
SENATE BILL 5493

State of Washington **61st Legislature** **2009 Regular Session**

By Senators Murray, Jarrett, and Kohl-Welles

Read first time 01/23/09. Referred to Committee on Transportation.

1 AN ACT Relating to creating a regional transportation corridor
2 authority; adding a new section to chapter 82.80 RCW; adding a new
3 chapter to Title 47 RCW; creating a new section; and making an
4 appropriation.

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

6 NEW SECTION. **Sec. 1.** (1) A regional transportation corridor
7 authority may be established by the governing body described in section
8 2 of this act, within a county with a population greater than one
9 million five hundred thousand and any adjoining counties with a
10 population greater than five hundred thousand, to provide for a
11 comprehensive and integrated corridor-based multimodal regional
12 transportation system within a defined transportation corridor. The
13 first regional transportation corridor authority established after the
14 effective date of this act must serve the following transportation
15 corridor: State route number 520 and Interstate 90, between Interstate
16 5 and Interstate 405, but not including Interstate 5 and Interstate
17 405.

18 (2) The taxing district boundaries of the first authority
19 established after the effective date of this act must include the

1 entire area of the corridor described in subsection (1) of this section
2 and the entire area of any incorporated city within a five-mile radius
3 of that corridor. The taxing district boundaries of subsequent
4 authorities must include the entire area of the corridor defined by the
5 authority under section 2(2) of this act and the entire area of any
6 incorporated city within a five-mile radius of that corridor.

7 (3) A regional transportation corridor authority is a quasi-
8 municipal corporation and independent taxing authority within the
9 meaning of Article VII, section 1 of the state Constitution, and a
10 taxing district within the meaning of Article VII, section 2 of the
11 state Constitution.

12 (4) A regional transportation corridor authority constitutes a body
13 corporate and possesses all the usual powers of a corporation for
14 public purposes as well as all other powers that may be conferred by
15 statute including, but not limited to, the authority to hire employees,
16 staff, and services; to enter into contracts; to acquire, hold, and
17 dispose of real and personal property; and to sue and be sued. Public
18 works contract limits applicable to the county in which the authority
19 is located apply to the authority.

20 (5) A regional transportation corridor authority may exercise the
21 power of eminent domain to obtain property for its authorized purposes
22 in the same manner as authorized for the county in which the authority
23 is located.

24 (6) A regional transportation corridor authority may be dissolved
25 by a majority vote of the governing body when all obligations under any
26 general obligation bonds issued by the authority have been discharged
27 and any other contractual obligations of the authority have either been
28 discharged or assumed by another governmental entity.

29 NEW SECTION. **Sec. 2.** (1) The governing body of the first regional
30 transportation corridor authority established after the effective date
31 of this act consists of the following members:

32 (a) The mayor of the most populous incorporated city within the
33 most populous county described in section 1(1) of this act;

34 (b) One member chosen by all of the other incorporated cities
35 located within a five-mile radius of the corridor described in section
36 1(1) of this act on a proportional basis based on population;

1 (c) The county executive representing the county in which the
2 corridor is located;

3 (d) The executive director of the regional transportation planning
4 organization serving the corridor area; and

5 (e) The secretary of transportation.

6 (2) Subsequent regional transportation corridor authorities may be
7 established, with the establishment to include a definition of the
8 transportation corridor to be served by the authority. If established,
9 the authority will be governed by the following:

10 (a) The mayor of the most populous incorporated city within the
11 proposed corridor to be served by the authority;

12 (b) One member chosen by all of the other incorporated cities
13 located within a five-mile radius of the proposed corridor to be served
14 by the authority on a proportional basis based on population;

15 (c) The county executive representing the county in which the
16 corridor is located;

17 (d) The executive director of the regional transportation planning
18 organization serving the corridor area; and

19 (e) The secretary of transportation.

20 NEW SECTION. **Sec. 3.** (1) A regional transportation corridor
21 authority shall:

22 (a) Prepare, adopt, and submit to regional voters a comprehensive
23 and integrated corridor-based multimodal corridor management and
24 investment plan that plans, prioritizes, manages, and finances
25 transportation improvements that will serve the corridor, and amend the
26 plan to meet changed conditions and requirements. The transportation
27 improvements included in the plan may include both highway and public
28 transportation projects and services. The plan must also identify
29 which funding sources, as authorized under this chapter, will be
30 levied, imposed, or otherwise authorized to carry out the
31 transportation improvements identified in the plan. In implementing
32 the plan, or exercising its authority under this section, the authority
33 may: Levy, impose, collect, and spend taxes, fees, and charges;
34 authorize and set tolls, including variable pricing, consistent with
35 state tolling policies; receive and spend state, federal, and private
36 funds; and lend and grant funds to public transportation agencies,
37 cities, counties, other local governments, and the department for the

1 purposes of planning, designing, constructing, operating, or
2 maintaining transportation improvements within the corridor, including
3 public transportation;

4 (b) In conjunction with the regional transportation planning
5 organization serving the area within the authority boundaries, the
6 department and all transit agencies serving the corridor: Conduct
7 comprehensive and integrated corridor-based multimodal transportation
8 planning and prioritization activities that will improve the mobility
9 of people and goods in the corridor; reduce transportation congestion;
10 improve security and safety; coordinate and integrate transportation
11 and land use planning, including multimodal transportation improvements
12 and strategies that comply with the transportation concurrency
13 requirements under RCW 36.70A.070(6) and 36.70A.108; improve modal
14 connectivity; and generally assist in providing an efficient regional
15 transportation system. The transportation planning and prioritization
16 activities must provide for, wherever feasible, transportation
17 demand/capacity management, pricing coordination, mass transit, and
18 coordinated transportation governance. Corridor planning should
19 include the full range of strategies available that most efficiently
20 move people and goods consistent with the region's land use goals
21 including, without limitation: Demand management tools, such as
22 congestion pricing, parking pricing, and trip reduction incentives;
23 high capacity transit expansion; increased local transit; investments
24 in regionally significant bicycle paths and pedestrian connections; and
25 expanded roadway capacity; and

26 (c) Prioritize all state transportation improvements within the
27 corridor and the order in which state transportation funds for
28 transportation improvements within the corridor are expended, and
29 receive state funds, and control the disbursement of those funds, for
30 transportation improvements within the corridor. The department, and
31 appropriate local and regional jurisdictions, shall negotiate with the
32 regional transportation corridor authority to assist the authority in
33 accomplishing the requirements of this subsection (1)(c).

34 (2) An initial corridor management and investment plan must be
35 placed on a general election ballot for voter approval. If a majority
36 of the voters within the authority boundaries voting on the plan vote
37 in favor of it, the authority may implement measures contained in the

1 plan. The ballot title must reference the plan. The authority may
2 submit subsequent plans for voter approval at general or special
3 elections that the authority determines as appropriate.

4 (3) Before a corridor management and investment plan may be
5 submitted to the voters, the authority shall develop project
6 performance measures and benchmarks designed to assure that project
7 delivery occurs in a timely and efficient manner and satisfies the
8 project criteria as outlined in the plan.

9 (4) Before adoption, approval, or amendment of a corridor
10 management and investment plan, the authority shall hold at least one
11 public hearing to allow citizens, public agencies, freight shippers,
12 providers of freight and public transportation services,
13 representatives of pedestrian walkway and bicycle facility users,
14 representatives for individuals with disabilities, and agencies for
15 safety/security operations a reasonable opportunity to be involved in
16 the transportation planning process.

17 NEW SECTION. **Sec. 4.** A regional transportation corridor authority
18 may, as part of a corridor management and investment plan, recommend
19 the imposition or authorization of some or all of the following revenue
20 sources, which a regional transportation corridor authority may levy,
21 impose, or authorize if contained in a plan approved by the voters
22 under section 3 of this act:

23 (1) A local motor vehicle excise tax under section 6 of this act;
24 and

25 (2) Vehicle tolls and demand management charges on transportation
26 improvements within the corridor, if the following conditions are met:

27 (a) The corridor management and investment plan must identify the
28 facilities that may be tolled;

29 (b) The tolls or charges must generate revenues for the corridor
30 system to optimize predictable traffic flow, reduce congestion in the
31 corridor, and support alternative transportation options within the
32 corridor;

33 (c) The tolls or charges must be consistent with tolling policies
34 adopted by the legislature or the state transportation commission;

35 (d) The revenues are used only to support the transportation
36 improvements identified in a corridor management and investment plan
37 adopted by an authority under section 3 of this act; and

1 (e) Unless otherwise specified by law or by contract between the
2 authority and the department, the department shall administer the
3 collection of vehicle rates, tolls, and charges on designated
4 facilities, which must, if required by the department, be compatible
5 with statewide standards and protocols for intermodal and interfacility
6 charges.

7 NEW SECTION. **Sec. 5.** (1) To carry out the purposes of this
8 chapter, a regional transportation corridor authority may issue general
9 obligation bonds, not to exceed an amount, together with any other
10 outstanding nonvoter-approved general obligation indebtedness, equal to
11 one and one-half percent of the value of the taxable property within
12 the authority. A regional transportation corridor authority may also
13 issue general obligation bonds for capital purposes only, together with
14 any outstanding general obligation indebtedness, not to exceed an
15 amount equal to five percent of the value of the taxable property
16 within the authority when authorized by the voters of the authority
17 pursuant to Article VIII, section 6 of the state Constitution. For the
18 purposes of this subsection, "value of the taxable property" has the
19 same meaning as in RCW 39.36.015.

20 (2) General obligation bonds with a maturity in excess of forty
21 years must not be issued. The governing body of the regional
22 transportation corridor authority shall by resolution determine for
23 each general obligation bond issued the amount, date, terms,
24 conditions, denominations, maximum fixed or variable interest rate or
25 rates, maturity or maturities, redemption rights, registration
26 privileges, manner of execution, manner of sale, callable provisions,
27 if any, covenants, and form, including registration as to principal and
28 interest, registration as to principal only, or bearer. Registration
29 may include, but not be limited to: (a) A book entry system of
30 recording the ownership of a bond whether or not physical bonds are
31 issued; or (b) recording the ownership of a bond together with the
32 requirement that the transfer of ownership may only be affected by the
33 surrender of the old bond and either the reissuance of the old bond or
34 the issuance of a new bond to the new owner. Facsimile signatures may
35 be used on the bonds and any coupons. Refunding general obligation
36 bonds may be issued in the same manner as general obligation bonds are
37 issued.

1 (3) Whenever general obligation bonds are issued to fund specific
2 projects or enterprises that generate revenues, charges, user fees, or
3 special assessments, the regional transportation corridor authority may
4 specifically pledge all or a portion of the revenues, charges, user
5 fees, or special assessments to refund the general obligation bonds.
6 The regional transportation corridor authority may also pledge any
7 other revenues that may be available to the authority.

8 (4) In addition to general obligation bonds, a regional
9 transportation corridor authority may issue revenue bonds to be issued
10 and sold in accordance with chapter 39.46 RCW.

11 NEW SECTION. **Sec. 6.** A new section is added to chapter 82.80 RCW
12 to read as follows:

13 (1) A regional transportation corridor authority may, with voter
14 approval, impose a local surcharge of not more than eight-tenths of one
15 percent of the value on vehicles registered to a person residing within
16 the authority. A surcharge may not be imposed on vehicles subject to
17 fees under RCW 46.16.070 except vehicles with an unladen weight of six
18 thousand pounds or less, RCW 46.16.079, 46.16.085, or 46.16.090.

19 (2) An authority imposing a surcharge under this section shall
20 contract, before the effective date of the resolution or ordinance
21 imposing a surcharge, for the administration and collection of the
22 surcharge with the department of licensing, which shall deduct a
23 percentage amount, as provided by contract, not to exceed two percent
24 of the taxes, for administration and collection expenses incurred by
25 the department.

26 (3) The surcharge under this section must be administered in
27 accordance with chapter 318, Laws of 2006. The surcharge or a change
28 to the surcharge must take effect no sooner than seventy-five days
29 after the department of licensing receives notice of the surcharge or
30 change to the surcharge, and must take effect only on the first day of
31 January, April, July, or October. Unless waived by the department of
32 licensing, notice includes providing the department of licensing with
33 digital mapping and legal descriptions of areas in which the surcharge
34 will be collected.

35 (4) The proceeds of the surcharge under this section must be used
36 only to support the transportation improvements identified in a

1 corridor management and investment plan adopted by an authority under
2 section 3 of this act.

3 NEW SECTION. **Sec. 7.** The joint transportation committee shall
4 conduct a study of the feasibility, and stakeholder interest level, in
5 allowing other regions of the state to establish regional
6 transportation corridor authorities, including in Spokane and Clark
7 counties. The committee, in conducting the study, must consult with
8 appropriate local and regional stakeholders, including applicable
9 counties, cities, transit agencies, and regional transportation
10 planning organizations. The final report of the study, including
11 recommendations, must be submitted to the transportation committees of
12 the legislature and the governor by December 1, 2009.

13 NEW SECTION. **Sec. 8.** The sum of two hundred fifty thousand
14 dollars, or as much thereof as may be necessary, is appropriated for
15 the biennium ending June 30, 2011, from the motor vehicle account to
16 the joint transportation committee for the purposes of section 7 of
17 this act.

18 NEW SECTION. **Sec. 9.** Sections 1 through 5 of this act constitute
19 a new chapter in Title 47 RCW.

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