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SENATE BILL 5767

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State of Washington                      60th Legislature                      2007 Regular Session

By Senators Jacobsen, Zarelli, Murray, Spanel and Haugen

Read first time 01/31/2007. Referred to Committee on Transportation.

1            AN ACT Relating to the imposition of fees by transportation benefit  
2 districts; and amending RCW 36.73.065 and 82.80.140.

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

4            **Sec. 1.** RCW 36.73.065 and 2005 c 336 s 17 are each amended to read  
5 as follows:

6            (1) Except as provided in subsection (4) of this section, taxes,  
7 fees, charges, and tolls may not be imposed by a district without  
8 approval of a majority of the voters in the district voting on a  
9 proposition at a general or special election. The proposition must  
10 include a specific description of the transportation improvement or  
11 improvements proposed by the district and the proposed taxes, fees,  
12 charges, and the range of tolls imposed by the district to raise  
13 revenue to fund the improvement or improvements.

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

17            (3) A district may not increase any taxes, fees, charges, or range  
18 of tolls imposed under this chapter once the taxes, fees, charges, or

1 tolls take effect, unless authorized by the district voters pursuant to  
2 RCW 36.73.160.

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

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

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

10 (b) A district solely comprised of a city or cities shall not  
11 impose the fees or charges identified in (a) of this subsection within  
12 one hundred eighty days after the effective date of this act.

13 **Sec. 2.** RCW 82.80.140 and 2005 c 336 s 16 are each amended to read  
14 as follows:

15 (1) Subject to the provisions of RCW 36.73.065, a transportation  
16 benefit district under chapter 36.73 RCW may fix and impose an annual  
17 vehicle fee, not to exceed one hundred dollars per vehicle registered  
18 in the district, for each vehicle subject to license tab fees under RCW  
19 46.16.0621 and for each vehicle subject to gross weight fees under RCW  
20 46.16.070 with an unladen weight of six thousand pounds or less.

21 (2)(a) A district that includes all the territory within the  
22 boundaries of the jurisdiction, or jurisdictions, establishing the  
23 district may impose by a majority vote of the governing board of the  
24 district up to twenty dollars of the vehicle license fee authorized in  
25 subsection (1) of this section. If the district is countywide, the  
26 revenues of the fee shall be distributed to each jurisdiction within  
27 the county as provided in an interlocal agreement between each  
28 jurisdiction or according to the number of vehicles that are determined  
29 to be registered within the boundaries of each jurisdiction.

30 (b) A district may not impose a fee under this subsection (2) that,  
31 if combined with the fees previously imposed by another district within  
32 its boundaries under RCW 36.73.065(4)(a)(i), exceeds twenty dollars.  
33 If a district imposes or increases a fee under this subsection (2)  
34 that, if combined with the fees previously imposed by another district  
35 within its boundaries, exceeds twenty dollars, the district fee shall  
36 be reduced or eliminated so the combined vehicle fee does not exceed  
37 twenty dollars.

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

8       ~~((3))~~ (4) No fee under this section may be collected until six  
9 months after approval (~~by the district voters~~) under RCW 36.73.065.

10       ~~((4))~~ (5) The vehicle fee under this section applies only when  
11 renewing a vehicle registration, and is effective upon the registration  
12 renewal date as provided by the department of licensing.

13       ~~((5))~~ (6) The following vehicles are exempt from the fee under  
14 this section:

15       (a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and  
16 46.04.181;

17       (b) Off-road and nonhighway vehicles as defined in RCW 46.09.020;

18       (c) Vehicles registered under chapter 46.87 RCW and the  
19 international registration plan; and

20       (d) Snowmobiles as defined in RCW 46.10.010.

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