

Initiative Measure No. 1186

filed 1/6/2012

1 **Bring Back Our \$30 Car Tabs**

2 AN ACT Relating to limiting government-imposed charges relating
3 to motor vehicles; amending RCW 46.17.355, 46.16.233, and 81.104.160;
4 adding new sections to chapter 46.17 RCW; adding a new section to
5 chapter 81.112 RCW; repealing RCW 46.17.010 and 46.17.020; and
6 creating new sections.

7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

8
9 **POLICIES AND PURPOSES**

10
11 NEW SECTION. **Sec. 1.** Vehicle owners have a right to \$30 tabs.
12 Voters have repeatedly approved \$30 tabs, yet state and local
13 politicians continually ignore the voters' repeated, unambiguous
14 mandate by unilaterally imposing higher and higher vehicle taxes and
15 fees to get around the voters' clear intent. \$30 means \$30. This
16 measure limits various government-imposed charges relating to motor
17 vehicles and requires voter approval for anything higher.

18
19 **CAPPING MANDATORY VEHICLE LICENSE TAB FEES AT \$30 PER YEAR**
20 **(DOESN'T INCLUDE VOTER-APPROVED TAXES AND VOLUNTARY FEES)**
21

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 46.17
2 RCW to read as follows:

3 Mandatory vehicle license tab fees may not exceed \$30 per year
4 for motor vehicles, regardless of year, value, make, or model,
5 subject to the requirements of RCW 46.17.350. No vehicle owner is
6 legally obligated to pay more than \$30 per year for the sum of state
7 and local taxes and fees that make up the combined mandatory vehicle
8 license tab fee paid at the time of licensing or renewal.

9 (1) For purposes of this chapter, "mandatory vehicle license
10 tab fees" do not include:

11 (a) Voter-approved taxes; and

12 (b) Voluntary state and local fees such as the extra fees for
13 specialized license plates.

14 In any jurisdiction which imposes a nonvoter-approved vehicle
15 fee, such as a transportation benefit district under RCW 36.73.065
16 or 82.80.140, the \$30 mandatory vehicle license tab fee required by
17 this section shall be reduced by the amount of any nonvoter-approved
18 vehicle fee.

19
20 **Sec. 3.** RCW 46.17.355 and 2011 c 171 s 61 are each amended to
21 read as follows:

22 (1) In lieu of the vehicle license fee required under RCW
23 46.17.350 and before accepting an application for a vehicle
24 registration for motor vehicles described in RCW 46.16A.455, the
25 department, county auditor or other agent, or subagent appointed by
26 the director shall require the applicant, unless specifically
27 exempt, to pay the following license fee by gross weight:

WEIGHT	SCHEDULE A	SCHEDULE B
((4,000 lbs.))	\$ ((38.00))	\$ ((38.00))
<u>4,000 lbs.</u>	<u>30.00</u>	<u>30.00</u>
((6,000 lbs.))	\$ ((48.00))	\$ ((48.00))
<u>6,000 lbs.</u>	<u>30.00</u>	<u>30.00</u>
((8,000 lbs.))	\$ ((58.00))	\$ ((58.00))
<u>8,000 lbs.</u>	<u>30.00</u>	<u>30.00</u>
((10,000 lbs.))	\$ ((60.00))	\$ ((60.00))
<u>10,000 lbs.</u>	<u>30.00</u>	<u>30.00</u>
12,000 lbs.	77.00	77.00
14,000 lbs.	88.00	88.00
16,000 lbs.	100.00	100.00
18,000 lbs.	152.00	152.00
20,000 lbs.	169.00	169.00
22,000 lbs.	183.00	183.00
24,000 lbs.	198.00	198.00
26,000 lbs.	209.00	209.00
28,000 lbs.	247.00	247.00
30,000 lbs.	285.00	285.00
32,000 lbs.	344.00	344.00
34,000 lbs.	366.00	366.00
36,000 lbs.	397.00	397.00
38,000 lbs.	436.00	436.00
40,000 lbs.	499.00	499.00
42,000 lbs.	519.00	609.00
44,000 lbs.	530.00	620.00
46,000 lbs.	570.00	660.00
48,000 lbs.	594.00	684.00
50,000 lbs.	645.00	735.00
52,000 lbs.	678.00	768.00
54,000 lbs.	732.00	822.00
56,000 lbs.	773.00	863.00
58,000 lbs.	804.00	894.00
60,000 lbs.	857.00	947.00
62,000 lbs.	919.00	1,009.00
64,000 lbs.	939.00	1,029.00
66,000 lbs.	1046.00	1,136.00
68,000 lbs.	1091.00	1,181.00
70,000 lbs.	1175.00	1,265.00
72,000 lbs.	1257.00	1,347.00
74,000 lbs.	1366.00	1,456.00
76,000 lbs.	1476.00	1,566.00
78,000 lbs.	1612.00	1,702.00
80,000 lbs.	1740.00	1,830.00
82,000 lbs.	1861.00	1,951.00
84,000 lbs.	1981.00	2,071.00
86,000 lbs.	2102.00	2,192.00
88,000 lbs.	2223.00	2,313.00
90,000 lbs.	2344.00	2,434.00
92,000 lbs.	2464.00	2,554.00
94,000 lbs.	2585.00	2,675.00
96,000 lbs.	2706.00	2,796.00
98,000 lbs.	2827.00	2,917.00

100,000 lbs.	2947.00	3,037.00
102,000 lbs.	3068.00	3,158.00
104,000 lbs.	3189.00	3,279.00
105,500 lbs.	3310.00	3,400.00

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The license fees provided in subsection (1) of this section are (~~in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law~~) subject to the requirements of section 2 of this act.

(5) The license fee based on declared gross weight as provided in subsection (1) of this section must be distributed under RCW 46.68.035.

NEW SECTION. **Sec. 4.** The following acts or parts of acts are each repealed:

(1) RCW 46.17.010 (Vehicle weight fee--Motor vehicles, except motor homes) and 2006 c 337 s 9 & 2005 c 314 s 201; and

(2) RCW 46.17.020 (Vehicle weight fee--Motor homes) and 2005 c 314 s 202.

Sec. 5. RCW 46.16.233 and 2003 c 361 s 501 and 2003 c 196 s 401 are each reenacted and amended to read as follows:

(1) Except for those license plates issued under RCW 46.16.305(1) before January 1, 1987, under RCW 46.16.305(3), and to commercial vehicles with a gross weight in excess of twenty-six thousand pounds, effective with vehicle registrations due or to become due on January 1, 2001, the appearance of the background of all vehicle license plates may vary in color and design but must be legible and clearly identifiable as a Washington state license plate, as designated by the department. Additionally, to ensure maximum legibility and reflectivity, the department shall

periodically provide for the replacement of license plates, except for commercial vehicles with a gross weight in excess of twenty-six thousand pounds. Frequency of replacement shall be established in accordance with empirical studies documenting the longevity of the reflective materials used to make license plates.

(2) Special license plate series approved by the special license plate review board created under RCW 46.16.705 and enacted by the legislature may display a symbol or artwork approved by the special license plate review board.

(3) By November 1, 2003, in providing for the periodic replacement of license plates, the department shall offer to vehicle owners the option of retaining their current license plate numbers. The department shall not charge a retention fee (~~(of twenty dollars)~~) if this option is exercised. (~~(Revenue generated from the retention fee must be deposited into the multimodal transportation account.)~~)

Sec. 6. RCW 81.104.160 and 2009 c 280 s 4 are each amended to read as follows:

An agency and high capacity transportation corridor area may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the applicable jurisdiction that are taxable by the state under chapters 82.08 and 82.12 RCW. The rate of tax shall not exceed 2.172 percent. The base of the tax shall be the selling price in the case of a sales tax or the rental value of the vehicle used in the case of a use tax.

Any motor vehicle excise tax (~~(previously)~~) imposed under (~~(the provisions of RCW 81.104.160(1) shall be repealed, terminated and expire on December 5, 2002)~~) any previously existing version of this section is discontinued as provided in section 7 of this act.

NEW SECTION. **Sec. 7.** A new section is added to chapter 81.112 RCW to read as follows:

An authority must fully retire or defease any outstanding bonds by March 31, 2013, if: (1) The bonds have pledged the motor vehicle excise tax imposed under a previously existing version of RCW 81.104.160; and (2) the bonds, by virtue of the terms of the bond contract, covenants, or similar terms, may be defeased or retired early at the authority's discretion. To defease the outstanding bonds, the authority must set aside with a trustee or escrow agent and pledge for that purpose cash and/or nonmalleable government obligations sufficient to redeem and retire such bonds. The authority may use funds from the sale or liquidation of liquid assets, including cash reserves and short term investments and securities, and, if necessary, the sale of other assets. The pledged motor vehicle excise tax shall not be collected after March 31, 2013, or the date the bonds have been fully retired or defeased, whichever occurs first.

THE RIGHT TO VOTE

Sec. 8. A new section to chapter 46.17 RCW is added and reads as follows:

Any increase in government-imposed charges relating to motor vehicles may not take effect unless voters approve the increase at an election.

MISCELLANEOUS

NEW SECTION. **Sec. 8.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. **Sec. 9.** 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.

NEW SECTION. **Sec. 10.** This act is called the "Bring Back Our \$30 Car Tabs Act."

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