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**SENATE BILL 6677**

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**State of Washington                      66th Legislature                      2020 Regular Session**

**By** Senators Lovelett, Nguyen, Hunt, and Wilson, C.

Read first time 02/06/20. Referred to Committee on Transportation.

1            AN ACT Relating to restoring voter-approved transportation  
2 benefit district vehicle fees; amending RCW 36.73.065; adding a new  
3 section to chapter 82.80 RCW; and providing a contingent expiration  
4 date.

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

6            NEW SECTION.    **Sec. 1.** A new section is added to chapter 82.80  
7 RCW to read as follows:

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

16            (2) The department of licensing shall administer and collect the  
17 fee. The department shall deduct a percentage amount, as provided by  
18 contract, not to exceed one percent of the fees collected, for  
19 administration and collection expenses incurred by it. The department  
20 shall remit remaining proceeds to the custody of the state treasurer.

1 The state treasurer shall distribute the proceeds to the district on  
2 a monthly basis.

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

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

8 (5) The following vehicles are exempt from the fee under this  
9 section:

10 (a) Campers, as defined in RCW 46.04.085;

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

13 (c) Mopeds, as defined in RCW 46.04.304;

14 (d) Off-road and nonhighway vehicles, as defined in RCW  
15 46.04.365;

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

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

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

20 **Sec. 2.** RCW 36.73.065 and 2015 3rd sp.s. c 44 s 309 are each  
21 amended to read as follows:

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

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

35 (3) A district may not increase any taxes, fees, charges, or  
36 range of tolls imposed or change a rebate program under this chapter  
37 once the taxes, fees, charges, tolls, or rebate program takes effect,  
38 except:

1 (a) If authorized by the district voters pursuant to RCW  
2 36.73.160; or

3 (b) With respect to a change in a rebate program, a material  
4 change policy adopted pursuant to RCW 36.73.160 is followed and the  
5 change does not reduce the percentage level or rebate amount (~~(~~

6 ~~(c) For up to forty dollars of the vehicle fee authorized in RCW  
7 82.80.140 by the governing board of the district if a vehicle fee of  
8 twenty dollars has been imposed for at least twenty-four months; or~~

9 ~~(d) For up to fifty dollars of the vehicle fee authorized in RCW  
10 82.80.140 by the governing board of the district if a vehicle fee of  
11 forty dollars has been imposed for at least twenty-four months and a  
12 district has met the requirements of subsection (6) of this  
13 section)).~~

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

18 ~~(i) Up to twenty dollars of the vehicle fee authorized in RCW  
19 82.80.140;~~

20 ~~(ii) Up to forty dollars of the vehicle fee authorized in RCW  
21 82.80.140 if a vehicle fee of twenty dollars has been imposed for at  
22 least twenty-four months;~~

23 ~~(iii) Up to fifty dollars of the vehicle fee authorized in RCW  
24 82.80.140 if a vehicle fee of forty dollars has been imposed for at  
25 least twenty-four months and a district has met the requirements of  
26 subsection (6) of this section; or~~

27 ~~(iv) A) a fee or charge in accordance with RCW 36.73.120.~~

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

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

38 ~~(ii) A district solely comprised of a city or cities identified  
39 in RCW 36.73.020(6)(b) may not impose the fees or charges until after  
40 May 22, 2008, unless the county in which the city or cities reside,~~

1 ~~by resolution, declares that it will not impose the fees or charges~~  
2 ~~identified in (a) of this subsection through May 22, 2008.~~

3 ~~(5) If the interlocal agreement in RCW 82.80.140(2)(a) cannot be~~  
4 ~~reached, a district that includes only the unincorporated territory~~  
5 ~~of a county may impose by a majority vote of the governing body of~~  
6 ~~the district up to: (a) Twenty dollars of the vehicle fee authorized~~  
7 ~~in RCW 82.80.140, (b) forty dollars of the vehicle fee authorized in~~  
8 ~~RCW 82.80.140 if a fee of twenty dollars has been imposed for at~~  
9 ~~least twenty-four months, or (c) fifty dollars of the vehicle fee~~  
10 ~~authorized in RCW 82.80.140 if a vehicle fee of forty dollars has~~  
11 ~~been imposed for at least twenty-four months and a district has met~~  
12 ~~the requirements of subsection (6) of this section.~~

13 ~~(6) If a district intends to impose a vehicle fee of more than~~  
14 ~~forty dollars by a majority vote of the governing body of the~~  
15 ~~district, the governing body must publish notice of this intention,~~  
16 ~~in one or more newspapers of general circulation within the district,~~  
17 ~~by April 1st of the year in which the vehicle fee is to be imposed.~~  
18 ~~If within ninety days of the date of publication a petition is filed~~  
19 ~~with the county auditor containing the signatures of eight percent of~~  
20 ~~the number of voters registered and voting in the district for the~~  
21 ~~office of the governor at the last preceding gubernatorial election,~~  
22 ~~the county auditor must canvass the signatures in the same manner as~~  
23 ~~prescribed in RCW 29A.72.230 and certify their sufficiency to the~~  
24 ~~governing body within two weeks. The proposition to impose the~~  
25 ~~vehicle fee must then be submitted to the voters of the district at a~~  
26 ~~special election, called for this purpose, no later than the date on~~  
27 ~~which a primary election would be held under RCW 29A.04.311. The~~  
28 ~~vehicle fee may then be imposed only if approved by a majority of the~~  
29 ~~voters of the district voting on the proposition.))~~

30 NEW SECTION. **Sec. 3.** This act expires only if a court of final  
31 jurisdiction holds that section 6(4), chapter 1 (Initiative Measure  
32 No. 976), Laws of 2020 is unconstitutional.

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