of regular property tax levies that are
39 subject to the one percent limitation still exceeds one percent of
40 the true and fair value of any property, the levy imposed by a ferry

1 district under RCW 36.54.130 must be reduced until the combined rate
2 no longer exceeds one percent of the true and fair value of any
3 property or must be eliminated;

4 (vii) If the combined rate of regular property tax levies that
5 are subject to the one percent limitation still exceeds one percent
6 of the true and fair value of any property, the portion of the levy
7 by a metropolitan park district with a population of one hundred
8 fifty thousand or more that is protected under RCW 84.52.120 must be
9 reduced until the combined rate no longer exceeds one percent of the
10 true and fair value of any property or must be eliminated;

11 (viii) If the combined rate of regular property tax levies that
12 are subject to the one percent limitation still exceeds one percent
13 of the true and fair value of any property, then the levies imposed
14 under RCW 84.34.230, 84.52.105, and any portion of the levy imposed
15 under RCW 84.52.069 that is in excess of thirty cents per thousand
16 dollars of assessed value, must be reduced on a pro rata basis until
17 the combined rate no longer exceeds one percent of the true and fair
18 value of any property or must be eliminated; and

19 (ix) If the combined rate of regular property tax levies that are
20 subject to the one percent limitation still exceeds one percent of
21 the true and fair value of any property, then the thirty cents per
22 thousand dollars of assessed value of tax levy imposed under RCW
23 84.52.069 must be reduced until the combined rate no longer exceeds
24 one percent of the true and fair value of any property or must be
25 eliminated.

26 (b) The certified rates of tax levy subject to these limitations
27 by all junior taxing districts imposing taxes on such property must
28 be reduced or eliminated as follows to bring the consolidated levy of
29 taxes on such property within the provisions of these limitations:

30 (i) First, the certified property tax levy rates of those junior
31 taxing districts authorized under RCW 36.68.525, 36.69.145,
32 35.95A.100, and 67.38.130 must be reduced on a pro rata basis or
33 eliminated;

34 (ii) Second, if the consolidated tax levy rate still exceeds
35 these limitations, the certified property tax levy rates of flood
36 control zone districts other than the portion of a levy protected
37 under RCW 84.52.815 must be reduced on a pro rata basis or
38 eliminated;

39 (iii) Third, if the consolidated tax levy rate still exceeds
40 these limitations, the certified property tax levy rates of all other

1 junior taxing districts, other than fire protection districts,
2 regional fire protection service authorities, library districts, the
3 first fifty cent per thousand dollars of assessed valuation levies
4 for metropolitan park districts, and the first fifty cent per
5 thousand dollars of assessed valuation levies for public hospital
6 districts, must be reduced on a pro rata basis or eliminated;

7 (iv) Fourth, if the consolidated tax levy rate still exceeds
8 these limitations, the first fifty cent per thousand dollars of
9 assessed valuation levies for metropolitan park districts created on
10 or after January 1, 2002, must be reduced on a pro rata basis or
11 eliminated;

12 (v) Fifth, if the consolidated tax levy rate still exceeds these
13 limitations, the certified property tax levy rates authorized to fire
14 protection districts under RCW 52.16.140 and 52.16.160 and regional
15 fire protection service authorities under RCW 52.26.140(1) (b) and
16 (c) must be reduced on a pro rata basis or eliminated; and

17 (vi) Sixth, if the consolidated tax levy rate still exceeds these
18 limitations, the certified property tax levy rates authorized for
19 fire protection districts under RCW 52.16.130, regional fire
20 protection service authorities under RCW 52.26.140(1)(a), library
21 districts, metropolitan park districts created before January 1,
22 2002, under their first fifty cent per thousand dollars of assessed
23 valuation levy, and public hospital districts under their first fifty
24 cent per thousand dollars of assessed valuation levy, must be reduced
25 on a pro rata basis or eliminated.

26 (4) Section 316, chapter ..., Laws of 2015 (section 316 of this
27 act) takes effect only if the following are enacted by June 30, 2015:

28 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

29 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

30 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;

31 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;

32 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and

33 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

34 **Sec. 317.** RCW 84.52.010 and 2009 c 551 s 7 are each amended to
35 read as follows:

36 (1) Except as is permitted under RCW 84.55.050, all taxes
37 (~~shall~~) must be levied or voted in specific amounts.

38 (2) The rate percent of all taxes for state and county purposes,
39 and purposes of taxing districts coextensive with the county,

1 (~~shall~~) must be determined, calculated and fixed by the county
2 assessors of the respective counties, within the limitations provided
3 by law, upon the assessed valuation of the property of the county, as
4 shown by the completed tax rolls of the county, and the rate percent
5 of all taxes levied for purposes of taxing districts within any
6 county (~~shall~~) must be determined, calculated and fixed by the
7 county assessors of the respective counties, within the limitations
8 provided by law, upon the assessed valuation of the property of the
9 taxing districts respectively.

10 (3) When a county assessor finds that the aggregate rate of tax
11 levy on any property, that is subject to the limitations set forth in
12 RCW 84.52.043 or 84.52.050, exceeds the limitations provided in
13 either of these sections, the assessor (~~shall~~) must recompute and
14 establish a consolidated levy in the following manner:

15 (~~(1)~~) (a) The full certified rates of tax levy for state,
16 county, county road district, regional transit authority, and city or
17 town purposes (~~shall~~) must be extended on the tax rolls in amounts
18 not exceeding the limitations established by law; however any state
19 levy (~~shall~~) takes precedence over all other levies and (~~shall~~)
20 may not be reduced for any purpose other than that required by RCW
21 84.55.010. If, as a result of the levies imposed under RCW 36.54.130,
22 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a
23 metropolitan park district that was protected under RCW 84.52.120,
24 84.52.125, 84.52.135, and 84.52.140, the combined rate of regular
25 property tax levies that are subject to the one percent limitation
26 exceeds one percent of the true and fair value of any property, then
27 these levies (~~shall~~) must be reduced as follows:

28 (~~(a)~~) (i) The levy imposed by a county under RCW 84.52.140
29 (~~shall~~) must be reduced until the combined rate no longer exceeds
30 one percent of the true and fair value of any property or (~~shall~~)
31 must be eliminated;

32 (~~(b)~~) (ii) If the combined rate of regular property tax levies
33 that are subject to the one percent limitation still exceeds one
34 percent of the true and fair value of any property, the portion of
35 the levy by a fire protection district that is protected under RCW
36 84.52.125 (~~shall~~) must be reduced until the combined rate no longer
37 exceeds one percent of the true and fair value of any property or
38 (~~shall~~) must be eliminated;

39 (~~(c)~~) (iii) If the combined rate of regular property tax levies
40 that are subject to the one percent limitation still exceeds one

1 percent of the true and fair value of any property, the levy imposed
2 by a county under RCW 84.52.135 must be reduced until the combined
3 rate no longer exceeds one percent of the true and fair value of any
4 property or must be eliminated;

5 ~~((d))~~ (iv) If the combined rate of regular property tax levies
6 that are subject to the one percent limitation still exceeds one
7 percent of the true and fair value of any property, the levy imposed
8 by a ferry district under RCW 36.54.130 must be reduced until the
9 combined rate no longer exceeds one percent of the true and fair
10 value of any property or must be eliminated;

11 ~~((e))~~ (v) If the combined rate of regular property tax levies
12 that are subject to the one percent limitation still exceeds one
13 percent of the true and fair value of any property, the portion of
14 the levy by a metropolitan park district that is protected under RCW
15 84.52.120 ~~((shall))~~ must be reduced until the combined rate no longer
16 exceeds one percent of the true and fair value of any property or
17 ~~((shall))~~ must be eliminated;

18 ~~((f))~~ (vi) If the combined rate of regular property tax levies
19 that are subject to the one percent limitation still exceeds one
20 percent of the true and fair value of any property, then the levies
21 imposed under RCW 84.34.230, 84.52.105, and any portion of the levy
22 imposed under RCW 84.52.069 that is in excess of thirty cents per
23 thousand dollars of assessed value, ~~((shall))~~ must be reduced on a
24 pro rata basis until the combined rate no longer exceeds one percent
25 of the true and fair value of any property or ~~((shall))~~ must be
26 eliminated; and

27 ~~((g))~~ (vii) If the combined rate of regular property tax levies
28 that are subject to the one percent limitation still exceeds one
29 percent of the true and fair value of any property, then the thirty
30 cents per thousand dollars of assessed value of tax levy imposed
31 under RCW 84.52.069 ~~((shall))~~ must be reduced until the combined rate
32 no longer exceeds one percent of the true and fair value of any
33 property or eliminated.

34 ~~((2))~~ (b) The certified rates of tax levy subject to these
35 limitations by all junior taxing districts imposing taxes on such
36 property ~~((shall))~~ must be reduced or eliminated as follows to bring
37 the consolidated levy of taxes on such property within the provisions
38 of these limitations:

39 ~~((a))~~ (i) First, the certified property tax levy rates of those
40 junior taxing districts authorized under RCW 36.68.525, 36.69.145,

1 35.95A.100, and 67.38.130 (~~shall~~) must be reduced on a pro rata
2 basis or eliminated;

3 (~~(b)~~) (ii) Second, if the consolidated tax levy rate still
4 exceeds these limitations, the certified property tax levy rates of
5 flood control zone districts (~~shall~~) must be reduced on a pro rata
6 basis or eliminated;

7 (~~(c)~~) (iii) Third, if the consolidated tax levy rate still
8 exceeds these limitations, the certified property tax levy rates of
9 all other junior taxing districts, other than fire protection
10 districts, regional fire protection service authorities, library
11 districts, the first fifty cent per thousand dollars of assessed
12 valuation levies for metropolitan park districts, and the first fifty
13 cent per thousand dollars of assessed valuation levies for public
14 hospital districts, (~~shall~~) must be reduced on a pro rata basis or
15 eliminated;

16 (~~(d)~~) (iv) Fourth, if the consolidated tax levy rate still
17 exceeds these limitations, the first fifty cent per thousand dollars
18 of assessed valuation levies for metropolitan park districts created
19 on or after January 1, 2002, (~~shall~~) must be reduced on a pro rata
20 basis or eliminated;

21 (~~(e)~~) (v) Fifth, if the consolidated tax levy rate still
22 exceeds these limitations, the certified property tax levy rates
23 authorized to fire protection districts under RCW 52.16.140 and
24 52.16.160 and regional fire protection service authorities under RCW
25 52.26.140(1) (b) and (c) (~~shall~~) must be reduced on a pro rata
26 basis or eliminated; and

27 (~~(f)~~) (vi) Sixth, if the consolidated tax levy rate still
28 exceeds these limitations, the certified property tax levy rates
29 authorized for fire protection districts under RCW 52.16.130,
30 regional fire protection service authorities under RCW
31 52.26.140(1)(a), library districts, metropolitan park districts
32 created before January 1, 2002, under their first fifty cent per
33 thousand dollars of assessed valuation levy, and public hospital
34 districts under their first fifty cent per thousand dollars of
35 assessed valuation levy, (~~shall~~) must be reduced on a pro rata
36 basis or eliminated.

37 (4) Section 317, chapter ..., Laws of 2015 (section 317 of this
38 act) takes effect only if the following are enacted by June 30, 2015:

39 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;

40 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;

- 1 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
2 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
3 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
4 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

5 **Sec. 318.** RCW 84.04.120 and 1999 c 153 s 69 are each amended to
6 read as follows:

7 (1) "Taxing district" (~~shall be held and construed to mean and~~
8 include)) means the state and any county, city, town, port district,
9 school district, road district, metropolitan park district, regional
10 transit authority, water-sewer district, or other municipal
11 corporation, now or hereafter existing, having the power or
12 authorized by law to impose burdens upon property within the district
13 in proportion to the value thereof, for the purpose of obtaining
14 revenue for public purposes, as distinguished from municipal
15 corporations authorized to impose burdens, or for which burdens may
16 be imposed, for such purposes, upon property in proportion to the
17 benefits accruing thereto.

18 (2) Section 318, chapter ..., Laws of 2015 (section 318 of this
19 act) takes effect only if the following are enacted by June 30, 2015:

- 20 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
21 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
22 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
23 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
24 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
25 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

26 **Sec. 319.** RCW 81.104.180 and 2009 c 280 s 6 are each amended to
27 read as follows:

28 Cities that operate transit systems, county transportation
29 authorities, metropolitan municipal corporations, public
30 transportation benefit areas, high capacity transportation corridor
31 areas, and regional transit authorities are authorized to pledge
32 revenues from the employer tax authorized by RCW 81.104.150, the
33 taxes authorized by RCW 81.104.160, ~~((and))~~ the sales and use tax
34 authorized by RCW 81.104.170, and the property tax authorized by
35 section 313 of this act, to retire bonds issued solely for the
36 purpose of providing high capacity transportation service.

1 **Sec. 320.** RCW 81.112.050 and 2010 c 19 s 3 are each amended to
2 read as follows:

3 (1) At the time of formation, the area to be included within the
4 boundary of the authority shall be that area set forth in the system
5 plan adopted by the joint regional policy committee. Prior to
6 submitting the system and financing plan to the voters, the authority
7 may make adjustments to the boundaries as deemed appropriate but must
8 assure that, to the extent possible, the boundaries: (a) Include the
9 largest-population urban growth area designated by each county under
10 chapter 36.70A RCW; and (b) follow election precinct boundaries. If a
11 portion of any city is determined to be within the service area, the
12 entire city must be included within the boundaries of the authority.
13 Subsequent to formation, when territory is annexed to a city located
14 within the boundaries of the authority, the territory is
15 simultaneously included within the boundaries of the authority and
16 subject to all taxes and other liabilities and obligations applicable
17 within the city with respect to the authority as provided in RCW
18 35.13.500 and 35A.14.475, subject to RCW 84.09.030 and 82.14.055, and
19 notwithstanding any other provision of law.

20 (2) After voters within the authority boundaries have approved
21 the system and financing plan, elections to add areas contiguous to
22 the authority boundaries may be called by resolution of the regional
23 transit authority, after consultation with affected transit agencies
24 and with the concurrence of the legislative authority of the city or
25 town if the area is incorporated, or with the concurrence of the
26 county legislative authority if the area is unincorporated. Only
27 those areas that would benefit from the services provided by the
28 authority may be included and services or projects proposed for the
29 area must be consistent with the regional transportation plan. The
30 election may include a single ballot proposition providing for
31 annexation to the authority boundaries and imposition of the taxes at
32 rates already imposed within the authority boundaries, subject to RCW
33 84.09.030 and 82.14.055.

34 ~~((3) Upon receipt of a resolution requesting exclusion from the~~
35 ~~boundaries of the authority from a city whose municipal boundaries~~
36 ~~cross the boundaries of an authority and thereby result in only a~~
37 ~~portion of the city being subject to local option taxes imposed by~~
38 ~~the authority under chapters 81.104 and 81.112 RCW in order to~~
39 ~~implement a high capacity transit plan, and where the vote to approve~~
40 ~~the city's incorporation occurred simultaneously with an election~~

1 ~~approving the local option taxes, then upon a two-thirds majority~~
2 ~~vote of the governing board of the authority, the governing board~~
3 ~~shall redraw the boundaries of the authority to exclude that portion~~
4 ~~of the city that is located within the authority's boundaries, and~~
5 ~~the excluded area is no longer subject to local option taxes imposed~~
6 ~~by the authority. This subsection expires December 31, 1998.)~~)

7 **PART IV**

8 **MISCELLANEOUS**

9 **Electric Vehicle Infrastructure Bank**

10 **Sec. 401.** RCW 47.04.320 and 2011 c 257 s 2 are each amended to
11 read as follows:

12 (1) The department shall establish a complete streets grant
13 program within the department's highways and local programs division,
14 or its successor. During program development, the department shall
15 include, at a minimum, the department of archaeology and historic
16 preservation, local governments, and other organizations or groups
17 that are interested in the complete streets grant program. The
18 purpose of the grant program is to encourage local governments to
19 adopt urban arterial retrofit street ordinances designed to provide
20 safe access to all users, including bicyclists, pedestrians,
21 motorists, and public transportation users, with the goals of:

22 (a) Promoting healthy communities by encouraging walking,
23 bicycling, and using public transportation;

24 (b) Improving safety by designing major arterials to include
25 features such as wider sidewalks, dedicated bicycle facilities,
26 medians, and pedestrian streetscape features, including trees where
27 appropriate;

28 (c) Protecting the environment and reducing congestion by
29 providing safe alternatives to single-occupancy driving; and

30 (d) Preserving community character by involving local citizens
31 and stakeholders to participate in planning and design decisions.

32 (2) For purposes of this section:

33 (a) "Eligible project" means (i) a local government street or
34 road retrofit project that includes the addition of, or significant
35 repair to, facilities that provide street access with all users in
36 mind, including pedestrians, bicyclists, and public transportation
37 users; or (ii) a retrofit project on city streets or county roads
38 that are part of a state highway that include the addition of, or

1 significant repair to, facilities that provide (~~street~~) access with
2 all users in mind, including pedestrians, bicyclists, and public
3 transportation users.

4 (b) "Local government" means incorporated cities and towns and
5 counties that have adopted a jurisdiction-wide complete streets
6 ordinance that plans for the needs of all users and is consistent
7 with sound engineering principles.

8 (c) "Sound engineering principles" means peer-reviewed, context
9 sensitive solutions guides, reports, and publications, consistent
10 with the purposes of this section.

11 (3) In carrying out the purposes of this section, the department
12 may award funding, subject to the availability of amounts
13 appropriated for this specific purpose, only to eligible projects
14 that are designed consistent with sound engineering principles.

15 (4) The department must report annually to the transportation
16 committees of the legislature on the status of any grant projects
17 funded by the program created under this section.

18 **Sec. 402.** RCW 47.04.325 and 2011 c 257 s 3 are each amended to
19 read as follows:

20 (1) The complete streets grant program account is created in the
21 state treasury. Moneys in the account may be spent only after
22 appropriation. Only the department may authorize expenditures from
23 the account. The department may use complete streets grant program
24 funds for city streets, county roads, and city streets and county
25 roads that are part of a state highway. Expenditures from the account
26 may be used solely for the grants provided under RCW 47.04.320.

27 (2) The department may solicit and receive gifts, grants, or
28 endowments from private and other sources that are made, in trust or
29 otherwise, for the use and benefit of the purposes of the complete
30 streets grant program as provided in RCW 47.04.320.

31 NEW SECTION. **Sec. 403.** A new section is added to chapter 47.29
32 RCW to read as follows:

33 (1) A Washington electric vehicle infrastructure bank is hereby
34 established. The Washington electric vehicle infrastructure bank
35 shall provide financial assistance for the installation of publicly
36 accessible electric vehicle charging stations within the state.

37 (2) Electric vehicle infrastructure receiving financial
38 assistance must include both DC fast-charging stations and level 1 or

1 2 electric vehicle supply equipment. The department must confer with
2 the Washington department of commerce, and seek input from experts
3 representing local government, public utilities, electric vehicle
4 manufacturer representatives, and current Washington state electric
5 vehicle drivers to review information and advise the department on
6 policies and priorities for deployment of public charging station
7 locations.

8 (3) The department's public-private partnerships office must
9 administer all funds dispersed and received, including any funds
10 received under RCW 46.17.323 and deposited into the transportation
11 innovative partnership account created under RCW 47.29.230. Prior to
12 providing any financial assistance for electric vehicle
13 infrastructure projects, the department must submit a business plan
14 to the house of representatives and senate transportation committees
15 of the legislature and to the governor's office.

16 (4) Annual progress reports must be transmitted to the
17 legislature and governor as of December 1st of each year.

18 (5) This section expires July 1, 2026.

19 (6) This section takes effect only if the following are enacted
20 by June 30, 2015:

- 21 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
- 22 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
- 23 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
- 24 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
- 25 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
- 26 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

27 **Sec. 404.** RCW 47.46.060 and 2012 c 77 s 1 are each amended to
28 read as follows:

29 (1) Any person, including the department of transportation and
30 any private entity or entities, may apply for deferral of taxes on
31 the site preparation for, the construction of, the acquisition of any
32 related machinery and equipment that becomes a part of, and the
33 rental of equipment for use in the state route number 16 corridor
34 improvements project under this chapter. Application must be made to
35 the department of revenue in a form and manner prescribed by the
36 department of revenue. The application must contain information
37 regarding estimated or actual costs, time schedules for completion
38 and operation, and other information required by the department of

1 revenue. The department of revenue must approve the application
2 within sixty days if it meets the requirements of this section.

3 (2) The department of revenue must issue a sales and use tax
4 deferral certificate for state and local sales and use taxes due
5 under chapters 82.08, 82.12, and 82.14 RCW on the project.

6 (3) The department of transportation or a private entity granted
7 a tax deferral under this section must begin paying the deferred
8 taxes in the ((eleventh)) twenty-fourth year after the date certified
9 by the department of revenue as the date on which the project is
10 operationally complete. The first payment is due on December 31st of
11 the ((eleventh)) twenty-fourth calendar year after such certified
12 date, with subsequent annual payments due on December 31st of the
13 following nine years. Each payment must equal ten percent of the
14 deferred tax. The project is operationally complete under this
15 section when the collection of tolls is commenced for the state route
16 number 16 improvements covered by the deferral.

17 (4) The department of revenue may authorize an accelerated
18 repayment schedule upon request of the department of transportation
19 or a private entity granted a deferral under this section.

20 (5) Interest may not be charged on any taxes deferred under this
21 section for the period of deferral, although all other penalties and
22 interest applicable to delinquent excise taxes may be assessed and
23 imposed for delinquent payments under this section. The debt for
24 deferred taxes is not extinguished by insolvency or other failure of
25 the private entity. Transfer of ownership does not terminate the
26 deferral.

27 (6) Applications and any other information received by the
28 department of revenue under this section are not confidential and are
29 subject to disclosure. Chapter 82.32 RCW applies to the
30 administration of this section.

31 **Sec. 405.** RCW 81.77.170 and 1989 c 431 s 36 are each amended to
32 read as follows:

33 (1) For rate-making purposes, a fee, charge, or tax on the
34 collection or disposal of solid waste ((shall-be)) is considered a
35 normal operating expense of the solid waste collection company,
36 including all taxes and fees imposed or increased under this act.
37 Filing for pass-through of any such fee, charge, or tax is not
38 considered a general rate proceeding.

1 (2) Section 405, chapter ..., Laws of 2015 (section 405 of this
2 act) takes effect only if the following are enacted by June 30, 2015:
3 (a) Chapter ... (Senate Bill No. 5991), Laws of 2015;
4 (b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
5 (c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
6 (d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
7 (e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
8 (f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

9 **Effective Dates and Other Miscellaneous Provisions**

10 **Sec. 406.** 2013 c 225 s 650 (uncodified) is amended to read as
11 follows:

12 (~~This act takes effect July 1, 2015.~~) Section 110 of this act
13 takes effect July 1, 2015. Sections 101 through 109, 111 through 304,
14 and 306 through 647 of this act take effect July 1, 2016.

15 NEW SECTION. **Sec. 407.** 2013 c 225 s 305 is repealed.

16 NEW SECTION. **Sec. 408.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 409.** Sections 101, 102, 104, 109, 111, 112,
21 406, and 407 of this act are necessary for the immediate preservation
22 of the public peace, health, or safety, or support of the state
23 government and its existing public institutions, and take effect July
24 1, 2015.

25 NEW SECTION. **Sec. 410.** Sections 103, 105, 110, 201, 202, and
26 206 through 209 of this act take effect July 1, 2016.

27 NEW SECTION. **Sec. 411.** Section 107 of this act expires on the
28 date the requirements set out in section 7, chapter 36, Laws of 2012
29 are met.

30 NEW SECTION. **Sec. 412.** Section 108 of this act takes effect on
31 the date the requirements set out in section 7, chapter 36, Laws of
32 2012 are met.

1 NEW SECTION. **Sec. 413.** Sections 101, 102, 104, and 109 of this
2 act expire July 1, 2016.

3 NEW SECTION. **Sec. 414.** Section 204 of this act takes effect
4 July 1, 2017.

5 NEW SECTION. **Sec. 415.** Section 204 of this act expires on the
6 effective date of legislation enacted by the legislature that imposes
7 a vehicle miles traveled fee or tax.

8 NEW SECTION. **Sec. 416.** Section 210 of this act takes effect
9 January 1, 2017.

10 NEW SECTION. **Sec. 417.** Sections 211 through 214 of this act
11 take effect July 1, 2017.

12 NEW SECTION. **Sec. 418.** Sections 215 and 216 of this act take
13 effect March 1, 2017.

14 NEW SECTION. **Sec. 419.** Sections 314 and 316 of this act expire
15 January 1, 2018.

16 NEW SECTION. **Sec. 420.** Sections 315 and 317 of this act take
17 effect January 1, 2018.

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