

ORDINANCE NO. 01-17

AN ORDINANCE of the Richland Transportation Benefit District Establishing and Imposing \$20 of the Vehicle License Fee Authorized in RCW 36.73.065 and RCW 82.80.140, and fixing a time when the same shall be collected.

WHEREAS, Chapter 36.73 RCW and RCW 35.21.255 authorize the City Council to establish a transportation benefit district within the City's jurisdiction for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, the City Council of the City of Richland found it to be in the best interest of the City to establish a citywide Transportation Benefit District for the preservation and maintenance of the City's streets and related infrastructure consistent with Chapter 36.73 RCW, to protect the City's long term investments in that infrastructure, to reduce the risk of transportation facility failures and improve safety, to continue optimal performance of the infrastructure over time, to avoid more expensive infrastructure replacements in the future and to provide construction funding for the Duportail Bridge; and

WHEREAS, in Ordinance No. 02-17, the City Council of the City of Richland established a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the provisions of RCW 36.73; and

WHEREAS, the Transportation Benefit District includes the entire City of Richland as the boundaries currently exist or as they may be extended by annexation; and

WHEREAS, pursuant to RCW 36.73.030(3), the members of the Richland City Council, acting *ex officio* and independently, constitute the governing body of the Richland Transportation Benefit District; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose, by majority vote of the district's governing board, up to \$20 of the vehicle fee authorized in RCW 82.80.140; and

WHEREAS, the Board of the Richland Transportation Benefit District finds it in the best interest of the District to establish an annual vehicle fee in the amount of \$20 for the purpose of providing adequate levels of funding for completion of the Duportail Bridge as identified in Richland's 2017-2022 Transportation Improvement Program (TIP), and for the Pavement Preservation Program, the objective of which is to preserve and maintain the transportation infrastructure of the City of Richland, consistent with Chapter 36.73 RCW.

NOW, THEREFORE, BE IT ORDAINED by the Board of the Richland Transportation Benefit District, as follows:

Section 1. Establishment of Annual Vehicle Fee. In accordance with the authority granted to the District by RCW 82.80.140 and RCW 36.73.065, as now exist or as hereafter amended, the Richland Transportation Benefit District establishes and imposes an annual vehicle fee in the amount of twenty dollars per vehicle registered in the district, for each vehicle subject to license tab fees under RCW 46.16.0621, as now exists or as hereafter amended, and for each vehicle subject to gross weight fees under RCW 46.16.070, as now exists or as hereafter amended, with an unladen weight of six thousand pounds or less. The annual vehicle fee shall be collected by the Washington Department of Licensing on qualifying vehicles, as set forth in RCW 82.80.140, as now exists or as hereafter amended, and Chapters 36.73 and 46.16 RCW, as now exist or as hereafter amended.

Section 2. Effective Date of Fee Collection. The vehicle fee shall take effect for notices mailed in 2017 for vehicle license renewals due on or after January 1, 2018, or as soon thereafter as the Washington Department of Licensing is reasonably able to incorporate collection of the \$20.00 fee. Vehicle license fees will not be collected sooner than six (6) months after approval of this ordinance as provided in RCW 82.80.140(4), as written or hereafter amended. The vehicle license fee shall be collected during the term of the existence of the District as set forth in City of Richland Ordinance 02-17, or as subsequently amended. The vehicle license fee shall cease to be collected upon dissolution of the District.

Section 3. Notification to Department of Licensing. The City Clerk, serving as the Richland Transportation Benefit District Board Clerk, is directed to notify the Washington State Department of Licensing (DOL) of the vehicle fee established in Section 1 of this ordinance, and to request that DOL take all steps necessary to implement collection of this fee in accordance with RCW 82.80.140.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the Richland Transportation Benefit District at a regular meeting on the 2nd day of May, 2017.



ROBERT J. THOMPSON
Board Chair

ATTEST:



MARCIA HOPKINS
Board Clerk

APPROVED AS TO FORM:



HEATHER KINTZLEY
Attorney for the Richland TBD

Date Published: May 7, 2017