

1 transit system that is inadequate for the current and future needs of
2 the state, particularly in dense urban regions. There is a severe
3 strain on regional transportation systems that is clearly noticeable
4 through several important indicators, including congestion. Continued
5 population and transportation demand growth has created a looming
6 regional transportation crisis caused in part by a history of under
7 funding transportation.

8 (2) The existing approach to transportation governance has left the
9 state with a struggle to maintain deteriorating transportation
10 infrastructure, insufficient road and transit capacity, an inconsistent
11 system for planning and funding transportation, insufficient
12 cooperation among transportation jurisdictions, and reduced public
13 confidence in governmental ability to solve transportation problems.

14 (3) An overly localized and insufficient focus on regional needs,
15 particularly on large and multijurisdictional projects, have caused
16 costly delays in constructing new transit and highway systems.
17 Regional transportation projects must be effectively prioritized on a
18 unified basis, but this has not occurred because there is no regional
19 governmental entity responsible for prioritizing regional projects
20 across geographic lines and modes.

21 (4) There is an inadequate connection between transportation
22 demand, land use planning, and transportation planning, which also
23 causes costly delays in meeting transportation demand. No governmental
24 entity views the systemic needs of the entire region, and
25 prioritization of those needs, as its primary responsibility.

26 (5) The lack of transportation demand/capacity management, pricing
27 coordination, mass transit, and coordinated transportation governance
28 is limiting the mobility of both people and goods in the state.

29 (6) Most transit systems were initially developed to provide local
30 service, but are now forced to play a large role in regional
31 transportation networks. Effective transportation planning in
32 urbanized regions requires stronger and clearer lines of responsibility
33 and accountability. Integrated, multimodal transportation planning and
34 prioritization will help reduce transportation congestion and improve
35 security and safety, and that streamlined decision making will help
36 reduce political congestion.

37 (7) The coordinated planning of, investment in, and operation of
38 transportation systems will have significant benefit to the citizens of

1 Washington, and it is the will of the people to fund regional
2 transportation solutions, including improving transit service in
3 urbanized areas and among multiple transit agencies. Equity
4 considerations must be respected, but transportation problems are
5 broader and deeper than the sum of geographic subareas.

6 (8) Our current system of transportation governance delivers
7 inadequate results, and requires fundamental systemic change to meet
8 our state's transportation needs.

9 (9) Accordingly, the policy of the state of Washington is to allow
10 the formation of regional transportation commissions as regional
11 transportation governing entities more directly accountable to the
12 public, to coordinate and prioritize regional transportation planning,
13 to fund regional mobility projects, and to develop and facilitate the
14 implementation of integrated regional transportation demand, capacity,
15 pricing, and operating solutions.

16 **PART II**
17 **DEFINITIONS**

18 NEW SECTION. **Sec. 201.** DEFINITIONS. The definitions in this
19 section apply throughout this chapter unless the context clearly
20 requires otherwise.

21 (1) "Regional transportation commission" or "commission" means a
22 municipal corporation created under this chapter or the governing body
23 of commissioners of the municipal corporation.

24 (2) "Component county" means a county included in the jurisdiction
25 of a regional transportation commission.

26 (3) "Department" means the department of transportation.

27 (4) "Local elected official" means an individual who has been
28 elected to serve as a mayor, executive, councilmember, or commissioner
29 for a county, city, town, or port within a regional transportation
30 commission's geographic area.

31 (5) "Mobility project" means:

32 (a) The design, financing, construction, operation, and maintenance
33 of a road, street, highway, high-occupancy vehicle lane, ramp, parking
34 facility, vehicle pullout, signal, meter, or other transportation
35 system management improvement or public transportation facility,
36 including equipment; or

1 (b) Public transportation, including the transport of passengers,
2 their incidental baggage, and packages, together with the necessary
3 passenger terminals and parking facilities or other properties
4 necessary for passenger and vehicular access to and from these
5 people-moving systems. Public transportation includes, without
6 limitation, buses, vans, trolleys, and rail-based transit. Public
7 transportation does not include personal vehicles, chartered buses,
8 sightseeing buses, taxicabs regulated under chapter 81.72 RCW, or
9 similar means of conveyance, or Washington state ferries.

10 (6) "Mobility project of regional significance" means a mobility
11 project that connects or serves two or more counties or that a
12 commission otherwise designates as having major significance to
13 regional transportation. "Mobility project of regional significance"
14 includes all public transportation of a regional transit authority that
15 includes more than one county.

16 (7) "Policy advisory board" means a body convened by the commission
17 under section 304 of this act.

18 (8) "Public transportation agency" means any municipal corporation,
19 state department or agency, or other entity, instrumentality, or
20 division, or affiliate that owns or operates public transportation.
21 "Public transportation agency" includes, without limitation, regional
22 transit authorities and the department.

23 (9) "Regional mobility investment plan" or "plan" means a regional
24 mobility investment plan prepared in accordance with section 305 of
25 this act.

26 **PART III**

27 **REGIONAL TRANSPORTATION COMMISSION**

28 NEW SECTION. **Sec. 301.** FORMATION AND EXPANSION. (1) A regional
29 transportation commission must be created in an area within the
30 complete boundaries of a county with a population greater than one
31 million five hundred thousand persons and any adjoining counties with
32 a population greater than five hundred thousand persons.

33 (2) A regional transportation commission must be created by
34 resolution of the legislative authorities of the contiguous counties
35 referenced in subsection (1) of this section such that the governing

1 body is fully constituted, and the commission is authorized to exercise
2 the powers granted in section 303 of this act, by January 1, 2009.
3 However, a commission may not be created before January 1, 2008.

4 (3) A regional transportation commission is a municipal corporation
5 and possesses all the usual corporate powers as well as all other
6 powers conferred by statute.

7 (4) A regional transportation commission is an independent taxing
8 authority within the meaning of Article VII, section 1 of the state
9 Constitution, and a taxing district within the meaning of Article VII,
10 section 2 of the state Constitution.

11 (5) A regional transportation commission may be expanded to include
12 the complete boundaries of additional contiguous counties, regardless
13 of population, if the commission and the legislative authority of every
14 county in the proposed expanded commission adopts a resolution
15 authorizing the expanded commission. At least sixty days before
16 adopting a resolution approving expansion, the commission shall adopt
17 policies governing the expansion process and integration of new
18 counties into the existing commission. However, only one regional
19 transportation commission may exist in any county or counties.

20 NEW SECTION. **Sec. 302.** GOVERNANCE. (1) The governing body of a
21 regional transportation commission consists of eleven nonpartisan
22 commissioners.

23 (2) Commissioners are apportioned and elected as follows:

24 (a) One commissioner appointed by each county executive of the
25 component counties and confirmed by the legislative authority of the
26 respective component county. The appointments should include
27 individuals who have experience in regional transportation issues and
28 are experienced in the design, construction, operation, maintenance, or
29 financing of public transportation and mobility projects;

30 (b) Eight commissioners apportioned to eight geographical districts
31 and elected on a nonpartisan basis. Each commissioner representing a
32 district must be a registered voter residing within that district.
33 Initial apportionment and establishment of district lines must be
34 determined by the component counties within thirty days of the
35 formation of a regional transportation commission according to the
36 requirements in (c) of this subsection. Subsequent reapportionment and

1 drawing of district lines must be conducted by the Washington state
2 redistricting commission during its decennial redistricting operations
3 under Article II, section 43 of the state Constitution;

4 (c) Each district must contain a population, excluding nonresident
5 military personnel, as equal as practicable to the population of any
6 other district. To a reasonable extent, each district must contain
7 contiguous territory, be compact and convenient, and be separated from
8 adjoining districts by natural geographic barriers, artificial
9 barriers, or political subdivision boundaries.

10 (3) Commissioners shall serve six-year terms of office, except that
11 three of the initially elected commissioners representing a district
12 shall serve a two-year term of office and three of the initially
13 elected commissioners representing a district shall serve four-year
14 terms. The component counties shall designate which districts have
15 commissioners that serve two-year, four-year, and six-year terms. The
16 first election for commissioners must be held at the general election
17 following the formation of a commission, consistent with Title 29A RCW.

18 (4) The commissioners shall appoint a chair every three years from
19 among the commission membership.

20 (5) Vacancies in appointed positions must be filled by appointment
21 of the county executive representing the county that the vacating
22 appointee represented, and the appointee filling the vacancy shall
23 serve for the remainder of the unexpired term of the respective office.
24 Vacancies in elected positions must be filled by a person approved by
25 a majority of the remaining commissioners, who shall serve on an
26 interim basis until the vacancy is filled at the next general election
27 held more than one hundred eighty days after the date the vacancy is
28 filled, or for the remainder of the unexpired term of the respective
29 office, whichever comes sooner. A person elected to fill a vacancy
30 shall serve for the remainder of the unexpired term of the respective
31 office.

32 (6) Commissioners may only be removed for malfeasance or
33 misfeasance in office.

34 NEW SECTION. **Sec. 303.** POWERS AND PURPOSES. A regional
35 transportation commission shall:

36 (1) Prepare, adopt, and implement a comprehensive and integrated
37 corridor-based multimodal regional mobility investment plan described

1 under section 305 of this act that plans, prioritizes, and finances
2 improvements to highways, streets, roads, and public transportation
3 that will serve the residents of the region, and amend the plan to meet
4 changed conditions and requirements. In implementing the plan, or
5 exercising its authority under this section, the commission may: Levy,
6 impose, collect, and spend taxes, user fees, tolls, and charges;
7 receive and spend state, federal, and private funds; and lend and grant
8 funds to public transportation agencies, cities, counties, other local
9 governments, and the department for the purposes of planning,
10 designing, constructing, operating, or maintaining mobility projects,
11 including, without limitation, public transportation;

12 (2) Consistent with its functions as a regional transportation
13 planning organization under subsection (7) of this section: Conduct
14 comprehensive and integrated corridor-based multimodal transportation
15 planning and prioritization activities that will improve the mobility
16 of people and goods in the region; reduce transportation congestion,
17 improve security and safety; coordinate and integrate transportation
18 and land use planning, including multimodal transportation improvements
19 and strategies that comply with the transportation concurrency
20 requirements under RCW 36.70A.070(6) and 36.70A.108; improve modal
21 connectivity; and generally assist in providing an efficient regional
22 transportation system. The transportation planning and prioritization
23 activities must provide for, wherever feasible, transportation
24 demand/capacity management, pricing coordination, mass transit, and
25 coordinated transportation governance. Corridor planning should
26 include the full range of strategies available that most efficiently
27 move people and goods consistent with the region's land use goals
28 including, without limitation: Demand management tools, such as
29 congestion pricing, parking pricing, and trip reduction incentives;
30 high capacity transit expansion; increased local transit; investments
31 in regionally significant bicycle paths and pedestrian connections; and
32 expanded roadway capacity;

33 (3) Establish routes and classes of service, fix rates, tolls,
34 fares, and charges for public transportation services or routes that
35 constitute public transportation of regional significance;

36 (4) In consultation with local public transportation agencies
37 operating within the region, establish a program for interconnecting
38 fares, schedules, and transfers on trips using public transportation

1 agencies for public transportation or public transportation routes that
2 constitute public transportation of regional significance, and require
3 the participation of public transportation agencies in that program.
4 In developing the program under this subsection (4), the commission
5 shall develop standards for the coordination of capital investment,
6 service standards, and service coordination of public transportation
7 agencies in the region. The goal of these standards is to maximize
8 coordination within and among systems, use resources more effectively,
9 and enhance services to the public. The standards must also address
10 vanpool coordination, fare policies, and transportation demand
11 management programs;

12 (5) Establish a procedure requiring that bond issues, taxes, user
13 fees, tolls, or charges that (a) require voter approval, for mobility
14 projects located within the commission's geographic boundaries and (b)
15 constitute mobility projects of regional significance, be approved by
16 the commission before placing those bond or revenue measures on a
17 ballot for voter approval. Bond issues, property taxes, and excise
18 taxes for mobility projects that do not constitute mobility projects of
19 regional significance shall not require a commission's approval before
20 being placed on the ballot;

21 (6) Negotiate with the state and appropriate local jurisdictions to
22 prioritize all state transportation projects within the commission's
23 borders and the order in which state transportation funds for mobility
24 projects within the commission's borders are expended;

25 (7) Serve as the regional transportation planning organization
26 under chapter 47.80 RCW for the area within the commission's borders
27 and, if designated or redesignated under federal law, serve as the
28 metropolitan planning organization for the commission's geographic
29 area. A commission has all the powers and responsibilities of a
30 regional transportation planning organization described under chapter
31 47.80 RCW. The commission is the lead planning agency for planning
32 under chapter 47.80 RCW unless the commission designates another lead
33 agency for a specified project;

34 (8) Employ or contract with engineering, legal, financial, or other
35 employees, specialized personnel, or consultants as necessary to
36 accomplish the purposes of the commission;

37 (9) Exercise all other powers necessary and appropriate to carry
38 out its responsibilities including, without limitation, the power to

1 sue and be sued, to enter into contracts, and to acquire, own, and
2 transfer real and personal property and property rights by lease,
3 sublease, purchase, or sale. A commission may establish an expert
4 review panel, composed of members with areas of expertise that benefit
5 the commission, to review, analyze, and make recommendations on any
6 aspect of a proposed mobility project of regional significance. A
7 commission may also sell, lease, convey, or otherwise dispose of any
8 real or personal property or property rights no longer necessary or
9 desirable for the conduct of the affairs of the commission. However,
10 unless negotiated and agreed upon by applicable parties, a regional
11 transportation commission may not own, operate, construct, or maintain
12 mobility projects or public transportation assets, but shall contract
13 or otherwise provide for such ownership, operation, construction, or
14 maintenance to be carried out by other public or private entities;

15 (10) In accordance with section 306 of this act, determine and
16 establish the tolls and charges for mobility projects of regional
17 significance within the commission's geographic area. Any
18 determination and establishment of tolls and charges for bridges,
19 highways, lanes, roads, and other facilities must be consistent with
20 tolling policies adopted by the transportation commission;

21 (11) If approved by the governor and necessary local parties under
22 23 U.S.C. Sec. 134, be the metropolitan planning organization for the
23 region to promote consistency between transportation improvements and
24 state and local planned growth and economic development patterns;

25 (12) Establish an incentives-based process of negotiating
26 cooperative relationships with affected local jurisdictions within the
27 region in order to promote an efficient, comprehensive, and integrated
28 corridor-based multimodal regional transportation system;

29 (13) Enter into interlocal agreements or agreements with local
30 governments, the state, or the federal government regarding the
31 establishment, composition, and responsibilities of a policy advisory
32 board under section 304 of this act; and

33 (14) Adopt policies and procedures regarding the reimbursement for
34 expenses incurred by commissioners for activities related to their work
35 as commissioners.

36 NEW SECTION. **Sec. 304.** POLICY ADVISORY BOARD. (1) Each
37 commission shall create a policy advisory board to provide a forum for

1 state, regional, and local officials, transportation providers, and
2 private citizens to deliberate issues that affect transportation
3 planning, prioritization, and funding within the commission's
4 boundaries. The commission shall develop procedures governing the
5 policy advisory board's duties, procedures, and formal review of plans
6 and programs.

7 (2) The commission shall determine the composition and
8 responsibilities of the policy advisory board, including any functions
9 necessary to comply with federal law as directed by a federal agency.
10 The policy advisory board must contain at least fifteen voting members,
11 but no more than thirty-one voting members, all appointed by the
12 commission. Members should include local elected officials,
13 representatives of public transportation agencies, the secretary of
14 transportation or his or her designee, representatives of private
15 sector transportation and shipping industries, private citizens, and
16 representatives of major employers within the region. Members of a
17 commission may also be appointed as policy advisory board members, and
18 elected commissioners who serve on a policy advisory board are deemed
19 local elected officials for the purposes of this section. The policy
20 advisory board's voting members must include representatives from each
21 of the commission's component counties' largest port districts as
22 measured by gross revenues, each of the component counties' most
23 populous cities, and the incorporated principal cities of a
24 metropolitan statistical area within the region as designated by the
25 United States census bureau.

26 (3) The policy advisory board shall formally review and comment on
27 the regional mobility investment plan, the transportation improvement
28 program prepared to comply with applicable federal law, and other
29 transportation planning documents relevant to the region before
30 adoption and implementation by the commission. The policy advisory
31 board shall hold at least one public hearing in each component county
32 before issuing formal comments on a transportation improvement program.

33 (4) The policy advisory board is an advisory body to the
34 commission. If required by a federal agency, the commission may
35 provide that a transportation improvement program for federal purposes
36 be approved by the policy advisory board and that the policy advisory
37 board serve as the policy board of a metropolitan planning organization
38 under 23 U.S.C. Sec. 134 and 23 C.F.R. Part 450.

1 NEW SECTION. **Sec. 305.** REGIONAL MOBILITY INVESTMENT PLAN. (1)(a)

2 The commission shall prepare a comprehensive and integrated corridor-
3 based multimodal regional mobility investment plan for highways and
4 transit improvements that creates a prioritized list of mobility
5 projects of regional significance, or local mobility projects if
6 applicable under subsection (3) of this section, that will be funded in
7 whole or in part by or through the regional transportation commission,
8 the state, the federal government, or private sources. The plan must
9 also identify which funding sources, as authorized by this chapter,
10 will be levied, imposed, or otherwise authorized to carry out the
11 projects identified in the regional mobility investment plan.

12 (b) Projects in the plan must be evaluated against the following
13 criteria:

14 (i) Preservation: To maintain, preserve, and extend the life and
15 utility of prior investments in transportation systems and services;

16 (ii) Safety: To provide for and improve the safety and security of
17 transportation customers and the transportation system;

18 (iii) Mobility: To improve the predictable movement of goods and
19 people throughout Washington state;

20 (iv) Environment: To enhance the region's quality of life through
21 transportation investments that promote energy conservation, enhance
22 healthy communities, and protect the environment; and

23 (v) Stewardship: To be effective managers of the regional
24 transportation system.

25 (2) An initial plan must be placed on a general election ballot for
26 elector approval. If a majority of the electors voting on the plan
27 vote in favor of it, the commission may implement measures contained in
28 the plan. The ballot title must reference the regional mobility
29 investment plan. However, if a regional transportation commission is
30 authorized to exercise its powers as prescribed in section 301(2) of
31 this act, after voter approval of a ballot measure under RCW
32 36.120.070, the commission, without the need for additional voter
33 approval, shall adopt the voter-approved plan as part of the
34 commission's regional mobility investment plan. The commission may
35 submit subsequent plans for voter approval at general or special
36 elections that the commission determines as appropriate.

37 (3) Municipal corporations within a commission's borders, including
38 regional transit authorities, may request that the commission

1 incorporate, in the regional mobility investment plan, any local plans
2 or proposed mobility projects, or both, together with taxes, user fees,
3 tolls, and charges to finance those projects. Voter approval of a
4 regional mobility investment plan that includes local plans or proposed
5 mobility projects, or both, constitutes the necessary voter approval
6 for (a) the local plans and projects and (b) the levy, imposition, or
7 authorization of the local taxes, tolls, charges, and user fees by the
8 municipal corporations. The commission shall establish procedures for
9 the inclusion of local plans, proposed projects, taxes, and user fees
10 in the regional mobility investment plan. The commission may decline
11 to include any local plans, projects, taxes, tolls, charges, or user
12 fees in the regional mobility investment plan.

13 (4) After a regional mobility investment plan has received voter
14 approval, a two-thirds majority of the commission may amend any aspect
15 of the plan including, without limitation, the regional project list
16 and prioritization of projects included in the plan, and may redirect
17 the expenditure of taxes, user fees, tolls, and charges. The plan may
18 also be amended in any respect by a majority vote of the electors of
19 the commission, if the amendments are proposed to the electors by a
20 majority of the commission. A local jurisdiction or transit agency
21 shall not redirect taxes or fees approved by voters as part of a
22 regional mobility investment plan without the approval of a two-thirds
23 majority of the commission.

24 (5) Before adoption, approval, or amendment of a regional mobility
25 investment plan, the commission shall review any recommendations of the
26 policy advisory board and hold at least one public hearing in each
27 component county to allow citizens, public agencies, freight shippers,
28 providers of freight and public transportation services,
29 representatives of pedestrian walkway and bicycle facility users,
30 representatives for individuals with disabilities, and agencies for
31 safety/security operations a reasonable opportunity to be involved in
32 the transportation planning process.

33 NEW SECTION. **Sec. 306.** TAXES, USER FEES, AND TOLLS. (1) A
34 regional transportation commission may, as part of a regional mobility
35 investment plan, recommend the imposition or authorization of some or
36 all of the following revenue sources, which a regional transportation

1 commission may levy, impose, or authorize if contained in a regional
2 mobility investment plan approved by the electors under section 305 of
3 this act:

4 (a) A regional sales and use tax, as specified in RCW 82.14.430, of
5 up to one percent of the selling price, in the case of a sales tax, or
6 value of the article used, in the case of a use tax, upon the
7 occurrence of any taxable event in the regional transportation
8 commission jurisdiction;

9 (b) A local option vehicle license fee, as specified under RCW
10 82.80.100, of up to one hundred dollars per vehicle registered in the
11 district. As used in this subsection, "vehicle" means motor vehicle as
12 defined in RCW 46.04.320. Certain classes of vehicles, as defined
13 under chapter 46.04 RCW, may be exempted from this fee;

- 14 (c) A parking tax under RCW 82.80.030;
- 15 (d) A local motor vehicle excise tax under RCW 81.100.060;
- 16 (e) A local option fuel tax under RCW 82.80.120;
- 17 (f) An employer excise tax under RCW 81.100.030;

18 (g) Excise taxes or fees imposed on paid parking, collected by the
19 commission from the person purchasing parking or the person providing
20 parking, or both; and

21 (h) Vehicle tolls, including corridor tolling, and demand
22 management charges on mobility projects of regional significance
23 including, without limitation, state or federal highways within the
24 boundaries of the commission, if the following conditions are met:

25 (i) The regional mobility investment plan must identify the
26 facilities that may be tolled;

27 (ii) The tolls must be consistent with tolling policies adopted by
28 the transportation commission; and

29 (iii) Unless otherwise specified by law or by contract between a
30 commission and the department, the department shall administer the
31 collection of vehicle rates, tolls, and charges on designated
32 facilities, which must, if required by the department, be compatible
33 with statewide standards and protocols for intermodal and interfacility
34 charges. For purposes of this section, "vehicle tolls" includes
35 vehicle user fees imposed for capacity/demand management including, but
36 not limited to, high-occupancy lane charges, value pricing, and
37 congestion pricing.

1 (2) Taxes and vehicle license fees described in this section may
2 not be imposed or authorized without an affirmative vote of the
3 majority of the voters within the boundaries of the regional
4 transportation commission voting on a ballot proposition either as part
5 of the voter approval of a regional mobility investment plan under
6 section 305 of this act or as a separate ballot measure. Vehicle tolls
7 may be imposed or authorized on any project approved by the commission.
8 Revenues from taxes, fees, and tolls may be used only to implement a
9 regional mobility investment plan as set forth in this chapter. A
10 commission may contract with the state department of revenue or other
11 appropriate entities for the administration and collection of any of
12 the taxes, fees, charges, or tolls authorized in this section.

13 (3) A commission may impose taxes or fees that are substantially
14 similar to those previously imposed or levied by a regional transit
15 authority within the commission's geographic area under chapter 81.104
16 RCW, only to the extent that the tax or fee does not exceed the
17 statutory limits prescribed under this section.

18 (4) A commission shall not, unless otherwise negotiated and agreed
19 upon by applicable parties, directly spend, or otherwise control, a
20 local jurisdiction's or transit agency's locally imposed funds.

21 NEW SECTION. **Sec. 307.** TREASURER. (1) A regional transportation
22 commission, by resolution, shall designate a person with experience in
23 financial or fiscal matters as treasurer of the commission. The
24 commission may designate the treasurer of any county within which the
25 commission is located to act as its treasurer. The designated
26 treasurer has all of the powers, responsibilities, and duties the
27 county treasurer has related to investing surplus funds. The
28 commission shall require a bond with a surety company authorized to do
29 business in this state in an amount and under the terms and conditions
30 the commission, by resolution, from time to time finds will protect the
31 commission against loss. The commission shall pay the premium on the
32 bond.

33 (2) If the treasurer of the commission is also the treasurer of a
34 county, all commission funds must be deposited with a county depository
35 under the same restrictions, contracts, and security as provided for
36 county depositories. If the treasurer of the commission is not the
37 treasurer of a county, all funds must be deposited in a bank or banks

1 that are public depositaries as defined in RCW 39.58.010 and are
2 qualified for insured deposits under any federal deposit insurance act
3 as the commission, by resolution, designates, or funds shall be
4 invested in legal investments for counties.

5 (3) The commission may provide and require a reasonable bond of any
6 other person handling money or securities of the commission, but the
7 commission shall pay the premium on the bond.

8 NEW SECTION. **Sec. 308.** PER DIEM COMPENSATION. Each commissioner
9 may receive compensation equal to the salary applicable to a member of
10 the legislative authority of the most populous county within the
11 commission's geographic area. A commissioner may waive all or a
12 portion of his or her compensation under this section during his or her
13 term of office, by a written waiver filed with the regional
14 transportation commission. The compensation provided in this section
15 is in addition to reimbursement for expenses paid to commissioners by
16 the regional transportation commission.

17 NEW SECTION. **Sec. 309.** EMPLOYEES, SALARIES, AND BENEFITS. A
18 regional transportation commission may create and fill positions, fix
19 reasonable wages and salaries, pay costs involved in hiring employees,
20 and establish reasonable benefits for employees, including holiday pay,
21 vacations or vacation pay, retirement benefits, and medical, life,
22 accident, or health disability insurance, as approved by the
23 commission.

24 NEW SECTION. **Sec. 310.** EXISTING REGIONAL PLANNING STAFFS. (1) If
25 a commission is formed in an area with an existing regional
26 transportation planning organization, the commission shall, as a
27 successor employer, initially hire all employees of the regional
28 transportation planning organization to continue employment in
29 substantively similar positions and on terms similar to their prior
30 employment.

31 (2) If a commission is formed in an area with an existing regional
32 transit agency, the commission shall, as a successor employer,
33 initially hire all employees of the regional transit agency engaged in
34 long-range planning, including system plans, to continue employment in

1 substantively similar positions and on terms similar to their prior
2 employment.

3 (3) This section does not prevent the dismissal of employees that
4 is necessary to meet budget constraints or for other reasons in the
5 ordinary course of business.

6 (4) The combined staff indicated under this section shall work
7 cooperatively, and in a coordinated fashion, with the administrative
8 region within the department of transportation established under
9 section 316 of this act. The commission shall establish a negotiated
10 process with the department, and other applicable local planning
11 offices, that ensures the respective agencies are planning for a
12 comprehensive and integrated corridor-based multimodal regional
13 transportation system.

14 NEW SECTION. **Sec. 311.** TRANSIT STUDIES. (1) If a commission
15 includes one or more counties adjoining Puget Sound, the commission
16 shall submit to the legislature a report and recommendations regarding
17 whether integrating or combining public transit agencies in the central
18 Puget Sound region would facilitate the implementation of a
19 comprehensive and integrated corridor-based multimodal regional
20 transportation system. The report and recommendations must be
21 submitted no later than eighteen months after formation of the
22 commission.

23 (2) If a commission includes a county adjoining Puget Sound with a
24 population greater than one million, the commission shall submit to the
25 legislature a report and recommendations regarding the application of
26 regional transportation governance to waterways and passenger-only
27 ferries in the central Puget Sound region no later than eighteen months
28 after formation of the commission.

29 **Sec. 312.** RCW 47.80.020 and 1990 1st ex.s. c 17 s 54 are each
30 amended to read as follows:

31 The legislature hereby authorizes creation of regional
32 transportation planning organizations within the state. Each regional
33 transportation planning organization shall be formed through the
34 voluntary association of local governments within a county, or within
35 geographically contiguous counties. Each organization shall:

36 (1) Encompass at least one complete county;

1 (2) Have a population of at least one hundred thousand, or contain
2 a minimum of three counties; and

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

6 The state department of transportation must verify that each
7 regional transportation planning organization conforms with the
8 requirements of this section. If a regional transportation commission
9 serves as the regional transportation planning organization under
10 section 303 of this act, it shall be deemed in conformance with the
11 requirements of this section.

12 In urbanized areas, the regional transportation planning
13 organization is the same as the metropolitan planning organization
14 designated for federal transportation planning purposes. If a regional
15 transportation commission serves as the regional transportation
16 planning organization under section 303 of this act and if required by
17 a federal agency, the policy advisory board of the regional
18 transportation commission may take approval actions required of
19 metropolitan planning organizations under 23 U.S.C. Sec. 134 and 23
20 C.F.R. Part 450.

21 **Sec. 313.** RCW 47.80.060 and 2005 c 334 s 1 are each amended to
22 read as follows:

23 In order to qualify for state planning funds available to regional
24 transportation planning organizations, the regional transportation
25 planning organizations containing any county with a population in
26 excess of one million shall provide voting membership on its executive
27 board to the state transportation commission, the state department of
28 transportation, and the four largest public port districts within the
29 region as determined by gross operating revenues. It shall further
30 assure that at least fifty percent of the county and city local elected
31 officials who serve on the executive board also serve on transit agency
32 boards or on a regional transit authority. This section does not apply
33 to a regional transportation commission that serves as a regional
34 transportation planning organization under section 303 of this act.

35 **Sec. 314.** RCW 81.112.080 and 1992 c 101 s 8 are each amended to
36 read as follows:

1 An authority shall have the following powers in addition to the
2 general powers granted by this chapter:

3 (1) To carry out the planning processes set forth in RCW
4 81.104.100. If an authority is located in the geographic area of a
5 regional transportation commission created under section 301 of this
6 act, the regional transportation commission shall carry out the
7 planning process set forth in RCW 81.104.100;

8 (2) To acquire by purchase, condemnation, gift, or grant and to
9 lease, construct, add to, improve, replace, repair, maintain, operate,
10 and regulate the use of high capacity transportation facilities and
11 properties within authority boundaries including surface, underground,
12 or overhead railways, tramways, busways, buses, bus sets, entrained and
13 linked buses, ferries, or other means of local transportation except
14 taxis, and including escalators, moving sidewalks, personal rapid
15 transit systems or other people-moving systems, passenger terminal and
16 parking facilities and properties, and such other facilities and
17 properties as may be necessary for passenger, vehicular, and vessel
18 access to and from such people-moving systems, terminal and parking
19 facilities and properties, together with all lands, rights of way,
20 property, equipment, and accessories necessary for such high capacity
21 transportation systems. When developing specifications for high
22 capacity transportation system operating equipment, an authority shall
23 take into account efforts to establish or sustain a domestic
24 manufacturing capacity for such equipment. The right of eminent domain
25 shall be exercised by an authority in the same manner and by the same
26 procedure as or may be provided by law for cities of the first class,
27 except insofar as such laws may be inconsistent with the provisions of
28 this chapter. Public transportation facilities and properties which
29 are owned by any city, county, county transportation authority, public
30 transportation benefit area, or metropolitan municipal corporation may
31 be acquired or used by an authority only with the consent of the agency
32 owning such facilities. Such agencies are hereby authorized to convey
33 or lease such facilities to an authority or to contract for their joint
34 use on such terms as may be fixed by agreement between the agency and
35 the authority((-

36 ~~The facilities and properties of an authority whose vehicles will~~
37 ~~operate primarily within the rights of way of public streets, roads, or~~

1 ~~highways, may be acquired, developed, and operated without the corridor~~
2 ~~and design hearings that are required by RCW 35.58.273 for mass transit~~
3 ~~facilities operating on a separate right of way));~~

4 (3) To dispose of any real or personal property acquired in
5 connection with any authority function and that is no longer required
6 for the purposes of the authority, in the same manner as provided for
7 cities of the first class. When an authority determines that a
8 facility or any part thereof that has been acquired from any public
9 agency without compensation is no longer required for authority
10 purposes, but is required by the agency from which it was acquired, the
11 authority shall by resolution transfer it to such agency;

12 (4) To fix rates, tolls, fares, and charges for the use of such
13 facilities and to establish various routes and classes of service,
14 subject to approval by and coordination with a regional transportation
15 commission under section 303 of this act. Fares or charges may be
16 adjusted or eliminated for any distinguishable class of users.

17 **Sec. 315.** RCW 47.56.030 and 2002 c 114 s 19 are each amended to
18 read as follows:

19 (1) Except as permitted under chapter 47.46 RCW or sections 301
20 through 305 of this act:

21 (a) The department of transportation shall have full charge of the
22 construction of all toll bridges and other toll facilities including
23 the Washington state ferries, and the operation and maintenance
24 thereof.

25 (b) The transportation commission shall determine and establish the
26 tolls and charges thereon, and shall perform all duties and exercise
27 all powers relating to the financing, refinancing, and fiscal
28 management of all toll bridges and other toll facilities including the
29 Washington state ferries, and bonded indebtedness in the manner
30 provided by law.

31 (c) The department shall have full charge of design of all toll
32 facilities.

33 (d) Except as provided in this section, the department shall
34 proceed with the construction of such toll bridges and other facilities
35 and the approaches thereto by contract in the manner of state highway
36 construction immediately upon there being made available funds for such

1 work and shall prosecute such work to completion as rapidly as
2 practicable. The department is authorized to negotiate contracts for
3 any amount without bid under (d)(i) and (ii) of this subsection:

4 (i) Emergency contracts, in order to make repairs to ferries or
5 ferry terminal facilities or removal of such facilities whenever
6 continued use of ferries or ferry terminal facilities constitutes a
7 real or immediate danger to the traveling public or precludes prudent
8 use of such ferries or facilities; and

9 (ii) Single source contracts for vessel dry dockings, when there is
10 clearly and legitimately only one available bidder to conduct dry dock-
11 related work for a specific class or classes of vessels. The contracts
12 may be entered into for a single vessel dry docking or for multiple
13 vessel dry dockings for a period not to exceed two years.

14 (2) The department shall proceed with the procurement of materials,
15 supplies, services, and equipment needed for the support, maintenance,
16 and use of a ferry, ferry terminal, or other facility operated by
17 Washington state ferries, in accordance with chapter 43.19 RCW except
18 as follows:

19 (a) Except as provided in (d) of this subsection, when the
20 secretary of the department of transportation determines in writing
21 that the use of invitation for bid is either not practicable or not
22 advantageous to the state and it may be necessary to make competitive
23 evaluations, including technical or performance evaluations among
24 acceptable proposals to complete the contract award, a contract may be
25 entered into by use of a competitive sealed proposals method, and a
26 formal request for proposals solicitation. Such formal request for
27 proposals solicitation shall include a functional description of the
28 needs and requirements of the state and the significant factors.

29 (b) When purchases are made through a formal request for proposals
30 solicitation the contract shall be awarded to the responsible proposer
31 whose competitive sealed proposal is determined in writing to be the
32 most advantageous to the state taking into consideration price and
33 other evaluation factors set forth in the request for proposals. No
34 significant factors may be used in evaluating a proposal that are not
35 specified in the request for proposals. Factors that may be considered
36 in evaluating proposals include but are not limited to: Price;
37 maintainability; reliability; commonality; performance levels; life

1 cycle cost if applicable under this section; cost of transportation or
2 delivery; delivery schedule offered; installation cost; cost of spare
3 parts; availability of parts and service offered; and the following:

4 (i) The ability, capacity, and skill of the proposer to perform the
5 contract or provide the service required;

6 (ii) The character, integrity, reputation, judgment, experience,
7 and efficiency of the proposer;

8 (iii) Whether the proposer can perform the contract within the time
9 specified;

10 (iv) The quality of performance of previous contracts or services;

11 (v) The previous and existing compliance by the proposer with laws
12 relating to the contract or services;

13 (vi) Objective, measurable criteria defined in the request for
14 proposal. These criteria may include but are not limited to items such
15 as discounts, delivery costs, maintenance services costs, installation
16 costs, and transportation costs; and

17 (vii) Such other information as may be secured having a bearing on
18 the decision to award the contract.

19 (c) When purchases are made through a request for proposal process,
20 proposals received shall be evaluated based on the evaluation factors
21 set forth in the request for proposal. When issuing a request for
22 proposal for the procurement of propulsion equipment or systems that
23 include an engine, the request for proposal must specify the use of a
24 life cycle cost analysis that includes an evaluation of fuel
25 efficiency. When a life cycle cost analysis is used, the life cycle
26 cost of a proposal shall be given at least the same relative importance
27 as the initial price element specified in the request of proposal
28 documents. The department may reject any and all proposals received.
29 If the proposals are not rejected, the award shall be made to the
30 proposer whose proposal is most advantageous to the department,
31 considering price and the other evaluation factors set forth in the
32 request for proposal.

33 (d) If the department is procuring large equipment or systems
34 (e.g., electrical, propulsion) needed for the support, maintenance, and
35 use of a ferry operated by Washington state ferries, the department
36 shall proceed with a formal request for proposal solicitation under
37 this subsection (2) without a determination of necessity by the
38 secretary.

1 regional transportation investment district. The rate of the tax may
2 not exceed one percent of the value of the motor vehicle, in the case
3 of a regional transportation commission, or 0.1 percent of the value of
4 the motor vehicle, in the case of a regional transportation investment
5 district. The tax authorized by this subsection is in addition to the
6 tax authorized under RCW 82.14.030 and must be imposed and collected at
7 the time a taxable event under RCW 82.08.020(1) or 82.12.020 takes
8 place. All revenue received under this subsection must be deposited in
9 the local sales and use tax account and distributed to the regional
10 transportation commission or regional transportation investment
11 district according to RCW 82.14.050. The following provisions apply to
12 the use tax in this subsection:

13 (a) Where persons are taxable under chapter 82.08 RCW, the seller
14 shall collect the use tax from the buyer using the collection
15 provisions of RCW 82.08.050.

16 (b) Where persons are taxable under chapter 82.12 RCW, the use tax
17 must be collected using the provisions of RCW 82.12.045.

18 (c) "Motor vehicle" has the meaning provided in RCW 46.04.320, but
19 does not include farm tractors or farm vehicles as defined in RCW
20 46.04.180 and 46.04.181, off-road and nonhighway vehicles as defined in
21 RCW 46.09.020, and snowmobiles as defined in RCW 46.10.010.

22 (d) "Person" has the meaning given in RCW 82.04.030.

23 (e) The value of a motor vehicle must be determined under RCW
24 82.12.010.

25 (f) Except as specifically stated in this subsection (2), chapters
26 82.12 and 82.32 RCW apply to the use tax. The use tax is a local tax
27 imposed under the authority of chapter 82.14 RCW, and chapter 82.14 RCW
28 applies fully to the use tax.

29 (3) In addition to fulfilling the notice requirements under RCW
30 82.14.055(1), and unless waived by the department, a regional
31 transportation commission or regional transportation investment
32 district shall provide the department of revenue with digital mapping
33 and legal descriptions of areas in which the tax will be collected.

34 **Sec. 402.** RCW 82.80.010 and 2003 c 350 s 1 are each amended to
35 read as follows:

36 (1) For purposes of this section:

1 (a) "Distributor" means every person who imports, refines,
2 manufactures, produces, or compounds motor vehicle fuel and special
3 fuel as defined in RCW 82.36.010 and 82.38.020, respectively, and sells
4 or distributes the fuel into a county;

5 (b) "Person" has the same meaning as in RCW 82.04.030.

6 (2) Subject to the conditions of this section, any county may levy,
7 by approval of its legislative body and a majority of the registered
8 voters of the county voting on the proposition at a general or special
9 election, additional excise taxes equal to ten percent of the statewide
10 motor vehicle fuel tax rate under RCW 82.36.025 on each gallon of motor
11 vehicle fuel as defined in RCW 82.36.010 and on each gallon of special
12 fuel as defined in RCW 82.38.020 sold within the boundaries of the
13 county. Vehicles paying an annual license fee under RCW 82.38.075 are
14 exempt from the county fuel excise tax. An election held under this
15 section must be held not more than twelve months before the date on
16 which the proposed tax is to be levied. The ballot setting forth the
17 proposition shall state the tax rate that is proposed. The county's
18 authority to levy additional excise taxes under this section includes
19 the incorporated and unincorporated areas of the county. The
20 additional excise taxes are subject to the same exceptions and rights
21 of refund as applicable to other motor vehicle fuel and special fuel
22 excise taxes levied under chapters 82.36 and 82.38 RCW. The proposed
23 tax shall not be levied less than one month from the date the election
24 results are certified by the county election officer. The commencement
25 date for the levy of any tax under this section shall be the first day
26 of January, April, July, or October.

27 (3) The local option motor vehicle fuel tax on each gallon of motor
28 vehicle fuel and on each gallon of special fuel is imposed upon the
29 distributor of the fuel.

30 (4) A taxable event for the purposes of this section occurs upon
31 the first distribution of the fuel within the boundaries of a county to
32 a retail outlet, bulk fuel user, or ultimate user of the fuel.

33 (5) All administrative provisions in chapters 82.01, 82.03, and
34 82.32 RCW, insofar as they are applicable, apply to local option fuel
35 taxes imposed under this section.

36 (6) Before the effective date of the imposition of the fuel taxes
37 under this section, a county shall contract with the department of
38 revenue for the administration and collection of the taxes. The

1 contract must provide that a percentage amount, not to exceed one
2 percent of the taxes imposed under this section, will be deposited into
3 the local tax administration account created in the custody of the
4 state treasurer. The department of revenue may spend money from this
5 account, upon appropriation, for the administration of the local taxes
6 imposed under this section.

7 (7) The state treasurer shall distribute monthly to the levying
8 county and cities contained therein the proceeds of the additional
9 excise taxes collected under this section, after the deductions for
10 payments and expenditures as provided in RCW 46.68.090(1) (a) and (b)
11 and under the conditions and limitations provided in RCW 82.80.080.

12 (8) The proceeds of the additional excise taxes levied under this
13 section shall be used strictly for transportation purposes in
14 accordance with RCW 82.80.070.

15 (9) A county may not levy the tax under this section if they are
16 levying the tax in RCW 82.80.110 or if they are a member of a regional
17 transportation investment district or regional transportation
18 commission levying the tax in RCW 82.80.120.

19 **Sec. 403.** RCW 82.80.030 and 2005 c 336 s 24 are each amended to
20 read as follows:

21 (1) Subject to the conditions of this section, the legislative
22 authority of a county, city, regional transportation commission created
23 under section 301 of this act, or district may fix and impose a parking
24 tax on all persons engaged in a commercial parking business within its
25 respective jurisdiction. A city or county may impose the tax only to
26 the extent that it has not been imposed by the district, and a district
27 may impose the tax only to the extent that it has not been imposed by
28 a city or county. The jurisdiction of a county, for purposes of this
29 section, includes only the unincorporated area of the county. The
30 jurisdiction of a city or district includes only the area within its
31 boundaries.

32 (2) In lieu of the tax in subsection (1) of this section, a city,
33 a county in its unincorporated area, a regional transportation
34 commission, or a district may fix and impose a tax for the act or
35 privilege of parking a motor vehicle in a facility operated by a
36 commercial parking business.

1 The city, county, regional transportation commission, or district
2 may provide that:

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

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

7 (c) The tax is collected by the operator of the facility and
8 remitted to the city, county, or district;

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

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

14 (f) Tax exempt carpools, vehicles with handicapped decals, or
15 government vehicles are exempt from the tax.

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

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

25 (5) The county, city, regional transportation commission, or
26 district levying the tax provided for in subsection (1) or (2) of this
27 section may provide for its payment on a monthly, quarterly, or annual
28 basis. Each local government may develop by ordinance or resolution
29 rules for administering the tax, including provisions for reporting by
30 commercial parking businesses, collection, and enforcement.

31 (6) The proceeds of the commercial parking tax fixed and imposed by
32 a city or county under subsection (1) or (2) of this section shall be
33 used for transportation purposes in accordance with RCW 82.80.070 or
34 for transportation improvements in accordance with chapter 36.73 RCW.
35 The proceeds of the parking tax imposed by a district must be used as
36 provided in chapter 36.120 RCW. The proceeds of the parking tax
37 imposed by a regional transportation commission must be used to

1 implement a regional mobility investment plan described under section
2 305 of this act.

3 **Sec. 404.** RCW 82.80.100 and 2002 c 56 s 408 are each amended to
4 read as follows:

5 (1) Upon approval of a majority of the voters within its boundaries
6 voting on the ballot proposition for a regional mobility investment
7 plan or regional transportation investment district, a regional
8 transportation commission or regional transportation investment
9 district may set and impose an annual local option vehicle license fee,
10 or a schedule of fees based upon the age of the vehicle, of up to one
11 hundred dollars per motor vehicle registered within the boundaries of
12 the ((region)) commission or district on every motor vehicle. As used
13 in this section "motor vehicle" has the meaning provided in RCW
14 46.04.320, but does not include farm tractors or farm vehicles as
15 defined in RCW 46.04.180 and 46.04.181, off-road and nonhighway
16 vehicles as defined in RCW 46.09.020, and snowmobiles as defined in RCW
17 46.10.010. Vehicles registered under chapter 46.87 RCW and the
18 international registration plan are exempt from the annual local option
19 vehicle license fee set forth in this section. The department of
20 licensing shall administer and collect this fee on behalf of regional
21 transportation commissions or regional transportation investment
22 districts and remit this fee to the custody of the state treasurer for
23 monthly distribution under RCW 82.80.080.

24 (2) The local option vehicle license fee applies only when renewing
25 a vehicle registration, and is effective upon the registration renewal
26 date as provided by the department of licensing.

27 (3) A regional transportation commission or regional transportation
28 investment district imposing the local option vehicle license fee or
29 initiating an exemption process shall enter into a contract with the
30 department of licensing. The contract must contain provisions that
31 fully recover the costs to the department of licensing for collection
32 and administration of the fee.

33 (4) A regional transportation commission or regional transportation
34 investment district imposing the local option fee shall delay the
35 effective date of the local option vehicle license fee imposed by this
36 section at least six months from the date of the final certification of

1 the approval election to allow the department of licensing to implement
2 the administration and collection of or exemption from the fee.

3 **Sec. 405.** RCW 82.80.110 and 2003 c 350 s 2 are each amended to
4 read as follows:

5 (1) For purposes of this section:

6 (a) "Distributor" means every person who imports, refines,
7 manufactures, produces, or compounds motor vehicle fuel and special
8 fuel as defined in RCW 82.36.010 and 82.38.020, respectively, and sells
9 or distributes the fuel into a county;

10 (b) "Person" has the same meaning as in RCW 82.04.030.

11 (2) For purposes of dedication to a regional transportation
12 investment district plan under chapter 36.120 RCW, subject to the
13 conditions of this section, a county may levy additional excise taxes
14 equal to ten percent of the statewide motor vehicle fuel tax rate under
15 RCW 82.36.025 on each gallon of motor vehicle fuel as defined in RCW
16 82.36.010 and on each gallon of special fuel as defined in RCW
17 82.38.020 sold within the boundaries of the county. The additional
18 excise tax is subject to the approval of the county's legislative body
19 and a majority of the registered voters of the county voting on the
20 proposition at a general or special election. An election held under
21 this section must be held not more than twelve months before the date
22 on which the proposed tax is to be levied. The ballot setting forth
23 the proposition must state that the revenues from the tax will be used
24 for a regional transportation investment district plan. The county's
25 authority to levy additional excise taxes under this section includes
26 the incorporated and unincorporated areas of the county. Vehicles
27 paying an annual license fee under RCW 82.38.075 are exempt from the
28 county fuel excise tax. The additional excise taxes are subject to the
29 same exceptions and rights of refund as applicable to other motor
30 vehicle fuel and special fuel excise taxes levied under chapters 82.36
31 and 82.38 RCW. The proposed tax may not be levied less than one month
32 from the date the election results are certified by the county election
33 officer. The commencement date for the levy of any tax under this
34 section will be the first day of January, April, July, or October.

35 (3) The local option motor vehicle fuel tax on each gallon of motor
36 vehicle fuel and on each gallon of special fuel is imposed upon the
37 distributor of the fuel.

1 (4) A taxable event for the purposes of this section occurs upon
2 the first distribution of the fuel within the boundaries of a county to
3 a retail outlet, bulk fuel user, or ultimate user of the fuel.

4 (5) All administrative provisions in chapters 82.01, 82.03, and
5 82.32 RCW, insofar as they are applicable, apply to local option fuel
6 taxes imposed under this section.

7 (6) Before the effective date of the imposition of the fuel taxes
8 under this section, a county shall contract with the department of
9 revenue for the administration and collection of the taxes. The
10 contract must provide that a percentage amount, not to exceed one
11 percent of the taxes imposed under this section, will be deposited into
12 the local tax administration account created in the custody of the
13 state treasurer. The department of revenue may spend money from this
14 account, upon appropriation, for the administration of the local taxes
15 imposed under this section.

16 (7) The state treasurer shall distribute monthly to the county
17 levying the tax as part of a regional transportation investment plan,
18 after the deductions for payments and expenditures as provided in RCW
19 46.68.090(1) (a) and (b).

20 (8) The proceeds of the additional taxes levied by a county in this
21 section, to be used as a part of a regional transportation investment
22 plan, must be used in accordance with chapter 36.120 RCW, but only for
23 those areas that are considered "highway purposes" as that term is
24 construed in Article II, section 40 of the state Constitution.

25 (9) A county may not levy the tax under this section if they are a
26 member of a regional transportation investment district or regional
27 transportation commission that is levying the tax in RCW 82.80.120 or
28 the county is levying the tax in RCW 82.80.010.

29 **Sec. 406.** RCW 82.80.120 and 2006 c 311 s 18 are each amended to
30 read as follows:

31 (1) For purposes of this section:

32 (a) "Distributor" means every person who imports, refines,
33 manufactures, produces, or compounds motor vehicle fuel and special
34 fuel as defined in RCW 82.36.010 and 82.38.020, respectively, and sells
35 or distributes the fuel into a county;

36 (b) "Person" has the same meaning as in RCW 82.04.030;

1 (c) "District" means a regional transportation investment district
2 under chapter 36.120 RCW;

3 (d) "Commission" means a regional transportation commission.

4 (2) A regional transportation commission under chapter 36.-- RCW
5 (as created in section 805 of this act) or regional transportation
6 investment district under chapter 36.120 RCW, subject to the conditions
7 of this section, may levy additional excise taxes equal to ten percent
8 of the statewide motor vehicle fuel tax rate under RCW 82.36.025 on
9 each gallon of motor vehicle fuel as defined in RCW 82.36.010 and on
10 each gallon of special fuel as defined in RCW 82.38.020 sold within the
11 boundaries of the commission or district. The additional excise tax is
12 subject to the approval of a majority of the voters within the
13 commission or district boundaries. Vehicles paying an annual license
14 fee under RCW 82.38.075 are exempt from the commission or district's
15 fuel excise tax. The additional excise taxes are subject to the same
16 exceptions and rights of refund as applicable to other motor vehicle
17 fuel and special fuel excise taxes levied under chapters 82.36 and
18 82.38 RCW. The proposed tax may not be levied less than one month from
19 the date the election results are certified. The commencement date for
20 the levy of any tax under this section will be the first day of
21 January, April, July, or October.

22 (3) The local option motor vehicle fuel tax on each gallon of motor
23 vehicle fuel and on each gallon of special fuel is imposed upon the
24 distributor of the fuel.

25 (4) A taxable event for the purposes of this section occurs upon
26 the first distribution of the fuel within the boundaries of the
27 district to a retail outlet, bulk fuel user, or ultimate user of the
28 fuel.

29 (5) All administrative provisions in chapters 82.01, 82.03, and
30 82.32 RCW, insofar as they are applicable, apply to local option fuel
31 taxes imposed under this section.

32 (6) Before the effective date of the imposition of the fuel taxes
33 under this section, a commission or district shall contract with the
34 department of (~~licensing~~) revenue for the administration and
35 collection of the taxes. The contract must provide that a percentage
36 amount, not to exceed one percent of the taxes imposed under this
37 section, will be deposited into the local tax administration account
38 created in the custody of the state treasurer. The department of

1 ((licensing)) revenue may spend money from this account, upon
2 appropriation, for the administration of the local taxes imposed under
3 this section.

4 (7) The state treasurer shall distribute monthly to the commission
5 or district levying the tax as part of the regional mobility investment
6 plan or regional transportation investment district plan, after the
7 deductions for payments and expenditures as provided in RCW
8 46.68.090(1) (a) and (b).

9 (8) The proceeds of the additional taxes levied by a commission or
10 district in this section, to be used as a part of a regional mobility
11 investment plan or regional transportation investment district plan,
12 must be used in accordance with chapter 36.-- RCW (as created in
13 section 805 of this act), or chapter 36.120 RCW, respectively, but only
14 for those areas that are considered "highway purposes" as that term is
15 construed in Article II, section 40 of the state Constitution.

16 (9) A district or commission may only levy the tax under this
17 section if the district or commission is comprised of boundaries
18 identical to the boundaries of a county or counties. A district or
19 commission may not levy the tax in this section if a member county is
20 levying the tax in RCW 82.80.010 or 82.80.110.

21 **Sec. 407.** RCW 81.100.030 and 2002 c 56 s 410 are each amended to
22 read as follows:

23 (1) A county with a population of one million or more, or a county
24 with a population of from two hundred ten thousand to less than one
25 million that is adjoining a county with a population of one million or
26 more, and having within its boundaries existing or planned
27 high-occupancy vehicle lanes on the state highway system, a regional
28 transportation commission, or a regional transportation investment
29 district for capital improvements, (~~but only to the extent that the~~
30 ~~tax has not already been imposed by the county,~~) may, with voter
31 approval impose an excise tax of up to two dollars per employee per
32 month on all employers or any class or classes of employers, public and
33 private, including the state located in the agency's jurisdiction,
34 measured by the number of full-time equivalent employees. In no event
35 may the total taxes imposed under this section exceed two dollars per
36 employee per month for any single employer. The county, regional
37 transportation commission, or investment district imposing the tax

1 authorized in this section may provide for exemptions from the tax to
2 such educational, cultural, health, charitable, or religious
3 organizations as it deems appropriate.

4 Counties, regional transportation commissions, or investment
5 districts may contract with the state department of revenue or other
6 appropriate entities for administration and collection of the tax.
7 Such contract shall provide for deduction of an amount for
8 administration and collection expenses.

9 (2) The tax shall not apply to employment of a person when the
10 employer has paid for at least half of the cost of a transit pass
11 issued by a transit agency for that employee, valid for the period for
12 which the tax would otherwise be owed.

13 (3) A county, regional transportation commission, or investment
14 district shall adopt rules that exempt from all or a portion of the tax
15 any employer that has entered into an agreement with the county,
16 regional transportation commission, or investment district that is
17 designed to reduce the proportion of employees who drive in single-
18 occupant vehicles during peak commuting periods in proportion to the
19 degree that the agreement is designed to meet the goals for the
20 employer's location adopted under RCW 81.100.040.

21 The agreement shall include a list of specific actions that the
22 employer will undertake to be entitled to the exemption. Employers
23 having an exemption from all or part of the tax through this subsection
24 shall annually certify to the county, regional transportation
25 commission, or investment district that the employer is fulfilling the
26 terms of the agreement. The exemption continues as long as the
27 employer is in compliance with the agreement.

28 ~~((If the tax authorized in RCW 81.100.060 is also imposed, the
29 total proceeds from both tax sources each year shall not exceed the
30 maximum amount which could be collected under RCW 81.100.060.))~~

31 **Sec. 408.** RCW 81.100.060 and 2006 c 318 s 2 and 2006 c 311 s 15
32 are each reenacted and amended to read as follows:

33 (1) A county with a population of one million or more and a county
34 with a population of from two hundred ten thousand to less than one
35 million that is adjoining a county with a population of one million or
36 more, having within their boundaries existing or planned high-occupancy
37 vehicle lanes on the state highway system, a regional transportation

1 commission, or a regional transportation investment district, (~~but~~
2 ~~only to the extent that the surcharge has not already been imposed by~~
3 ~~the county,~~) may, with voter approval, impose a local surcharge of not
4 more than three-tenths of one percent in the case of a county, or
5 eight-tenths of one percent in the case of a regional transportation
6 commission or regional transportation investment district, of the value
7 on vehicles registered to a person residing within the county, regional
8 transportation commission, or investment district and not more than
9 13.64 percent on the state sales and use taxes paid under the rate in
10 RCW 82.08.020(2) on retail car rentals within the county, regional
11 transportation commission, or investment district. A county may impose
12 the surcharge only to the extent that it has not been imposed by the
13 regional transportation commission or investment district. No
14 surcharge may be imposed on vehicles licensed under RCW 46.16.070
15 except vehicles with an unladen weight of six thousand pounds or less,
16 RCW 46.16.079, 46.16.085, or 46.16.090.

17 (2) Counties, regional transportation commissions, or investment
18 districts imposing a surcharge under this section shall contract,
19 before the effective date of the resolution or ordinance imposing a
20 surcharge, administration and collection to the state department of
21 licensing, and department of revenue, as appropriate, which shall
22 deduct a percentage amount, as provided by contract, not to exceed two
23 percent of the taxes, for administration and collection expenses
24 incurred by the department.

25 (3) All administrative provisions in chapters 82.03, 82.08, 82.12,
26 and 82.32 RCW shall, insofar as they are applicable to state sales and
27 use taxes, be applicable to surcharges imposed under this section.

28 (4) If a surcharge, authorized under this section, is first imposed
29 before June 7, 2006, all administrative provisions in chapters 82.03,
30 82.32, and 82.44 RCW shall, insofar as they are applicable to motor
31 vehicle excise taxes, be applicable to such surcharges ((imposed under
32 this section)). ((All administrative provisions in chapters 82.03,
33 82.08, 82.12, and 82.32 RCW shall, insofar as they are applicable to
34 state sales and use taxes, be applicable to surcharges imposed under
35 this section. A surcharge imposed under this section, or a change to
36 the))

37 (5) If a surcharge, authorized under this section, is first imposed
38 on or after June 7, 2006:

1 (a) Motor vehicles subject to such surcharge shall be administered
2 in accordance with chapter 318, Laws of 2006; and

3 (b) The surcharge or a change to the surcharge shall take effect no
4 sooner than seventy-five days after the department of licensing or the
5 department of revenue receives notice of the surcharge or change to the
6 surcharge, and shall take effect only on the first day of January,
7 April, July, or October. Unless waived by the department of licensing
8 or the department of revenue, notice includes providing the appropriate
9 department with digital mapping and legal descriptions of areas in
10 which the ((tax)) surcharge will be collected.

11 ~~((If the tax authorized in RCW 81.100.030 is also imposed, the~~
12 ~~total proceeds from tax sources imposed under this section and RCW~~
13 ~~81.100.030 each year shall not exceed the maximum amount which could be~~
14 ~~collected under this section.))~~

15 **Sec. 409.** RCW 47.56.075 and 2002 c 56 s 404 are each amended to
16 read as follows:

17 The department shall approve for construction only such toll roads
18 as the legislature specifically authorizes or such toll facilities as
19 are specifically sponsored by a regional transportation investment
20 district, regional transportation commission, city, town, or county.

21 **Sec. 410.** RCW 82.32.470 and 2002 c 56 s 407 are each amended to
22 read as follows:

23 (1) The tax imposed and collected under chapters 82.08 and 82.12
24 RCW, less any credits allowed under chapter 82.14 RCW, on initial
25 construction for a transportation project to be constructed under
26 chapter 36.120 RCW, or for a mobility project of regional significance
27 to be constructed under chapter 36.-- RCW (as created in section 805 of
28 this act), must be transferred to the transportation project or the
29 mobility project of regional significance to defray costs or pay debt
30 service on that ~~((transportation))~~ project. In the case of a toll
31 project, this transfer or credit must be used to lower the overall cost
32 of the project and thereby the corresponding tolls.

33 (2) This transaction is exempt from the requirements in RCW
34 43.135.035(4).

35 (3) Government entities constructing transportation projects under
36 chapter 36.120 RCW, or mobility projects of regional significance under

1 chapter 36.-- RCW (as created in section 805 of this act), shall report
2 to the department the amount of state sales or use tax covered under
3 this section.

4 **PART V**

5 **AUTHORITY TO ISSUE BONDS**

6 NEW SECTION. **Sec. 501.** COMMISSION TO ISSUE GENERAL OBLIGATION
7 BONDS. In addition to any other authority provided by law, and subject
8 to applicable constitutional limitations, a regional transportation
9 commission may issue general obligation bonds or other evidences of
10 indebtedness for public transportation and mobility project capital
11 purposes. However, the general indebtedness incurred under this
12 section when considered together with all the other outstanding general
13 indebtedness of the regional transportation commission shall not exceed
14 one and one-half percent of taxable property within its boundaries
15 without the approval of three-fifths of the voters therein voting at an
16 election held for that purpose, and in cases requiring such approval,
17 not exceeding a total of five percent of taxable property within its
18 boundaries. The bonds shall be issued and sold in accordance with
19 chapter 39.46 RCW, and may be in any form, including bearer bonds or
20 registered bonds as provided in RCW 39.46.030.

21 Any regional transportation commission may pledge any portion of
22 any taxes and any tolls, charges, or user taxes authorized to be levied
23 or imposed by the commission for the payment or security of the
24 principal of and interest on any bonds issued for authorized public
25 transportation purposes.

26 NEW SECTION. **Sec. 502.** (1) The commission may at any time borrow
27 money for public transportation and mobility project capital purposes
28 and may issue revenue bonds or other evidences of indebtedness, secured
29 by the pledge of one or more of the taxes, tolls, charges, or user fees
30 authorized to be imposed by the commission. These obligations shall be
31 issued and sold in accordance with chapter 39.46 RCW.

32 (2) The district may enter into agreements with public
33 transportation agencies, counties, cities, or the state of Washington,
34 when authorized by the plan, to pledge taxes or other revenues of the
35 district for the purpose of paying in part or whole principal and

1 interest on bonds issued by any public transportation agency, county,
2 city, or by the state of Washington. The agreements pledging revenues
3 and taxes shall be binding for their terms, but not to exceed forty
4 years, and no tax pledged by an agreement may be eliminated or modified
5 if it would impair the pledge made in any agreement.

6 **PART VI**

7 **RTC AND RTID MUTUALLY EXCLUSIVE**

8 NEW SECTION. **Sec. 601.** If a regional transportation commission,
9 created under section 301 of this act, is authorized to exercise its
10 powers as prescribed in section 301(2) of this act within a geographic
11 area that includes an existing regional transportation investment
12 district, that district dissolves upon the exercise of the commission's
13 powers, and all the obligations of the district and governing board
14 must be transferred to the regional transportation commission as
15 successor to the district. Additionally, the commission, without the
16 need for additional voter approval, shall adopt the regional
17 transportation investment district voter-approved plan as part of the
18 commission's regional mobility investment plan.

19 **PART VII**

20 **2007 RTA BALLOT MEASURES**

21 **Sec. 701.** RCW 81.112.030 and 2006 c 311 s 12 are each amended to
22 read as follows:

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

27 The authority shall be formed in the following manner:

28 (1) The joint regional policy committee created pursuant to RCW
29 81.104.040 shall adopt a system and financing plan, including the
30 definition of the service area. This action shall be completed by
31 September 1, 1992, contingent upon satisfactory completion of the
32 planning process defined in RCW 81.104.100. The final system plan
33 shall be adopted no later than June 30, 1993. In addition to the
34 requirements of RCW 81.104.100, the plan for the proposed system shall

1 provide explicitly for a minimum portion of new tax revenues to be
2 allocated to local transit agencies for interim express services. Upon
3 adoption the joint regional policy committee shall immediately transmit
4 the plan to the county legislative authorities within the adopted
5 service area.

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

11 (3) Each county that chooses to participate in the authority shall
12 appoint its board members as set forth in RCW 81.112.040 and shall
13 submit its list of members to the secretary of the Washington state
14 department of transportation. These actions must be completed within
15 thirty days following each county's decision to participate in the
16 authority.

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

21 (5) The authority is formally constituted at its first meeting and
22 the board shall begin taking steps toward implementation of the system
23 and financing plan adopted by the joint regional policy committee. If
24 the joint regional policy committee fails to adopt a plan by June 30,
25 1993, the authority shall proceed to do so based on the work completed
26 by that date by the joint regional policy committee. Upon formation of
27 the authority, the joint regional policy committee shall cease to
28 exist. The authority may make minor modifications to the plan as
29 deemed necessary and shall at a minimum review local transit agencies'
30 plans to ensure feeder service/high capacity transit service
31 integration, ensure fare integration, and ensure avoidance of parallel
32 competitive services. The authority shall also conduct a minimum
33 thirty-day public comment period.

34 (6) If the authority determines that major modifications to the
35 plan are necessary before the initial ballot proposition is submitted
36 to the voters, the authority may make those modifications with a
37 favorable vote of two-thirds of the entire membership. Any such
38 modification shall be subject to the review process set forth in RCW

1 81.104.110. The modified plan shall be transmitted to the legislative
2 authorities of the participating counties. The legislative authorities
3 shall have forty-five days following receipt to act by motion or
4 ordinance to confirm or rescind their continued participation in the
5 authority.

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

15 (8) The authority shall place on the ballot within two years of the
16 authority's formation, a single ballot proposition to authorize the
17 imposition of taxes to support the implementation of an appropriate
18 phase of the plan within its service area. In addition to the system
19 plan requirements contained in RCW 81.104.100(2)(d), the system plan
20 approved by the authority's board before the submittal of a proposition
21 to the voters shall contain an equity element which:

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

24 (b) Identifies the phasing of construction and operation of high
25 capacity system facilities, services, and benefits in each corridor.
26 Phasing decisions should give priority to jurisdictions which have
27 adopted transit-supportive land use plans; and

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

31 A simple majority of those voting within the boundaries of the
32 authority is required for approval. If the vote is affirmative, the
33 authority shall begin implementation of the projects identified in the
34 proposition. However, the authority may not submit any authorizing
35 proposition for voter-approved taxes prior to July 1, 1993; nor may the
36 authority issue bonds or form any local improvement district prior to
37 July 1, 1993.

1 (9) If the vote on a proposition fails, the board may redefine the
2 proposition, make changes to the authority boundaries, and make
3 corresponding changes to the composition of the board. If the
4 composition of the board is changed, the participating counties shall
5 revise the membership of the board accordingly. The board may then
6 submit the revised proposition or a different proposition to the
7 voters. No single proposition may be submitted to the voters more than
8 twice. Beginning no sooner than the 2007 general election, the
9 authority may place additional propositions on the ballot to impose
10 taxes to support additional phases of plan implementation.

11 (10) In conjunction with RCW 36.120.070, at the 2007 general
12 election the authority shall submit a proposition to support additional
13 implementation phases of the authority's system and financing plan on
14 the same ballot along with a regional transportation investment plan
15 developed under chapter 36.120 RCW. The proposition shall not be
16 considered approved unless voters also approve the regional
17 transportation investment plan.

18 (11) A regional transit authority shall submit additional phases of
19 plan implementation ((may include a transportation subarea equity
20 element which (a) identifies the combined authority and regional
21 transportation investment district revenues anticipated to be generated
22 by corridor and by county within the authority's boundaries, and (b)
23 identifies the degree to which the combined authority and regional
24 transportation investment district revenues generated within each
25 county will benefit the residents of that county, and identifies when
26 such benefits will accrue. For purposes of the transportation subarea
27 equity principle established under this subsection, the authority may
28 use the five subareas within the authority's boundaries as identified
29 in the authority's system plan adopted in May 1996)) to the regional
30 transportation commission, if in existence within the authority's
31 geographic area, for inclusion in the regional mobility investment plan
32 for voter approval under section 305(2) of this act.

33 (12) If the authority is unable to achieve a positive vote on a
34 proposition within two years from the date of the first election on a
35 proposition, the board may, by resolution, reconstitute the authority
36 as a single-county body. With a two-thirds vote of the entire
37 membership of the voting members, the board may also dissolve the
38 authority.

PART VIII
MISCELLANEOUS

NEW SECTION. **Sec. 801.** The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective January 1, 2008, only if a regional transportation investment district has not been formed under chapter 36.120 RCW by January 1, 2008, or effective January 1, 2009, if a regional transportation investment district has been formed by January 1, 2008:

(1) RCW 36.120.010 (Findings) and 2002 c 56 s 101;

(2) RCW 36.120.020 (Definitions) and 2006 c 334 s 13, 2006 c 311 s 4, & 2002 c 56 s 102;

(3) RCW 36.120.030 (Planning committee--Formation) and 2006 c 311 s 5 & 2002 c 56 s 103;

(4) RCW 36.120.040 (Planning committee--Duties) and 2006 c 311 s 6, 2003 c 194 s 1, & 2002 c 56 s 104;

(5) RCW 36.120.045 (Planning committee--State route No. 520 improvements) and 2006 c 311 s 7;

(6) RCW 36.120.050 (Planning committee--Taxes, fees, and tolls) and 2006 c 311 s 13, 2003 c 350 s 4, & 2002 c 56 s 105;

(7) RCW 36.120.060 (Project selection--Performance criteria) and 2002 c 56 s 106;

(8) RCW 36.120.070 (Submission of ballot measures to the voters) and 2006 c 311 s 8 & 2002 c 56 s 107;

(9) RCW 36.120.080 (Formation--Certification) and 2006 c 311 s 10 & 2002 c 56 s 108;

(10) RCW 36.120.090 (Governing board--Composition) and 2002 c 56 s 109;

(11) RCW 36.120.100 (Governing board--Organization) and 2002 c 56 s 110;

(12) RCW 36.120.110 (Governing board--Powers and duties--Intent) and 2006 c 311 s 11 & 2002 c 56 s 111;

(13) RCW 36.120.120 (Treasurer) and 2002 c 56 s 112;

(14) RCW 36.120.130 (Indebtedness--Bonds--Limitation) and 2003 c 372 s 1 & 2002 c 56 s 113;

(15) RCW 36.120.140 (Transportation project or plan modification--Accountability) and 2003 c 194 s 2 & 2002 c 56 s 114;

(16) RCW 36.120.150 (Department of transportation--Role) and 2002 c 56 s 115;

1 (17) RCW 36.120.160 (Ownership of improvements) and 2002 c 56 s
2 116;

3 (18) RCW 36.120.170 (Dissolution of district) and 2002 c 56 s 117;

4 (19) RCW 36.120.180 (Findings--Regional models--Grants) and 2002 c
5 56 s 118;

6 (20) RCW 36.120.190 (Joint ballot measure) and 2002 c 56 s 201;

7 (21) RCW 36.120.200 (Regional transportation investment district
8 account) and 2002 c 56 s 401;

9 (22) RCW 36.120.210 (Advisory ballot for Alaskan Way viaduct
10 improvements--Preferred alternative for Alaskan Way viaduct and Seattle
11 Seawall improvements) and 2006 c 311 s 29;

12 (23) RCW 36.120.900 (Captions and subheadings not law--2002 c 56)
13 and 2002 c 56 s 501; and

14 (24) RCW 36.120.901 (Severability--2002 c 56) and 2002 c 56 s 503.

15 NEW SECTION. **Sec. 802.** RCW 82.44.135 (Local government must
16 contract with department of licensing) and 2006 c 318 s 9 are each
17 repealed.

18 NEW SECTION. **Sec. 803.** APPLICABILITY OF PUBLIC LAWS. A regional
19 transportation commission, its officers, and the board of
20 commissioners, created under this act, are subject to the general laws
21 regulating local governments and local governmental officials
22 including, but not limited to, applicable requirements under chapters
23 42.17, 42.23, 42.30, 42.41, and 43.09 RCW.

24 NEW SECTION. **Sec. 804.** Part headings and captions used in this
25 act are not any part of the law.

26 NEW SECTION. **Sec. 805.** Sections 101, 201, 301 through 310, 501,
27 502, and 601 of this act constitute a new chapter in Title 36 RCW.

28 NEW SECTION. **Sec. 806.** If any provision of this act or its
29 application to any person or circumstance is held invalid, the
30 remainder of the act or the application of the provision to other
31 persons or circumstances is not affected.

1 NEW SECTION. **Sec. 807.** This act shall be liberally construed to
2 effect the policies and purposes of this act.

--- END ---