
HOUSE BILL 2491

State of Washington

59th Legislature

2006 Regular Session

By Representatives Jarrett and Woods

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Committee on Transportation.

1 AN ACT Relating to regional transportation governance; amending RCW
2 47.56.076, 36.120.050, 36.120.130, 36.120.020, 36.120.030, 36.120.040,
3 36.120.070, 36.120.190, 81.112.030, 35.58.2795, 35.95A.030, 35.95A.070,
4 35.95A.080, 35.95A.090, 35.95A.100, 36.120.090, 36.120.110, 36.120.140,
5 47.26.080, 47.26.086, 47.80.020, 47.80.030, 47.80.040, 47.80.060, and
6 81.112.040; adding a new section to chapter 82.80 RCW; adding a new
7 section to chapter 47.56 RCW; adding a new section to chapter 82.14
8 RCW; adding a new chapter to Title 36 RCW; creating new sections;
9 providing a contingent effective date; and providing for submission of
10 this act to a vote of the people.

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

12 PART I

13 BASIC ORGANIZATION

14 NEW SECTION. **Sec. 101.** LEGISLATIVE INTENT. The legislature finds
15 that increased demands on transportation resources require increased
16 integration of decision making within urbanized regions. The number
17 of agencies involved in transportation planning and delivery of

1 services has significantly added to the complexity of transportation
2 programs.

3 The legislature further finds that coordinated planning, investment
4 in, and operation of transportation systems by the state and by local
5 governments, can help ensure an efficient, effective transportation
6 system that ensures mobility and addresses community needs. Improved
7 planning, investment, and operation can also enhance local and state
8 objectives for effective regional transportation strategies and
9 effective coordination between land use and transportation.

10 The legislature further finds that addressing this need for better
11 accountability and coordinated action regarding transportation and
12 comprehensive planning necessitates an innovative approach. Improved
13 integration among transportation programs, particularly in the state's
14 largest metropolitan area is imperative, and will have significant
15 benefit to the citizens of Washington. This integrated approach to
16 regional transportation planning and finance is required in both the
17 near term and the long term.

18 The legislature further finds that it is the will of the citizens
19 of Washington to have a single regional government council to assume
20 responsibility for the metropolitan planning function and be the
21 designated regional transportation planning organization for its area.

22 It is therefore the policy of the state of Washington to provide
23 the authority for the citizens of the central Puget Sound counties to
24 create a single regional government council, more directly accountable
25 to the public, with adequate resources to develop and encourage
26 implementation of a comprehensive transportation plan within the
27 state's largest urbanized region.

28 NEW SECTION. **Sec. 102.** DEFINITIONS. Unless the context clearly
29 requires otherwise, the definitions in this section apply throughout
30 this chapter.

31 (1) "Authority" means the Puget Sound regional transportation
32 system authority created under section 103 of this act.

33 (2) "Council" means the Puget Sound regional transportation system
34 authority council created under section 105 of this act, and the
35 governing body of the district.

36 (3) "Policy advisory committee" or "committee" means the policy
37 advisory committee authorized in section 202 of this act.

1 (4) "Public transportation providers" means those agencies
2 providing transit services to the public including public agencies that
3 operate ferries, regional transit authorities, public transit agencies,
4 and city transportation authorities.

5 (5) "Puget Sound regional council" means the Puget Sound regional
6 council, which, as of January 1, 2006, is the organization designated
7 by units of general purpose local governments within the region as the
8 metropolitan planning organization under federal requirements and as
9 the regional transportation organization under chapter 47.80 RCW, or
10 any successor organization.

11 (6) "Project of regional significance" means those projects
12 identified by the characteristics set forth in section 201 (3) and (4)
13 of this act.

14 (7) "Region" means that area within the jurisdiction of the
15 council.

16 (8) "Regional transportation investment plan" or "plan" means a
17 regional transportation investment plan as defined in RCW 36.120.020,
18 until the later of (a) January 1, 2008, or (b) approval by the voters
19 of formation of the regional transportation system authority under
20 section 507 of this act, upon either of which event "regional
21 transportation investment plan" or "plan" means the plan prepared by
22 the council under section 201 of this act.

23 NEW SECTION. **Sec. 103.** SYSTEM AUTHORITY CREATED. A political
24 subdivision known as the Puget Sound regional transportation system
25 authority is created, subject to section 507 of this act, to consist of
26 the counties that are included within the regional transportation
27 planning organization having the largest population on January 1, 2005,
28 known as "central Puget Sound counties."

29 NEW SECTION. **Sec. 104.** COUNCILOR DISTRICTS. By May 1, 2007, the
30 legislative authorities of the central Puget Sound counties shall
31 jointly assemble and determine eight councilor districts, based on
32 equal populations.

33 The counties shall provide for the nomination and election of
34 nonpartisan authority councilors at the state's September primary and
35 November general elections.

1 NEW SECTION. **Sec. 105.** AUTHORITY COUNCIL. (1) Creation and
2 powers. The authority council is created as the governing body of the
3 Puget Sound regional transportation system authority. Except as
4 provided for in this chapter, all authority powers are vested in the
5 council.

6 (2) Composition. Beginning January 1, 2008, the council consists
7 of nine nonpartisan councilors, one elected at large and designated as
8 president of the council, and eight nominated and elected from
9 individual districts within the region.

10 (3) Initial terms of office. The terms of office of the four
11 councilors receiving the highest number of votes among the eight
12 councilors elected in 2007 end on the first Monday of 2012. The terms
13 of office of the other four councilors end on the first Monday of 2009.
14 Thereafter the term of office of councilor is four years. The first
15 term of the president ends the first Monday of 2012.

16 (4) Presiding officer, council president. The council president
17 presides over the council. The council president sets the council
18 agenda subject to general rules established by a council-adopted
19 ordinance. Except as provided otherwise in this chapter, the council
20 president appoints all members of the committees, commissions, and
21 boards created by the rules of the council and ordinances of the
22 authority.

23 (5) Annual organizing resolution. At the first council meeting
24 each January the council shall adopt an annual organizing resolution
25 naming a deputy and establishing such committees as the council deems
26 necessary for the orderly conduct of council business.

27 (6) Council meetings. The council shall meet regularly in the area
28 at times and places it designates. The council shall prescribe by
29 ordinance the rules to govern conduct of its meetings. Except as this
30 chapter provides otherwise, the agreement of a majority of councilors
31 present and constituting a quorum is necessary to decide affirmatively
32 a question before the council.

33 (7) Quorum. A majority of councilors in office is a quorum for
34 council business, but fewer councilors may compel absent councilors to
35 attend.

36 (8) Record of proceedings. The council shall keep and authenticate
37 a record of council proceedings.

1 counties, public transportation providers, and other publicly financed
2 transportation providers that serve regionally significant corridors or
3 are otherwise regionally significant;

4 (4) Prepare and adopt a plan setting forth the priorities for
5 investment and the allocation of resources for operating and investment
6 for those regionally significant transportation facilities and services
7 for each of those agencies enumerated in subsection (3) of this
8 section. The goal is an integrated and systematic approach for
9 investment resulting in a coordinated transportation network. To
10 achieve this goal:

11 (a) The council may enter into interlocal contracts and memoranda
12 of understanding for the affected agencies to reimburse the council for
13 the costs of these planning functions; and

14 (b) The plan shall use tax revenues and related debt for
15 investments that generally provide network benefits to a subarea or
16 county of the district authority in proportion to the general level of
17 tax revenues generated within that subarea or county. This geographic
18 equity principle applies to the overall investment plan and not within
19 investments in specific modes of transportation in the plan. This
20 geographic equity principle applies to all modifications to the plan,
21 appropriation of contingency funds not identified within the project
22 estimate, and future phases of the plan. During implementation of the
23 plan, the council shall retain the flexibility to manage distribution
24 of revenues, debt, and project schedules so that the authority may
25 effectively implement the plan. Nothing in this section should be
26 interpreted to prevent the authority from pledging authority-wide tax
27 revenues for payment of any contract or debt.

28 (5) Plan, develop, and enforce standards for the coordination of
29 public transportation services in the region as set forth in section
30 204 of this act;

31 (6) Plan, develop, and enforce standards for the coordination of
32 regional traffic operations in the region as set forth in section 205
33 of this act;

34 (7) Approve in total, or disapprove all or certain elements of the
35 regional transportation investment plan submitted to it by the policy
36 advisory committee;

37 (8) Effective January 1, 2008, assume the role as governing

1 authority for any regional transportation investment district under
2 chapter 36.120 RCW located within the boundaries of the region;

3 (9) Effective January 1, 2008, assume the role as governing
4 authority for any regional transit authority under chapter 81.112 RCW
5 located within the boundaries of the region;

6 (10) Effective January 1, 2008, assume the role as governing
7 authority for the city transportation authorities in the Puget Sound;

8 (11) Appoint any other advisory committees it deems necessary to
9 carry out the intent of this chapter.

10 NEW SECTION. **Sec. 202.** AUTHORITY POLICY ADVISORY COMMITTEE. (1)

11 The council shall appoint an authority policy advisory committee, to be
12 made up of local elected officials, officials of agencies that
13 administer or operate major modes or systems of transportation,
14 appropriate state officials, and other persons as determined by the
15 council.

16 (2) After appointment a vote of both a majority of the policy
17 advisory committee and a majority of all councilors may change the
18 composition of the committee at any time.

19 (3) The policy advisory committee shall perform the duties assigned
20 to it in this chapter and any other duties the council prescribes.

21 (4) The policy advisory committee shall adopt bylaws governing the
22 conduct and recording of its meetings and the terms of its members.

23 NEW SECTION. **Sec. 203.** ADVISORY COMMITTEE DUTIES. The policy
24 advisory committee shall:

25 (1) Provide a forum for representatives from local and state units
26 of government to assess transportation policies and programs throughout
27 the region, evaluate transportation needs, and to make recommendations
28 to the council;

29 (2) Develop a recommended regional plan and a regional
30 transportation investment plan, to be forwarded to the council for
31 approval or rejection;

32 (3) Develop and recommend to the council the allocation of federal
33 funds available to the region;

34 (4) Review public agencies' plans for consistency under sections
35 204 and 205 of this act and make recommendations to the council.

1 NEW SECTION. **Sec. 204.** PUBLIC TRANSPORTATION COORDINATION. (1)

2 The council shall develop standards for (a) the coordination of capital
3 investment, (b) service, (c) service coordination of public
4 transportation providers in the region, and (d) performance. The goal
5 of these standards is to maximize coordination within and among
6 systems, use resources more effectively, and enhance services to the
7 public. In developing these standards, the council shall consult with
8 regional transit authorities, city transportation authorities, other
9 transit and transportation agencies, and ferry providers operating
10 within the region. The standards must also address vanpool
11 coordination, fare policies, and transportation demand management
12 programs.

13 (2) In addition to the duties under section 201 of this act, the
14 council shall approve each plan prepared under RCW 35.58.2795 by public
15 transportation providers operating in the region, if it finds that
16 those plans meet the standards developed under subsection (1) of this
17 section. If the council finds that those plans do not meet the
18 standards set forth in subsection (1) of this section, it shall
19 immediately notify the agency that prepared the plan of the reasons for
20 noncompliance. The plan may be amended and resubmitted to the council.

21 (3) If the council does not approve the plan of a public
22 transportation provider operating in its area of jurisdiction, that
23 agency's plan may not be included in the regional transportation
24 investment plan.

25 NEW SECTION. **Sec. 205.** REGIONAL TRAFFIC OPERATIONS COORDINATION.

26 (1) The council shall develop standards for the coordination of the
27 traffic operations of state and local roads of regional significance.
28 The objective of these standards is to maximize coordination across
29 jurisdictional boundaries, to invest capital and operational resources
30 more effectively, and to improve transportation system efficiency for
31 the benefit of the traveling public and the movement of goods and
32 services. In developing these standards the council shall consult with
33 the state department of transportation and local traffic operations
34 agencies.

35 (2) The council shall ensure that elements of the regional
36 transportation investment plan include a regional traffic operations
37 coordination element that meets the standards under subsection (1) of

1 this section. This plan must include the appropriate application of
2 intelligent transportation systems technologies to the freeways and
3 regional arterials, coordination of signal timing on regional
4 arterials, and the coordination of operating policies on freeways and
5 regional arterials to ensure that the system of freeways and regional
6 arterials operates as an integrated network.

7 **PART III**
8 **TECHNICAL MATTERS**

9 NEW SECTION. **Sec. 301.** TERM OF OFFICE. The term of office of an
10 officer elected at a general election begins the first Monday of the
11 year after election and continues until a successor assumes the office.

12 NEW SECTION. **Sec. 302.** QUALIFICATIONS AND SALARIES OF ELECTED
13 OFFICERS. (1) Councilor. A councilor must be a qualified elector
14 under the Constitution of this state when his or her term of office
15 begins and must have resided during the preceding twelve months in the
16 district from which elected or appointed. When the boundaries of that
17 district have been apportioned or reapportioned during that period,
18 residency in that district for purposes of this subsection includes
19 residency in any former district with area in the district from which
20 the councilor is elected or appointed if residency is established in
21 the apportioned or reapportioned district within sixty days after the
22 apportionment or reapportionment is effective.

23 (2) Council president and auditor. The council president and
24 auditor must each be a qualified elector under the Constitution of this
25 state when his or her term of office begins and each must have resided
26 during the preceding twelve months within the boundaries of the
27 authority as they existed when the term of office began. At the time
28 of election or appointment, the auditor must also hold the designation
29 of certified public accountant or certified internal auditor.

30 (3) Multiple elected offices. An authority elected officer may not
31 be an elected officer of the state or a city, county, or special
32 district during his or her term of office. As used in this chapter,
33 special district does not include school districts.

34 (4) Judging elections and qualifications. The council is the judge
35 of the election and qualification of its members.

1 (5) Oath. Before assuming office an elected officer shall take an
2 oath or affirm that he or she will faithfully perform the duties of the
3 office and support the constitutions and laws of the United States and
4 this state and the charter and laws of the authority.

5 (6) The salary of the council president will be equal to the salary
6 of members of the county legislative authority of the largest county
7 within the authority. The salary of each other councilor will be two-
8 thirds of the salary of the president. The salary of the auditor will
9 be eighty percent of the salary of the president.

10 NEW SECTION. **Sec. 303.** VACANCIES IN OFFICE. (1) Councilor. The
11 office of councilor becomes vacant upon the incumbent's: (a) Death;
12 (b) adjudicated incompetency; (c) recall from office; (d) failure after
13 election or appointment to qualify for the office within ten days after
14 the time for his or her term of office to begin; (e) absence from all
15 meetings of the council within a sixty-day period without the council's
16 consent; (f) ceasing to reside in the district from which elected or
17 appointed, except when district boundaries are reapportioned and a
18 councilor is assigned to a district where the councilor does not reside
19 and the councilor becomes a resident of the reapportioned district
20 within sixty days after the reapportionment is effective; (g) ceasing
21 to be a qualified elector under state law; (h) conviction of a felony
22 or conviction of a federal or state offense punishable by loss of
23 liberty and pertaining to his or her office; (i) resignation from
24 office; or (j) becoming an elected officer of the state or a city,
25 county, or special district.

26 (2) Council president and auditor. The offices of council
27 president or auditor become vacant in the circumstances described in
28 subsection (1)(a) through (d) and (g) through (j) of this section, or
29 if the council president or auditor ceases to reside in the area. The
30 office of auditor also becomes vacant if the incumbent ceases to hold
31 the designation of certified public accountant or certified internal
32 auditor.

33 (3) Determination of vacancy. The council is the final judge of
34 the existence of a vacancy.

35 NEW SECTION. **Sec. 304.** FILLING VACANCIES. A majority of
36 councilors holding office shall fill a vacancy by appointment within

1 ninety days after it occurs. The term of office of the appointee runs
2 from the time he or she qualifies for the office after appointment
3 until a successor is duly elected and qualifies for the office. If the
4 vacancy occurs more than twenty days before the first general election
5 after the beginning of the term for that office, the term of office of
6 the appointee runs only until the first council meeting in the year
7 immediately after that election. A person will be nominated and
8 elected for the remainder of the term at the first primary and general
9 election after the beginning of the term.

10 NEW SECTION. **Sec. 305.** LIMITATIONS OF TERMS OF OFFICE. No person
11 may be elected councilor for more than three consecutive full terms,
12 not including any term or terms as council president. No person may be
13 elected council president for more than two consecutive full terms.

14 **PART IV**
15 **SYSTEMWIDE PRICING**

16 NEW SECTION. **Sec. 401.** A new section is added to chapter 36.--
17 RCW (sections 101 through 305 of this act) to read as follows:

18 SYSTEMWIDE PRICING. A regional transportation system authority may
19 adopt systemwide pricing policies and an implementation plan for the
20 regional transportation system within its boundaries. "Systemwide
21 pricing" includes the tolling authority provided in RCW 36.120.050,
22 network value-pricing authority provided in section 402 of this act,
23 the authority to set regional transit fares as provided in RCW
24 81.112.080(4), and other system pricing tools as determined by the
25 authority. Systemwide pricing charges authorized by this act may be
26 imposed to improve performance of the regional transportation system,
27 improve integration of transportation modes, finance transportation
28 improvements, and measure needed investments. Pricing charges may vary
29 for type of vehicle, time of day, traffic conditions, and other
30 factors.

31 NEW SECTION. **Sec. 402.** A new section is added to chapter 82.80
32 RCW to read as follows:

33 NETWORK VALUE PRICING SYSTEM. (1) A regional transportation
34 investment district or a regional transportation system authority

1 council may impose a network value-pricing charge based upon vehicle
2 travel. This charge may be, but is not limited to, a charge upon the
3 vehicle miles traveled within the district or authority by a vehicle,
4 or upon vehicle miles traveled within certain corridors in the district
5 or authority, or upon total vehicle miles traveled by a vehicle
6 registered to a person whose legal residence is within the district or
7 authority. Network value pricing charges imposed may vary for type of
8 vehicle, time of day, traffic conditions, and other factors.

9 (2) Charges imposed may be collected either periodically in a
10 manner prescribed by the district governing board or authority council
11 or annually by the department of licensing upon renewal of the vehicle
12 license. The district governing board or authority council may
13 identify categories of miles driven that are subject to or exempt from
14 the charge, including but not limited to, travel outside the district
15 or authority, travel in specified corridors, time of travel, or exempt
16 or maximum mileage charges.

17 (3) The mileage charge under this section is subject to the
18 approval of the transportation commission or its statutory successor.

19 (4) A district governing board or an authority council imposing a
20 mileage charge collected annually by the department of licensing upon
21 renewal of the vehicle license shall enter into a contract with the
22 department of licensing. The contract must contain provisions that
23 fully recover the costs to the department of licensing for collection
24 and administration of the charge. The district governing board or
25 authority council imposing this charge or initiating an exemption
26 process shall provide at least six months' notice to the department of
27 licensing before the implementation of any changes in registration
28 amounts or exemptions.

29 **Sec. 403.** RCW 47.56.076 and 2005 c 335 s 3 are each amended to
30 read as follows:

31 COMMISSION--TOLLING. (~~Upon approval of a majority of the voters~~
32 ~~within its boundaries voting on the ballot proposition, and only for~~
33 ~~the purposes authorized in RCW 36.120.050(1)(g)) With the approval of
34 the transportation commission, or its successor, a regional
35 transportation investment district or regional transportation system
36 authority may authorize and set vehicle tolls on a state ((routes where
37 ~~improvements financed in whole or in part by a regional transportation~~~~

1 ~~investment district add additional lanes to, or reconstruct lanes on,~~
2 ~~a highway of statewide significance))~~ or federal highway within the
3 boundaries of the district or authority. The department shall
4 administer the collection of vehicle tolls authorized on designated
5 facilities unless otherwise specified in law or by contract, and the
6 state transportation commission, or its successor, shall ~~((be the~~
7 ~~tolling authority))~~ set and impose the tolls in amounts sufficient to
8 implement the regional transportation investment plan under section 201
9 of this act.

10 NEW SECTION. Sec. 404. A new section is added to chapter 47.56
11 RCW to read as follows:

12 I-90/SR 520 TOLLING. Notwithstanding any provision to the contrary
13 in this chapter, a regional transportation investment district or a
14 regional transportation system authority may impose vehicle tolls on
15 either Lake Washington bridge within its boundaries and to implement a
16 regional transportation investment plan as authorized in chapter 36.--
17 RCW (sections 101 through 305 of this act) and RCW 47.56.076.

18 **Sec. 405.** RCW 36.120.050 and 2003 c 350 s 4 are each amended to
19 read as follows:

20 (1) A regional transportation investment district planning
21 committee may, as part of a regional transportation investment plan,
22 recommend the imposition of some or all of the following revenue
23 sources, which a regional transportation investment district may impose
24 upon approval of the voters as provided in this chapter:

25 (a) A regional sales and use tax, as specified in RCW 82.14.430, of
26 up to 0.5 percent of the selling price, in the case of a sales tax, or
27 value of the article used, in the case of a use tax, upon the
28 occurrence of any taxable event in the regional transportation
29 investment district. This tax is intended to be temporary in nature to
30 supplement district revenues until implementation of some or all of the
31 systemwide pricing plan required by this act. This tax may not be
32 authorized for a period in excess of ten years and may be extended for
33 a period up to ten years with an affirmative vote of the voters in the
34 district;

35 (b) A local option vehicle license fee, as specified under RCW
36 82.80.100, of up to one hundred dollars per vehicle registered in the

1 district. As used in this subsection, "vehicle" means motor vehicle as
2 defined in RCW 46.04.320. Certain classes of vehicles, as defined
3 under chapter 46.04 RCW, may be exempted from this fee;

4 (c) A parking tax under RCW 82.80.030;

5 (d) A local motor vehicle excise tax under RCW 81.100.060 and
6 chapter 81.104 RCW;

7 (e) A local option fuel tax under RCW 82.80.120;

8 (f) An employer excise tax under RCW 81.100.030; (~~and~~)

9 (g) Vehicle tolls on new or reconstructed (~~facilities~~) local or
10 regional arterials or state or federal highways within the boundaries
11 of the district, if the following conditions are met:

12 (i) Any such toll must be approved by the transportation
13 commission, or its successor;

14 (ii) The regional transportation investment plan must identify the
15 facilities that may be tolled; and

16 (iii) Unless otherwise specified by law or contract, the department
17 shall administer the collection of vehicle tolls on designated
18 facilities, and the state transportation commission, or its successor,
19 shall be the tolling authority;

20 (h) A network value pricing charge based on vehicle travel for
21 users of transportation facilities in the district as set forth in
22 section 402 of this act as approved by the transportation commission or
23 its successor entity; and

24 (i) A sales and use tax as set forth in section 407 of this act.

25 (2) Taxes, fees, (~~and~~) tolls, and charges may not be imposed
26 without an affirmative vote of the majority of the voters within the
27 boundaries of the district voting on a ballot proposition as set forth
28 in RCW 36.120.070. Revenues from these taxes and fees may be used only
29 to implement the plan as set forth in this chapter. A district may
30 contract with the state department of revenue or other appropriate
31 entities for administration and collection of any of the taxes (~~or~~),
32 fees, tolls, or charges authorized in this section.

33 (3) Existing statewide motor vehicle fuel and special fuel taxes,
34 at the distribution rates in effect on January 1, 2001, are not
35 intended to be altered by this chapter.

36 **Sec. 406.** RCW 36.120.130 and 2003 c 372 s 1 are each amended to
37 read as follows:

1 (1)(a) Notwithstanding RCW 39.36.020(1), the district may at any
2 time contract indebtedness or borrow money for district purposes and
3 may issue general obligation bonds or other evidences of indebtedness,
4 secured by the pledge of one or more of the taxes, tolls, charges, or
5 fees authorized to be imposed by the district, in an amount not
6 exceeding, together with any existing indebtedness of the district not
7 authorized by the voters, one and one-half percent of the value of the
8 taxable property within the boundaries of the district.

9 (b) With the assent of three-fifths of the voters voting at an
10 election, a district may contract indebtedness or borrow money for
11 district purposes and may issue general obligation bonds or other
12 evidences of indebtedness as long as the total indebtedness of the
13 district does not exceed five percent of the value of the taxable
14 property within the district, including indebtedness authorized under
15 (a) of this subsection. The bonds shall be issued and sold in
16 accordance with chapter 39.46 RCW.

17 (2) The district may at any time issue revenue bonds or other
18 evidences of indebtedness, secured by the pledge of one or more of the
19 revenues authorized to be collected by the district, to provide funds
20 to carry out its authorized functions without submitting the matter to
21 the voters of the district. These obligations shall be issued and sold
22 in accordance with chapter 39.46 RCW.

23 (3) The district may enter into agreements with the lead agencies
24 or the state of Washington, when authorized by the plan, to pledge
25 taxes or other revenues of the district for the purpose of paying in
26 part or whole principal and interest on bonds issued by the lead agency
27 or the state of Washington. The agreements pledging revenues and taxes
28 shall be binding for their terms, but not to exceed thirty years, and
29 no tax pledged by an agreement may be eliminated or modified if it
30 would impair the pledge made in any agreement.

31 (4) It is the intent of the legislature that the regional
32 transportation investment plan developed by the district minimize its
33 reliance on bonds and that the district rely to the extent possible on
34 revenues and charges generated by the systemwide pricing system. The
35 issuance of bonds is authorized to address critical transportation
36 expenditures and to better manage the revenues and expenditure
37 commitments of the district.

1 design, and build a transportation project and has been so designated
2 by the district.

3 (5) "Regional transportation investment district" or "district"
4 means a municipal corporation whose boundaries are coextensive with two
5 or more contiguous counties and that has been created by county
6 legislative authorities and a vote of the people under this chapter to
7 implement a regional transportation investment plan.

8 (6) "Regional transportation investment district planning
9 committee" or "planning committee" means the advisory committee created
10 under RCW 36.120.030 to create and propose to county legislative
11 authorities a regional transportation investment plan to develop,
12 finance, and construct transportation projects.

13 (7) "Regional transportation investment plan" or "plan" means a
14 plan (~~(to develop, construct, and finance a)~~), developed jointly with
15 the regional transit authority, to improve transportation system
16 performance through the development, construction, and financing of
17 transportation (~~(project or)~~) projects.

18 (8) "Transportation project" means:

19 (a) A capital improvement or improvements to a highway that has
20 been designated, in whole or in part, as a highway of statewide
21 significance, including an extension, that:

22 (i) Adds a lane or new lanes to an existing state or federal
23 highway; or

24 (ii) Repairs or replaces a lane or lanes damaged by an event
25 declared an emergency by the governor before January 1, 2002.

26 (b) A capital improvement or improvements to all or a portion of a
27 highway of statewide significance, including an extension, and may
28 include the following associated multimodal capital improvements:

29 (i) Approaches to highways of statewide significance;

30 (ii) High-occupancy vehicle lanes;

31 (iii) Flyover ramps;

32 (iv) Park and ride lots;

33 (v) Bus pullouts;

34 (vi) Vans for vanpools;

35 (vii) Buses; and

36 (viii) Signalization, ramp metering, and other transportation
37 system management improvements.

1 (c) A capital improvement or improvements to all or a portion of a
2 city street, county road, or existing highway or the creation of a new
3 highway that intersects with a highway of statewide significance, if
4 all of the following conditions are met:

5 (i) The project is included in a plan that makes highway
6 improvement projects that add capacity to a highway or highways of
7 statewide significance;

8 (ii) The secretary of transportation determines that the project
9 would better relieve traffic congestion than investing that same money
10 in adding capacity to a highway of statewide significance;

11 (iii) Matching money equal to one-third of the total cost of the
12 project is provided by local entities, including but not limited to a
13 metropolitan planning organization, county, city, port, or private
14 entity in which a county participating in a plan is located. Local
15 entities may use federal grants to meet this matching requirement;

16 (iv) In no case may the cumulative regional transportation
17 investment district contribution to all projects constructed under this
18 subsection (8)(c) exceed ten percent of the revenues generated by the
19 district;

20 (v) In no case may the cumulative regional transportation
21 investment district contribution to all projects constructed under this
22 subsection (8)(c) exceed one billion dollars; and

23 (vi) The specific projects are included within the plan and
24 submitted as part of the plan to a vote of the people.

25 (d) Operations, preservation, and maintenance are excluded from
26 this definition and may not be included in a regional transportation
27 investment plan. However, operations, preservation, and maintenance of
28 toll-related facilities where toll revenues have been pledged for the
29 payment of contracts is expressly authorized and may be included in a
30 regional transportation investment plan.

31 (9) "Weighted vote" means a vote that reflects the population each
32 board or planning committee member represents relative to the
33 population represented by the total membership of the board or planning
34 committee. Population will be determined using the federal 2000 census
35 or subsequent federal census data.

36 **Sec. 502.** RCW 36.120.030 and 2002 c 56 s 103 are each amended to
37 read as follows:

1 Regional transportation investment district planning committees are
2 advisory entities that are created, convened, and empowered as follows:

3 (1) A county with a population over one million five hundred
4 thousand persons and any adjoining counties with a population over five
5 hundred thousand persons may create a regional transportation
6 investment district and shall convene a regional transportation
7 investment district planning committee.

8 (a) The boundaries of the district should include at least the
9 contiguous areas within the regional transit authority serving the
10 counties. A city must be entirely within or entirely outside district
11 boundaries. The boundaries must be proposed by the district and
12 approved by the county legislative authorities by ordinance before or
13 in conjunction with approval of a regional transportation investment
14 plan. However, any portion of a county that is located on a peninsula
15 may be exempt from a regional transportation investment district in
16 which more than one county is included if the portion of the county
17 located on the peninsula is connected to the other portion of the
18 county by a bridge improved under the public-private transportation
19 initiatives act, chapter 47.46 RCW, and the county has a national park
20 and a population of more than five hundred thousand persons, but less
21 than one million five hundred thousand persons.

22 (b) After voters within the district boundaries have approved a
23 plan under section 507 of this act, elections to add areas to the
24 district boundaries may be called by a resolution of the board, after
25 consultation with the regional transportation planning organization and
26 affected transit agencies and with the concurrence of the legislative
27 authority of the city or town if the area is incorporated or with the
28 concurrence of the county legislative authority if the area is
29 unincorporated. The election may include a single ballot measure
30 providing annexation to the district, approval of the plan, and
31 approval of revenue sources necessary to finance the plan. The
32 electorate will be the voters voting within the proposed area to be
33 annexed. A simple majority of the persons voting on the single ballot
34 measure is required for approval of the measure. This option for
35 annexation applies to areas within the counties initially establishing
36 a district and also to areas within a county having a population over
37 two hundred thirty thousand persons and whose boundaries abut three
38 counties eligible to form a district under this subsection.

1 (2) The members of the legislative authorities participating in
2 planning under this chapter shall serve as the district planning
3 committee. Members of the planning committee receive no compensation,
4 but may be reimbursed for travel and incidental expenses as the
5 planning committee deems appropriate.

6 The secretary of transportation, or the appropriate regional
7 administrator of the department, as named by the secretary, shall serve
8 on the committee as a nonvoting member.

9 (3) A regional transportation investment district planning
10 committee may be entitled to state funding, as appropriated by the
11 legislature, for start-up funding to pay for salaries, expenses,
12 overhead, supplies, and similar expenses ordinarily and necessarily
13 incurred in selecting transportation projects and funding for those
14 transportation projects under this chapter. Upon creation of a
15 regional transportation investment district, the district shall within
16 one year reimburse the state for any sums advanced for these start-up
17 costs from the state.

18 (4) The planning committee shall conduct its affairs and formulate
19 a regional transportation investment plan as provided under RCW
20 36.120.040, except that it shall elect an executive board of seven
21 members to discharge the duties of the planning committee and formulate
22 a regional transportation investment plan, subject to the approval of
23 the full committee.

24 (5) At its first meeting, a regional transportation investment
25 district planning committee may elect officers and provide for the
26 adoption of rules and other operating procedures.

27 (6) Governance of and decisions by a regional transportation
28 investment district planning committee must be by a sixty-percent
29 weighted majority vote of the total membership.

30 (7) The planning committee may dissolve itself at any time by a
31 two-thirds weighted majority vote of the total membership of the
32 planning committee.

33 **Sec. 503.** RCW 36.120.040 and 2003 c 194 s 1 are each amended to
34 read as follows:

35 (1) A regional transportation investment district planning
36 committee shall adopt a regional transportation investment plan

1 providing for the development, construction, and financing of
2 transportation projects. The planning committee may consider the
3 following factors in formulating its plan:

4 (a) Land use planning criteria;

5 (b) The input of cities located within a participating county; and

6 (c) The input of regional transportation planning organizations in
7 which a participating county is located. A regional transportation
8 planning organization in which a participating county is located shall
9 review its adopted regional transportation plan and submit, for the
10 planning committee's consideration, its list of transportation
11 improvement priorities.

12 (2) The planning committee may coordinate its activities with the
13 department, which shall provide services, data, and personnel to assist
14 in this planning as desired by the planning committee. In addition,
15 the planning committee may coordinate with affected cities, towns, and
16 other local governments that engage in transportation planning.

17 (3) The planning committee shall:

18 (a) Coordinate its activities with the regional transit authority
19 within the district boundaries and shall recommend a joint plan that
20 improves system performance, through a combination of investments in
21 transit, operations, and transportation projects as defined in RCW
22 36.120.020, and multimodal projects;

23 (b) Conduct public meetings that are needed to assure active public
24 participation in the development of the plan;

25 ~~((b))~~ (c) Adopt a plan, jointly with the regional transit
26 authority, proposing the:

27 (i) Creation of a regional transportation investment district; and

28 (ii) Construction of transportation projects to improve mobility
29 within ~~((each county))~~ the district. Operations, maintenance, and
30 preservation of facilities or systems may not be part of the plan;

31 ~~((e))~~ (d) Recommend sources of revenue authorized by RCW
32 36.120.050 and a financing plan to fund selected transportation
33 projects. The overall plan of the district must leverage the
34 district's financial contributions so that the federal, state, local,
35 and other revenue sources continue to fund major congestion relief and
36 transportation capacity improvement projects in each county and the
37 district. A combination of local, state, and federal revenues may be

1 necessary to pay for transportation projects, and the planning
2 committee shall consider all of these revenue sources in developing a
3 plan.

4 (4) The plan, adopted by the planning committee jointly with the
5 regional transit authority, must use tax revenues and related debt for
6 projects that generally provide network benefits to a participating
7 county or subarea in proportion to the general level of tax revenues
8 generated within that participating county or subarea. This geographic
9 equity principle applies to the overall investment plan and not within
10 investments in specific modes of transportation in the plan. This
11 equity principle applies to all modifications to the plan,
12 appropriation of contingency funds not identified within the project
13 estimate, and future phases of the plan. During implementation of the
14 plan, the board shall retain the flexibility to manage distribution of
15 revenues, debt, and project schedules so that the district may
16 effectively implement the plan. Nothing in this section should be
17 interpreted to prevent the district from pledging district-wide tax
18 revenues for payment of any contract or debt entered into under RCW
19 36.120.130.

20 (5) Before adopting the plan, the planning committee, with
21 assistance from the department, shall work with the lead agency and the
22 regional transit authority to develop accurate cost forecasts for
23 transportation projects. This project costing methodology must be
24 integrated with revenue forecasts in developing the plan and must at a
25 minimum include estimated project costs in constant dollars as well as
26 year of expenditure dollars, the range of project costs reflected by
27 the level of project design, project contingencies, identification of
28 mitigation costs, the range of revenue forecasts, and project and plan
29 cash flow and bond analysis. ~~((The))~~ A plan submitted to the voters
30 must provide cost estimates for each project, including reasonable
31 contingency costs. Plans submitted to the voters must provide that the
32 maximum amount possible of the funds raised will be used to fund
33 projects in the plan, including environmental improvements and
34 mitigation, and that administrative costs be minimized. If actual
35 revenue exceeds actual plan costs, the excess revenues must be used to
36 retire any outstanding debt associated with the plan.

37 (6) If a county opts not to adopt the plan or participate in the
38 regional transportation investment district, but two or more contiguous

1 counties do choose to continue to participate, then the planning
2 committee may, within ninety days, redefine the regional transportation
3 investment plan and the ballot measure to be submitted to the people to
4 reflect elimination of the county, and submit the redefined plan to the
5 legislative authorities of the remaining counties for their decision as
6 to whether to continue to adopt the redefined plan and participate.
7 This action must be completed within sixty days after receipt of the
8 redefined plan.

9 (7) Once adopted, the plan must be forwarded to the participating
10 county legislative authorities to initiate the election process under
11 RCW 36.120.070. The planning committee shall at the same time provide
12 notice to each city and town within the district, the governor, the
13 chairs of the transportation committees of the legislature, the
14 secretary of transportation, and each legislator whose legislative
15 district is partially or wholly within the boundaries of the district.

16 (8) If the ballot measure is not approved, the planning committee
17 may redefine the selected transportation projects, financing plan, and
18 the ballot measure. The county legislative authorities may approve the
19 new plan and ballot measure, and may then submit the revised
20 proposition to the voters at the next election or a special election.
21 If no ballot measure is approved by the voters by the third vote, the
22 planning committee is dissolved.

23 **Sec. 504.** RCW 36.120.070 and 2002 c 56 s 107 are each amended to
24 read as follows:

25 (1) Prior to the establishment of a regional transportation system
26 authority, two or more contiguous county legislative authorities, upon
27 receipt of the regional transportation investment plan under RCW
28 36.120.040, may certify the plan, developed jointly with the regional
29 transit authority, to the ballot, including identification of the tax
30 options necessary to fund the plan. Each of the county legislative
31 authorities shall act within ninety days to adopt or not adopt an
32 ordinance for the county to participate in the plan. However, after a
33 regional transportation system authority is established, action by
34 county legislative authorities to adopt or not adopt an ordinance for
35 participation in the plan is not required.

36 (2) County legislative authorities may draft a ballot title, give
37 notice as required by law for ballot measures, and perform other duties

1 as required to put the plan before the voters of the proposed district
2 for their approval or rejection as a single ballot measure that both
3 approves formation of the district and approves the plan. Counties may
4 negotiate interlocal agreements necessary to implement the plan. The
5 electorate will be the voters voting within the boundaries of the
6 participating counties. A simple majority of the total persons voting
7 on the single ballot measure to approve the plan, establish the
8 district, and approve the taxes and fees is required for approval.

9 **Sec. 505.** RCW 36.120.190 and 2002 c 56 s 201 are each amended to
10 read as follows:

11 ~~((At the option of the planning committee, and with the explicit
12 approval of the regional transit authority, the participating counties
13 may choose to impose any remaining high capacity transportation taxes
14 under chapter 81.104 RCW that have not otherwise been used by a
15 regional transit authority and submit to the voters a common ballot
16 measure that creates the district, approves the regional transportation
17 investment plan, implements the taxes, and implements any remaining
18 high capacity transportation taxes within the boundaries of the
19 regional transportation investment district.))~~ Collection and
20 expenditures of any high-capacity transportation taxes implemented
21 under ~~((this))~~ section 507 of this act must be determined by agreement
22 between the participating counties or district and the regional transit
23 authority electing to submit high-capacity transportation taxes to the
24 voters under a common ballot measure as provided in ~~((this))~~ section
25 507 of this act. If the measure fails, all such unused high-capacity
26 transportation taxes revert back to and remain with the regional
27 transit authority. A project constructed with this funding is not
28 considered a "transportation project" under RCW 36.120.020.

29 **Sec. 506.** RCW 81.112.030 and 1994 c 44 s 1 are each amended to
30 read as follows:

31 Two or more contiguous counties each having a population of four
32 hundred thousand persons or more may establish a regional transit
33 authority to develop and operate a high capacity transportation system
34 as defined in chapter 81.104 RCW.

35 The authority shall be formed in the following manner:

1 (1) The joint regional policy committee created pursuant to RCW
2 81.104.040 shall adopt a system and financing plan, including the
3 definition of the service area. This action shall be completed by
4 September 1, 1992, contingent upon satisfactory completion of the
5 planning process defined in RCW 81.104.100. The final system plan
6 shall be adopted no later than June 30, 1993. In addition to the
7 requirements of RCW 81.104.100, the plan for the proposed system shall
8 provide explicitly for a minimum portion of new tax revenues to be
9 allocated to local transit agencies for interim express services. Upon
10 adoption the joint regional policy committee shall immediately transmit
11 the plan to the county legislative authorities within the adopted
12 service area.

13 (2) The legislative authorities of the counties within the service
14 area shall decide by resolution whether to participate in the
15 authority. This action shall be completed within forty-five days
16 following receipt of the adopted plan or by August 13, 1993, whichever
17 comes first.

18 (3) Each county that chooses to participate in the authority shall
19 appoint its board members as set forth in RCW 81.112.040 and shall
20 submit its list of members to the secretary of the Washington state
21 department of transportation. These actions must be completed within
22 thirty days following each county's decision to participate in the
23 authority.

24 (4) The secretary shall call the first meeting of the authority, to
25 be held within thirty days following receipt of the appointments. At
26 its first meeting, the authority shall elect officers and provide for
27 the adoption of rules and other operating procedures.

28 (5) The authority is formally constituted at its first meeting and
29 the board shall begin taking steps toward implementation of the system
30 and financing plan adopted by the joint regional policy committee. If
31 the joint regional policy committee fails to adopt a plan by June 30,
32 1993, the authority shall proceed to do so based on the work completed
33 by that date by the joint regional policy committee. Upon formation of
34 the authority, the joint regional policy committee shall cease to
35 exist. The authority may make minor modifications to the plan as
36 deemed necessary and shall at a minimum review local transit agencies'
37 plans to ensure feeder service/high capacity transit service

1 integration, ensure fare integration, and ensure avoidance of parallel
2 competitive services. The authority shall also conduct a minimum
3 thirty-day public comment period.

4 (6) If the authority determines that major modifications to the
5 plan are necessary before the initial ballot proposition is submitted
6 to the voters, the authority may make those modifications with a
7 favorable vote of two-thirds of the entire membership. Any such
8 modification shall be subject to the review process set forth in RCW
9 81.104.110. The modified plan shall be transmitted to the legislative
10 authorities of the participating counties. The legislative authorities
11 shall have forty-five days following receipt to act by motion or
12 ordinance to confirm or rescind their continued participation in the
13 authority.

14 (7) If any county opts to not participate in the authority, but two
15 or more contiguous counties do choose to continue to participate, the
16 authority's board shall be revised accordingly. The authority shall,
17 within forty-five days, redefine the system and financing plan to
18 reflect elimination of one or more counties, and submit the redefined
19 plan to the legislative authorities of the remaining counties for their
20 decision as to whether to continue to participate. This action shall
21 be completed within forty-five days following receipt of the redefined
22 plan.

23 (8) The authority shall place on the ballot within two years of the
24 authority's formation, a single ballot proposition to authorize the
25 imposition of taxes to support the implementation of an appropriate
26 phase of the plan within its service area. A simple majority of those
27 voting within the boundaries of the authority is required for approval.
28 If the vote is affirmative, the authority shall begin implementation of
29 the projects identified in the proposition.

30 (9) Until January 1, 2008, in addition to the system plan
31 requirements contained in RCW 81.104.100(2)(d), the system plan
32 approved by the authority's board before the submittal of a proposition
33 to the voters shall contain an equity element which:

34 (a) Identifies revenues anticipated to be generated by corridor and
35 by county within the authority's boundaries;

36 (b) Identifies the phasing of construction and operation of high
37 capacity system facilities, services, and benefits in each corridor.

1 Phasing decisions should give priority to jurisdictions which have
2 adopted transit-supportive land use plans; and

3 (c) Identifies the degree to which revenues generated within each
4 county will benefit the residents of that county, and identifies when
5 such benefits will accrue.

6 ~~((A simple majority of those voting within the boundaries of the
7 authority is required for approval. If the vote is affirmative, the
8 authority shall begin implementation of the projects identified in the
9 proposition. However, the authority may not submit any authorizing
10 proposition for voter approved taxes prior to July 1, 1993; nor may the
11 authority issue bonds or form any local improvement district prior to
12 July 1, 1993.~~

13 ~~(9))~~ (10) If the vote on a proposition fails, the board may
14 redefine the proposition, make changes to the authority boundaries, and
15 make corresponding changes to the composition of the board. If the
16 composition of the board is changed, the participating counties shall
17 revise the membership of the board accordingly. The board may then
18 submit the revised proposition or a different proposition to the
19 voters. No single proposition may be submitted to the voters more than
20 twice. ~~((The authority may place additional propositions on the ballot
21 to impose taxes to support additional phases of plan implementation.))~~

22 If the authority is unable to achieve a positive vote on a
23 proposition within two years from the date of the first election on a
24 proposition, the board may, by resolution, reconstitute the authority
25 as a single-county body. With a two-thirds vote of the entire
26 membership of the voting members, the board may also dissolve the
27 authority.

28 (11) The authority may place additional propositions on the ballot
29 to impose taxes to support additional phases of plan implementation, if
30 the regional transit authority coordinates its activities with the
31 regional transportation investment district and recommends a joint plan
32 that improves system performance, through a combination of investments
33 in transit, operations, and transportation projects as defined in RCW
34 36.120.020, and multimodal projects. In a joint plan with a regional
35 transportation investment district the system plan shall be consistent
36 with the equity principle in RCW 36.120.040(4).

1 defined in RCW 35.58.272 and a regional transit authority, and within
2 an authority as defined in section 102 of this act it means a public
3 transportation provider as defined in section 102 of this act.

4 (2) By April 1st of each year, the legislative authority of each
5 (~~municipality, as defined in RCW 35.58.272, and each regional transit~~
6 ~~authority~~) agency shall prepare a six-year transit development plan
7 for that calendar year and the ensuing five years. Agencies located in
8 the central Puget Sound regional transportation system authority shall
9 provide resources to the Puget Sound regional transportation system
10 authority council to prepare elements of those plans identified by that
11 council. The program shall be consistent with the comprehensive plans
12 adopted by counties, cities, and towns, pursuant to chapter 35.63,
13 35A.63, or 36.70 RCW, the inherent authority of a first class city or
14 charter county derived from its charter, or chapter 36.70A RCW. The
15 program shall contain information as to how the municipality intends to
16 meet state and local long-range priorities for public transportation,
17 capital improvements, significant operating changes planned for the
18 system, coordinate services with other agencies, and how the
19 (~~municipality~~) agency intends to fund program needs. The six-year
20 plan for each (~~municipality and regional transit authority shall~~)
21 agency must specifically set forth those projects of regional
22 significance for inclusion in the transportation (~~improvement~~
23 ~~program~~) investment plan within that region. For those agencies
24 located within the jurisdiction of the Puget Sound regional
25 transportation system authority, the plan must address the standards
26 developed under sections 204 and 205 of this act for inclusion in the
27 transportation investment plan in that region. Each (~~municipality and~~
28 ~~regional transit authority~~) agency shall file the six-year program
29 with the state department of transportation, the transportation
30 improvement board, and cities, counties, and regional planning councils
31 within which the municipality is located.

32 In developing its program, the (~~municipality and the regional~~
33 ~~transit authority~~) agency shall consider those policy recommendations
34 affecting public transportation contained in the state transportation
35 policy plan approved by the state transportation commission and, where
36 appropriate, adopted by the legislature. The (~~municipality~~) agency
37 shall conduct one or more public hearings while developing its program
38 and for each annual update.

1 **Sec. 602.** RCW 35.95A.030 and 2002 c 248 s 3 are each amended to
2 read as follows:

3 (1) A city that undertakes to propose creation of an authority must
4 propose the authority by ordinance of the city legislative body. The
5 ordinance must:

6 (a) Propose the authority area and the size and method of selection
7 of the governing body of the authority, which governing body may be
8 appointed or elected, provided that officers or employees of any single
9 city government body may not compose a majority of the members of the
10 authority's governing body;

11 (b) Propose whether all or a specified portion of the public
12 monorail transportation function will be exercised by the authority;

13 (c) Propose an initial array of taxes to be voted upon by the
14 electors within the proposed authority area; and

15 (d) Provide for an interim governing body of the authority which
16 will govern the authority upon voter approval of formation of the
17 authority, until a permanent governing body is selected, but in no
18 event longer than fourteen months.

19 (2) An authority may also be proposed to be created by a petition
20 setting forth the matters described in subsection (1) of this section,
21 and signed by one percent of the qualified electors of the proposed
22 authority area.

23 (3) Upon approval by the qualified electors of the formation of the
24 city transportation authority and any proposed taxes, either by
25 ordinance or by petition as provided in this chapter, the governing
26 body of an authority, or interim governing body, as applicable, will
27 adopt bylaws determining, among other things, the authority's officers
28 and the method of their selection, and other matters the governing body
29 deems appropriate.

30 (4) Effective January 1, 2008, for a city transportation authority
31 located within a regional transportation investment district, the Puget
32 Sound regional transportation district council is the governing board.
33 For votes of the council regarding board decisions, the vote of each
34 councilor, including the president, is weighted to reflect that portion
35 of the city transportation authority population that is within each
36 councilor district.

1 **Sec. 603.** RCW 35.95A.070 and 2002 c 248 s 8 are each amended to
2 read as follows:

3 (1) Until January 1, 2008, except as provided in subsection (2) of
4 this section, every authority has the power to:

5 ~~((1))~~ (a) Levy excess levies upon the property included within
6 the authority area, in the manner prescribed by Article VII, section 2
7 of the state Constitution and by RCW 84.52.052 for operating funds,
8 capital outlay funds, and cumulative reserve funds;

9 ~~((2))~~ (b) Issue general obligation bonds, not to exceed an
10 amount, together with any outstanding nonvoter-approved general
11 obligation indebtedness equal to one and one-half percent of the value
12 of the taxable property within the authority area, as the term "value
13 of the taxable property" is defined in RCW 39.36.015. An authority may
14 additionally issue general obligation bonds, together with outstanding
15 voter-approved and nonvoter-approved general obligation indebtedness,
16 equal to two and one-half percent of the value of the taxable property
17 within the authority area, as the term "value of the taxable property"
18 is defined in RCW 39.36.015, when the bonds are approved by three-
19 fifths of the qualified electors of the authority at a general or
20 special election called for that purpose and may provide for the
21 retirement thereof by levies in excess of dollar rate limitations in
22 accordance with the provisions of RCW 84.52.056. These elections will
23 be held as provided in RCW 39.36.050;

24 ~~((3))~~ (c) Issue revenue bonds payable from any revenues other
25 than taxes levied by the authority, and to pledge those revenues for
26 the repayment of the bonds. Proceeds of revenue bonds may only be
27 expended for the costs of public monorail transportation facilities,
28 for financing costs, and for capitalized interest during construction
29 plus six months thereafter. The bonds and warrants will be issued and
30 sold in accordance with chapter 39.46 RCW.

31 No bonds issued by an authority are obligations of any city,
32 county, or the state of Washington or any political subdivision thereof
33 other than the authority, and the bonds will so state, unless the
34 legislative authority of any city or county or the legislature
35 expressly authorizes particular bonds to be either guaranteed by or
36 obligations of its respective city or county or of the state.

37 (2) An authority may continue to impose a levy in accordance with

1 RCW 84.52.056 or collect the revenue from a levy imposed pursuant to
2 RCW 84.52.052, after January 1, 2008, if the election for the levy or
3 levies occurred before January 1, 2008.

4 **Sec. 604.** RCW 35.95A.080 and 2002 c 248 s 9 are each amended to
5 read as follows:

6 (1) Until January 1, 2008, except as provided in subsection (6) of
7 this section, every authority has the power to levy and collect a
8 special excise tax not exceeding two and one-half percent on the value
9 of every motor vehicle owned by a resident of the authority area for
10 the privilege of using a motor vehicle. Before utilization of any
11 excise tax money collected under this section for acquisition of right
12 of way or construction of a public monorail transportation facility on
13 a separate right of way, the authority must adopt rules affording the
14 public an opportunity for corridor public hearings and design public
15 hearings, which provide in detail the procedures necessary for public
16 participation in the following instances: (a) Prior to adoption of
17 location and design plans having a substantial social, economic, or
18 environmental effect upon the locality upon which they are to be
19 constructed; or (b) on the public transportation facilities operating
20 on a separate right of way whenever a substantial change is proposed
21 relating to location or design in the adopted plan. In adopting rules
22 the authority must adhere to the provisions of the administrative
23 procedure act.

24 (2) A "corridor public hearing" is a public hearing that: (a) Is
25 held before the authority is committed to a specific route proposal for
26 the public transportation facility, and before a route location is
27 established; (b) is held to afford an opportunity for participation by
28 those interested in the determination of the need for, and the location
29 of, the public transportation facility; and (c) provides a public forum
30 that affords a full opportunity for presenting views on the public
31 transportation facility route location, and the social, economic, and
32 environmental effects on that location and alternate locations.
33 However, the hearing is not deemed to be necessary before adoption of
34 a transportation plan as provided in section 7 of this act or a vote of
35 the qualified electors under subsection (5) of this section.

36 (3) A "design public hearing" is a public hearing that: (a) Is
37 held after the location is established but before the design is

1 adopted; (b) is held to afford an opportunity for participation by
2 those interested in the determination of major design features of the
3 public monorail transportation facility; and (c) provides a public
4 forum to afford a full opportunity for presenting views on the public
5 transportation system design, and the social, economic, and
6 environmental effects of that design and alternate designs, including
7 people-mover technology.

8 (4) An authority imposing a tax under subsection (1) of this
9 section may also impose a sales and use tax, in addition to any tax
10 authorized by RCW 82.14.030, upon retail car rentals within the city
11 that are taxable by the state under chapters 82.08 and 82.12 RCW. The
12 rate of tax must not exceed 1.944 percent of the base of the tax. The
13 base of the tax will be the selling price in the case of a sales tax or
14 the rental value of the vehicle used in the case of a use tax. The
15 revenue collected under this subsection will be distributed in the same
16 manner as sales and use taxes under chapter 82.14 RCW.

17 (5) Before any authority may impose any of the taxes authorized
18 under this section, the authorization for imposition of the taxes must
19 be approved by the qualified electors of the authority area.

20 (6) An authority may continue to impose the taxes authorized in
21 this section after January 1, 2008, to the extent necessary to secure
22 the payment of any bonds or other obligations incurred prior to January
23 1, 2008.

24 **Sec. 605.** RCW 35.95A.090 and 2002 c 248 s 10 are each amended to
25 read as follows:

26 (1) Until January 1, 2008, except as provided in subsection (5) of
27 this section, every authority has the power to fix and impose a fee,
28 not to exceed one hundred dollars per vehicle, for each vehicle that is
29 subject to relicensing tab fees under RCW 46.16.0621 and for each
30 vehicle that is subject to RCW 46.16.070 with an unladen weight of six
31 thousand pounds or less, and that is determined by the department of
32 licensing to be registered within the boundaries of the authority area.
33 The department of licensing must provide an exemption from the fee for
34 any vehicle the owner of which demonstrates is not operated within the
35 authority area.

36 (2) The department of licensing will administer and collect the
37 fee. The department will deduct a percentage amount, as provided by

1 contract, not to exceed two percent of the taxes collected, for
2 administration and collection expenses incurred by it. The remaining
3 proceeds will be remitted to the custody of the state treasurer for
4 monthly distribution to the authority.

5 (3) The authority imposing this fee will delay the effective date
6 at least six months from the date the fee is approved by the qualified
7 voters of the authority area to allow the department of licensing to
8 implement administration and collection of the fee.

9 (4) Before any authority may impose any of the fees authorized
10 under this section, the authorization for imposition of the fees must
11 be approved by a majority of the qualified electors of the authority
12 area voting.

13 (5) An authority may continue to impose the fee authorized in this
14 section after January 1, 2008, to the extent necessary to secure the
15 payment of any bonds or other obligations incurred prior to January 1,
16 2008.

17 **Sec. 606.** RCW 35.95A.100 and 2002 c 248 s 11 are each amended to
18 read as follows:

19 (1) Until January 1, 2008, except as provided in subsection (3) of
20 this section, every authority has the power to impose annual regular
21 property tax levies in an amount equal to one dollar and fifty cents or
22 less per thousand dollars of assessed value of property in the
23 authority area when specifically authorized to do so by a majority of
24 the voters voting on a proposition submitted at a special election or
25 at the regular election of the authority. A proposition authorizing
26 the tax levies will not be submitted by an authority more than twice in
27 any twelve-month period. Ballot propositions must conform with RCW
28 ~~((29.30.111))~~ 29A.36.210. The number of years during which the regular
29 levy will be imposed may be limited as specified in the ballot
30 proposition or may be unlimited in duration. In the event an authority
31 is levying property taxes, which in combination with property taxes
32 levied by other taxing districts subject to the limitations provided in
33 RCW 84.52.043 and 84.52.050, exceed these limitations, the authority's
34 property tax levy shall be reduced or eliminated consistent with RCW
35 84.52.010.

36 (2) The limitation in RCW 84.55.010 does not apply to the first

1 levy imposed under this section following the approval of the levies by
2 the voters under subsection (1) of this section.

3 (3)(a) An authority may continue to levy and collect the regular
4 property tax levy authorized in this section after January 1, 2008,
5 only if the levy was approved prior to January 1, 2008, and it is
6 necessary to secure the payment of any bonds or other obligations
7 incurred prior to January 1, 2008.

8 (b) Regular property tax levies authorized for collection in 2008
9 and unnecessary to secure the payment of bonds or other obligations as
10 provided in (a) of this subsection may be collected after January 1,
11 2008.

12 **Sec. 607.** RCW 36.120.090 and 2002 c 56 s 109 are each amended to
13 read as follows:

14 (1) Initially the governing board of a district consists of the
15 members of the legislative authority of each member county, acting ex
16 officio and independently. The secretary of transportation or the
17 appropriate regional administrator of the department, as named by the
18 secretary, shall also serve as a nonvoting member of the board. The
19 governing board may elect an executive board of seven members to
20 discharge the duties of the governing board subject to the approval of
21 the full governing board.

22 (2) Effective January 1, 2008, for a district located within a
23 regional transportation investment district, the Puget Sound regional
24 transportation authority council is the governing board. For votes of
25 the council regarding board decisions, the vote of each councilor,
26 including the president, is weighted to reflect that portion of the
27 regional transportation investment district population that is within
28 each councilor district.

29 (3) Until January 1, 2008, a sixty-percent majority of the weighted
30 votes of the total board membership is required to submit to the
31 counties a modified plan under RCW 36.120.140 or any other proposal to
32 be submitted to the voters. Until January 1, 2008, the counties may,
33 with majority vote of each county legislative authority, submit a
34 modified plan or proposal to the voters.

35 **Sec. 608.** RCW 36.120.110 and 2002 c 56 s 111 are each amended to
36 read as follows:

1 (1) The governing board of the district is responsible for the
2 execution of the voter-approved plan. The board shall:

3 (a) Impose taxes and fees authorized by district voters;

4 (b) Enter into agreements with state, local, and regional agencies
5 and departments as necessary to accomplish district purposes and
6 protect the district's investment in transportation projects;

7 (c) Accept gifts, grants, or other contributions of funds that will
8 support the purposes and programs of the district;

9 (d) Monitor and audit the progress and execution of transportation
10 projects to protect the investment of the public and annually make
11 public its findings;

12 (e) Pay for services and enter into leases and contracts, including
13 professional service contracts;

14 (f) Until January 1, 2008, hire no more than ten employees,
15 including a director or executive officer, a treasurer or financial
16 officer, a project manager or engineer, a project permit coordinator,
17 and clerical staff; and

18 (g) Exercise other powers and duties as may be reasonable to carry
19 out the purposes of the district.

20 (2) It is the intent of the legislature that existing staff
21 resources of lead agencies be used in implementing this chapter. A
22 district may coordinate its activities with the department, which shall
23 provide services, data, and personnel to assist as desired by the
24 regional transportation investment district. Lead agencies for
25 transportation projects that are not state facilities shall also
26 provide staff support for the board.

27 (3) A district may not acquire, hold, or dispose of real property.

28 (4) A district may not own, operate, or maintain an ongoing
29 facility, road, or transportation system.

30 (5) A district may accept and expend or use gifts, grants, or
31 donations.

32 (6) It is the intent of the legislature that administrative and
33 overhead costs of a regional transportation investment district be
34 minimized. For transportation projects costing up to fifty million
35 dollars, administrative and overhead costs may not exceed three percent
36 of the total construction and design project costs per year. For
37 transportation projects costing more than fifty million dollars,
38 administrative and overhead costs may not exceed three percent of the

1 first fifty million dollars in costs, plus an additional one-tenth of
2 one percent of each additional dollar above fifty million. These
3 limitations apply only to the district, and do not limit the
4 administration or expenditures of the department.

5 (7) A district may use the design-build procedure for
6 transportation projects developed by it. As used in this section
7 "design-build procedure" means a method of contracting under which the
8 district contracts with another party for that party to both design and
9 build the structures, facilities, and other items specified in the
10 contract. The requirements and limitations of RCW 47.20.780 and
11 47.20.785 do not apply to the transportation projects under this
12 chapter.

13 **Sec. 609.** RCW 36.120.140 and 2003 c 194 s 2 are each amended to
14 read as follows:

15 (1) The board may modify the plan to change transportation projects
16 or revenue sources if:

17 (a) Two or more participating counties adopt a resolution to modify
18 the plan; and

19 (b) The counties submit to the voters in the district, and after
20 January 1, 2008, the governing board submits, a ballot measure that
21 redefines the scope of the plan, its projects, its schedule, its costs,
22 or the revenue sources. If the voters fail to approve the redefined
23 plan, the district shall continue to work on and complete the plan, and
24 the projects in it, that was originally approved by the voters. If the
25 voters approve the redefined plan, the district shall work on and
26 complete the projects under the redefined plan.

27 (2) The board may modify the plan to change transportation projects
28 within a participating county if:

29 (a) A majority of the board approves the change;

30 (b) The modifications are limited to projects within the county;

31 (c) The county submits to the voters in the county a ballot measure
32 that redefines:

33 (i) Projects;

34 (ii) Scopes of projects; or

35 (iii) Costs; and

36 (iv) The financial plan for the county;

1 (d) The proposed modifications maintain the equity of the plan and
2 (~~does [do]~~) do not increase the total level of plan expenditure for
3 the county.

4 If the voters fail to approve the modified plan, the district shall
5 continue to work on and complete the plan, and the projects in it, that
6 was originally approved by the voters. If the voters approve the
7 redefined plan, the district shall work on and complete the projects
8 under the redefined plan.

9 (3) If a transportation project cost exceeds its original cost by
10 more than twenty percent as identified in the plan:

11 (a) The board shall, in coordination with the county legislative
12 authorities, submit to the voters in the district or county a ballot
13 measure that redefines the scope of the transportation project, its
14 schedule, or its costs. If the voters fail to approve the redefined
15 transportation project, the district shall terminate work on that
16 transportation project, except that the district may take reasonable
17 steps to use, preserve, or connect any improvement already constructed.
18 The remainder of any funds that would otherwise have been expended on
19 the terminated transportation project must first be used to retire any
20 outstanding debt attributable to the plan and then may be used to
21 implement the remainder of the plan.

22 (b) Alternatively, upon adoption of a resolution by two or more
23 participating counties:

24 (i) The counties shall submit, and after January 1, 2008, the
25 governing board shall submit, to the voters in the district a ballot
26 measure that redefines the scope of the plan, its transportation
27 projects, its schedule, or its costs. If the voters fail to approve
28 the redefined plan, the district shall terminate work on that plan,
29 except that the district may take reasonable steps to use, preserve, or
30 connect any improvement already constructed. The remainder of any
31 funds must be used to retire any outstanding debt attributable to the
32 plan; or

33 (ii) Until January 1, 2008, the counties, and after January 1,
34 2008, the board may elect to have the district continue the
35 transportation project without submitting an additional ballot proposal
36 to the voters.

37 (4) To assure accountability to the public for the timely
38 construction of the transportation improvement project or projects

1 within cost projections, the district shall issue a report, at least
2 annually, to the public and copies of the report to newspapers of
3 record in the district. In the report, the district shall indicate the
4 status of transportation project costs, transportation project
5 expenditures, revenues, and construction schedules. The report may
6 also include progress towards meeting the performance criteria provided
7 under this chapter.

8 **Sec. 610.** RCW 47.26.080 and 1999 c 94 s 16 are each amended to
9 read as follows:

10 There is hereby created in the motor vehicle fund the urban
11 arterial trust account. The intent of the urban arterial trust account
12 program is to improve the arterial street system of the state by
13 improving mobility and safety while supporting an environment essential
14 to the quality of life of the citizens of the state of Washington. The
15 city hardship assistance program, as provided in RCW 47.26.164, and the
16 small city program, as provided for in RCW 47.26.115, are implemented
17 within the urban arterial trust account.

18 For funds apportioned to projects in counties in the Puget Sound
19 regional transportation system authority, the board shall give
20 preference to projects that meet the standards established under
21 sections 204 and 205 of this act. The board shall not allocate funds,
22 nor make payments of the funds under RCW 47.26.260, to any county,
23 city, or town identified by the governor under RCW 36.70A.340.

24 **Sec. 611.** RCW 47.26.086 and 1994 c 179 s 11 are each amended to
25 read as follows:

26 Transportation improvement account projects selected for funding
27 programs after fiscal year 1995 are governed by the requirements of
28 this section.

29 The board shall allocate funds from the account by June 30th of
30 each year for the ensuing fiscal year to urban counties, cities with a
31 population of five thousand and over, and to transportation benefit
32 districts. Projects may include, but are not limited to, multi-agency
33 projects and arterial improvement projects in fast-growing areas. The
34 board shall endeavor to provide geographical diversity in selecting
35 improvement projects to be funded from the account.

1 The intent of the program is to improve mobility of people and
2 goods in Washington state by supporting economic development and
3 environmentally responsive solutions to our statewide transportation
4 system needs.

5 To be eligible to receive these funds, a project must be consistent
6 with the Growth Management Act, the Clean Air Act including conformity,
7 and the Commute Trip Reduction Law and consideration must have been
8 given to the project's relationship, both actual and potential, with
9 the statewide rail passenger program and rapid mass transit. Projects
10 must be consistent with any adopted high capacity transportation plan,
11 must consider existing or reasonably foreseeable congestion levels
12 attributable to economic development or growth and all modes of
13 transportation and safety, and must be partially funded by local
14 government or private contributions, or a combination of such
15 contributions. For projects proposed in counties in the Puget Sound
16 regional transportation system authority, the board shall give
17 preference to projects that meet the standards established under
18 sections 204 and 205 of this act. Priority consideration shall be
19 given to those projects with the greatest percentage of local or
20 private contribution, or both.

21 Within one year after board approval of an application for funding,
22 the lead agency shall provide written certification to the board of the
23 pledged local and private funding for the phase of the project
24 approved. Funds allocated to an applicant that does not certify its
25 funding within one year after approval may be reallocated by the board.

26 **Sec. 612.** RCW 47.80.020 and 1990 1st ex.s. c 17 s 54 are each
27 amended to read as follows:

28 The legislature hereby authorizes creation of regional
29 transportation planning organizations within the state. Each regional
30 transportation planning organization shall be formed through the
31 voluntary association of local governments within a county, or within
32 geographically contiguous counties. Except as provided in section 201
33 of this act, each organization shall:

- 34 (1) Encompass at least one complete county;
35 (2) Have a population of at least one hundred thousand, or contain
36 a minimum of three counties; and

1 (3) Have as members all counties within the region, and at least
2 sixty percent of the cities and towns within the region representing a
3 minimum of seventy-five percent of the cities' and towns' population.

4 The state department of transportation must verify that each
5 regional transportation planning organization conforms with the
6 requirements of this section.

7 In urbanized areas, the regional transportation planning
8 organization is the same as the metropolitan planning organization
9 designated for federal transportation planning purposes.

10 **Sec. 613.** RCW 47.80.030 and 2005 c 328 s 2 are each amended to
11 read as follows:

12 (1) Each regional transportation planning organization shall
13 develop in cooperation with the department of transportation, providers
14 of public transportation and high capacity transportation, ports, and
15 local governments within the region, adopt, and periodically update a
16 regional transportation plan that:

17 (a) Is based on a least cost planning methodology that identifies
18 the most cost-effective facilities, services, and programs;

19 (b) Identifies existing or planned transportation facilities,
20 services, and programs, including but not limited to major roadways
21 including state highways and regional arterials, transit and
22 nonmotorized services and facilities, multimodal and intermodal
23 facilities, marine ports and airports, railroads, and noncapital
24 programs including transportation demand management that should
25 function as an integrated regional transportation system, giving
26 emphasis to those facilities, services, and programs that exhibit one
27 or more of the following characteristics:

28 (i) Crosses member county lines;

29 (ii) Is or will be used by a significant number of people who live
30 or work outside the county in which the facility, service, or project
31 is located;

32 (iii) Significant impacts are expected to be felt in more than one
33 county;

34 (iv) Potentially adverse impacts of the facility, service, program,
35 or project can be better avoided or mitigated through adherence to
36 regional policies;

1 (v) Transportation needs addressed by a project have been
2 identified by the regional transportation planning process and the
3 remedy is deemed to have regional significance; and

4 (vi) Provides for system continuity;

5 (c) Establishes level of service standards for state highways and
6 state ferry routes, with the exception of transportation facilities of
7 statewide significance as defined in RCW 47.06.140. These regionally
8 established level of service standards for state highways and state
9 ferries shall be developed jointly with the department of
10 transportation, to encourage consistency across jurisdictions. In
11 establishing level of service standards for state highways and state
12 ferries, consideration shall be given for the necessary balance between
13 providing for the free interjurisdictional movement of people and goods
14 and the needs of local commuters using state facilities;

15 (d) Includes a financial plan demonstrating how the regional
16 transportation plan can be implemented, indicating resources from
17 public and private sources that are reasonably expected to be made
18 available to carry out the plan, and recommending any innovative
19 financing techniques to finance needed facilities, services, and
20 programs;

21 (e) Assesses regional development patterns, capital investment and
22 other measures necessary to:

23 (i) Ensure the preservation of the existing regional transportation
24 system, including requirements for operational improvements,
25 resurfacing, restoration, and rehabilitation of existing and future
26 major roadways, as well as operations, maintenance, modernization, and
27 rehabilitation of existing and future transit, railroad systems and
28 corridors, and nonmotorized facilities; and

29 (ii) Make the most efficient use of existing transportation
30 facilities to relieve vehicular congestion and maximize the mobility of
31 people and goods;

32 (f) Sets forth a proposed regional transportation approach,
33 including capital investments, service improvements, programs, and
34 transportation demand management measures to guide the development of
35 the integrated, multimodal regional transportation system. For
36 regional growth centers, the approach must address transportation
37 concurrency strategies required under RCW 36.70A.070 and include a

1 measurement of vehicle level of service for off-peak periods and total
2 multimodal capacity for peak periods; and

3 (g) Where appropriate, sets forth the relationship of high capacity
4 transportation providers and other public transit providers with regard
5 to responsibility for, and the coordination between, services and
6 facilities.

7 (2) The organization shall review the regional transportation plan
8 biennially for currency and forward the adopted plan along with
9 documentation of the biennial review to the state department of
10 transportation.

11 (3) All transportation projects, programs, and transportation
12 demand management measures within the region that have an impact upon
13 regional facilities or services must be consistent with the plan and
14 with the adopted regional growth and transportation strategies.

15 (4) In the case of a regional transportation planning organization
16 located in a Puget Sound regional transportation system authority, the
17 plan must be based on the guidelines and plan prepared by the council
18 under section 201 of this act. The plan must include recommendations
19 to the department of transportation regarding levels of service
20 standards for highways of statewide significance.

21 **Sec. 614.** RCW 47.80.040 and 2003 c 351 s 1 are each amended to
22 read as follows:

23 Each regional transportation planning organization other than a
24 Puget Sound regional transportation system authority shall, and a Puget
25 Sound regional transportation system authority may, create a
26 transportation policy board. Transportation policy boards shall
27 provide policy advice to the regional transportation planning
28 organization and shall allow representatives of major employers within
29 the region, the department of transportation, transit districts, port
30 districts, and member cities, towns, and counties within the region to
31 participate in policy making. Any members of the house of
32 representatives or the state senate whose districts are wholly or
33 partly within the boundaries of the regional transportation planning
34 organization or Puget Sound regional transportation district are
35 considered ex officio, nonvoting policy board members of the regional
36 transportation planning organization. This does not preclude
37 legislators from becoming full-time, voting board members.

1 **Sec. 615.** RCW 47.80.060 and 2005 c 334 s 1 are each amended to
2 read as follows:

3 In order to qualify for state planning funds available to regional
4 transportation planning organizations, the regional transportation
5 planning organizations containing any county with a population in
6 excess of one million, other than a Puget Sound regional transportation
7 system authority, shall provide voting membership on its executive
8 board to the state transportation commission, the state department of
9 transportation, and the four largest public port districts within the
10 region as determined by gross operating revenues. It shall further
11 assure that at least fifty percent of the county and city local elected
12 officials who serve on the executive board also serve on transit agency
13 boards or on a regional transit authority.

14 **Sec. 616.** RCW 81.112.040 and 1994 c 109 s 1 are each amended to
15 read as follows:

16 (1) Except as provided in subsection (2) of this section, the
17 regional transit authority shall be governed by a board consisting of
18 representatives appointed by the county executive and confirmed by the
19 council or other legislative authority of each member county.
20 Membership shall be based on population from that portion of each
21 county which lies within the service area. Board members shall be
22 appointed initially on the basis of one for each one hundred forty-five
23 thousand population within the county. Such appointments shall be made
24 following consultation with city and town jurisdictions within the
25 service area. In addition, the secretary of transportation or the
26 secretary's designee shall serve as a member of the board and may have
27 voting status with approval of a majority of the other members of the
28 board. Only board members, not including alternates or designees, may
29 cast votes.

30 Each member of the board, except the secretary of transportation or
31 the secretary's designee, shall be:

32 (a) An elected official who serves on the legislative authority of
33 a city or as mayor of a city within the boundaries of the authority;

34 (b) On the legislative authority of the county, if fifty percent of
35 the population of the legislative official's district is within the
36 authority boundaries; or

1 (c) A county executive from a member county within the authority
2 boundaries.

3 When making appointments, each county executive shall ensure that
4 representation on the board includes an elected city official
5 representing the largest city in each county and assures proportional
6 representation from other cities, and representation from
7 unincorporated areas of each county within the service area. At least
8 one-half of all appointees from each county shall serve on the
9 governing authority of a public transportation system.

10 Members appointed from each county shall serve staggered four-year
11 terms. Vacancies shall be filled by appointment for the remainder of
12 the unexpired term of the position being vacated.

13 The governing board shall be reconstituted, with regard to the
14 number of representatives from each county, on a population basis,
15 using the official office of financial management population estimates,
16 five years after its initial formation and, at minimum, in the year
17 following each official federal census. The board membership may be
18 reduced, maintained, or expanded to reflect population changes but
19 under no circumstances may the board membership exceed twenty-five.

20 (2) For a regional transit authority located within a regional
21 transportation system authority, effective January 1, 2008, the Puget
22 Sound regional transportation system authority council is the governing
23 board. For votes of the council regarding board decisions, the vote of
24 each councilor, including the president, is weighted to reflect that
25 portion of the regional transit authority population that is within
26 each councilor district.

27 (3) Major decisions of the authority shall require a favorable vote
28 of two-thirds of the entire membership of the voting members or for a
29 regional transportation system authority council, two-thirds of the
30 weighted votes. "Major decisions" include at least the following:
31 System plan adoption and amendment; system phasing decisions; annual
32 budget adoption; authorization of annexations; modification of board
33 composition; and executive director employment.

34 ~~((+3))~~ (4) Each member of the board is eligible to be reimbursed
35 for travel expenses in accordance with RCW 43.03.050 and 43.03.060 and
36 to receive compensation as provided in RCW 43.03.250.

