

**FORMATTING NOTE:**

In initiatives, legislative bills and other proposed measures, language that is to be deleted from current statutes is represented by a "strikethrough" character and language that is to be added is underlined. Because these special characters cannot be formatted in all Internet browsers, a different set of symbols is used for presenting these proposals on-line. The symbols are as follows:

- Text that is surrounded by (({- text here -})) is text that will be DELETED FROM the existing statute if the proposed measure is approved.
- Text that is surrounded by {+ text here +} is text that will be ADDED TO the existing statute if the proposed measure is approved.
- {+ NEW SECTION+} (found at the beginning of a section or paragraph) indicates that ALL of the text in that section will become law if the proposed measure is approved.

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**INITIATIVE 247**

AN ACT Relating to imposing tolls or user fees on roads and bridges; adding a new section to chapter 47.46 RCW; adding a new section to chapter 47.56 RCW; adding a new section to chapter 47.80 RCW; creating a new section; and repealing RCW 47.58.010, 47.58.020, 47.58.030, 47.58.040, 47.58.050, 47.58.060, 47.58.070, 47.58.080, 47.58.090, 47.58.500, and 47.58.900.

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

{+ NEW SECTION. +} Sec. 1. A new section is added to chapter 47.46 RCW to read as follows:

(1) The use of tolls or user fees derived from any source for the purpose of paying the costs of capital-related improvements, operation, maintenance, upkeep, or restoration of an existing surfaced road or bridge is prohibited under this act or under any other provision of law.

(2) The department is prohibited from leasing, franchising, or transferring by any means, to a public or private entity, any portion of an existing surfaced road or bridge that requires the imposition of tolls or user fees derived from any source for the purpose of paying the costs of capital-related improvements, operation, maintenance, upkeep, or restoration of that existing surfaced road or bridge.

(3) No past or future agreement or contract negotiated under this chapter or under any other provision of law shall limit or encumber the public's continued lawful two-way toll-free use of any surfaced road or bridge that at any time was operated by the department as a two-way toll-free facility.

(4) For the purposes of this section, "surfaced road" includes all publicly owned roads, streets, highways, and roadways, excluding facilities owned or operated by the state ferry system.

(5) For the purposes of this section, "department" means the Washington state department of transportation.

{+ NEW SECTION. +} Sec. 2. A new section is added to chapter 47.56 RCW to read as follows:

(1) Notwithstanding any other provision of law, the use of tolls or user fees derived from any source for the purpose of paying the costs

of capital-related improvements, operation, maintenance, upkeep, or restoration of an existing surfaced road or bridge is prohibited under this act or under any other provision of law.

(2) For the purposes of this section, "surfaced road" includes all publicly owned roads, streets, highways, and roadways, excluding facilities owned or operated by the state ferry system.

{+ NEW SECTION. +} Sec. 3. A new section is added to chapter 47.80 RCW to read as follows:

(1) Notwithstanding any other provision of law, regional transportation strategies, regional transportation plans, regional transportation improvement programs, proposed projects, and other transportation plans, guidelines, principles, and studies, as prepared or developed by regional transportation planning organizations under this chapter, shall not contain provisions that require the use of tolls or user fees derived from any source for the purpose of paying the costs of capital-related improvements, operation, maintenance, upkeep, or restoration of any existing surfaced road or bridge.

(2) For the purposes of this section, "surfaced road" includes all publicly owned roads, streets, highways, and roadways, excluding facilities owned or operated by the state ferry system.

{+ NEW SECTION. +} Sec. 4. The following acts or parts of acts are each repealed:

(1) RCW 47.58.010 (Improvement of existing bridge and construction of new bridge as single project--Agreement--Tolls) and 1984 c 7 s 288 & 1961 c 13 s 47.58.010;

(2) RCW 47.58.020 (Examinations and surveys--Preliminary expenses--Financing) and 1984 c 7 s 289 & 1961 c 13 s 47.58.020;

(3) RCW 47.58.030 (Construction, operation of bridges--Collection of tolls--Schedule of charges) and 1984 c 7 s 290 & 1961 c 13 s 47.58.030;

(4) RCW 47.58.040 (Revenue bonds--Form--Sale--Interim bonds--Deposit of proceeds) and 1984 c 7 s 291, 1973 c 106 s 27, 1970 ex.s. c 56 s 64, 1969 ex.s. c 232 s 78, 1961 c 102 s 1, & 1961 c 13 s 47.58.040;

(5) RCW 47.58.050 (Revenue bonds--Expenses includable--Conditions--Remedies of bondholders) and 1984 c 7 s 292 & 1961 c 13 s 47.58.050;

(6) RCW 47.58.060 (Bond resolution--Disposition of income and revenues) and 1984 c 7 s 293 & 1961 c 13 s 47.58.060;

(7) RCW 47.58.070 (Bonds legal investment for state moneys) and 1981 c 3 s 39 & 1961 c 13 s 47.58.070;

(8) RCW 47.58.080 (Eminent domain) and 1984 c 7 s 294 & 1961 c 13 s 47.58.080;

(9) RCW 47.58.090 (Study of projects--Specific authorization of construction and finance) and 1984 c 7 s 295 & 1961 c 13 s 47.58.090;

(10) RCW 47.58.500 (Manette bridge--Port Washington Narrows project) and 1961 c 13 s 47.58.500; and

(11) RCW 47.58.900 (Chapter provides additional method) and 1961 c 13 s 47.58.900.

{+ NEW SECTION. +} Sec. 5. This act is to be liberally construed to effectuate the policies and purposes of this act.

{+ NEW SECTION. +} Sec. 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.

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