

**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 738**

AN ACT Relating to improving traffic; amending RCW 81.100.020; adding a new section to chapter 43.09 RCW; adding a new section to chapter 47.01 RCW; adding a new section to chapter 82.44 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 36.70A RCW; adding a new section to chapter 44.40 RCW; and creating a new section.

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

IMPROVING TRAFFIC BY REQUIRING PERFORMANCE AUDITS OF TRANSPORTATION AGENCIES

{+ NEW SECTION. +} Sec. 1. A new section is added to chapter 43.09 RCW to read as follows:

The state auditor shall conduct a performance audit on each transportation agency, account, and program, including, but not necessarily limited to, the department of transportation, the state ferry system, and all public transit agencies in the state. Transportation funds shall be used for the cost of each audit. The first audit report for each transportation agency, account, and program shall be submitted to the legislature and made available to the public on or before December 31, 2001. Subsequent performance audits shall be conducted when determined necessary by the state auditor.

IMPROVING TRAFFIC BY MAKING ROAD CONSTRUCTION AND ROAD MAINTENANCE THE TOP PRIORITY OF THE STATE TRANSPORTATION SYSTEM

{+ NEW SECTION. +} Sec. 2. A new section is added to chapter 47.01 RCW to read as follows:

New road and lane construction and road maintenance shall be the state's top priority for transportation system improvements.

IMPROVING TRAFFIC BY REQUIRING 90% OF TRANSPORTATION FUNDS BE SPENT ON ROAD CONSTRUCTION AND ROAD MAINTENANCE

{+ NEW SECTION. +} Sec. 3. A new section is added to chapter 82.44 RCW to read as follows:

(1) A minimum of 90% of funds used for transportation purposes shall be spent on construction of new roads, new lanes on existing

roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(a) For the purposes of this section, "transportation funds" are government funds spent for transportation purposes, including, but not necessarily limited to, the transportation fund, the highway fund, public transit and ferry operating accounts and reserves, public transit and ferry capital accounts and reserves, local government transportation accounts, public transportation authorities, transportation benefit districts, and the high occupancy vehicle account established in RCW 81.100.070.

(b) For the purposes of this section, "transportation funds" do not include federal funds which the federal government requires to be spent on purposes other than construction of new roads, new lanes on existing roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(c) For the purposes of this section, "transportation funds" do not include transportation vehicle funds used for school districts or funds used by airports or port districts, or public ferry and public transit fares.

(d) For the purposes of this section, "roads" includes all publicly owned roads, streets, and highways.

(e) For the purposes of this section, a regional transportation authority created pursuant to RCW 81.112 shall make expenditures of transportation funds for projects, programs, and services within the area boundaries of that regional transit authority.

#### IMPROVING TRAFFIC BY EXEMPTING ROAD CONSTRUCTION MATERIALS AND LABOR FROM SALES AND USE TAXES

{+ NEW SECTION. +} Sec. 7. A new section is added to chapter 82.08 RCW to read as follows:

The taxes levied by RCW 82.08.020 shall not apply to materials and labor used in the construction or maintenance of public roads, streets, and highways.

{+ NEW SECTION. +} Sec. 8. A new section is added to chapter 82.12 RCW to read as follows:

The taxes levied by RCW 82.12.020 shall not apply to materials and labor used in the construction or maintenance of public roads, streets, and highways.

#### IMPROVING TRAFFIC BY UPDATING TRANSPORTATION PLANS

{+ NEW SECTION. +} Sec. 9. A new section is added to chapter 36.70A RCW to read as follows:

The traffic element of comprehensive plans developed under RCW 36.70A.070(6)(a) and development regulations shall be updated to reflect the provisions and priorities of this act.

{+ NEW SECTION. +} Sec. 10. A new section is added to chapter 44.40 RCW to read as follows:

Comprehensive plans developed under RCW 44.40.070 shall be updated to incorporate the funding priorities established by this act.

#### CONSTRUCTION CLAUSE

{+ NEW SECTION. +} Sec. 11. The provisions of this act are to be liberally construed to effectuate the policies and purposes of this

act.

SEVERABILITY CLAUSE

{+ NEW SECTION. +} Sec. 12. 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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