

Chapter 46.68 RCW
DISPOSITION OF REVENUE

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*Amount of snowmobile fuel tax paid as motor vehicle fuel tax: RCW
46.10.530.*

*Highway funds, use, constitutional limitations: State Constitution
Art. 2 s 40 (Amendment 18).*

*Motor vehicle
special fuel tax: Chapter 82.38 RCW.
use tax: Chapter 82.12 RCW.*

*Motor vehicle fund income from United States securities—Exemption from
reserve fund requirement: RCW 43.84.095.*

*Off-road vehicle fuel tax—Refunds from motor vehicle fund: RCW
46.09.520.*

Snowmobile fuel tax—Refund to general fund: RCW 46.10.510.

State patrol: Chapter 43.43 RCW.

**RCW 46.68.010 Refunds, overpayments, and underpayments—Penalty
for false statements.** (1) A person who has paid all or part of a
vehicle license fee under this title is entitled to a refund if the
amount was paid in error or if the vehicle:

(a) Was destroyed before the new registration period began;
(b) Was permanently removed from Washington state before the new
registration period began;

(c) Registration was purchased after the owner sold the vehicle;
 (d) Was registered in another jurisdiction after the Washington state registration had been purchased. Any full months of Washington vehicle license fees remaining after application for out-of-state registration was made are refundable; or

(e) Registration was purchased before the vehicle was sold and before the new registration period began. The person who paid the fees must return the unused, never-affixed license tabs to the department before the new registration period begins.

(2) The department shall refund overpayments of vehicle license fees and motor vehicle excise taxes under Title 82 RCW that are ten dollars or more. A request for a refund is not required.

(3) The department shall certify refunds to the state treasurer as correct and being claimed in the time required by law. The state treasurer shall mail or deliver the amount of each refund to the person who is entitled to the refund. The department shall not authorize refunds of fees paid in error unless the request is made within three years after the fees were paid.

(4) If due to error the department, county auditor or other agent, or subagent appointed by the director has failed to collect the full amount of the vehicle license fee and excise tax due and the underpayment is in the amount of ten dollars or more, the department shall charge and collect the additional amount to constitute full payment of the tax and fees.

(5) Any person who makes a false statement under which he or she obtains a refund that he or she is not entitled to under this section is guilty of a gross misdemeanor. [2010 c 161 s 801; 2003 c 53 s 248; 1997 c 22 s 1; 1996 c 31 s 1; 1993 c 307 s 2; 1989 c 68 s 1; 1979 c 120 s 1; 1967 c 32 s 73; 1961 c 12 s 46.68.010. Prior: 1937 c 188 s 76; RRS s 6312-76.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 46.68.020 Disposition of certificates of title fees. The director shall forward all fees for certificates of title or other moneys accruing under chapters 46.12 and 46.17 RCW to the state treasurer, together with a proper identifying detailed report. The state treasurer shall credit these moneys as follows:

FEE	REQUIRED IN	ESTABLISHED IN	DISTRIBUTION
ORV certificate of title fee	RCW 46.09.320	RCW 46.17.100	RCW 47.66.070
Original certificate of title	RCW 46.12.530	RCW 46.17.100	RCW 47.66.070
Penalty for late transfer	RCW 46.12.650	RCW 46.17.140	RCW 47.66.070
Motor change	RCW 46.12.590	RCW 46.17.100	RCW 46.68.280
Transfer certificate of title	RCW 46.12.650	RCW 46.17.100	RCW 46.68.280
Security interest changes	RCW 46.12.675	RCW 46.17.100	RCW 46.68.280

FEE	REQUIRED IN	ESTABLISHED IN	DISTRIBUTION
Duplicate certificate of title	RCW 46.12.580	RCW 46.17.100	RCW 46.68.280
Stolen vehicle check	RCW 46.12.570	RCW 46.17.120	RCW 46.68.070
Vehicle identification number assignment	RCW 46.12.560	RCW 46.17.135	RCW 46.68.070

[2011 c 171 s 84; 2010 c 161 s 802; 2004 c 200 s 3; 2003 c 264 s 8; 2002 c 352 s 21; 1961 c 12 s 46.68.020. Prior: 1955 c 259 s 3; 1947 c 164 s 7; 1937 c 188 s 11; Rem. Supp. 1947 s 6312-11.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date—2004 c 200: "This act takes effect July 1, 2004." [2004 c 200 s 4.]

Effective dates—2002 c 352: See note following RCW 46.09.410.

RCW 46.68.025 Distribution of quick title service fees. (1) The quick title service fee imposed under RCW 46.17.160 must be distributed as follows:

(a) If the fee is paid to the director, the fee must be deposited to the motor vehicle fund established under RCW 46.68.070.

(b) If the fee is paid to the participating county auditor or other agent appointed by the director, twenty-five dollars must be deposited to the motor vehicle fund established under RCW 46.68.070. The remainder must be retained by the county treasurer in the same manner as other fees collected by the county auditor.

(c) If the fee is paid to a subagent appointed by the director, twenty-five dollars must be deposited to the motor vehicle fund established under RCW 46.68.070. The remaining twenty-five dollars must be distributed as follows: Twelve dollars and fifty cents must be retained by the county treasurer in the same manner as other fees collected by the county auditor and twelve dollars and fifty cents must be retained by the subagent.

(2) For the purposes of this section, "quick title" has the same meaning as in RCW 46.12.555. [2015 2nd sp.s. c 1 s 1; 2011 c 326 s 3.]

Effective date—2015 2nd sp.s. c 1: "This act takes effect January 1, 2016." [2015 2nd sp.s. c 1 s 3.]

Application—Effective date—2011 c 326: See notes following RCW 46.12.555.

RCW 46.68.030 Disposition of vehicle registration and license fees. (1) The director shall forward all fees for vehicle registrations under chapters 46.16A and 46.17 RCW, unless otherwise

specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) \$23.60 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) \$2.02 of each initial vehicle license fee and \$0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

(4) During the 2017-2019 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the state patrol highway account to the connecting Washington account. [2017 c 313 s 706; 2016 c 28 s 2; 2015 3rd sp.s. c 43 s 601; 2011 c 171 s 85; 2010 c 161 s 803; 2002 c 352 s 22; 1990 c 42 s 109; 1985 c 380 s 20. Prior: 1983 c 15 s 23; 1983 c 3 s 122; 1981 c 342 s 9; 1973 c 103 s 3; 1971 ex.s. c 231 s 11; 1971 ex.s. c 91 s 1; 1969 ex.s. c 281 s 25; 1969 c 99 s 8; 1965 c 25 s 2; 1961 ex.s. c 7 s 17; 1961 c 12 s 46.68.030; prior: 1957 c 105 s 2; 1955 c 259 s 4; 1947 c 164 s 15; 1937 c 188 s 40; Rem. Supp. 1947 s 6312-40.]

Effective date—2017 c 313 s 706: "Section 706 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2017." [2017 c 313 s 1304.]

Effective date—2016 c 28 s 2: "Section 2 of this act takes effect July 1, 2017." [2016 c 28 s 8.]

Intent—2016 c 28: See note following RCW 43.43.380.

Effective date—2015 3rd sp.s. c 43: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [July 15, 2015]." [2015 3rd sp.s. c 43 s 608.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective dates—2002 c 352: See note following RCW 46.09.410.

Purpose—Effective dates—Application—Implementation—1990 c 42:
See notes following RCW 46.68.090.

Effective date—1981 c 342: "This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1981. This act shall only take effect upon the passage of Senate Bills No. 3669 and 3699, and if Senate Bills No. 3669 and 3699 are not both enacted by the 1981 regular session of the legislature this amendatory act shall be null and void in its entirety." [1981 c 342 s 12.] Senate Bills No. 3669 and 3699 became 1981 c 315 and 1981 c 316, respectively.

Refund of mobile home identification tag fees: "The department of motor vehicles shall refund all moneys collected in 1973 for mobile home identification tags. Such refunds shall be made to those persons who have purchased such tags. The department shall adopt rules pursuant to chapter 34.04 RCW to comply with the provisions of this section." [1973 c 103 s 4.]

Effective date—1971 ex.s. c 231: See note following RCW 46.01.130.

Effective date—1965 c 25: "This act shall take effect January 1, 1966." [1965 c 25 s 6.]

RCW 46.68.035 Disposition of combined vehicle license fees. The director shall forward all proceeds from vehicle license fees received by the director for vehicles registered under RCW 46.17.330, 46.17.350(1) (c) and (k), 46.17.355, and 46.17.400(1)(c) to the state treasurer to be distributed into accounts according to the following method:

- (1) 22.36 percent must be deposited into the state patrol highway account of the motor vehicle fund;
- (2) 1.375 percent must be deposited into the Puget Sound ferry operations account of the motor vehicle fund;
- (3) 5.237 percent must be deposited into the transportation 2003 account (nickel account);
- (4) 11.533 percent must be deposited into the transportation partnership account created in RCW 46.68.290; and
- (5) The remaining proceeds must be deposited into the motor vehicle fund. [2017 c 147 s 10; 2010 c 161 s 804; 2006 c 337 s 1; 2005 c 314 s 205; 2003 c 361 s 202; 2000 2nd sp.s. c 4 s 8; 1993 c 102 s 7; 1990 c 42 s 106; 1989 c 156 s 4; 1985 c 380 s 21.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Application—2006 c 337 s 1: "Section 1 of this act applies to license fees due on or after July 1, 2006." [2006 c 337 s 15.]

Effective dates—2005 c 314 ss 110 and 201-206: "(1) Section 110 of this act takes effect July 1, 2006.

(2) Sections 201 through 206 of this act take effect January 1, 2006." [2005 c 314 s 403.]

Application—2005 c 314 ss 201-206, 301, and 302: "Sections 201 through 206, 301, and 302 of this act apply to vehicle registrations that are due or become due on or after January 1, 2006." [2005 c 314 s 402.]

Part headings not law—2005 c 314: "Part headings used in this act are not part of the law." [2005 c 314 s 407.]

Findings—2003 c 361: See note following RCW 82.38.030.

Effective dates—2003 c 361: See note following RCW 82.08.020.

Effective dates—2000 2nd sp.s. c 4 ss 4-10: See note following RCW 43.89.010.

Effective date of 1993 c 102 and c 123—1993 sp.s. c 23: See note following RCW 46.16A.455.

Purpose—Effective dates—Application—Implementation—1990 c 42: See notes following RCW 46.68.090.

Application—1989 c 156: See note following RCW 46.16A.455.

RCW 46.68.038 Disposition of driving record abstract fees. The funding allocated under RCW 46.20.293, 46.29.050, and 46.52.130 shall be deposited into the state patrol highway account created in RCW 46.68.030, for the purposes enumerated therein, which may include the provision of enhanced resources to address locations with higher than average collision rates. [2007 c 424 s 4.]

Effective date—2007 c 424: See note following RCW 46.20.293.

RCW 46.68.041 Disposition of driver's license fees. (1) Except as provided in subsections (2) and (3) of this section, the department must forward all funds accruing under the provisions of chapter 46.20 RCW together with a proper identifying, detailed report to the state treasurer who must deposit such moneys to the credit of the highway safety fund.

(2) Fifty-six percent of each fee collected by the department under RCW 46.20.311 (1)(e)(ii), (2)(b)(ii), and (3)(b) must be deposited in the impaired driving safety account.

(3) Fifty percent of the revenue from the fees imposed under RCW 46.20.200(2) must be deposited in the move ahead WA flexible account created in RCW 46.68.520. [2022 c 182 s 210; 2020 c 330 s 18; 2004 c 95 s 15; 1998 c 212 s 3; 1995 2nd sp.s. c 3 s 1; 1985 ex.s. c 1 s 12; 1981 c 245 s 3; 1979 c 63 s 3; 1977 c 27 s 1; 1975 1st ex.s. c 293 s 20; 1971 ex.s. c 91 s 2; 1969 c 99 s 9; 1967 c 174 s 3; 1965 c 25 s 4.]

Effective date—2022 c 182 ss 205, 206, 209, and 210: See note following RCW 46.20.202.

Intent—2022 c 182: See note following RCW 70A.65.240.

Effective date—2020 c 330: See note following RCW 9.94A.729.

Effective date—1995 2nd sp.s. c 3: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1995." [1995 2nd sp.s. c 3 s 2.]

Effective date—1985 ex.s. c 1: See note following RCW 46.20.070.

Effective date—1981 c 245: See note following RCW 46.20.161.

Effective date—1967 c 174: See note following RCW 46.29.050.

Effective date—1965 c 25: See note following RCW 46.68.030.

RCW 46.68.045 Disposition of off-road vehicle moneys. The moneys collected by the department for ORV registrations, temporary ORV use permits, decals, and tabs under chapters 46.09 and 46.17 RCW must be distributed from time to time, but at least once a year, in the following manner:

(1) The department shall retain enough money to cover expenses incurred in the administration of chapter 46.09 RCW. The amount kept by the department must never exceed eighteen percent of fees collected.

(2) The remaining moneys must be distributed for off-road vehicle recreation facilities by the recreation and conservation funding board in accordance with RCW 46.09.520(2)(d)(ii)(A). [2019 c 130 s 1; 2010 c 161 s 822; 2007 c 241 s 14; 2004 c 105 s 2; 1986 c 206 s 6; 1985 c 57 s 60; 1977 ex.s. c 220 s 9; 1972 ex.s. c 153 s 11; 1971 ex.s. c 47 s 16. Formerly RCW 46.09.110.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Intent—Effective date—2007 c 241: See notes following RCW 79A.25.005.

Effective date—1986 c 206: See note following RCW 46.09.310.

Effective date—1985 c 57: See note following RCW 18.04.105.

Purpose—1972 ex.s. c 153: See RCW 79A.35.070.

RCW 46.68.060 Highway safety fund. There is hereby created in the state treasury a fund to be known as the highway safety fund to the credit of which must be deposited all moneys directed by law to be deposited therein. This fund must be used for carrying out the

provisions of law relating to driver licensing, driver improvement, financial responsibility, cost of furnishing abstracts of driving records and maintaining such case records, and to carry out the purposes set forth in RCW 43.59.010, chapters 46.72 and 46.72A RCW, and RCW 47.04.410. During the 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the highway safety fund to the multimodal transportation account and the state patrol highway account. [2023 c 472 s 705; 2022 c 182 s 434; 2021 c 333 s 706; 2019 c 416 s 705; 2017 c 313 s 707; 2015 3rd sp.s. c 43 s 602; 2013 c 306 s 717. Prior: 2011 c 367 s 718; 2011 c 298 s 26; 2009 c 470 s 711; 2007 c 518 s 714; 1969 c 99 s 11; 1967 c 174 s 4; 1965 c 25 s 3; 1961 c 12 s 46.68.060; prior: 1957 c 104 s 1; 1937 c 188 s 81; RRS s 6312-81; 1921 c 108 s 13; RRS s 6375.]

Effective date—2023 c 472: See note following RCW 43.19.642.

Target zero program—2022 c 182: See note following RCW 47.04.410.

Intent—Effective date—2022 c 182: See notes following RCW 70A.65.240.

Effective date—2021 c 333: See note following RCW 43.19.642.

Effective date—2019 c 416: See note following RCW 43.19.642.

Effective date—2017 c 313: See note following RCW 43.19.642.

Effective date—2015 3rd sp.s. c 43: See note following RCW 46.68.030.

Effective date—2013 c 306: See note following RCW 47.64.170.

Effective date—2011 c 367: See note following RCW 47.29.170.

Purpose—Intent—Agency transfer—Contracting—Effective date—2011 c 298: See notes following RCW 19.02.020.

Effective date—2009 c 470: See note following RCW 46.68.170.

Severability—Effective date—2007 c 518: See notes following RCW 46.68.170.

Effective date—1969 c 99: See note following RCW 79A.05.070.

Effective date—1967 c 174: See note following RCW 46.29.050.

Effective date—1965 c 25: See note following RCW 46.68.030.

Deposits into account: RCW 46.20.505, 46.20.510, 46.81A.030.

RCW 46.68.063 Department of licensing technology improvement and data management account. The department of licensing technology improvement and data management account is created in the highway

safety account. All receipts from fees collected under RCW 46.12.630(5) must be deposited into the account. Expenditures from the account may be used only for investments in technology and data management at the department. During the 2021-2023 and 2023-2025 fiscal biennia, the account may also be used for responding to public records requests. Moneys in the account may be spent only after appropriation. [2023 c 472 s 706; 2021 c 333 s 714; 2019 c 416 s 712; 2014 c 79 s 2.]

Effective date—2023 c 472: See note following RCW 43.19.642.

Effective date—2021 c 333: See note following RCW 43.19.642.

Effective date—2019 c 416: See note following RCW 43.19.642.

RCW 46.68.065 Motorcycle safety education account. There is hereby created the motorcycle safety education account in the highway safety fund of the state treasury, to the credit of which shall be deposited all moneys directed by law to be credited thereto. All expenses incurred by the director of the department of licensing in administering RCW 46.20.505 through 46.20.520 shall be borne by appropriations from this account, and moneys deposited into this account shall be used only for the purposes authorized in RCW 46.20.505 through 46.20.520. During the 2007-2009 fiscal biennium, the legislature may transfer from the motorcycle safety education account such amounts as reflect the excess fund balance of the account. [2009 c 8 s 502; 2001 c 285 s 1; 1982 c 77 s 8.]

Effective date—2009 c 8: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 5, 2009]." [2009 c 8 s 509.]

Severability—1982 c 77: See note following RCW 46.20.500.

RCW 46.68.067 Driver licensing technology support account. The driver licensing technology support account is created in the highway safety fund under RCW 46.68.060. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for supporting information technology systems used by the department to communicate with the judicial information system, manage driving records, and implement court orders. [2022 c 157 s 2; 2021 c 240 s 15.]

Effective date—2022 c 157 s 2: "Section 2 of this act takes effect January 1, 2023." [2022 c 157 s 25.]

Effective date—2021 c 240: See note following RCW 46.63.060.

RCW 46.68.070 Motor vehicle fund created—Use limited. There is created in the state treasury a permanent fund to be known as the motor vehicle fund to the credit of which shall be deposited all moneys directed by law to be deposited therein. This fund shall be for

the use of the state, and through state agencies, for the use of counties, cities, and towns for proper road, street, and highway purposes, including the purposes of RCW 47.30.030. [1972 ex.s. c 103 s 6; 1961 c 12 s 46.68.070. Prior: (i) 1935 c 111 s 1, part; 1933 c 41 s 4, part; RRS s 6600, part; 1929 c 163 s 1; 1925 ex.s. c 185 s 1; 1923 c 181 s 3; 1921 c 96 s 18; 1919 c 46 s 3; 1917 c 155 s 13; 1915 c 142 s 18; RRS s 6330. (ii) 1939 c 181 s 1; RRS s 6600-1; 1937 c 208 ss 1, 2, part.]

Severability—1972 ex.s. c 103: See note following RCW 47.30.030.

RCW 46.68.080 Refund of vehicle license fees and fuel taxes to island counties—Deposit of fuel taxes into Puget Sound ferry operations account.

(1) Vehicle license fees collected under RCW 46.17.350 and 46.17.355 and fuel taxes collected under RCW 82.38.030(1) and directly or indirectly paid by the residents of those counties composed entirely of islands and which have neither a fixed physical connection with the mainland nor any state highways on any of the islands of which they are composed, must be paid into the motor vehicle fund of the state of Washington and must monthly, as they accrue, and after deducting therefrom the expenses of issuing such licenses and the cost of collecting such fuel tax, be paid to the county treasurer of each such county to be by him or her disbursed as hereinafter provided.

(2) One-half of the vehicle license fees collected under RCW 46.17.350 and 46.17.355 and one-half of the fuel taxes collected under RCW 82.38.030(1) and directly or indirectly paid by the residents of those counties composed entirely of islands and which have either a fixed physical connection with the mainland or state highways on any of the islands of which they are composed, must be paid into the motor vehicle fund of the state of Washington and must monthly, as they accrue, and after deducting therefrom the expenses of issuing such licenses and the cost of collecting such fuel tax, be paid to the county treasurer of each such county to be by him or her disbursed as hereinafter provided.

(3) All funds paid to the county treasurer of the counties of either class referred to in subsections (1) and (2) of this section, must be distributed and credited by the county treasurer to the several road districts of each such county and paid to the city treasurer of each incorporated city and town within each such county, in the direct proportion that the assessed valuation of each such road district and incorporated city and town bears to the total assessed valuation of each such county.

(4) The amount of motor vehicle fuel tax paid by the residents of those counties composed entirely of islands must, for the purposes of this section, be that percentage of the total amount of motor vehicle fuel tax collected in the state that the vehicle license fees paid by the residents of counties composed entirely of islands bears to the total vehicle license fees paid by the residents of the state.

(5) (a) An amount of fuel taxes must be deposited into the Puget Sound ferry operations account. This amount must equal the difference between the total amount of fuel taxes collected in the state under RCW 82.38.030 less the total amount of fuel taxes collected in the state under RCW 82.38.030(1) and be multiplied by a fraction. The fraction must equal the amount of vehicle license fees collected under

RCW 46.17.350 and 46.17.355 from counties described in subsection (1) of this section divided by the total amount of vehicle license fees collected in the state under RCW 46.17.350 and 46.17.355.

(b) An additional amount of fuel taxes must be deposited into the Puget Sound ferry operations account. This amount must equal the difference between the total amount of fuel taxes collected in the state under RCW 82.38.030 less the total amount of fuel taxes collected in the state under RCW 82.38.030(1) and be multiplied by a fraction. The fraction must equal the amount of vehicle license fees collected under RCW 46.17.350 and 46.17.355 from counties described in subsection (2) of this section divided by the total amount of vehicle license fees collected in the state under RCW 46.17.350 and 46.17.355, and this must be multiplied by one-half. [2013 c 225 s 644; 2010 c 161 s 1128; 2010 c 8 s 9081; 2006 c 337 s 12; 1961 c 12 s 46.68.080. Prior: 1939 c 181 s 9; RRS s 6450-54a.]

Effective date—2013 c 225: See note following RCW 82.38.010.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.090 Distribution of statewide fuel taxes. (1) All moneys that have accrued or may accrue to the motor vehicle fund from the fuel tax must be first expended for purposes enumerated in (a) and (b) of this subsection. The remaining net tax amount must be distributed monthly by the state treasurer in accordance with subsections (2) through (8) of this section.

(a) For payment of refunds of fuel tax that has been paid and is refundable as provided by law;

(b) For payment of amounts to be expended pursuant to appropriations for the administrative expenses of the offices of state treasurer, state auditor, and the department of licensing of the state of Washington in the administration of the fuel tax, which sums must be distributed monthly.

(2) All of the remaining net tax amount collected under RCW 82.38.030(1) must be distributed as set forth in (a) through (j) of this subsection.

(a) For distribution to the motor vehicle fund an amount equal to 44.387 percent to be expended for highway purposes of the state as defined in RCW 46.68.130;

(b) (i) For distribution to the special category C account, hereby created in the motor vehicle fund, an amount equal to 3.2609 percent to be expended for special category C projects. Special category C projects are category C projects that, due to high cost only, will require bond financing to complete construction.

(ii) The following criteria, listed in order of priority, must be used in determining which special category C projects have the highest priority:

(A) Accident experience;

(B) Fatal accident experience;

(C) Capacity to move people and goods safely and at reasonable speeds without undue congestion; and

(D) Continuity of development of the highway transportation network.

(iii) Moneys deposited in the special category C account in the motor vehicle fund may be used for payment of debt service on bonds the proceeds of which are used to finance special category C projects under this subsection (2)(b);

(c) For distribution to the Puget Sound ferry operations account in the motor vehicle fund an amount equal to 2.3283 percent;

(d) For distribution to the Puget Sound capital construction account in the motor vehicle fund an amount equal to 2.3726 percent;

(e) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 7.5597 percent;

(f) For distribution to the transportation improvement account in the motor vehicle fund an amount equal to 5.6739 percent and expended in accordance with RCW 47.26.086;

(g) For distribution to the cities and towns from the motor vehicle fund an amount equal to 10.6961 percent in accordance with RCW 46.68.110;

(h) For distribution to the counties from the motor vehicle fund an amount equal to 19.2287 percent: (i) Out of which there must be distributed from time to time, as directed by the department of transportation, those sums as may be necessary to carry out the provisions of RCW 47.56.725; and (ii) less any amounts appropriated to the county road administration board to implement the provisions of RCW 47.56.725(4), with the balance of such county share to be distributed monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(i) For distribution to the county arterial preservation account, hereby created in the motor vehicle fund an amount equal to 1.9565 percent. These funds must be distributed by the county road administration board to counties in proportions corresponding to the number of paved arterial lane miles in the unincorporated area of each county and must be used for improvements to sustain the structural, safety, and operational integrity of county arterials. The county road administration board must adopt reasonable rules and develop policies to implement this program and to assure that a pavement management system is used;

(j) For distribution to the rural arterial trust account in the motor vehicle fund an amount equal to 2.5363 percent and expended in accordance with RCW 36.79.020.

(3) The remaining net tax amount collected under RCW 82.38.030(2) must be distributed to the transportation 2003 account (nickel account).

(4) The remaining net tax amount collected under RCW 82.38.030(3) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(5) The remaining net tax amount collected under RCW 82.38.030(4) must be distributed as follows:

(a) 8.3333 percent must be distributed to the incorporated cities and towns of the state in accordance with RCW 46.68.110;

(b) 8.3333 percent must be distributed to counties of the state in accordance with RCW 46.68.120; and

(c) The remainder must be distributed to the transportation partnership account created in RCW 46.68.290.

(6) The remaining net tax amount collected under RCW 82.38.030 (5) and (6) must be distributed to the transportation partnership account created in RCW 46.68.290.

(7) The remaining net tax amount collected under RCW 82.38.030 (7) and (8) must be distributed to the connecting Washington account created in RCW 46.68.395.

(8) Nothing in this section or in RCW 46.68.130 may be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on fuel. [2015 3rd sp.s. c 44 s 105; (2015 3rd sp.s. c 44 s 104 expired July 1, 2016); 2013 c 225 s 645; 2011 c 120 s 4; 2005 c 314 s 103; 2003 c 361 s 403. Prior: 1999 c 269 s 2; 1999 c 94 s 6; prior: 1994 c 225 s 2; 1994 c 179 s 3; 1991 c 342 s 56; 1990 c 42 s 102; 1983 1st ex.s. c 49 s 21; 1979 c 158 s 184; 1977 ex.s. c 317 s 8; 1967 c 32 s 74; 1961 ex.s. c 7 s 5; 1961 c 12 s 46.68.090; prior: 1943 c 115 s 3; 1939 c 181 s 2; Rem. Supp. 1943 s 6600-1d; 1937 c 208 ss 2, part, 3, part.]

Effective date—2015 3rd sp.s. c 44 ss 103, 105, and 110: See note following RCW 82.38.030.

Contingent expiration date—2015 3rd sp.s. c 44 ss 101, 102, 104, and 109: See note following RCW 82.38.030.

Effective date—2013 c 225: See note following RCW 82.38.010.

Effective date—2005 c 314 ss 101-107, 109, 303-309, and 401: See note following RCW 46.68.290.

Part headings not law—2005 c 314: See note following RCW 46.68.035.

Findings—2003 c 361: See note following RCW 82.38.030.

Effective dates—2003 c 361: See note following RCW 82.08.020.

Effective date—1999 c 269: See note following RCW 36.78.070.

Legislative finding—Effective dates—1999 c 94: See notes following RCW 43.84.092.

Effective date—1994 c 225: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect May 1, 1994." [1994 c 225 s 4.]

Effective dates—1991 c 342: See note following RCW 47.01.425.

Purpose of state and local transportation funding program—1990 c 42: "(1) The legislature finds that a new comprehensive funding program is required to maintain the state's commitment to the growing mobility needs of its citizens and commerce. The transportation funding program is intended to satisfy the following state policies and objectives:

(a) Statewide system: Provide for preservation of the existing statewide system and improvements for current and expected capacity needs in rural, established urban, and growing suburban areas throughout the state;

(b) Local flexibility: Provide for necessary state highway improvements, as well as providing local governments with the option to use new funding sources for projects meeting local and regional needs;

(c) Multimodal: Provide a source of funds that may be used for multimodal transportation purposes;

(d) Program compatibility: Implement transportation facilities and services that are consistent with adopted land use and transportation plans and coordinated with recently authorized programs such as the act authorizing creation of transportation benefit districts and the local transportation act of 1988;

(e) Interjurisdictional cooperation: Encourage transportation planning and projects that are multijurisdictional in their conception, development, and benefit, recognizing that mobility problems do not respect jurisdictional boundaries;

(f) Public and private sector: Use a state, local, and private sector partnership that equitably shares the burden of meeting transportation needs.

(2) The legislature further recognizes that the revenues currently available to the state and to counties, cities, and transit authorities for highway, road, and street construction and preservation fall far short of the identified need. The 1988 Washington road jurisdiction study identified a statewide funding shortfall of between \$14.6 and \$19.9 billion to bring existing roads to acceptable standards. The gap between identified transportation needs and available revenues continues to increase. A comprehensive transportation funding program is required to meet the current and anticipated future needs of this state.

(3) The legislature further recognizes the desirability of making certain changes in the collection and distribution of motor vehicle excise taxes with the following objectives: Simplifying administration and collection of the taxes including adoption of a predictable depreciation schedule for vehicles; simplifying the allocation of the taxes among various recipients; and the dedication of a portion of motor vehicle excise taxes for transportation purposes.

(4) The legislature, therefore, declares a need for the three-part funding program embodied in this act: (a) Statewide funding for highways, roads, and streets in urban and rural areas; (b) local option funding authority, available immediately, for the construction and preservation of roads, streets, and transit improvements and facilities; and (c) the creation of a multimodal transportation fund that is funded through dedication of a portion of motor vehicle excise tax. This funding program is intended, by targeting certain new revenues, to produce a significant increase in the overall capacity of the state, county, and city transportation systems to satisfy and efficiently accommodate the movement of people and goods." [1990 c 42 s 1.]

Effective dates—Application—Implementation—1990 c 42: "(1) Sections 101 through 104, 115 through 117, 201 through 214, 405 through 411, and 503, chapter 42, Laws of 1990 are necessary for the immediate preservation of the public peace, health, or safety, or

support of the state government and its existing public institutions, and shall take effect April 1, 1990.

(2) Sections 105 through 114, chapter 42, Laws of 1990 shall take effect September 1, 1990. The additional fees in sections 105 through 108, chapter 42, Laws of 1990 apply for all motor vehicle registrations that expire August 31, 1991, and thereafter.

(3) Sections 301 through 303 and 305 through 328, chapter 42, Laws of 1990 shall take effect September 1, 1990, and apply to the purchase of vehicle registrations that expire August 31, 1991, and thereafter.

(4) Section 304, chapter 42, Laws of 1990 shall take effect July 1, 1991, and apply to all vehicles registered for the first time with an expiration date of June 30, 1992, and thereafter.

(5) The director of licensing may immediately take such steps as are necessary to ensure that the sections of chapter 42, Laws of 1990 are implemented on their effective dates.

(6) *Sections 401 through 404, chapter 42, Laws of 1990 shall take effect September 1, 1990, only if the bonds issued under RCW 47.56.711 for the Spokane river toll bridge have been retired or fully defeased, and shall become null and void if the bonds have not been retired or fully defeased on that date." [1990 c 298 s 38; 1990 c 42 s 504.]

***Reviser's note:** The bonds were fully defeased on June 1, 1990.

Effective date—1983 1st ex.s. c 49: See RCW 36.79.901.

Effective dates—1977 ex.s. c 317: See note following RCW 82.38.030.

Rural arterial trust account: RCW 36.79.020.

RCW 46.68.110 Distribution of amount allocated to cities and towns. Funds credited to the incorporated cities and towns of the state as set forth in RCW 46.68.090 shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such sums distributed under RCW 46.68.090 shall be deducted monthly as such sums are credited and set aside for the use of the department of transportation for the supervision of work and expenditures of such incorporated cities and towns on the city and town streets thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: PROVIDED, That any moneys so retained and not expended shall be credited in the succeeding biennium to the incorporated cities and towns in proportion to deductions herein made;

(2) Thirty-three one-hundredths of one percent of such funds distributed under RCW 46.68.090 shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the cities' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the cities in proportion to the deductions made;

(3) One percent of such funds distributed under RCW 46.68.090 shall be deducted monthly, as such funds accrue, to be deposited in the small city pavement and sidewalk account, to implement the city

hardship assistance program, as provided in RCW 47.26.164. However, any moneys so retained and not required to carry out the program under this subsection as of July 1st of each odd-numbered year thereafter, shall be retained in the account and used for maintenance, repair, and resurfacing of city and town streets for cities and towns with a population of less than five thousand;

(4) After making the deductions under subsections (1) through (3) of this section and RCW 35.76.050, the balance remaining to the credit of incorporated cities and towns shall be apportioned monthly as such funds accrue among the several cities and towns within the state ratably on the basis of the population last determined by the office of financial management. [2011 c 120 s 5; 2008 c 121 s 601; 2007 c 148 s 1. Prior: 2005 c 314 s 106; 2005 c 89 s 1; 2003 c 361 s 404; prior: 1999 c 269 s 3; 1999 c 94 s 9; 1996 c 94 s 1; prior: 1991 sp.s. c 15 s 46; 1991 c 342 s 59; 1989 1st ex.s. c 6 s 41; 1987 1st ex.s. c 10 s 37; 1985 c 460 s 32; 1979 c 151 s 161; 1975 1st ex.s. c 100 s 1; 1961 ex.s. c 7 s 7; 1961 c 12 s 46.68.110; prior: 1957 c 175 s 11; 1949 c 143 s 1; 1943 c 83 s 2; 1941 c 232 s 1; 1939 c 181 s 4; Rem. Supp. 1949 s 6600-3a; 1937 c 208 ss 2, part, 3, part.]

Severability—2008 c 121: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [2008 c 121 s 606.]

Effective date—2008 c 121: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 25, 2008]." [2008 c 121 s 607.]

Effective date—2005 c 314 ss 101-107, 109, 303-309, and 401: See note following RCW 46.68.290.

Part headings not law—2005 c 314: See note following RCW 46.68.035.

Findings—2003 c 361: See note following RCW 82.38.030.

Effective dates—2003 c 361: See note following RCW 82.08.020.

Effective date—1999 c 269: See note following RCW 36.78.070.

Legislative finding—Effective dates—1999 c 94: See notes following RCW 43.84.092.

Construction—Severability—1991 sp.s. c 15: "The appropriations of moneys and the designation of funds and accounts by this and other acts of the 1991 legislature shall be construed in a manner consistent with legislation enacted by the 1985, 1987, and 1989 legislatures to conform state funds and accounts with generally accepted accounting principles. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1991 sp.s. c 15 s 69.]

Effective dates—1991 c 342: See note following RCW 47.01.425.

Severability—1989 1st ex.s. c 6: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1989 1st ex.s. c 6 s 75.]

Severability—1987 1st ex.s. c 10: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1987 1st ex.s. c 10 s 60.]

Severability—1985 c 460: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1985 c 460 s 42.]

Expense of cost-audit examination of city and town street records payable from funds withheld under RCW 46.68.110(1): RCW 35.76.050.

Population determination, office of financial management: Chapter 43.62 RCW.

RCW 46.68.120 Distribution of amount allocated to counties—Generally. Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

(1) One and one-half percent of such funds shall be deducted monthly as such funds accrue and set aside for the use of the department of transportation and the county road administration board for the supervision of work and expenditures of such counties on the county roads thereof, including the supervision and administration of federal-aid programs for which the department of transportation has responsibility: PROVIDED, That any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) Thirty-three one-hundredths of one percent of such funds shall be deducted monthly, as such funds accrue, and set aside for the use of the department of transportation for the purpose of funding the counties' share of the costs of highway jurisdiction studies and other studies. Any funds so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to the deductions made;

(4) The balance of such funds remaining to the credit of counties after such deductions shall be paid to the several counties monthly, as such funds accrue, in accordance with RCW 46.68.122 and 46.68.124. [1991 sp.s. c 15 s 47; 1991 c 342 s 64; 1989 1st ex.s. c 6 s 42; 1987 1st ex.s. c 10 s 38; 1985 c 460 s 33; 1985 c 120 s 1; 1982 c 33 s 1; 1980 c 87 s 44; 1979 c 158 s 185; 1977 ex.s. c 151 s 42; 1975 1st ex.s. c 100 s 2; 1973 1st ex.s. c 195 s 47; 1972 ex.s. c 103 s 1; 1967 c 32 s 75; 1965 ex.s. c 120 s 12; 1961 c 12 s 46.68.120. Prior: 1957 c 109 s 1; 1955 c 243 s 1; 1949 c 143 s 2; 1945 c 260 s 1; 1943 c 83 s 3; 1939 c 181 s 5; Rem. Supp. 149 s 6600-2a.]

Construction—Severability—1991 sp.s. c 15: See note following RCW 46.68.110.

Effective dates—1991 c 342: See note following RCW 47.01.425.

Severability—1989 1st ex.s. c 6: See note following RCW 46.68.110.

Severability—1987 1st ex.s. c 10: See note following RCW 46.68.110.

Severability—1985 c 460: See note following RCW 46.68.110.

Federal requirements—1977 ex.s. c 151: See RCW 47.98.070.

Severability—Effective dates and termination dates—Construction—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

Severability—1972 ex.s. c 103: See note following RCW 47.30.030.

County road administration board—Expenses to be paid from motor vehicle fund—Disbursement procedure: RCW 36.78.110.

RCW 46.68.122 Distribution of amount to counties—Factors of distribution formula. Funds to be paid to the several counties pursuant to RCW 46.68.120(4) shall be allocated among them upon the basis of a distribution formula consisting of the following four factors:

(1) An equal distribution factor of ten percent of such funds shall be paid to each county;

(2) A population factor of thirty percent of such funds shall be paid to each county in direct proportion that the county's total equivalent population, as computed pursuant to RCW 46.68.124(1), is to the total equivalent population of all counties;

(3) A road cost factor of thirty percent of such funds shall be paid to each county in direct proportion that the county's total annual road cost, as computed pursuant to RCW 46.68.124(2), is to the total annual road costs of all counties;

(4) A money need factor of thirty percent of such funds shall be paid to each county in direct proportion that the county's money need factor, as computed pursuant to RCW 46.68.124(3), is to the total of money need factors of all counties. [1982 c 33 s 2.]

RCW 46.68.124 Distribution of amount to counties—Population, road cost, money need, computed—Allocation percentage adjustment.

(1) The equivalent population for each county shall be computed as the sum of the population residing in the county's unincorporated area plus twenty-five percent of the population residing in the county's incorporated area. Population figures required for the computations in this subsection shall be certified by the director of the office of financial management on or before July 1st of each odd-numbered year.

(2) The total annual road cost for each county shall be computed as the sum of one twenty-fifth of the total estimated county road replacement cost, plus the total estimated annual maintenance cost. Appropriate costs for bridges and ferries shall be included. The county road administration board shall be responsible for establishing a uniform system of roadway categories for both maintenance and

construction and also for establishing a single statewide cost per mile rate for each roadway category. The total annual cost for each county will be based on the established statewide cost per mile and associated mileage for each category. The mileage to be used for these computations shall be as shown in the county road log as maintained by the county road administration board as of July 1, 1985, and each two years thereafter. Each county shall be responsible for submitting changes, corrections, and deletions as regards the county road log to the county road administration board. Such changes, corrections, and deletions shall be subject to verification and approval by the county road administration board prior to inclusion in the county road log.

(3) The money need factor for each county shall be the county's total annual road cost less the following four amounts:

(a) One-half the sum of the actual county road tax levied upon the valuation of all taxable property within the county road districts pursuant to RCW 36.82.040, including any amount of such tax diverted under chapter 39.89 RCW, for the two calendar years next preceding the year of computation of the allocation amounts as certified by the department of revenue;

(b) One-half the sum of all funds received by the county road fund from the federal forest reserve fund pursuant to RCW 28A.520.010 and 28A.520.020 during the two calendar years next preceding the year of computation of the allocation amounts as certified by the state treasurer;

(c) One-half the sum of timber excise taxes received by the county road fund pursuant to chapter 84.33 RCW in the two calendar years next preceding the year of computation of the allocation amounts as certified by the state treasurer;

(d) One-half the sum of motor vehicle license fees and motor vehicle and special fuel taxes refunded to the county, pursuant to RCW 46.68.080 during the two calendar years next preceding the year of computation of the allocation amounts as certified by the state treasurer.

(4) The state treasurer and the department of revenue shall furnish to the county road administration board the information required by subsection (3) of this section on or before July 1st of each odd-numbered year.

(5) The county road administration board, shall compute and provide to the counties the allocation factors of the several counties on or before September 1st of each year based solely upon the sources of information herein before required: PROVIDED, That the allocation factor shall be held to a level not more than five percent above or five percent below the allocation factor in use during the previous calendar year. Upon computation of the actual allocation factors of the several counties, the county road administration board shall provide such factors to the state treasurer to be used in the computation of the counties' fuel tax allocation for the succeeding calendar year. The state treasurer shall adjust the fuel tax allocation of each county on January 1st of every year based solely upon the information provided by the county road administration board. [2001 c 212 s 28; 1990 c 33 s 586. Prior: 1985 c 120 s 2; 1985 c 7 s 113; 1982 c 33 s 3.]

Purpose—Statutory references—Severability—1990 c 33: See RCW 28A.900.100 through 28A.900.102.

RCW 46.68.126 Allocations to cities and counties from motor vehicle fund and multimodal transportation account—Quarterly, proportional distributions. (1) The state treasurer shall make four equal distributions by the last day of September, December, March, and June of each fiscal year to cities and counties based on the following allocations:

(a) For fiscal years 2016 and 2017, five million four hundred sixty-nine thousand dollars from the motor vehicle fund created under RCW 46.68.070 and six million two hundred fifty thousand dollars from the multimodal transportation account created under RCW 47.66.070.

(b) For fiscal year 2018 and thereafter, eleven million seven hundred nineteen thousand dollars from the motor vehicle fund created under RCW 46.68.070 and thirteen million three hundred ninety-three thousand dollars from the multimodal transportation account created under RCW 47.66.070.

(2) The amounts provided in subsection (1)(a) and (b) of this section must be proportioned evenly between cities and counties. Funds credited to cities must be distributed under RCW 46.68.110(4). Funds credited to counties must be allocated under RCW 46.68.120(4). [2015 3rd sp.s. c 44 s 331.]

Effective date—2015 3rd sp.s. c 44: See note following RCW 46.68.395.

RCW 46.68.130 Expenditure of balance of motor vehicle fund. The tax amount distributed to the state in the manner provided by RCW 46.68.090, and all moneys accruing to the motor vehicle fund from any other source, less such sums as are properly appropriated and reappropriated for expenditure for costs of collection and administration thereof, shall be expended, subject to proper appropriation and reappropriation, solely for highway purposes of the state, including the purposes of RCW 47.30.030. For the purposes of this section, the term "highway purposes of the state" does not include those expenditures of the Washington state patrol heretofore appropriated or reappropriated from the motor vehicle fund. Nothing in this section or in RCW 46.68.090 may be construed so as to violate terms or conditions contained in highway construction bond issues authorized by statute as of July 1, 1999, or thereafter and whose payment is, by the statute, pledged to be paid from excise taxes on motor vehicle fuel and special fuels. [1999 c 269 s 4; 1981 c 342 s 11; 1974 ex.s. c 9 s 1; 1972 ex.s. c 103 s 7; 1971 ex.s. c 91 s 6; 1963 c 83 s 1; 1961 ex.s. c 7 s 9; 1961 c 12 s 46.68.130. Prior: 1957 c 271 s 4; 1957 c 105 s 3; 1941 c 246 s 1; 1939 c 181 s 6; Rem. Supp. 1941 s 6600-26.]

Effective date—1999 c 269: See note following RCW 36.78.070.

Effective date—1981 c 342: See note following RCW 46.68.030.

Severability—1972 ex.s. c 103: See note following RCW 47.30.030.

RCW 46.68.135 Multimodal account, transportation infrastructure account—Annual transfers. By July 1, 2006, and each year thereafter, the state treasurer shall transfer two and one-half million dollars

from the multimodal account to the transportation infrastructure account created under RCW 82.44.190. The funds must be distributed for rail capital improvements only. [2006 c 337 s 4; 2005 c 314 s 111.]

Part headings not law—2005 c 314: See note following RCW 46.68.035.

RCW 46.68.170 RV account. There is hereby created in the motor vehicle fund the RV account. All moneys hereafter deposited in said account shall be used by the department of transportation for the construction, maintenance, and operation of recreational vehicle sanitary disposal systems at safety rest areas in accordance with the department's highway system plan as prescribed in chapter 47.06 RCW. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the RV account to the motor vehicle fund such amounts as reflect the excess fund balance of the RV account to accomplish the purposes identified in this section. [2013 c 306 s 705; 2011 c 367 s 715; 2009 c 470 s 701; 2007 c 518 s 701; 1996 c 237 s 2; 1980 c 60 s 3.]

Effective date—2013 c 306: See note following RCW 47.64.170.

Effective date—2011 c 367: See note following RCW 47.29.170.

Effective date—2009 c 470: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 13, 2009]." [2009 c 470 s 802.]

Severability—2007 c 518: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [2007 c 518 s 1101.]

Effective date—2007 c 518: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 15, 2007]." [2007 c 518 s 1102.]

Effective date—1980 c 60: See note following RCW 47.38.050.

Additional license fees for recreational vehicles: RCW 46.17.375 and 47.01.460.

RCW 46.68.175 Abandoned recreational vehicle disposal account.
(1) The abandoned recreational vehicle disposal account is created in the state treasury. All receipts from the fee imposed in RCW 46.17.380 must be deposited into the account. The account may receive fund transfers and appropriations from the general fund, as well as gifts, grants, and endowments from public or private sources, in trust or otherwise, for the use and benefit of the purposes of chapter 287, Laws of 2018 and expend any income according to the terms of the gifts, grants, or endowments, provided that those terms do not conflict with any provisions of this section or any guidelines

developed to prioritize reimbursement of removal projects associated with chapter 287, Laws of 2018.

(2) Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only by the department to reimburse registered tow truck operators and licensed dismantlers for up to one hundred percent of the total reasonable and auditable administrative costs for transport, dismantling, and disposal of abandoned recreational vehicles under RCW 46.53.010 when the last registered owner is unknown after a reasonable search effort. Compliance with RCW 46.55.100 is considered a reasonable effort to locate the last registered owner of the abandoned recreational vehicle. Any funds received by the registered tow truck operators or licensed dismantlers through collection efforts from the last owner of record shall be turned over to the department for vehicles reimbursed under RCW 46.53.010.

(3) Funds in the account resulting from transfers from the general fund must be used to reimburse one hundred percent of eligible costs up to a limit of ten thousand dollars per vehicle for which cost reimbursements are requested.

(4) In each fiscal biennium, beginning in the 2019-2021 fiscal biennium, up to fifteen percent of the expenditures from the account may be used for administrative expenses of the department in implementing this chapter. [2018 c 287 s 6.]

Findings—Implementation—Effective date—2018 c 287: See notes following RCW 46.55.400.

RCW 46.68.220 Department of licensing services account. The department of licensing services account is created in the motor vehicle fund. All receipts from service fees received under RCW 46.17.025 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for:

(1) Information and service delivery systems for the department;
(2) Reimbursement of county licensing activities; and
(3) County auditor or other agent and subagent support including, but not limited to, the replacement of department-owned equipment in the possession of county auditors or other agents and subagents appointed by the director. During the 2011-2013 fiscal biennium, the legislature may transfer from the department of licensing services account such amounts as reflect the excess fund balance of the account. [2011 c 367 s 719; 2010 c 161 s 807; 2009 c 470 s 712; 2009 c 8 s 503; 1992 c 216 s 5.]

Effective date—2011 c 367 ss 703, 704, 716, and 719: See note following RCW 46.18.060.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date—2009 c 470: See note following RCW 46.68.170.

Effective date—2009 c 8: See note following RCW 46.68.065.

RCW 46.68.230 Transfer of funds under government service agreement. Funds that are distributed to counties, cities, or towns pursuant to this chapter may be transferred by the recipient county, city, or town to another unit of local government pursuant to a government service agreement as provided in RCW 36.115.040 and 36.115.050. [1994 c 266 s 9.]

RCW 46.68.240 Highway infrastructure account. The highway infrastructure account is hereby created in the motor vehicle fund. Public and private entities may deposit moneys in the highway infrastructure account from federal, state, local, or private sources. Proceeds from bonds or other financial instruments sold to finance surface transportation projects from the highway infrastructure account shall be deposited into the account. Principal and interest payments made on loans from the highway infrastructure account shall be deposited into the account. Moneys in the account shall be available for purposes specified in RCW 82.44.195. Expenditures from the highway infrastructure account shall be subject to appropriation by the legislature. To the extent required by federal law or regulations promulgated by the United States secretary of transportation, the state treasurer is authorized to create separate subaccounts within the highway infrastructure account. [1996 c 262 s 3.]

Transportation infrastructure account—Highway infrastructure account—Finding—Intent—Purpose—1996 c 262: See RCW 82.44.195.

Effective date—1996 c 262: See note following RCW 82.44.190.

RCW 46.68.250 Vehicle licensing fraud account. The vehicle licensing fraud account is created in the state treasury. From penalties and fines imposed under RCW 46.16A.030, 47.68.255, and 88.02.400, an amount equal to the taxes and fees owed shall be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for vehicle license fraud enforcement and collections by the Washington state patrol and the department of revenue. [2010 c 161 s 1129; 1996 c 184 s 6.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date—1996 c 184: See note following RCW 46.16A.030.

RCW 46.68.260 Impaired driving safety account. The impaired driving safety account is created in the custody of the state treasurer. All receipts from fees collected under RCW 46.20.311 (1) (e) (ii), (2) (b) (ii), and (3) (b) shall be deposited according to RCW 46.68.041. Expenditures from this account may be used only to fund projects to reduce impaired driving and to provide funding to local governments for costs associated with enforcing laws relating to driving and boating while under the influence of intoxicating liquor

or any drug. The account is subject to allotment procedures under chapter 43.88 RCW. Moneys in the account may be spent only after appropriation. [2004 c 95 s 16; 1998 c 212 s 2.]

RCW 46.68.280 Transportation 2003 account (nickel account). (1)

The transportation 2003 account (nickel account) is hereby created in the motor vehicle fund. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as transportation 2003 projects or improvements in the omnibus transportation budget and to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements. Upon completion of the projects or improvements identified as transportation 2003 projects or improvements, moneys deposited in this account must only be used to pay the principal and interest on the bonds authorized for transportation 2003 projects or improvements, and any funds in the account in excess of the amount necessary to make the principal and interest payments may be used for maintenance on the completed projects or improvements.

(2) During the 2015-2017 fiscal biennium, the legislature may transfer from the transportation 2003 account (nickel account) to the connecting Washington account such amounts as reflect the excess fund balance of the transportation 2003 account (nickel account).

(3) During the 2017-2019 and the 2019-2021 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation 2003 account (nickel account) to the connecting Washington account, the Puget Sound capital construction account, and the Tacoma Narrows toll bridge account.

(4) The "nickel account" means the transportation 2003 account. [2019 c 416 s 706; 2017 c 313 s 708; 2015 3rd sp.s. c 43 s 603; 2003 c 361 s 601.]

Effective date—2019 c 416: See note following RCW 43.19.642.

Effective date—2017 c 313: See note following RCW 43.19.642.

Effective date—2015 3rd sp.s. c 43: See note following RCW 46.68.030.

Findings—2003 c 361: See note following RCW 82.38.030.

Effective dates—2003 c 361: See note following RCW 82.08.020.

RCW 46.68.290 Transportation partnership account—Definitions—Performance audits. (1)

The transportation partnership account is hereby created in the motor vehicle account. All distributions to the account from RCW 46.68.090 must be deposited into the account. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as 2005 transportation partnership projects or improvements in the omnibus transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) The legislature finds that:

(a) Citizens demand and deserve accountability of transportation-related programs and expenditures. Transportation-related programs must continuously improve in quality, efficiency, and effectiveness in order to increase public trust;

(b) Transportation-related agencies that receive tax dollars must continuously improve the way they operate and deliver services so citizens receive maximum value for their tax dollars; and

(c) Fair, independent, comprehensive performance audits of transportation-related agencies overseen by the elected state auditor are essential to improving the efficiency, economy, and effectiveness of the state's transportation system.

(3) For purposes of chapter 314, Laws of 2005:

(a) "Performance audit" means an objective and systematic assessment of a state agency or agencies or any of their programs, functions, or activities by the state auditor or designee in order to help improve agency efficiency, effectiveness, and accountability. Performance audits include economy and efficiency audits and program audits.

(b) "Transportation-related agency" means any state agency, board, or commission that receives funding primarily for transportation-related purposes. At a minimum, the department of transportation, the transportation improvement board or its successor entity, the county road administration board or its successor entity, and the traffic safety commission are considered transportation-related agencies. The Washington state patrol and the department of licensing shall not be considered transportation-related agencies under chapter 314, Laws of 2005.

(4) Within the authorities and duties under chapter 43.09 RCW, the state auditor shall establish criteria and protocols for performance audits. Transportation-related agencies shall be audited using criteria that include generally accepted government auditing standards as well as legislative mandates and performance objectives established by state agencies. Mandates include, but are not limited to, agency strategies, timelines, program objectives, and mission and goals as required in RCW 43.88.090.

(5) Within the authorities and duties under chapter 43.09 RCW, the state auditor may conduct performance audits for transportation-related agencies. The state auditor shall contract with private firms to conduct the performance audits.

(6) The audits may include:

(a) Identification of programs and services that can be eliminated, reduced, consolidated, or enhanced;

(b) Identification of funding sources to the transportation-related agency, to programs, and to services that can be eliminated, reduced, consolidated, or enhanced;

(c) Analysis of gaps and overlaps in programs and services and recommendations for improving, dropping, blending, or separating functions to correct gaps or overlaps;

(d) Analysis and recommendations for pooling information technology systems used within the transportation-related agency, and evaluation of information processing and telecommunications policy, organization, and management;

(e) Analysis of the roles and functions of the transportation-related agency, its programs, and its services and their compliance with statutory authority and recommendations for eliminating or changing those roles and functions and ensuring compliance with statutory authority;

(f) Recommendations for eliminating or changing statutes, rules, and policy directives as may be necessary to ensure that the transportation-related agency carry out reasonably and properly those functions vested in the agency by statute;

(g) Verification of the reliability and validity of transportation-related agency performance data, self-assessments, and performance measurement systems as required under RCW 43.88.090;

(h) Identification of potential cost savings in the transportation-related agency, its programs, and its services;

(i) Identification and recognition of best practices;

(j) Evaluation of planning, budgeting, and program evaluation policies and practices;

(k) Evaluation of personnel systems operation and management;

(l) Evaluation of purchasing operations and management policies and practices;

(m) Evaluation of organizational structure and staffing levels, particularly in terms of the ratio of managers and supervisors to nonmanagement personnel; and

(n) Evaluation of transportation-related project costs, including but not limited to environmental mitigation, competitive bidding practices, permitting processes, and capital project management.

(7) Within the authorities and duties under chapter 43.09 RCW, the state auditor must provide the preliminary performance audit reports to the audited state agency for comment. The auditor also may seek input on the preliminary report from other appropriate officials. Comments must be received within 30 days after receipt of the preliminary performance audit report unless a different time period is approved by the state auditor. The final performance audit report shall include the objectives, scope, and methodology; the audit results, including findings and recommendations; the agency's response and conclusions; and identification of best practices.

(8) The state auditor shall provide final performance audit reports to the citizens of Washington, the governor, the joint legislative audit and review committee, the appropriate legislative committees, and other appropriate officials. Final performance audit reports shall be posted on the internet.

(9) The audited transportation-related agency is responsible for follow-up and corrective action on all performance audit findings and recommendations. The audited agency's plan for addressing each audit finding and recommendation shall be included in the final audit report. The plan shall provide the name of the contact person responsible for each action, the action planned, and the anticipated completion date. If the audited agency does not agree with the audit findings and recommendations or believes action is not required, then the action plan shall include an explanation and specific reasons.

The office of financial management shall require periodic progress reports from the audited agency until all resolution has occurred. The office of financial management is responsible for achieving audit resolution. The office of financial management shall annually report by December 31st the status of performance audit resolution to the appropriate legislative committees and the state auditor. The legislature shall consider the performance audit results in connection with the state budget process.

The auditor may request status reports on specific audits or findings.

(10) For the period from July 1, 2005, until June 30, 2007, the amount of \$4,000,000 is appropriated from the transportation

partnership account to the state auditors office for the purposes of subsections (2) through (9) of this section.

(11) During the 2021-2023 and 2023-2025 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the transportation partnership account to the motor vehicle account and the Tacoma Narrows toll bridge account. [2023 c 472 s 707; 2022 c 157 s 16; 2021 c 333 s 713; 2020 c 219 s 705; 2019 c 416 s 707; 2017 c 313 s 709; 2015 3rd sp.s. c 43 s 604; 2006 c 337 s 5; 2005 c 314 s 104.]

Effective date—2023 c 472: See note following RCW 43.19.642.

Effective date—2021 c 333: See note following RCW 43.19.642.

Effective date—2020 c 219: See note following RCW 46.68.310.

Effective date—2019 c 416: See note following RCW 43.19.642.

Effective date—2017 c 313: See note following RCW 43.19.642.

Effective date—2015 3rd sp.s. c 43: See note following RCW 46.68.030.

Effective date—2005 c 314 ss 101-107, 109, 303-309, and 401: "Sections 101 through 107, 109, 303 through 310 [309], and 401 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2005." [2005 c 314 s 405.]

Part headings not law—2005 c 314: See note following RCW 46.68.035.

RCW 46.68.294 Transportation partnership account—Legislative transfer. During the 2007-2009 fiscal biennium, the legislature may transfer from the transportation partnership account to the transportation 2003 account (nickel account) such amounts as reflect the excess fund balance of the transportation partnership account. [2009 c 8 s 505.]

Effective date—2009 c 8: See note following RCW 46.68.065.

RCW 46.68.295 Transportation partnership account—Transfers.

(1) On July 1, 2006, and by each July 1st thereafter, the state treasurer shall transfer from the transportation partnership account created in RCW 46.68.290:

(a) One million dollars to the small city pavement and sidewalk account created in RCW 47.26.340;

(b) Two and one-half million dollars to the transportation improvement account created in RCW 47.26.084; and

(c) One and one-half million dollars to the county arterial preservation account created in RCW 46.68.090(2)(i).

(2) On July 1, 2006, the state treasurer shall transfer six million dollars from the transportation partnership account created in

RCW 46.68.290 into the freight mobility investment account created in RCW 46.68.300 and by July 1, 2007, and by every July 1st thereafter, three million dollars shall be deposited into the freight mobility investment account. [2006 c 337 s 6.]

RCW 46.68.300 Freight mobility investment account. The freight mobility investment account is hereby created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account may be used only for freight mobility projects that have been recommended by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. During the 2021-2023 and 2023-2025 fiscal biennia, the expenditures from the account may also be used for the administrative expenses of the freight mobility strategic investment board. [2024 c 310 s 603. Prior: 2023 c 472 s 708; 2023 c 167 s 8; 2021 c 333 s 711; 2019 c 416 s 714; 2013 c 104 s 3; 2005 c 314 s 105.]

Effective date—2024 c 310: See note following RCW 14.40.020.

Effective date—2023 c 472: See note following RCW 43.19.642.

Effective date—2021 c 333: See note following RCW 43.19.642.

Effective date—2019 c 416: See note following RCW 43.19.642.

Effective date—2005 c 314 ss 101-107, 109, 303-309, and 401: See note following RCW 46.68.290.

Part headings not law—2005 c 314: See note following RCW 46.68.035.

RCW 46.68.310 Freight mobility multimodal account. The freight mobility multimodal account is created in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account shall be used only for freight mobility projects that have been recommended by the freight mobility strategic investment board in RCW 47.06A.020 and may include any principal and interest on bonds authorized for the projects or improvements. [2023 c 167 s 9; 2020 c 219 s 702; 2013 c 104 s 4; 2006 c 337 s 7.]

Effective date—2020 c 219: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 31, 2020]." [2020 c 219 s 802.]

Effective date—2006 c 337 s 7: "Section 7 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect March 24, 2006." [2006 c 337 s 16.]

RCW 46.68.320 Regional mobility grant program account. (1) The regional mobility grant program account is hereby created in the state

treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.030.

(2) Beginning with September 2007, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account \$5,000,000.

(3) Beginning with September 2015, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the regional mobility grant program account \$6,250,000.

(4) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the regional mobility grant program account to the multimodal transportation account. [2024 c 310 s 604; 2010 c 247 s 702; 2006 c 337 s 8.]

Effective date—2024 c 310: See note following RCW 14.40.020.

Effective date—2010 c 247: See note following RCW 43.19.642.

RCW 46.68.325 Rural mobility grant program account. (1) The rural mobility grant program account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the grants provided under RCW 47.66.100.

(2) Beginning September 2011, by the last day of September, December, March, and June of each year, the state treasurer shall transfer from the multimodal transportation account to the rural mobility grant program account two million five hundred thousand dollars.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the rural mobility grant program account to the multimodal transportation account such amounts as reflect the excess fund balance of the rural mobility grant program account.

(4) During the 2017-2019, 2019-2021, and 2021-2023 fiscal biennia, the legislature may direct the state treasurer to make transfers of moneys in the rural mobility grant program account to the multimodal transportation account. [2021 c 333 s 708; 2019 c 416 s 708; 2017 c 313 s 710; 2015 1st sp.s. c 10 s 703; 2013 c 306 s 706; 2011 c 367 s 721; 2011 c 272 s 1.]

Effective date—2021 c 333: See note following RCW 43.19.642.

Effective date—2019 c 416: See note following RCW 43.19.642.

Effective date—2017 c 313: See note following RCW 43.19.642.

Effective date—2015 1st sp.s. c 10: See note following RCW 43.19.642.

Effective date—2013 c 306: See note following RCW 47.64.170.

Effective date—2011 c 367: See note following RCW 47.29.170.

RCW 46.68.340 Ignition interlock device revolving account. The ignition interlock device revolving account is created in the state treasury. All receipts from the fee assessed under RCW 46.20.385(6) must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used for administering and operating the ignition interlock device revolving account program, implementing effective strategies to reduce motor vehicle-related deaths and serious injuries, such as those found in the Washington state strategic highway safety plan: Target Zero, and during the 2013-2015 fiscal biennium, the legislature may appropriate moneys from the ignition interlock device revolving account for substance abuse programs for offenders. [2023 c 470 s 1009. Prior: 2013 2nd sp.s. c 35 s 14; 2013 2nd sp.s. c 4 s 986; 2008 c 282 s 3.]

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Effective dates—2013 2nd sp.s. c 4: See note following RCW 2.68.020.

RCW 46.68.350 Snowmobile account—Disposition of snowmobile moneys. (1) The snowmobile account is created within the state treasury. Snowmobile registration fees, monetary civil penalties from snowmobile dealers, and snowmobile fuel tax moneys collected under *this chapter and chapter 46.17 RCW and in excess of the amounts fixed for the administration of the registration and fuel tax provisions of *this chapter must be deposited into the account and must be appropriated only to the state parks and recreation commission for the administration and coordination of *this chapter.

(2) The moneys collected by the department as snowmobile registration fees, monetary civil penalties from snowmobile dealers, and fuel tax moneys placed into the account must be distributed in the following manner:

(a) Actual expenses not to exceed three percent for each year must be retained by the department to cover expenses incurred in the administration of the registration and fuel tax provisions of *this chapter; and

(b) The remainder of funds each year must be remitted to the state treasurer to be deposited into the snowmobile account of the general fund and must be appropriated only to the commission to be expended for snowmobile purposes. Purposes may include, but not necessarily be limited to, the administration, acquisition, development, operation, and maintenance of snowmobile facilities and development and implementation of snowmobile safety, enforcement, and education programs. During the 2013-2015 biennium the legislature may appropriate funds from the account to the department of natural resources for purpose of planning and supporting snowmobile activities on lands purchased by the department in the Yakima river basin.

(3) This section is not intended to discourage any public agency in this state from developing and implementing snowmobile programs. The commission may award grants to public agencies and contract with any public or private agency or person for the purpose of developing and implementing snowmobile programs, as long as the programs are not inconsistent with the rules adopted by the commission. [2013 2nd

sp.s. c 19 s 7040; 2010 c 161 s 823; 1991 sp.s. c 13 s 9; 1985 c 57 s 61; 1982 c 17 s 6; 1979 ex.s. c 182 s 7. Formerly RCW 46.10.075.]

***Reviser's note:** The reference to "this chapter" appears to be erroneous. Reference to chapter 46.10 RCW was apparently intended.

Effective date—2013 2nd sp.s. c 19: See note following RCW 43.34.080.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective dates—Severability—1991 sp.s. c 13: See notes following RCW 18.08.240.

Effective date—1985 c 57: See note following RCW 18.04.105.

RCW 46.68.360 Organ and tissue donation awareness account—Distribution. At least quarterly, the department shall transmit donations made to the organ and tissue donation awareness account under RCW 46.16A.090(2) to the foundation established for organ and tissue donation awareness purposes by the Washington state organ procurement organizations. All Washington state organ procurement organizations have proportional access to these funds to conduct public education in their service areas. [2010 c 161 s 805.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.370 License plate technology account. The license plate technology account is created in the state treasury. All receipts collected under RCW 46.17.015 must be deposited into this account. Expenditures from this account must support current and future license plate technology and systems integration upgrades for both the department and correctional industries. Moneys in the account may be spent only after appropriation. Additionally, the moneys in this account may be used to reimburse the motor vehicle account [fund] for any appropriation made to implement the digital license plate system. During the 2011-2013 and 2013-2015 fiscal biennia, the legislature may transfer from the license plate technology account to the highway safety fund such amounts as reflect the excess fund balance of the license plate technology account. During the 2021-2023 and 2023-2025 fiscal biennia, the account may also be used for the maintenance of recently modernized information technology systems for vehicle registrations. [2023 c 472 s 709; 2021 c 333 s 710; 2019 c 416 s 713; 2013 c 306 s 713; 2011 c 367 s 716; 2010 c 161 s 818; 2009 c 470 s 704; 2007 c 518 s 704; 2003 c 370 s 4. Formerly RCW 46.16.685.]

Effective date—2023 c 472: See note following RCW 43.19.642.

Effective date—2021 c 333: See note following RCW 43.19.642.

Effective date—2019 c 416: See note following RCW 43.19.642.

Effective date—2013 c 306: See note following RCW 47.64.170.

Effective date—2011 c 367 ss 703, 704, 716, and 719: See note following RCW 46.18.060.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

Effective date—2009 c 470: See note following RCW 46.68.170.

Severability—Effective date—2007 c 518: See notes following RCW 46.68.170.

RCW 46.68.380 Special license plate applicant trust account.

The special license plate applicant trust account is created in the custody of the state treasurer. All receipts from special license plate applicants must be deposited into the account. Only the director or the director's designee may authorize disbursements from the account. The account is not subject to the allotment procedures under chapter 43.88 RCW, and an appropriation is not required for disbursements. [2011 c 171 s 86; 2010 c 161 s 808.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.395 Connecting Washington account. (1) The connecting Washington account is created in the motor vehicle account. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as connecting Washington projects or improvements in a transportation appropriations act, including any principal and interest on bonds authorized for the projects or improvements.

(2) Moneys in the connecting Washington account may not be expended on the state route number 99 Alaskan Way viaduct replacement project.

(3) During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys in the connecting Washington account to the move ahead WA account. [2023 c 472 s 710; 2020 c 219 s 707; 2015 3rd sp.s. c 44 s 106.]

Effective date—2023 c 472: See note following RCW 43.19.642.

Effective date—2020 c 219: See note following RCW 46.68.310.

Effective date—2015 3rd sp.s. c 44: "Except for sections 103, 105, 108, 110, 323, and 325 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or

support of the state government and its existing public institutions, and takes effect immediately [July 15, 2015]." [2015 3rd sp.s. c 44 s 426.]

RCW 46.68.396 JUDY transportation future funding program account. The JUDY transportation future funding program account is created in the connecting Washington account established in chapter 44, Laws of 2015 3rd sp. sess. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for preservation projects, to accelerate the schedule of connecting Washington projects identified in chapter 43, Laws of 2015 3rd sp. sess., for new connecting Washington projects, and for principal and interest on bonds authorized for the projects. It is the legislature's intent that moneys not be appropriated from the account until 2024 and that moneys in the account be expended in equal amounts between preservation and improvement projects. Moneys in the account may not be expended on the state route number 99 Alaskan Way viaduct replacement project. [2022 c 182 s 435; 2015 3rd sp.s. c 12 s 2.]

Intent—Effective date—2022 c 182: See notes following RCW 70A.65.240.

Effective date—2015 3rd sp.s. c 12: See note following RCW 47.01.480.

RCW 46.68.398 Congestion relief and traffic safety account. The congestion relief and traffic safety account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may only be used for purposes related to congestion relief and traffic safety. [2019 c 467 s 7.]

Finding—Intent—2019 c 467: See note following RCW 46.20.289.

RCW 46.68.400 Vehicle registration filing fees—Distribution. A filing fee established in RCW 46.17.005 must be distributed as follows:

(1) If paid to the county auditor or other agent or subagent appointed by the director, the fee must be distributed to the county treasurer and credited to the county current expense fund except that fifty cents of the fee must be remitted to the department. At least quarterly, the department must distribute an equal share of the remitted funds to each county.

(2) If the fee is paid to another agent of the director, the fee must be used by the agent to defray his or her expenses in handling the application.

(3) If the fee is collected by the state patrol as agent for the director, the fee must be certified to the state treasurer and deposited to the credit of the state patrol highway account.

(4) If the fee is collected by the department of transportation as agent for the director, the fee must be certified to the state treasurer and deposited to the credit of the motor vehicle fund created in RCW 46.68.070.

(5) If the fee is collected by the director or branches of the department, the fee must be certified to the state treasurer and deposited to the credit of the highway safety fund, except that two dollars of the fee must be deposited into the multimodal transportation account if the fee is collected in conjunction with RCW 46.17.350(1) (c) or (k) or 46.17.355. [2019 c 417 s 4; 2010 c 161 s 819.]

Findings—Intent—2019 c 417: See note following RCW 46.17.040.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.405 Vehicle registration opt-out donations—Disposition. All receipts from the voluntary donation received under RCW 46.16A.090(3) must be deposited in the state parks renewal and stewardship account established in RCW 79A.05.215 to be used for the operation and maintenance of state parks. [2010 c 161 s 806.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.410 Vehicle identification number inspection fee—Distribution. The vehicle identification number inspection fee collected under RCW 46.17.130 must be distributed to the state patrol highway account created in RCW 46.68.030. [2023 c 139 s 2; 2022 c 186 s 706; 2010 c 161 s 812.]

Effective date—2023 c 139: See note following RCW 46.17.130.

Contingent effective date—2022 c 186 s 706: "Section 706 of this act takes effect only if chapter . . . (Substitute Senate Bill No. 5778), Laws of 2022 (addressing the current backlog of vehicle inspections) is not enacted by June 30, 2022." [2022 c 186 s 711.]

Effective date—2022 c 186: See note following RCW 47.01.071.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.415 Motor vehicle weight fee, motor home vehicle weight fee—Disposition. (1) The motor vehicle weight fee imposed under RCW 46.17.365(1) must be deposited every July 1st as follows:

(a) Three million dollars to the freight mobility multimodal account created in RCW 46.68.310; and

(b) The remainder to the multimodal transportation account created in RCW 47.66.070.

(2) The motor vehicle weight fee:

(a) Must be used for transportation purposes;

(b) May not be used for the general support of state government; and

(c) Is imposed to provide funds to mitigate the impact of vehicle loads on the state roads and highways and is separate and distinct from other vehicle license fees. Proceeds from the fee may be used for transportation purposes, or for facilities and activities that reduce the number of vehicles or load weights on the state roads and highways.

(3) The motor home vehicle weight fee imposed under RCW 46.17.365(2) must be deposited in the multimodal transportation account created in RCW 47.66.070. [2010 c 161 s 813.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.420 Special license plate fees by account—

Disposition. (1) The department shall:

(a) Collect special license plate fees established under RCW 46.17.220;

(b) Deduct an amount not to exceed twelve dollars for initial issue and two dollars for renewal issue for administration and collection expenses incurred by it; and

(c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.

(2) The state treasurer shall credit the proceeds to the motor vehicle fund until the department determines that the state has been reimbursed for the cost of implementing the special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining special license plate fee amounts for each special license plate to the following appropriate account as created in this section in the custody of the state treasurer:

ACCOUNT	CONDITIONS FOR USE OF FUNDS
4-H programs	Support Washington 4-H programs
Fred Hutch	Support cancer research at the Fred Hutchinson cancer research center
Gonzaga University alumni association	Scholarship funds to needy and qualified students attending or planning to attend Gonzaga University
Helping kids speak	Provide free diagnostic and therapeutic services to families of children who suffer from a delay in language or speech development
Law enforcement memorial	Provide support and assistance to survivors and families of law enforcement officers in Washington killed in the line of duty and to organize, finance, fund, construct, utilize, and maintain a memorial on the state capitol grounds to honor those fallen officers

Lighthouse environmental programs	Support selected Washington state lighthouses that are accessible to the public and staffed by volunteers; provide environmental education programs; provide grants for other Washington lighthouses to assist in funding infrastructure preservation and restoration; encourage and support interpretive programs by lighthouse docents
Music matters awareness	Promote music education in schools throughout Washington
Patches pal, or alternative name as designated by the department under RCW 46.04.383	Provide funds to the Seattle children's hospital strong against cancer program
San Juan Islands programs	Provide funds to the Madrona institute
Seattle Mariners	Provide funds to the sports mentoring program and to support the Washington world fellows program in the following manner: (a) Seventy-five percent to the Washington state leadership board solely to administer the sports mentoring program established under RCW 43.388.040, to encourage youth who have economic needs or face adversities to experience spectator sports or get involved in youth sports, and (b) up to twenty-five percent to the Washington state leadership board solely to administer the Washington world fellows program, an equity focused program
Seattle NHL hockey	Provide funds to the NHL Seattle foundation and to support the boundless Washington program in the following manner: (a) Fifty percent to the NHL Seattle foundation, or its successor organization, to help marginalized youth succeed in life through increased access to sports and other opportunities; (b) twenty-five percent to the Washington state leadership board solely to administer the boundless Washington program to facilitate opportunities for young people with physical and sensory disabilities to enjoy and experience the outdoors; and (c) twenty-five percent to the NHL Seattle foundation, or its successor organization, for providing financial support to allow youth to participate in hockey
Seattle Seahawks	Provide funds to InvestED and to support the Washington world fellows program in the following manner: (a) Seventy-five percent, to InvestED, to encourage secondary students who have economic needs to stay in school, return to school, or get involved within their learning community; and (b) twenty-five percent to the Washington state leadership board solely to administer the Washington world fellows program, including the provision of fellowships

Seattle Sounders FC	Provide funds to Washington state mentors and the Washington state leadership board in the following manner: (a) Seventy percent and the remaining proceeds, if any, to Washington state mentors, to increase the number of mentors in the state by offering mentoring grants throughout Washington state that foster positive youth development and academic success, with up to twenty percent of these proceeds authorized for program administration costs; and (b) up to thirty percent, not to exceed forty-thousand dollars annually as adjusted for inflation by the office of financial management, to the Washington state leadership board, to develop Washington state educational, veterans, international relations, and civics projects and to recognize the outstanding public service of individuals or groups in the state of Washington
Seattle Storm	Provide funds to the Washington state legislative youth advisory council and the Washington state leadership board in the following manner: Twenty-five thousand dollars per year of the net proceeds to the legislative youth advisory council, or its successor organization; and the remaining net proceeds on an annual basis, to the Washington state leadership board for the purpose of providing grants to support and enhance athletic, recreational, and other opportunities for women and girls, and especially those with disabilities
Seattle University	Fund scholarships for students attending or planning to attend Seattle University
Share the road	Promote bicycle safety and awareness education in communities throughout Washington
Ski & ride Washington	Promote winter snowsports, such as skiing and snowboarding, and related programs, such as ski and ride safety programs, underprivileged youth ski and ride programs, and active, healthy lifestyle programs
State flower	Support Meerkerk Rhododendron Gardens and provide for grants to other qualified nonprofit organizations' efforts to preserve rhododendrons
Volunteer firefighters	Receive and disseminate funds for purposes on behalf of volunteer firefighters, their families, and others deemed in need
Washington apples	Provide scholarship funding to the tree fruit industry's official charity, the Washington apple education foundation, which provides financial support, professional employment preparedness training, and mentorship to students with ties to the apple industry pursuing a higher education
Washington farmers and ranchers	Provide funds to the Washington FFA Foundation for educational programs in Washington state

Washington state aviation	Provide funds to the department of transportation to support infrastructure improvements at public use airports in Washington state
Washington state council of firefighters benevolent fund	Receive and disseminate funds for charitable purposes on behalf of members of the Washington state council of firefighters, their families, and others deemed in need
Washington state wrestling	Provide funds to the Washington state wrestling foundation to fund new and existing college wrestling programs
Washington tennis	Provide funds to cities to assist in the construction and maintenance of a public tennis facility with at least four indoor tennis courts. A city is eligible for construction funds if the city does not already have a public or private facility with at least four indoor tennis courts. Funds for construction must first be made available to the most populous eligible city, according to the most recent census, for a time period not to exceed five years after January 1, 2017. After the five-year time period, the funds for construction must be made available to the next most populous eligible city. Funds for the maintenance of a public tennis facility with at least four indoor tennis courts must first be made available to the first eligible city that utilizes funds for construction provided by chapter 16, Laws of 2016
Washington wine	Provide funds to the state of Washington tourism to promote tourism throughout Washington state
Washington's national park fund	Build awareness of Washington's national parks and support priority park programs and projects in Washington's national parks, such as enhancing visitor experience, promoting volunteerism, engaging communities, and providing educational opportunities related to Washington's national parks
We love our pets	Support and enable the Washington federation of animal welfare and control agencies to promote and perform spay/neuter surgery of Washington state pets in order to reduce pet population

(3) Except as otherwise provided in this section, only the director or the director's designee may authorize expenditures from the accounts described in subsection (2) of this section. The accounts are subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(4) Except as otherwise provided in this section, funds in the special license plate accounts described in subsection (2) of this section must be disbursed subject to the conditions described in subsection (2) of this section and under contract between the department and qualified nonprofit organizations that provide the services described in subsection (2) of this section.

(5) Funds from the Seattle Seahawks account may be provided to the Washington state leadership board solely for the purpose of administering the Washington world fellows program. Of the amounts received by the Washington state leadership board under this

subsection, at least ninety percent must be provided as fellowships under the program.

(6) Beginning January 1, 2019, funds from the Seattle Mariners account may be provided to the Washington state leadership board solely for the purpose of administering the sports mentoring program. Of the amounts received by the Washington state leadership board, at least ninety percent must be applied towards services directly provided to youth participants.

(7) For the purposes of this section, a "qualified nonprofit organization" means a not-for-profit corporation operating in Washington that has received a determination of tax exempt status under 26 U.S.C. Sec. 501(c)(3). The qualified nonprofit organization must meet all the requirements under RCW 46.18.100(1). [2022 c 239 s 3; 2022 c 117 s 3; 2022 c 96 s 4. Prior: 2020 c 129 s 3; 2020 c 93 s 3; prior: 2019 c 384 s 3; 2019 c 177 s 3; 2018 c 67 s 2; prior: 2017 c 25 s 3; 2017 c 11 s 4; prior: 2016 c 36 s 3; 2016 c 16 s 3; 2016 c 15 s 3; 2014 c 6 s 3; 2013 c 286 s 3; 2012 c 65 s 5; prior: 2011 c 229 s 4; 2011 c 225 s 3; 2011 c 171 s 87; 2010 c 161 s 809.]

Reviser's note: This section was amended by 2022 c 96 s 4, 2022 c 117 s 3, and by 2022 c 239 s 3, without reference to one another. All amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2022 c 239: See note following RCW 46.17.220.

Effective date—2022 c 117: See note following RCW 46.17.220.

Findings—Effective date—2022 c 96: See notes following RCW 43.388.010.

Effective date—2020 c 129: See note following RCW 46.17.220.

Effective date—2020 c 93: See note following RCW 46.18.200.

Effective date—2019 c 384: See note following RCW 46.18.200.

Effective date—2019 c 177: See note following RCW 46.18.200.

Effective date—2017 c 25: See note following RCW 46.18.200.

Finding—Intent—2017 c 11: See note following RCW 46.18.200.

Effective date—2016 c 36: See note following RCW 46.18.200.

Effective date—2016 c 16: See note following RCW 46.18.200.

Effective date—2016 c 15: See note following RCW 46.18.200.

Effective date—2014 c 6: See note following RCW 46.18.200.

Effective date—2013 c 286: See note following RCW 46.18.200.

Effective date—2012 c 65: See note following RCW 46.18.200.

Effective date—2011 c 229: See note following RCW 46.18.200.

Effective date—2011 c 225: See note following RCW 46.18.200.

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.425 Special license plate fees by plate type—Disposition. (1) The department shall:

(a) Collect special license plate fees established under RCW 46.17.220;

(b) Deduct an amount not to exceed twelve dollars for initial issue and two dollars for renewal issue for administration and collection expenses incurred by it; and

(c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.

(2) The state treasurer shall credit the proceeds to the motor vehicle fund until the department determines that the state has been reimbursed for the cost of implementing the special license plate. Upon determination by the department that the state has been reimbursed, the state treasurer shall credit the remaining special license plate fees to the following accounts by special license plate type:

SPECIAL LICENSE PLATE TYPE	ACCOUNT	CONDITIONS FOR USE OF FUNDS
Armed forces	RCW 43.60A.140	As specified in RCW 43.60A.140(4)
Breast cancer awareness	RCW 43.70.327	Must be used only by the department of health for efforts consistent with the breast, cervical, and colon health program
Endangered wildlife	RCW 77.12.170	Must be used only for the department of fish and wildlife's endangered wildlife program activities
Keep kids safe	RCW 43.121.100	As specified in RCW 43.121.100
Purple Heart	RCW 43.60A.140	As specified in RCW 43.60A.140(4)
Washington state parks	RCW 79A.05.059	Provide public educational opportunities and enhancement of Washington state parks
Washington's fish collection	RCW 77.12.170	Only for the department of fish and wildlife's use to support steelhead species management activities including, but not limited to, activities supporting conservation, recovery, and research to promote healthy, fishable steelhead

SPECIAL LICENSE PLATE TYPE	ACCOUNT	CONDITIONS FOR USE OF FUNDS
Washington's wildlife collection	RCW 77.12.170	Only for the department of fish and wildlife's game species management activities
Wild on Washington	RCW 77.12.170	Dedicated to the department of fish and wildlife's watchable wildlife activities, as defined in RCW 77.32.560

[2016 c 31 s 3; 2016 c 30 s 4; 2014 c 77 s 3; 2011 c 171 s 88; 2010 c 161 s 810.]

Reviser's note: This section was amended by 2016 c 30 s 4 and by 2016 c 31 s 3, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2016 c 31: See note following RCW 46.18.280.

Effective date—2016 c 30: See note following RCW 46.18.200.

Effective date—2014 c 77: See note following RCW 46.18.200.

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.430 Special license plate fees by plate type—Collegiate license plates—Disposition. (1) The department shall:
 (a) Collect special license plates fees established under RCW 46.17.220(6);

(b) Deduct an amount not to exceed twelve dollars for initial issue and two dollars for renewal issue for administration and collection expenses incurred by it; and

(c) Remit the remaining proceeds to the custody of the state treasurer with a proper identifying detailed report.

(2) The state treasurer shall credit the remaining special license plate fees to the following accounts by special license plate type:

SPECIAL LICENSE PLATE TYPE	ACCOUNT	PURPOSE
Collegiate	RCW 28B.10.890	Student scholarships

[2018 c 67 s 6; 2010 c 161 s 811.]

Effective date—2018 c 67 ss 3-8: See note following RCW 43.388.040.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.435 Personalized license plate fees—Disposition. (1) All revenue derived from personalized license plate fees provided for in RCW 46.17.210 must be forwarded to the state treasurer and deposited as follows:

(a) Ten dollars to the limited fish and wildlife account and used for the management of resources associated with the nonconsumptive use of wildlife;

(b) Two dollars to the wildlife rehabilitation account created under RCW 77.12.471; and

(c) The remainder to the limited fish and wildlife account to be used for the preservation, protection, perpetuation, and enhancement of nongame species of wildlife including, but not limited to, song birds, raptors, protected wildlife, rare and endangered wildlife, aquatic life, and specialized-habitat types, both terrestrial and aquatic, as well as all unclassified marine fish, shellfish, and marine invertebrates.

(2) Administrative costs incurred by the department as a direct result of administering the personalized license plate program must be appropriated by the legislature from the limited fish and wildlife account from those funds deposited in the account resulting from the sale of personalized license plates. If the actual costs incurred by the department are less than that which has been appropriated by the legislature, the remainder must revert to the limited fish and wildlife account. [2020 c 148 s 4; 2010 c 161 s 821.]

Intent—Effective date—2020 c 148: See notes following RCW 77.12.170.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.440 Emergency medical services fee—Distribution. The emergency medical services fee imposed under RCW 46.17.110 must be distributed as follows:

(1) If collected by a vehicle dealer, the vehicle dealer must keep two dollars and fifty cents as an administrative fee and the remainder must be deposited in the emergency medical services and trauma care system trust account created in RCW 70.168.040; and

(2) If not collected by a vehicle dealer, the fee must be deposited in the emergency medical services and trauma care system trust account created in RCW 70.168.040. [2010 c 161 s 820.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.445 Parking ticket surcharge—Distribution. The parking ticket surcharge imposed under RCW 46.17.030 must be distributed as follows:

(1) Ten dollars to the motor vehicle fund created in RCW 46.68.070 to be used exclusively for the administrative costs of the department; and

(2) Five dollars to be retained by the department, county auditor or other agent, or subagent appointed by the director handling the renewal application to be used for the administration of the parking ticket program. [2010 c 161 s 816.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.450 Department temporary license plate fee—Distribution. The department temporary license plate fee imposed under RCW 46.17.400(1)(b) must be distributed as follows:

(1) If collected by the department, the fee must be distributed under RCW 46.68.030; and

(2) If collected by the county auditor or other agent or subagent, the fee must be distributed to the county current expense fund. [2022 c 132 s 7; 2010 c 161 s 814.]

Effective date—2022 c 132: See note following RCW 46.04.2701.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session—2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.455 Vehicle trip permit fee—Distribution. The vehicle trip permit fee imposed under RCW 46.17.400(1)(h) must be distributed as follows:

(1) Five dollars to the state patrol highway account for commercial motor vehicle inspections;

(2) Five dollars to the motor vehicle fund created in RCW 46.68.070 to be distributed as follows:

(a) If paid by motor carriers, to be used for supporting vehicle weigh stations, weigh-in-motion programs, and the commercial vehicle information systems and networks programs; and

(b) If paid by a person other than a motor carrier, to be used for supporting congestion relief programs;

(3) A one dollar excise tax to the state general fund;

(4) The amount of the filing fee imposed under RCW 46.17.005(1) to be credited as required under RCW 46.68.400; and

(5) The remainder to the credit of the motor vehicle fund created in RCW 46.68.070 as an administrative fee.

The administrative fee must be increased or decreased in an equal amount if the amount of the filing fee imposed under RCW 46.17.005(1) increases or decreases, so that the total trip permit fee is adjusted equally to compensate. [2011 c 171 s 89; 2010 c 161 s 815.]

Intent—Effective date—2011 c 171: See notes following RCW 4.24.210.

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session —2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.460 Special fuel trip permit fee—Distribution. The special fuel trip permit fee imposed under RCW 46.17.400(1)(f) for special fuel trip permits issued under RCW 82.38.100 must be distributed as follows:

(1) One dollar to be retained by the county auditor or businesses appointed by the department to defray expenses incurred in handling and selling special fuel trip permits;

(2) Five dollars to the state patrol highway account to be used for commercial motor vehicle inspections;

(3) Five dollars to the motor vehicle fund to be distributed as follows:

(a) If paid by motor carriers, to be used for supporting vehicle weigh stations, weigh-in-motion programs, and the commercial vehicle information systems and networks program;

(b) If paid by a person other than a motor carrier, to be used for supporting congestion relief programs; and

(4) Nineteen dollars to the credit of the motor vehicle fund created in RCW 46.68.070. [2010 c 161 s 817.]

Effective date—Intent—Legislation to reconcile chapter 161, Laws of 2010 and other amendments made during the 2010 legislative session —2010 c 161: See notes following RCW 46.04.013.

RCW 46.68.470 Congestion reduction charges—Contracts. Whenever the department enters into a contract with the governing body of a county that has assumed the rights, powers, functions, and obligations of a metropolitan municipal corporation under chapter 36.56 RCW and is operating a public transportation system for the collection of congestion reduction charges authorized under *RCW 82.80.055:

(1) The contract must require that the governing body provide any information specified by the department to identify the vehicle owners who owe the congestion reduction charges, and must specify that it is the responsibility of the governing body to ensure that the congestion reduction charges are appropriately applied;

(2) The department is not responsible for the collection of congestion reduction charges until a date agreed to by both parties as specified in the contract;

(3) The department shall deduct a percentage amount as provided in the contract, not to exceed three percent of the charges collected, necessary to reimburse the department for the costs incurred for the collection of the congestion reduction charges; and

(4) The department shall remit remaining proceeds to the custody of the state treasurer. The state treasurer shall distribute the proceeds to the governing body on a monthly basis. [2011 c 373 s 3.]

***Reviser's note:** RCW 82.80.055 expired December 31, 2014.

Intent—2011 c 373: "The legislature recognizes that public transportation provides many benefits to the citizens of the state and the environment, including through public transportation's ability to

alleviate congestion and offset the burdens placed by general vehicular traffic on the state's transportation infrastructure. In these challenging economic times, many transit agencies find themselves struggling to continue to provide a level of service that reduces congestion.

The legislature further recognizes that King county conducted a regional transit task force in 2010 that considered a policy framework for the potential future growth and, if necessary, contraction of King county's transit system. The task force members were selected to represent a broad diversity of interests and perspectives. The task force recommendations, which were unanimously accepted, addressed key elements, such as the adoption of performance measures, controlling operating costs, developing policy guidance for making service reductions, and clear and transparent guidelines for service allocation. As a result of the work done by the task force and King county's commitment to comply with the recommendations, it is the intent of the legislature that King county be provided the opportunity to impose a temporary congestion reduction charge, which is separate and distinct from the base motor vehicle license fee, that can help address its revenue shortfalls during this economic crisis and allow it to continue reducing congestion and the corresponding burdens placed on the highway system on some of the state's most crowded corridors.

The legislature recognizes that the title of Initiative Measure No. 1053 states that it applies only to tax and fee increases imposed by state government, and that the text of the initiative requires a two-thirds majority only for tax increases. The legislature further recognizes that Initiative Measure No. 1053 does not apply to local government. Despite these facts, this act requires a two-thirds majority of the metropolitan King county council in order to implement a local option fee, in the form of a congestion reduction charge, to help fund King county metro transit service. Faced with the potential loss of hundreds of thousands of hours of vital transit service, it is the intent of the legislature to provide King county with this temporary local option funding mechanism. It is further the intent of the legislature not to expand the parameters of Initiative Measure No. 1053 beyond what the voters intended and thus interfere with local control or limit the ability of local governments to provide services to the people of Washington." [2011 c 373 s 1.]

RCW 46.68.480 Cooper Jones active transportation safety account.

The Cooper Jones active transportation safety account is created in the state treasury. All receipts from penalties collected under RCW 46.63.220(13)(c) and funds designated by the legislature shall be deposited into the account. Expenditures from the account may be used only to fund grant projects or programs for bicycle, pedestrian, and nonmotorist safety improvement administered by the Washington traffic safety commission. By December 1, 2024, and every two years thereafter, the commission shall report to the transportation committees of the legislature regarding the activities funded from the account. The account is subject to allotment procedures under chapter 43.88 RCW. Moneys in the account may be spent only after appropriation. [2024 c 307 s 11; 2023 c 431 s 8; 2022 c 182 s 430; 2020 c 224 s 2.]

Intent—2023 c 431: See note following RCW 46.17.015.

Intent—Effective date—2022 c 182: See notes following RCW 70A.65.240.

RCW 46.68.490 Climate active transportation account. (1) The climate active transportation account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the following active transportation grant programs: Safe routes to schools, school-based bike program, bicycle and pedestrian grant program, complete streets grants program, and connecting communities grant program, as well as pedestrian and bicycle or other active transportation projects identified in an omnibus transportation appropriations act as move ahead WA projects.

(2) Beginning July 1, 2023, the state treasurer shall annually transfer 24 percent of the revenues accruing annually to the carbon emissions reduction account created in RCW 70A.65.240 to the climate active transportation account. This subsection does not apply during the 2023-2025 fiscal biennium. [2023 c 472 s 711; 2022 c 182 s 102.]

Effective date—2023 c 472: See note following RCW 43.19.642.

Intent—Effective date—2022 c 182: See notes following RCW 70A.65.240.

RCW 46.68.500 Climate transit programs account. (1) The climate transit programs account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the following transit grant programs: Transit support grant program, tribal transit mobility grants, transit coordination grants, special needs transit grants, bus and bus facility grant program, green transit grants, and transportation demand management grants, as well as transit projects identified in an omnibus transportation appropriations act as move ahead WA projects.

(2) Beginning July 1, 2023, the state treasurer shall annually transfer 56 percent of the revenues accruing annually to the carbon emissions reduction account created in RCW 70A.65.240 to the climate transit programs account. This subsection does not apply during the 2023-2025 fiscal biennium. [2023 c 472 s 712; 2022 c 182 s 103.]

Effective date—2023 c 472: See note following RCW 43.19.642.

Intent—Effective date—2022 c 182: See notes following RCW 70A.65.240.

RCW 46.68.510 Move ahead WA account. The move ahead WA account is created in the motor vehicle fund. Moneys in the account may be spent only after appropriation. Expenditures from the account must be used only for projects or improvements identified as move ahead WA projects or improvements in an omnibus transportation appropriations act, including any principal and interest on bonds authorized for the

projects or improvements. During the 2023-2025 fiscal biennium, the legislature may direct the state treasurer to make transfers of moneys from the move ahead WA account to the motor vehicle fund. [2024 c 310 s 605; 2022 c 182 s 401.]

Effective date—2024 c 310: See note following RCW 14.40.020.

Intent—Effective date—2022 c 182: See notes following RCW 70A.65.240.

RCW 46.68.520 Move ahead WA flexible account. The move ahead WA flexible account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for transportation projects, programs, or activities identified as move ahead WA projects, programs, or activities in an omnibus transportation appropriations act. [2022 c 182 s 402.]

Intent—Effective date—2022 c 182: See notes following RCW 70A.65.240.