
HOUSE BILL 2073

State of Washington 54th Legislature 1995 Regular Session

By Representatives K. Schmidt, Blanton and Hankins

Read first time 03/08/95. Referred to Committee on Transportation.

1 AN ACT Relating to transportation diversions and exemptions;
2 amending RCW 82.38.080; repealing RCW 82.36.275; and providing an
3 effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 82.38.080 and 1993 c 141 s 2 are each amended to read
6 as follows:

7 There is exempted from the tax imposed by this chapter, the use of
8 fuel for: (1) Street and highway construction and maintenance purposes
9 in motor vehicles owned and operated by the state of Washington, or any
10 county or municipality; (2) publicly owned fire fighting equipment; (3)
11 special mobile equipment as defined in RCW 46.04.552; (4) power pumping
12 units or other power take-off equipment of any motor vehicle which is
13 accurately measured by metering devices that have been specifically
14 approved by the department or which is established by either of the
15 following formulae: (a) Pumping propane, or fuel or heating oils or
16 milk picked up from a farm or dairy farm storage tank by a power take-
17 off unit on a delivery truck, at the rate of three-fourths of one
18 gallon for each one thousand gallons of fuel delivered or milk picked
19 up: PROVIDED, That claimant when presenting his claim to the

1 department in accordance with the provisions of this chapter, shall
2 provide to said claim, invoices of propane, or fuel or heating oil
3 delivered, or such other appropriate information as may be required by
4 the department to substantiate his claim; or (b) operating a power
5 take-off unit on a cement mixer truck or a load compactor on a garbage
6 truck at the rate of twenty-five percent of the total gallons of fuel
7 used in such a truck; and (c) the department is authorized to establish
8 by rule additional formulae for determining fuel usage when operating
9 other types of equipment by means of power take-off units when direct
10 measurement of the fuel used is not feasible. The department is also
11 authorized to adopt rules regarding the usage of on board computers for
12 the production of records required by this chapter; (5) motor vehicles
13 owned and operated by the United States government; (6) heating
14 purposes; (7) moving a motor vehicle on a public highway between two
15 pieces of private property when said moving is incidental to the
16 primary use of the motor vehicle; and (8) transit services for only
17 elderly or handicapped persons, or both, by a private, nonprofit
18 transportation provider certified under chapter 81.66 RCW(~~(; and (9)~~
19 ~~notwithstanding any provision of law to the contrary, every urban~~
20 ~~passenger transportation system and carriers as defined by chapters~~
21 ~~81.68 and 81.70 RCW shall be exempt from the provisions of this chapter~~
22 ~~requiring the payment of special fuel taxes. For the purposes of this~~
23 ~~section "urban passenger transportation system" means every~~
24 ~~transportation system, publicly or privately owned, having as its~~
25 ~~principal source of revenue the income from transporting persons for~~
26 ~~compensation by means of motor vehicles and/or trackless trolleys, each~~
27 ~~having a seating capacity for over fifteen persons over prescribed~~
28 ~~routes in such a manner that the routes of such motor vehicles and/or~~
29 ~~trackless trolleys, either alone or in conjunction with routes of other~~
30 ~~such motor vehicles and/or trackless trolleys subject to routing by the~~
31 ~~same transportation system, shall not extend for a distance exceeding~~
32 ~~twenty-five road miles beyond the corporate limits of the county in~~
33 ~~which the original starting points of such motor vehicles are located:~~
34 ~~PROVIDED, That no refunds or credits shall be granted on fuel used by~~
35 ~~any urban transportation vehicle or vehicle operated pursuant to~~
36 ~~chapters 81.68 and 81.70 RCW on any trip where any portion of said trip~~
37 ~~is more than twenty-five road miles beyond the corporate limits of the~~
38 ~~county in which said trip originated)).~~

1 NEW SECTION. **Sec. 2.** RCW 82.36.275 and 1969 ex.s. c 281 s 27,
2 1967 c 86 s 1, 1965 c 135 s 1, 1963 c 187 s 1, 1961 c 117 s 1, & 1961
3 c 15 s 82.36.275 are each repealed.

4 NEW SECTION. **Sec. 3.** This act shall take effect January 1, 1996.

--- END ---