AN ACT Relating to transportation revenue; amending RCW 82.36.025, 82.38.030, 82.38.030, 46.68.090, 46.68.090, 46.09.520, 46.10.530, 79A.25.070, 46.17.355, 46.17.365, 46.17.323, 46.25.052, 46.25.060, 46.25.100, 46.20.202, 46.17.050, 46.17.060, 47.60.322, 46.12.650, 36.73.065, 82.80.140, 82.14.045, 81.104.140, 81.104.160, 84.52.043, 84.52.043, 84.52.010, 84.52.010, 84.04.120, and 81.77.170; amending 2013 c 225 s 650 (uncodified); reenacting and amending RCW 43.84.092, 43.84.092, 46.09.520, and 81.104.170; adding a new section to chapter 46.68 RCW; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.16A RCW; adding a new section to chapter 46.17 RCW; adding new sections to chapter 36.57A RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.80 RCW; adding a new section to chapter 81.104 RCW; adding a new section to chapter 47.29 RCW; creating new sections; repealing RCW 82.38.083; repealing 2013 c 225 s 305; prescribing penalties; providing effective dates; providing contingent effective dates; providing expiration dates; providing contingent expiration dates; and declaring an emergency.

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

PART I
MOTOR VEHICLE AND SPECIAL FUEL TAXES

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

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

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

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

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

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

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

<u>(7) Beginning July 1, 2015, an additional and cumulative motor vehicle fuel tax rate of five cents per gallon on motor vehicle fuel shall be imposed on motor vehicle fuel licensees, other than motor vehicle fuel distributors.</u>

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

<u>(a) Chapter ... (Senate Bill No. 5991), Laws of 2015;</u>

<u>(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;</u>

<u>(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;</u>

<u>(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;</u>

<u>(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and</u>

<u>(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.</u>

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

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

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

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

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

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

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

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

<u>(8)</u> Taxes are imposed when:

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

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

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

(ii) The removal is at the refinery rack unless the removal is to a licensed supplier or distributor for direct delivery to a destination outside of the state, or the removal is to a licensed

supplier for direct delivery to an international fuel tax agreement licensee under RCW 82.38.320;

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

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

(ii) The entry is not by bulk transfer;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<u>(10)</u> Taxes are imposed when:

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

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

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

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

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

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

(ii) The entry is not by bulk transfer;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Accident experience;

(ii) Fatal accident experience;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<u>(a) Chapter ... (Senate Bill No. 5991), Laws of 2015;</u>

<u>(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;</u>

<u>(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;</u>

<u>(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;</u>

<u>(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and</u>

<u>(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.</u>

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

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

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

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

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

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

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

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

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

(A) Accident experience;

(B) Fatal accident experience;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash

management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

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

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

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, <u>the connecting Washington account,</u> the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account,

the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the

state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury

that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

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

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

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

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

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

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

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

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

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

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

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to,

depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

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

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the Columbia river crossing project account, the common school construction fund, the community forest trust account, <u>the connecting Washington account,</u> the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility

investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the

toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

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

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

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

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

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

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

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

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

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

Nonhighway Refunds

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) During the 2009-2011 fiscal biennium, the legislature may appropriate such amounts as reflect the excess fund balance in the NOVA account to the department of natural resources to install consistent off-road vehicle signage at department-managed recreation sites, and to implement the recreation opportunities on department-

managed lands in the Reiter block and Ahtanum state forest, and to the state parks and recreation commission. The legislature finds that the appropriation of funds from the NOVA account during the 2009-2011 fiscal biennium for maintenance and operation of state parks or to improve accessibility for boaters and off-road vehicle users at state parks will benefit boaters and off-road vehicle users and others who use nonhighway and nonmotorized recreational facilities. The appropriations under this subsection are not required to follow the specific distribution specified in subsection (2) of this section.

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

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

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

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

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

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

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

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

(1) From time to time, but at least once each year, the state treasurer must refund from the motor vehicle fund one percent of the motor vehicle fuel tax revenues collected under chapter 82.38 RCW, based on a tax rate of: (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; (e) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; ((~~and~~)) (f) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015; (g) thirty-two and two-tenths cents per gallon of motor vehicle fuel beginning July 1, 2016; and (h) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter, less proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

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

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

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

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

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

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

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

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

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

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

(iii) The board may waive the minimum percentage cited in (d)(ii) of this subsection due to insufficient requests for funds or projects that score low in the board's project evaluation. Funds remaining

after such a waiver must be allocated in accordance with board policy.

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

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

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

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

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

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

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

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

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

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

(1) From time to time, but at least once each four years, the department shall determine the amount of moneys paid to it as motor vehicle fuel tax that is tax on snowmobile fuel. Such determination shall use one hundred thirty-five gallons as the average yearly fuel usage per snowmobile, the number of registered snowmobiles during the calendar year under determination, and a fuel tax rate of: ((~~(1)~~)) (a) Nineteen cents per gallon of motor vehicle fuel from July 1,

2003, through June 30, 2005; ((~~(2)~~)) (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; ((~~(3)~~)) (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; ((~~(4)~~)) (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and (5)~~)) (e) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; (f) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015; (g) thirty-two and two-tenths cents per gallon of motor vehicle fuel beginning July 1, 2016; and (h) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter.

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

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

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

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

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

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

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

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

(1) Upon expiration of the time limited by RCW 82.36.330 for claiming of refunds of tax on marine fuel, the state of Washington shall succeed to the right to such refunds. The director of licensing, after taking into account past and anticipated claims for refunds from and deposits to the marine fuel tax refund account, shall request the state treasurer to transfer monthly from the marine fuel tax refund account an amount equal to the proportion of the moneys in the account representing a motor vehicle fuel tax rate of: ((~~(1)~~)) (a) Nineteen cents per gallon of motor vehicle fuel from July 1, 2003, through June 30, 2005; ((~~(2)~~)) (b) twenty cents per gallon of motor vehicle fuel from July 1, 2005, through June 30, 2007; ((~~(3)~~)) (c) twenty-one cents per gallon of motor vehicle fuel from July 1, 2007, through June 30, 2009; ((~~(4)~~)) (d) twenty-two cents per gallon of motor vehicle fuel from July 1, 2009, through June 30, 2011; ((~~and (5)~~)) (e) twenty-three cents per gallon of motor vehicle fuel beginning July 1, 2011; (f) twenty-eight cents per gallon of motor vehicle fuel beginning July 1, 2015; (g) thirty-two and two-tenths cents per gallon of motor vehicle fuel beginning July 1, 2016;

and (h) thirty-four and seven-tenths cents per gallon of motor vehicle fuel beginning July 1, 2017, and thereafter, to the recreation resource account and the remainder to the motor vehicle fund.

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

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

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

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

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

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

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

Handling Loss Deduction

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

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

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

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

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

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

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

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

PART II
FEES
License Fees By Weight & Freight Project Fee

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

(1) In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by weight:

WEIGHT	SCHEDULE A	SCHEDULE B

4,000 pounds	((~~$ 38.00~~)) $ 53.00	((~~$ 38.00~~)) $ 53.00
6,000 pounds	((~~$ 48.00~~)) $ 73.00	((~~$ 48.00~~)) $ 73.00
8,000 pounds	((~~$ 58.00~~)) $ 93.00	((~~$ 58.00~~)) $ 93.00
10,000 pounds	((~~$ 60.00~~)) $ 93.00	((~~$ 60.00~~)) $ 93.00
12,000 pounds	((~~$ 77.00~~)) $ 81.00	((~~$ 77.00~~)) $ 81.00
14,000 pounds	$ 88.00	$ 88.00
16,000 pounds	$ 100.00	$ 100.00
18,000 pounds	$ 152.00	$ 152.00
20,000 pounds	$ 169.00	$ 169.00
22,000 pounds	$ 183.00	$ 183.00
24,000 pounds	$ 198.00	$ 198.00
26,000 pounds	$ 209.00	$ 209.00
28,000 pounds	$ 247.00	$ 247.00
30,000 pounds	$ 285.00	$ 285.00
32,000 pounds	$ 344.00	$ 344.00
34,000 pounds	$ 366.00	$ 366.00
36,000 pounds	$ 397.00	$ 397.00
38,000 pounds	$ 436.00	$ 436.00
40,000 pounds	$ 499.00	$ 499.00
42,000 pounds	$ 519.00	$ 609.00
44,000 pounds	$ 530.00	$ 620.00
46,000 pounds	$ 570.00	$ 660.00
48,000 pounds	$ 594.00	$ 684.00
50,000 pounds	$ 645.00	$ 735.00
52,000 pounds	$ 678.00	$ 768.00
54,000 pounds	$ 732.00	$ 822.00
56,000 pounds	$ 773.00	$ 863.00
58,000 pounds	$ 804.00	$ 894.00
60,000 pounds	$ 857.00	$ 947.00
62,000 pounds	$ 919.00	$ 1,009.00
64,000 pounds	$ 939.00	$ 1,029.00
66,000 pounds	$ 1,046.00	$ 1,136.00

68,000 pounds	$ 1,091.00	$ 1,181.00
70,000 pounds	$ 1,175.00	$ 1,265.00
72,000 pounds	$ 1,257.00	$ 1,347.00
74,000 pounds	$ 1,366.00	$ 1,456.00
76,000 pounds	$ 1,476.00	$ 1,566.00
78,000 pounds	$ 1,612.00	$ 1,702.00
80,000 pounds	$ 1,740.00	$ 1,830.00
82,000 pounds	$ 1,861.00	$ 1,951.00
84,000 pounds	$ 1,981.00	$ 2,071.00
86,000 pounds	$ 2,102.00	$ 2,192.00
88,000 pounds	$ 2,223.00	$ 2,313.00
90,000 pounds	$ 2,344.00	$ 2,434.00
92,000 pounds	$ 2,464.00	$ 2,554.00
94,000 pounds	$ 2,585.00	$ 2,675.00
96,000 pounds	$ 2,706.00	$ 2,796.00
98,000 pounds	$ 2,827.00	$ 2,917.00
100,000 pounds	$ 2,947.00	$ 3,037.00
102,000 pounds	$ 3,068.00	$ 3,158.00
104,000 pounds	$ 3,189.00	$ 3,279.00
105,500 pounds	$ 3,310.00	$ 3,400.00

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

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

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

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

<u>(6) In addition to the license fee based on declared gross weight as provided in subsection (1) of this section, the department, county</u>

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

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

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

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

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

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

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

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

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

Passenger Vehicle Weight Fees

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

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

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

WEIGHT	FEE
4,000 pounds	$ 25.00
6,000 pounds	$ 45.00
8,000 pounds	$ 65.00
16,000 pounds and over	$ 72.00;

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

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

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

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

(4) The department shall:

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

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

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

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

(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

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

Electric Vehicle Fee

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

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

(2) This section only applies to:

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

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

(3)(a) The fee under this section is imposed to provide funds to mitigate the impact of vehicles on state roads and highways and for the purpose of evaluating the feasibility of transitioning from a revenue collection system based on fuel taxes to a road user assessment system, and is separate and distinct from other vehicle license fees. Proceeds from the fee must be ((~~used for highway purposes, and~~)) deposited into the transportation innovative partnership account created in RCW 47.29.230 for the purpose of creating and funding the Washington electric vehicle infrastructure bank as provided in section 401 of this act. By July 1, 2026, or once the total number of electric vehicles subject to this fee has reached one-half of one percent of the state's total registered vehicle

fleet, whichever occurs first, or if the executive branch adopts, orders, or otherwise implements any fuel standard, or sets carbon reduction requirements, for fuel distributors or vehicles based upon or defined by the carbon intensity of the fuel or greenhouse gas emissions, including a low carbon fuel standard, proceeds must be deposited in the motor vehicle fund created in RCW 46.68.070((~~,~~ ~~subject to~~)) and distributed in the manner provided in (b) of this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

Commercial Driver's License Fees

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

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

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

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

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

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

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

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

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

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

(b) The holder of a CLP with an S endorsement must have taken and passed the S endorsement knowledge examination. The holder of a CLP with an S endorsement is prohibited from operating a school bus with passengers other than authorized employees or representatives of the department and the federal motor carrier safety administration, examiners, other trainees, and the CDL holder accompanying the CLP holder as required under subsection (2) of this section.

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

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

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

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

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

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

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

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

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

<u>(a) Chapter ... (Senate Bill No. 5991), Laws of 2015;</u>

<u>(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;</u>

<u>(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;</u>

<u>(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;</u>

<u>(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and</u>

<u>(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.</u>

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

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

(i) Is a resident of this state;

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

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

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

(b) In addition to the fee charged for issuance or renewal of any license, the applicant shall pay a fee of no more than ((~~ten~~)) <u>thirty-five</u> dollars for ((~~each~~)) <u>the</u> classified knowledge examination, classified endorsement knowledge examination, or any combination of classified license and endorsement knowledge examinations. The applicant shall pay a fee of no more than ((~~one~~)) <u>two</u> hundred <u>fifty</u> dollars for each classified skill examination or combination of classified skill examinations conducted by the department.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) When a person has been disqualified from operating a commercial motor vehicle, the person is not entitled to have the commercial driver's license or commercial learner's permit restored until after the expiration of the appropriate disqualification period required under RCW 46.25.090 or until the department has received a drug and alcohol assessment and evidence is presented of satisfactory participation in or completion of any required drug or alcohol treatment program for ending the disqualification under RCW 46.25.090(7). After expiration of the appropriate period and upon

payment of a requalification fee of ((~~twenty~~)) thirty-five dollars, or one hundred fifty dollars if the person has been disqualified under RCW 46.25.090(7), the person may apply for a new, duplicate, or renewal commercial driver's license or commercial learner's permit as provided by law. If the person has been disqualified for a period of one year or more, the person shall demonstrate that he or she meets the commercial driver's license or commercial learner's permit qualification standards specified in RCW 46.25.060.

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

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

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

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

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

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

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

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

Enhanced Driver's License & Identicard Fees

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

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

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

(3)(a) The department may issue an enhanced driver's license or identicard for the purposes of crossing the border between the state of Washington and the Canadian province of British Columbia to an

applicant who provides the department with proof of: United States citizenship, identity, and state residency. The department shall continue to offer a standard driver's license and identicard. If the department chooses to issue an enhanced driver's license, the department must allow each applicant to choose between a standard driver's license or identicard, or an enhanced driver's license or identicard.

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

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

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

(e) Notwithstanding RCW 46.20.118, the department may make images associated with enhanced drivers' licenses or identicards from the negative file available to United States customs and border agents for the purposes of verifying identity.

(4) ((~~The department may set a fee for the issuance of enhanced drivers' licenses and identicards under this section.~~)) <u>The fee for an enhanced driver's license or enhanced identicard is fifty-four dollars, which is in addition to the fees for any regular driver's</u>

license or identicard. If the enhanced driver's license or enhanced identicard is issued, renewed, or extended for a period other than six years, the fee for each class is nine dollars for each year that the enhanced driver's license or enhanced identicard is issued, renewed, or extended.

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

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

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

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

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

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

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

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

Studded Tire Fee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Report of Sale & Transitional Ownership Fees

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

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

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

~~(2)~~)), and the service fee under RCW 46.17.040(1)(b) ((~~to the subagent~~)).

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

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

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

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

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

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

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

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

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

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

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

~~(2)~~)), and the service fee under RCW 46.17.040(1)(b) ((~~to the subagent~~)).

(2) Services fees collected under this section by the department or county auditor or other agent appointed by the director must be

credited to the capital vessel replacement account under RCW 47.60.322.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) Sold;

(b) Given as a gift to another person;

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

(d) Donated to charity;

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

(f) Disposed of.

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

(a) The date of sale or transfer;

(b) The owner's name and address;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7) **Penalty for late transfer.** A person who has recently acquired a motor vehicle by purchase, exchange, gift, lease, inheritance, or legal action who does not apply for a new certificate of title within fifteen calendar days of delivery of the vehicle is charged a penalty, as described in RCW 46.17.140, when applying for a new

certificate of title. It is a misdemeanor to fail or neglect to apply for a transfer of ownership within forty-five days after delivery of the vehicle. The misdemeanor is a single continuing offense for each day that passes regardless of the number of days that have elapsed following the forty-five day time period.

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

(a) The department requests additional supporting documents;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Intermittent-Use Trailer Fee

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

(1) A trailer that is used only for intermittent personal use, including participation in club activities, exhibitions, tours, and parades, may be issued a permanent license plate and registration.

The permanent license plate and registration is valid until the trailer is sold, permanently removed from the state, or otherwise disposed of by the registered owner. To be eligible to receive a permanent license plate and registration, the registered owner of the intermittent-use trailer must:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PART III
LOCAL REVENUE OPTIONS
Transportation Benefit Districts

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be reached, a district that includes only the unincorporated territory of a county may impose by a majority vote of the governing body of the district up to: (a) Twenty dollars of the vehicle fee authorized in RCW 82.80.140; or (b) forty dollars of the vehicle fee authorized in RCW 82.80.140 if a fee of twenty dollars has been imposed for at least twenty-four months.

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

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

(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

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

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

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

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

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

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

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

If a district imposes or increases a fee under this subsection (2) that, if combined with the fees previously imposed by another district within its boundaries, exceeds ((~~twenty~~)) forty dollars, the

district shall provide a credit for the previously imposed fees so that the combined vehicle fee does not exceed ((~~twenty~~)) forty dollars.

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

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

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

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

(a) Campers, as defined in RCW 46.04.085;

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

(c) Mopeds, as defined in RCW 46.04.304;

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

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

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

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

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

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

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

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

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

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

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

Community Transit Sales Tax

Sec. 303. RCW 82.14.045 and 2008 c 86 s 102 are each amended to read as follows:

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

The tax authorized by this section shall be in addition to the tax authorized by RCW 82.14.030 and shall be collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within such city, public transportation benefit area, county, or metropolitan municipal corporation as the case may be. The rate of such tax shall be one-tenth, two-tenths, three-tenths, four-tenths, five-tenths, six-tenths, seven-tenths, eight-tenths, or nine-tenths of one percent of

the selling price (in the case of a sales tax) or value of the article used (in the case of a use tax). The rate of such tax shall not exceed the rate authorized by the voters unless such increase shall be similarly approved.

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

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

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

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

<u>(4) Section 303, chapter ..., Laws of 2015 (section 303 of this act) takes effect only if the following are enacted by June 30, 2015:</u>

<u>(a) Chapter ... (Senate Bill No. 5991), Laws of 2015;</u>

(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

Passenger-Only Ferry Service Districts

NEW SECTION. **Sec. 304.** A new section is added to chapter 36.57A RCW to read as follows:

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

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

(3) A passenger-only ferry service district constitutes a body corporate and possesses all the usual powers of a corporation for public purposes as well as all other powers that may be conferred by statute including, but not limited to, the authority to hire employees, staff, and services, to enter into contracts, to acquire, hold, and dispose of real and personal property, and to sue and be sued. Public works contract limits applicable to the public transportation benefit area that established the passenger-only ferry service district apply to the district. For purposes of this section, "passenger-only ferry service district" means a quasi-municipal corporation and independent taxing authority within the meaning of

Article VII, section 1 of the state Constitution, and a taxing district within the meaning of Article VII, section 2 of the state Constitution, created by the legislative body of a public transportation benefit area.

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

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

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

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

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

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

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

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

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

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

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

(a) A sales and use tax, as authorized in section 306 of this act;

(b) A parking tax, as authorized in section 307 of this act;

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

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

(2) Taxes may not be imposed without an affirmative vote of the majority of the voters within the boundaries of the passenger-only ferry service district voting on a single ballot proposition to both approve a passenger-only ferry investment plan and to approve taxes to implement the plan. Revenues from these taxes and fees may be used only to implement the plan and must be used for the benefit of the residents of the passenger-only ferry service district. A district must contract with the department of revenue for the administration and collection of a sales and use tax as authorized in section 306 of this act. A district may contract with other appropriate entities for the administration and collection of any of the other taxes or charges authorized in this section.

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

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

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

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

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

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

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

NEW SECTION. **Sec. 306.** A new section is added to chapter 82.14 RCW to read as follows:

(1) Passenger-only ferry service districts providing passenger-only ferry service as provided in section 304 of this act may submit an authorizing proposition to the voters and, if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of

providing passenger-only ferry service and associated services to support and augment passenger-only ferry service operation.

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

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

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

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

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

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

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

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

NEW SECTION. **Sec. 307.** A new section is added to chapter 82.80 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

(5) The proceeds of the parking tax imposed by a passenger-only ferry service district under subsection (1) or (2) of this section must be used as provided in section 305 of this act.

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

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

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

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

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

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

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

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

NEW SECTION. **Sec. 308.** A new section is added to chapter 36.57A RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

Sound Transit Funding - ST3

Sec. 309. RCW 81.104.140 and 2002 c 56 s 202 are each amended to read as follows:

(1) Agencies authorized to provide high capacity transportation service, including transit agencies and regional transit authorities, and regional transportation investment districts acting with the agreement of an agency, are hereby granted dedicated funding sources for such systems. These dedicated funding sources, as set forth in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170<u>, and section 312 of this act</u>, are authorized only for agencies located in (a) each county with a population of two hundred ten thousand or more and (b) each county with a population of from one hundred twenty-five thousand to less than two hundred ten thousand except for those counties that do not border a county with a population as described under (a) of this subsection. In any county with a population of one million or more or in any county having a population of four hundred thousand or more bordering a county with a population of one million or more, these funding sources may be imposed only by a regional transit authority or a regional transportation investment district. Regional transportation investment districts may, with the approval of the regional transit authority within its boundaries, impose the taxes authorized under this chapter, but only upon approval of the voters and to the extent that the maximum amount of taxes authorized under this chapter have not been imposed.

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

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

(a) Acceptability;

(b) Ease of administration;

(c) Equity;

(d) Implementation feasibility;

(e) Revenue reliability; and

(f) Revenue yield.

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

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

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

~~(c)~~)) (iii) Regular property tax as provided in section 312 of this act; and

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

(b) Revenues from these taxes may be used only to support those purposes prescribed in subsection (10) of this section. Before the date of an election authorizing an agency to impose any of the taxes enumerated in this section and authorized in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170, and section 312 of this act, the agency must comply with the process prescribed in RCW 81.104.100 (1) and (2) and 81.104.110. No construction on exclusive right-of-way may occur before the requirements of RCW 81.104.100(3) are met.

(5) Authorization in subsection (4) of this section ((~~shall~~)) may not adversely affect the funding authority of transit agencies not provided for in this chapter. Local option funds may be used to support implementation of interlocal agreements with respect to the establishment of regional high capacity transportation service. Except when a regional transit authority exists, local jurisdictions ((~~shall~~)) must retain control over moneys generated within their boundaries, although funds may be commingled with those generated in other areas for planning, construction, and operation of high capacity transportation systems as set forth in the agreements.

(6) Agencies planning to construct and operate high capacity transportation systems may contract with the state for collection and transference of voter-approved local option revenue.

(7) Dedicated high capacity transportation funding sources authorized in RCW 81.104.150, 81.104.160, ((~~and~~)) 81.104.170 ((~~shall be~~)), and section 312 of this act are subject to voter approval by a simple majority. A single ballot proposition may seek approval for one or more of the authorized taxing sources. The ballot title ((~~shall~~)) must reference the document identified in subsection (8) of this section.

(8) Agencies ((~~shall~~)) must provide to the registered voters in the area a document describing the systems plan and the financing

plan set forth in RCW 81.104.100. It ((~~shall~~)) must also describe the relationship of the system to regional issues such as development density at station locations and activity centers, and the interrelationship of the system to adopted land use and transportation demand management goals within the region. This document ((~~shall~~)) must be provided to the voters at least twenty days prior to the date of the election.

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

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

(11) Section 309, chapter ..., Laws of 2015 (section 309 of this act) takes effect only if the following are enacted by June 30, 2015:

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

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

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

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

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

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

Sec. 310. RCW 81.104.160 and 2010 c 161 s 903 are each amended to read as follows:

(1) Regional transit authorities that include a county with a population of more than one million five hundred thousand may submit an authorizing proposition to the voters, and if approved, may levy and collect an excise tax, at a rate approved by the voters, but not exceeding three-tenths of one percent on the value, under chapter 82.44 RCW, of every motor vehicle owned by a resident of the taxing district, solely for the purpose of providing high capacity transportation service. The maximum tax rate under this subsection does not include a motor vehicle excise tax approved before the effective date of this section if the tax will terminate on the date bond debt to which the tax is pledged is repaid. This tax does not apply to vehicles licensed under RCW 46.16A.455 except vehicles with

an unladen weight of six thousand pounds or less, RCW 46.16A.425 or 46.17.335(2). Notwithstanding any other provision of this subsection or chapter 82.44 RCW, a motor vehicle excise tax imposed by a regional transit authority before or after the effective date of this section must comply with chapter 82.44 RCW as it existed on January 1, 1996, until December 31st of the year in which the regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before the effective date of this section. Motor vehicle taxes collected by regional transit authorities after December 31st of the year in which a regional transit authority repays bond debt to which a motor vehicle excise tax was pledged before the effective date of this section must comply with chapter 82.44 RCW as it existed on the date the tax was approved by voters.

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

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

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

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

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

(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

Sec. 311. RCW 81.104.170 and 2009 c 469 s 106 and 2009 c 280 s 5 are each reenacted and amended to read as follows:

(1) Cities that operate transit systems, county transportation authorities, metropolitan municipal corporations, public transportation benefit areas, high capacity transportation corridor areas, and regional transit authorities may submit an authorizing proposition to the voters and if approved by a majority of persons voting, fix and impose a sales and use tax in accordance with the terms of this chapter, solely for the purpose of providing high capacity transportation service.

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

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

(b) The maximum rate of such tax that may be imposed by a regional transit authority that includes a county with a population of more than one million five hundred thousand must be approved by the voters and may not exceed 1.4 percent. If a regional transit authority imposes the tax authorized under this subsection (2)(b) in excess of 0.9 percent, the authority may not receive any state funds provided in an omnibus transportation appropriations act.

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

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

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

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

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

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

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

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

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

NEW SECTION. **Sec. 312.** A new section is added to chapter 81.104 RCW to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 313. RCW 84.52.043 and 2011 c 275 s 2 are each amended to read as follows:

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

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

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, may not exceed five dollars

and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts that are protected under RCW 84.52.125; (j) levies by counties for transit-related purposes under RCW 84.52.140; ((~~and~~)) (k) the protected portion of the levies imposed under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county; and (l) levies imposed by a regional transit authority under section 312 of this act.

(3) Section 313, chapter ..., Laws of 2015 (section 313 of this act) takes effect only if the following are enacted by June 30, 2015:

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

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

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

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

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

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

Sec. 314. RCW 84.52.043 and 2009 c 551 s 6 are each amended to read as follows:

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

(1) Levies of the senior taxing districts ((~~shall be~~)) are as follows: (a) The levy by the state ((~~shall~~)) may not exceed three dollars and sixty cents per thousand dollars of assessed value

adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county ((~~shall~~)) may not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district ((~~shall~~)) may not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town ((~~shall~~)) may not exceed three dollars and thirty-seven and one-half cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) The aggregate levies of junior taxing districts and senior taxing districts, other than the state, ((~~shall~~)) may not exceed five dollars and ninety cents per thousand dollars of assessed valuation. The term "junior taxing districts" includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection ((~~shall~~)) do not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; (e) levies to finance affordable housing for very low-income housing imposed under RCW 84.52.105; (f) the portions of levies by metropolitan park districts that are protected under RCW 84.52.120; (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies for criminal justice purposes under RCW 84.52.135; (i) the portions of levies by fire protection districts that are protected under RCW 84.52.125; ((~~and~~)) (j) levies by counties for transit-related purposes under RCW 84.52.140; and (k) levies imposed by a regional transit authority under section 312 of this act.

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

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

(b) Chapter ... (Senate Bill No. 5992), Laws of 2015;
(c) Chapter ... (Senate Bill No. 5994), Laws of 2015;
(d) Chapter ... (Senate Bill No. 5995), Laws of 2015;
(e) Chapter ... (Senate Bill No. 5996), Laws of 2015; and
(f) Chapter ... (Senate Bill No. 5997), Laws of 2015.

Sec. 315. RCW 84.52.010 and 2011 1st sp.s. c 28 s 2 are each amended to read as follows:

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

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

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

(a) The full certified rates of tax levy for state, county, county road district, regional transit authority, and city or town purposes must be extended on the tax rolls in amounts not exceeding the limitations established by law; however any state levy takes precedence over all other levies and may not be reduced for any purpose other than that required by RCW 84.55.010. If, as a result of the levies imposed under RCW 36.54.130, 84.34.230, 84.52.069, 84.52.105, the portion of the levy by a metropolitan park district that was protected under RCW 84.52.120, 84.52.125, 84.52.135, 84.52.140, and the protected portion of the levy under RCW 86.15.160 by flood control zone districts in a county with a population of seven hundred seventy-five thousand or more that are coextensive with a county, the combined rate of regular property tax levies that are subject to the one percent limitation exceeds one percent of the true

and fair value of any property, then these levies must be reduced as follows:

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

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

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

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

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

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

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

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

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

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

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

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

(iii) Third, if the consolidated tax levy rate still exceeds these limitations, the certified property tax levy rates of all other junior taxing districts, other than fire protection districts, regional fire protection service authorities, library districts, the first fifty cent per thousand dollars of assessed valuation levies

for metropolitan park districts, and the first fifty cent per thousand dollars of assessed valuation levies for public hospital districts, must be reduced on a pro rata basis or eliminated;

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

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

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

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

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

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

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

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

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

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

Sec. 316. RCW 84.52.010 and 2009 c 551 s 7 are each amended to read as follows:

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

(2) The rate percent of all taxes for state and county purposes, and purposes of taxing districts coextensive with the county, ((~~shall~~)) must be determined, calculated and fixed by the county assessors of the respective counties, within the limitations provided by law, upon the assessed valuation of the property of the county, as

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

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

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

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

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

((~~(c)~~)) (iii) If the combined rate of regular property tax levies that are subject to the one percent limitation still exceeds one percent of the true and fair value of any property, the levy imposed by a county under RCW 84.52.135 must be reduced until the combined

rate no longer exceeds one percent of the true and fair value of any property or must be eliminated;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 317. RCW 84.04.120 and 1999 c 153 s 69 are each amended to read as follows:

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

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

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

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

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

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

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

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

PART IV
MISCELLANEOUS
Electric Vehicle Infrastructure Bank

NEW SECTION. **Sec. 401.** A new section is added to chapter 47.29 RCW to read as follows:

(1) A Washington electric vehicle infrastructure bank is hereby established. The Washington electric vehicle infrastructure bank shall provide financial assistance for the installation of publicly accessible electric vehicle charging stations within the state.

(2) Electric vehicle infrastructure receiving financial assistance must include both DC fast-charging stations and level 1 or 2 electric vehicle supply equipment. The department must confer with the Washington department of commerce, and seek input from experts representing local government, public utilities, electric vehicle

manufacturer representatives, and current Washington state electric vehicle drivers to review information and advise the department on policies and priorities for deployment of public charging station locations.

(3) The department's public-private partnerships office must administer all funds dispersed and received, including any funds received under RCW 46.17.323 and deposited into the transportation innovative partnership account created under RCW 47.29.230. Prior to providing any financial assistance for electric vehicle infrastructure projects, the department must submit a business plan to the house of representatives and senate transportation committees of the legislature and to the governor's office.

(4) Annual progress reports must be transmitted to the legislature and governor as of December 1st of each year.

(5) This section expires July 1, 2026.

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

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

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

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

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

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

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

Sec. 402. RCW 81.77.170 and 1989 c 431 s 36 are each amended to read as follows:

(1) For rate-making purposes, a fee, charge, or tax on the collection or disposal of solid waste ((~~shall be~~)) is considered a normal operating expense of the solid waste collection company, including all taxes and fees imposed or increased under this act. Filing for pass-through of any such fee, charge, or tax is not considered a general rate proceeding.

(2) Section 402, chapter ..., Laws of 2015 (section 402 of this act) takes effect only if the following are enacted by June 30, 2015:

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

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

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

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

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

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

Effective Dates and Other Miscellaneous Provisions

Sec. 403. 2013 c 225 s 650 (uncodified) is amended to read as follows:

((~~This act takes effect July 1, 2015.~~)) Section 110 of this act takes effect July 1, 2015. Sections 101 through 109, 111 through 304, and 306 through 647 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 404.** 2013 c 225 s 305 is repealed.

NEW SECTION. **Sec. 405.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 406.** Sections 101, 102, 104, 109, 111, 112, 403, and 404 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2015.

NEW SECTION. **Sec. 407.** Sections 103, 105, 110, 201, 202, and 206 through 209 of this act take effect July 1, 2016.

NEW SECTION. **Sec. 408.** Section 107 of this act expires on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 409.** Section 108 of this act takes effect on the date the requirements set out in section 7, chapter 36, Laws of 2012 are met.

NEW SECTION. **Sec. 410.** Sections 101, 102, 104, and 109 of this act expire July 1, 2016.

NEW SECTION. **Sec. 411.** Section 204 of this act takes effect July 1, 2017.

NEW SECTION. **Sec. 412.** Section 204 of this act expires on the effective date of legislation enacted by the legislature that imposes a vehicle miles traveled fee or tax.

NEW SECTION. **Sec. 413.** Section 210 of this act takes effect January 1, 2017.

NEW SECTION. **Sec. 414.** Sections 211 through 214 of this act take effect July 1, 2017.

NEW SECTION. **Sec. 415.** Sections 215 and 216 of this act take effect March 1, 2017.

NEW SECTION. **Sec. 416.** Sections 313 and 315 of this act expire January 1, 2018.

NEW SECTION. **Sec. 417.** Sections 314 and 316 of this act take effect January 1, 2018.

--- END ---