

Legislation Text

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Clerk 07/18/2011

AN ORDINANCE directing the submission to the qualified voters of King County of a proposition approving a two-year congestion reduction charge of twenty dollars on vehicle registration renewals in King County for operations of the King County Metro public transportation system so the system can continue to play a critical role in reducing the region's traffic congestion; appointing a committee to write the voters' pamphlet statement for the November 8, 2011, general election; and imposing the charge subject to voter approval.

STATEMENT OF FACTS:

1. The 2011 Washington state Legislature adopted Engrossed Substitute Senate Bill 5457, which became Chapter 373, Laws of Washington 2011, which amends chapter 82.80 RCW, to provide the King County council authority to submit to the voters for approval a temporary two-year congestion reduction charge of twenty dollars on vehicle registration renewals to allow Metro transit to continue to provide the current level of transit service that helps reduce congestion and the corresponding burdens placed on local roads and highways.
2. Approval of the congestion reduction charge would enable Metro transit to reduce congestion by avoiding net transit service cuts in the 2012-2013 biennium that could result in the loss of an estimated nine million passenger trips annually and lead to an associated increase in traffic congestion.
3. Proceeds from the charge would reduce congestion by enabling Metro transit to maintain

service at current levels. The proceeds from this temporary charge will also allow the county and Metro transit to avoid future service cuts that would lead to increased congestion by working with other transit agencies, regional leaders and the Washington state Legislature to craft a long-term funding solution for transit and other local and state-wide transportation needs.

4. Sustaining current levels of bus service is particularly important now to help people cope with high gas prices, to keep congestion in check as the Alaskan Way Viaduct and State Route 520 bridge replacement projects are underway, and to get people to jobs as the region's economy continues to recover.

5. Approval of the congestion reduction charge is consistent with the King County Strategic Plan Economic Growth and Built Environment goal to encourage a growing and diverse King County economy and vibrant, thriving and sustainable communities, specifically with regard to the objective to meet the growing need for transportation services and facilities throughout the county.

6. The temporary congestion reduction charge would supplement the many actions Metro transit has taken over the past three years to manage the unprecedented financial challenges resulting from the recession. Metro transit began to address its sharply falling sales tax revenue in the 2009 supplemental budget, and is following the nine-point deficit reduction plan adopted by the council in conjunction with the 2010-2011 adopted budget, which includes:

- A. Eliminating staff positions;
- B. Deferring planned expansion of bus service;
- C. Reducing capital programs;
- D. Making non-service-related cuts;
- E. Increasing revenue through a property tax swap;
- F. Tapping into reserves;

- G. Making some bus service reductions; and
 - H. Raising fares. Passenger fares have been raised four times, by a total of eighty percent, over the past four years.
7. Metro is implementing numerous efficiency recommendations of the 2009 Performance Audit, and has negotiated new contracts with the Amalgamated Transit Union Local 587 and other transit unions that are generating significant ongoing savings and thereby helping to preserve service.
8. All of these actions are projected to generate three hundred ninety-eight million dollars between 2008 and 2011 to offset the loss of sales tax revenue.
9. Despite these sweeping reforms, Metro transit still faces a revenue gap of approximately sixty million dollars per year for 2012 through 2015 because sales tax receipts continue to be lower than projected before the recession.
10. Given this revenue gap, if the proposed temporary congestion reduction charge authorized by the Legislature is not approved Metro transit will have to cut up to six hundred thousand hours of transit service, or about seventeen percent of the current system beginning in 2012.
11. It is estimated that a reduction of six hundred thousand hours of transit service would result in a loss of nine million passenger trips annually, and lead to a corresponding increase in personal vehicle trips per year, significantly increasing congestion on our roads and highways.
12. In 2010 the council and executive convened a regional transit task force that made recommendations on a new policy framework for the future growth, and if necessary, contraction of the Metro transit system.
13. On June 15, 2011, the regional transit committee adopted the Strategic Plan for Public Transportation 2011-2021 and Metro Transit Service Guidelines, which use the recommendations of the regional transit task force as the basis for new policy guidelines to

determine the allocation of transit service additions and reductions.

14. The council has adopted a congestion reduction plan indicating the proposed expenditures of the proceeds from the congestion reduction charge. The adopted plan is consistent with the recommendations of the regional transit task force and implements the policies in the Metro Strategic Plan for Public Transportation 2011-2021.

15. In combination with the reforms already implemented, imposing the temporary congestion reduction charge will enable Metro to continue to reduce congestion by preventing a net reduction of transit service through 2013. If the temporary congestion reduction charge is not imposed, Metro transit would have to proceed with substantial service cuts during the 2012-2013 budget biennium in order to assure a financially sound future for the transit system.

16. In authorizing a temporary congestion reduction charge, the Washington state Legislature recognized the important role transit plays in fighting congestion, as well as the value of the sweeping reform measures Metro transit has implemented to address the agency's difficult financial situation.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A. In accordance with chapter 82.80 RCW, the council hereby directs the submission of a proposition to the voters substantially as set forth in section 6 of this ordinance to approve the imposition and collection of an annual congestion reduction charge of twenty dollars per vehicle registered in the boundaries of King County for each vehicle subject to vehicle license fees under RCW 46.17.350 (1) (a), (c), (d), (e), (g), (h), (j), (n), (o), (p) or (q) and for each vehicle subject to gross weight license fees under RCW 46.17.355 with an unladen weight of six thousand pounds or less.

B. The charge is imposed and applies only for vehicle registration renewals and is effective upon the registration renewal date as provided by the Department of Licensing.

C. The congestion reduction charge shall not apply to vehicles identified in Chapter 373, Laws of

Washington 2011, Section 2(6).

D. Imposition of the congestion reduction charge would expire with vehicle registrations that expire two years after the initial imposition of the charge or June 30, 2014, whichever comes first.

SECTION 2. A. If the proposition as substantially set forth in section 6 of this ordinance is approved by the voters, the congestion reduction charge set forth in section 1 of this ordinance shall be imposed on the first day of the first full month following the date that is six months after the date the election is certified. Collection of the charge shall begin on the same day.

B. The county shall enter into a contract with the Washington state Department of Licensing for collection of the congestion reduction charge as provided in chapter 82.80 RCW.

SECTION 3. In order to comply with the requirements of Chapter 373, Laws of Washington 2011, Section 2(1)(b), a congestion reduction plan indicating the proposed expenditures of the proceeds of the congestion reduction charge, if approved by the voters, has been adopted.

SECTION 4. Proceeds from the congestion reduction charge, including accrued interest, will be placed in the King County Metro public transportation enterprise fund - operating sub-fund (464) and will be used to plan for and allocate transit service hours, to fund transit service hours, and to manage the transit system. Specifically, proceeds from the congestion reduction charge will be used to fund the operational expenses necessary to provide fixed-route transit service including, but not limited to, any labor, fuel, maintenance and administrative costs related to the planning, provision and management of fixed-route service. The activities that will be funded by proceeds from the congestion reduction charge will be carried out consistent with the recommendations of the 2010 regional transit task force and the congestion reduction plan.

SECTION 5. A. If the proposition as substantially set forth in section 6 of this ordinance is approved by the voters, in order to comply with the requirements of Chapter 373, Laws of Washington 2011, Section 2(1)(d), the executive shall prepare and submit to council by July 1, 2012, a report detailing the expenditures to-date of the proceeds of the congestion reduction charge through June 1, 2012.

B. If the proposition as substantially set forth in section 6 is approved by the voters, in order to comply with the requirements of Engrossed Substitute Senate Bill 5457, Section 2(1)(e), the executive shall prepare and submit to council by June 1, 2014, a report detailing the expenditures of the proceeds of the congestion reduction charge.

SECTION 6. Pursuant to RCW 29A.04.321, it is hereby found that the proposition, substantially as hereinafter set forth, be submitted to the qualified electors of the county at a county special election to be held in conjunction with the general election on November 8, 2011. The King County director of elections is hereby requested to assume jurisdiction of and to call and conduct such election to be held within the county on said date and to submit said proposition to the qualified voters of the county at such election.

The clerk of the council is hereby authorized and directed to certify said proposition to the King County director of elections in substantially the following form:

Proposition __: The Metropolitan King County Council has passed Ordinance No. _____ concerning a congestion reduction charge. If approved, this proposition would impose for two years an annual congestion reduction charge of twenty dollars per vehicle registered in King County as provided in chapter 82.80 RCW. Proceeds from the congestion reduction charge will be used to fund transit operating expenses, including labor, fuel, maintenance and administrative costs, and will be expended in a manner consistent with the recommendations of the 2010 Regional Transit Task Force and the congestion reduction plan.

Should this proposition be:

Approved

Rejected

SECTION 7. RCW 29A.32.380 provides that for each measure from a jurisdiction that is included in a local voters' pamphlet, the legislative authority of that jurisdiction shall formally appoint a committee to prepare arguments advocating voter approval of the measure and a committee to prepare arguments advocating

voter rejection of the measure.

SECTION 8. Pursuant to RCW 29A.32.280, the following individuals are appointed to serve on the voters' pamphlet committees, each committee to write a statement for or against the proposed congestion reduction charge measure.

FOR

- 1.
- 2.
- 3.

AGAINST

- 1.
- 2.
- 3.

SECTION 9. Certification of the proposition by the clerk of the council to the King County director of elections in accordance with law before the election on November 8, 2011, and any other act consistent with the authority and before the effective date of this ordinance are hereby ratified and confirmed.

SECTION 10. The authority granted in this ordinance is supplemental to all other powers of the county and nothing in this ordinance shall be construed as limiting or restricting any powers or authority conferred upon the county by law.

SECTION 11. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to the other persons or circumstances is not affected.