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**ENGROSSED SUBSTITUTE HOUSE BILL 2474**

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**State of Washington                      58th Legislature                      2004 Regular Session**

**By** House Committee on Transportation (originally sponsored by Representative Murray; by request of Governor Locke)

READ FIRST TIME 02/26/04.

AN ACT Relating to transportation funding and appropriations; amending 2003 1st sp.s. c 26 ss 506 and 508 (uncodified); amending 2003 c 360 ss 102, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 304, 305, 308, 310, 401, 402, 403, 404, 405, 406, and 407 (uncodified); adding new sections to 2003 c 360 (uncodified); creating new sections; repealing 2003 1st sp.s. c 26 s 509 (uncodified); and declaring an emergency.

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

**GENERAL GOVERNMENT AGENCIES--OPERATING**

NEW SECTION.    **Sec. 101.    FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE** JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE

Motor Vehicle Account--State Appropriation . . . . . \$1,200,000

(1) \$1,200,000 of the motor vehicle fund--state appropriation is provided for performance and functional audits of transportation agencies and departments as provided for in Substitute Senate Bill No. 5748.

(2) Within the amount provided in this section, the committee shall consider a targeted performance audit of the Washington state patrol.

For this performance audit, the committee shall put its highest priority on the following topics:

(a) An assessment of the types and categories of services, including a contrast of public highway policing and general policing services provided by the patrol, and the organizational structures used to deliver these services;

(b) An evaluation of the patrol's fiscal policies and procedures, including a differentiation between transportation and general fund expenditures; and

(c) An evaluation of the linkages among expenditures, organizational structures, service delivery, accountability, and outcomes. The committee shall provide a final report, including findings and recommendations, by September 30, 2004.

**Sec. 102.** 2003 c 360 s 102 (uncodified) is amended to read as follows:

**FOR THE MARINE EMPLOYEES COMMISSION** MARINE EMPLOYEES COMMISSION

Puget Sound Ferry Operations Account--State

Appropriation . . . . .	(( <del>\$352,000</del> ))
	<u>\$362,000</u>

NEW SECTION. **Sec. 103.** A new section is added to 2003 c 360 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT--INITIATIVE MEASURE NO. 776**

**COSTS** OFFICE OF FINANCIAL MANAGEMENT||INITIATIVE MEASURE NO. 776 COSTS

Motor Vehicle Account--State Appropriation . . . . .	\$1,200,000
Motor Vehicle Account--Local Appropriation . . . . .	\$2,100,000
TOTAL APPROPRIATION . . . . .	\$3,300,000

The appropriations in this section are subject to the following conditions and limitations: The motor vehicle account--state appropriation is provided solely for the administrative costs associated with refunds resulting from *Pierce County et al. v. State of Washington et al.* (Supreme Court Case No. 73607-3), upholding the Initiative Measure No. 776 reduction of gross vehicle weight fees.

**TRANSPORTATION AGENCIES--OPERATING**

**Sec. 201.** 2003 c 360 s 201 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION** WASHINGTON TRAFFIC SAFETY

COMMISSION

Highway Safety Account--State Appropriation . . . . .	\$2,017,000
Highway Safety Account--Federal Appropriation . . . . .	<del>(\$15,744,000)</del>
	<u>\$15,742,000</u>
School Zone Safety Account--State Appropriation . . . . .	\$3,059,000
TOTAL APPROPRIATION . . . . .	<del>(\$20,820,000)</del>
	<u>\$20,818,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission may oversee up to four pilot projects implementing the use of traffic safety cameras to detect failure to stop at railroad crossings, stoplights, and school zones.

(a) In order to ensure adequate time in the 2003-05 biennium to evaluate the effectiveness of the pilot program, any projects authorized by the commission must be authorized by December 31, 2003.

(b) If a county or city has established an authorized automated traffic safety camera program under this section, the compensation paid to the manufacturer or vendor of the equipment used must be based only upon the value of the equipment and services provided or rendered in support of the system, and may not be based upon a portion of the fine or civil penalty imposed or the revenue generated by the equipment.

(c) The traffic safety commission shall use the following guidelines to administer the program:

(i) Traffic safety cameras may take pictures of the vehicle and vehicle license plate only, and only while an infraction is occurring;

(ii) The law enforcement agency of the city or county government shall plainly mark the locations where the automated traffic enforcement system is used by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic enforcement system;

(iii) Cities and counties using traffic safety cameras must provide periodic notice by mail to its citizens indicating the zones in which the traffic safety cameras will be used;

(iv) Notices of infractions must be mailed to the registered owner of a vehicle within fourteen days of the infraction occurring;

(v) The owner of the vehicle is not responsible for the violation if the owner of the vehicle, within fourteen days of receiving notification of the violation, mails to the issuing law enforcement agency, a declaration under penalty of perjury, stating that the vehicle involved was, at the time, stolen or in the care, custody, or

control of some person other than the registered owner, or any other extenuating circumstances;

(vi) Infractions detected through the use of traffic safety cameras are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120;

(vii) If a notice of infraction is sent to the registered owner and the registered owner is a rental car business, the infraction will be dismissed against the business if it mails to the issuing agency, within fourteen days of receiving the notice, a declaration under penalty of perjury of the name and known mailing address of the individual driving or renting the vehicle when the infraction occurred. If the business is unable to determine who was driving or renting the vehicle at the time the infraction occurred, the business must sign a declaration under penalty of perjury to this effect. The declaration must be mailed to the issuing agency within fourteen days of receiving the notice of traffic infraction. Timely mailing of this declaration to the issuing agency relieves a rental car business of any liability under this section for the notice of infraction. A declaration form suitable for this purpose must be included with each automated traffic infraction notice issued, along with instructions for its completion and use;

(viii) For purposes of the 2003-05 biennium pilot projects, infractions generated by the use of traffic safety cameras are exempt from the provisions of RCW 3.46.120, 3.50.100, and 35.20.220, and must be processed in the same manner as parking violations; and

(ix) By June 30, 2005, the traffic safety commission shall provide a report to the legislature regarding the use, public acceptance, outcomes, and other relevant issues regarding traffic safety cameras demonstrated by the pilot projects.

(2) \$210,000 of the highway safety account--state appropriation is provided solely for continuing the five existing DUI/traffic safety task forces that receive federal project funding that expires during the 2003-05 biennium. However, the appropriation in this subsection may only be expended for a task force when the federal funding for that task force has expired.

(3) (a) \$1,555,000 of the school zone safety account--state appropriation is provided solely as matching funds for the following school safety enhancement projects, as proposed by local agencies, schools, and tribal governments in response to the department of transportation's highways and local programs request for information for potential projects to be financed under Referendum No. 51:

Agency	Project Title
Cheney	School Crosswalk Improvement Project
Skokomish Indian Tribe	Skokomish School Safety Sidewalk Program
Brier	37th Pl SW & 233rd Pl SW Sidewalk
Sunnyside	Lincoln Ave Sidewalks
Lynnwood	Olympic View Dr - 76th Ave SW to 169th St SW
Steilacoom	Cherrydale Elementary School Safety Enhancement
Yakima	W Valley School Zone Flashers
Camas SD	SR 500 at 15th St Interchange
Seattle	Meadowbrook Playfield - NE 105th St
Vancouver	Franklin ES Sidewalk Improvements

(b) If one or more of the projects under this subsection cannot be completed or no longer seeks state matching funds, the following projects may be substituted in order of priority:

Agency	Project Title
Davenport	Davenport Sixth St School Sidewalk
Edmonds	96th Ave W Pedestrian Improvements
Mountlake Terrace	223rd St SW - 44th Ave W to Cedar Way Elementary
Yakima	Englewood/Powerhouse Intersection Safety Project

(c) The highways and local programs division within the department of transportation shall provide assistance to the commission in administering this program.

(d) The legislature intends to tie funding to specific projects only for the 2003-05 biennium.

**Sec. 202.** 2003 c 360 s 202 (uncodified) is amended to read as follows:

**FOR THE COUNTY ROAD ADMINISTRATION BOARD** COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account--State Appropriation . . . . .	\$769,000
Motor Vehicle Account--State Appropriation . . . . .	<del>(\$1,927,000)</del>
	<u>\$1,934,000</u>
County Arterial Preservation Account--State Appropriation .	\$719,000
TOTAL APPROPRIATION . . . . .	<del>(\$3,415,000)</del>
	<u>\$3,422,000</u>

**Sec. 203.** 2003 c 360 s 203 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION IMPROVEMENT BOARD** TRANSPORTATION IMPROVEMENT BOARD

Urban Arterial Trust Account--State Appropriation . . . . .	(( <del>\$1,611,000</del> ))
	<u>\$1,613,000</u>
Transportation Improvement Account--State Appropriation( <del>\$1,620,000</del> )	
	<u>\$1,622,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$3,231,000</del> ))
	<u>\$3,235,000</u>

**Sec. 204.** 2003 c 360 s 204 (uncodified) is amended to read as follows:

**FOR THE BOARD OF PILOTAGE COMMISSIONERS** BOARD OF PILOTAGE COMMISSIONERS  
 Pilotage Account--State Appropriation . . . . . ((~~\$272,000~~))  
\$278,000

**Sec. 205.** 2003 c 360 s 205 (uncodified) is amended to read as follows:

**FOR THE LEGISLATIVE TRANSPORTATION COMMITTEE** LEGISLATIVE TRANSPORTATION  
 COMMITTEE  
 Motor Vehicle Account--State Appropriation . . . . . ((~~\$2,374,000~~))  
\$724,000

The appropriation in this section is subject to the following conditions and limitations:

(1) No funding is provided for the staffing, administration and operations of the house of representatives transportation committee. Existing staff of the transportation committee shall be transferred to the house of representatives in the office of program research. All tangible and intangible property that has been acquired by, or allocated for use by the house of representatives transportation committee and its staff, including but not limited to office space and equipment, information systems technology, and employer-related assets, rights, privileges, and liabilities shall be transferred to the house of representatives. Any property acquired by, or allocated for use by the senate transportation committee and its staff shall be transferred to the senate.

(2) ((~~\$1,600,000~~)) \$400,000 of the motor vehicle state appropriation in this section is provided for the purposes of (a) and (b) of this subsection:

(a)(i) If Substitute Senate Bill No. 5748 becomes law by June 30, 2003, the amount provided in this subsection shall be for performance and functional audits of transportation agencies and departments as provided in Substitute Senate Bill No. 5748; and

(ii) If Substitute Senate Bill No. 5748 does not become law by June 30, 2003, the amount provided in this subsection shall be for performance and functional audits of transportation agencies and departments paid for and ordered by the executive committee of the legislative transportation committee, pursuant to a recommendation of the transportation performance audit board hereby created. The transportation performance audit board shall consist of the majority and minority leaders of the transportation committees of the legislature, five citizen members with transportation-related expertise who shall be nominated by professional associations chosen by the board's legislative members and appointed by the governor, the legislative auditor as an ex officio member, and one at-large member appointed by the governor. The citizen members may not currently, or within one year of their appointment, be employed by the Washington state department of transportation, and shall include:

(A) One member with expertise in construction project planning, including permitting and assuring regulatory compliance;

(B) One member with expertise in construction means and methods and construction management, crafting and implementing environmental mitigation plans, and administration;

(C) One member with expertise in construction engineering services, including construction management, materials testing, materials documentation, contractor payments, inspection, surveying, and project oversight;

(D) One member with expertise in project management, including design estimating, contract packaging, and procurement; and

(E) One member with expertise in transportation planning and congestion management.

(b) Within the amount provided in this subsection, the legislative transportation committee shall consider contracting with the joint legislative audit and review committee to conduct a targeted performance audit of the Washington state patrol. For this performance audit, the joint legislative audit and review committee shall put its highest priority on the following topics: (i) An assessment of the types and categories of services, including a contrast of public highway policing and general policing services provided by the patrol, and the organizational structures used to deliver these services; (ii) an evaluation of the patrol's fiscal policies and procedures, including a differentiation between transportation and general fund expenditures; and (iii) an evaluation of the linkages among expenditures, organizational structures, service delivery, accountability, and

outcomes. If a contract is entered into under this subsection (b), the joint legislative audit and review committee shall provide a progress report to the appropriate committees of the legislature by December 31, 2003, and a final report, including findings and recommendations, by September 30, 2004.

(3) Any appropriations remaining from the \$400,000 from the motor vehicle account--state appropriation on July 1, 2004, for the transportation performance audit board shall be transferred to the joint legislative audit and review committee as an appropriation to be used by the transportation performance audit board.

(4) The legislative transportation committee shall develop a mission and organizational plan during the 2003 legislative interim that:

(a) Reconciles any newly-mandated responsibilities (such as performance auditing and benchmarking) with current statutory responsibilities;

(b) Develops a process for adopting interim work plans, including identifying subcommittees of the legislative transportation committee, special studies or activities to be undertaken (which may include a study of administrative costs funded with commute trip reduction funds and how administrative cost savings can be achieved), deliverables and/or expected outcomes, and resources required to accomplish the work plan;

(c) Develops a long-range staffing plan to fit any new statutory requirements and a redefined mission and organizational plan; and

(d) Ensures that all basic legislative transportation committee functions and the adopted interim work plan are appropriately funded.

**Sec. 206.** 2003 c 360 s 206 (uncodified) is amended to read as follows:

**FOR THE TRANSPORTATION COMMISSION** TRANSPORTATION COMMISSION  
Motor Vehicle Account--State Appropriation . . . . . (~~(\$807,000)~~)  
\$813,000

**Sec. 207.** 2003 c 360 s 207 (uncodified) is amended to read as follows:

**FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD** FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD  
Motor Vehicle Account--State Appropriation . . . . . (~~(\$616,000)~~)  
\$625,000

**Sec. 208.** 2003 c 360 s 208 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL--FIELD OPERATIONS BUREAU** WASHINGTON STATE PATROL||FIELD OPERATIONS BUREAU

State Patrol Highway Account--State Appropriation .	(( <del>\$171,269,000</del> ))	<u>\$172,521,000</u>
State Patrol Highway Account--Federal Appropriation .	(( <del>\$6,167,000</del> ))	<u>\$6,957,000</u>
State Patrol Highway Account--Private/Local Appropriation .	\$175,000	
TOTAL APPROPRIATION . . . . .	(( <del>\$177,611,000</del> ))	<u>\$179,653,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies are authorized to use state patrol vehicles for the purposes of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol shall be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol. The patrol shall report to the house of representatives and senate transportation committees by December 31, 2004, on the use of agency vehicles by officers engaging in the off-duty employment specified in this subsection. The report shall include an analysis that compares cost reimbursement and cost-impacts, including increased vehicle mileage, maintenance costs, and indirect impacts, associated with the private use of patrol vehicles.

(2) \$2,075,000 of the state patrol highway account--state appropriation in this section is provided solely for the addition of thirteen troopers to those permanently assigned to vessel and terminal security. The Washington state patrol shall continue to provide the enhanced services levels established after September 11, 2001.

(3) In addition to the user fees, the patrol shall transfer into the state patrol nonappropriated airplane revolving account created under section 1501 of this act, no more than the amount of appropriated state patrol highway account and general fund funding necessary to cover the costs for the patrol's use of the aircraft. The state patrol highway account and general fund--state funds shall be transferred proportionately in accordance with a cost allocation that

differentiates between highway traffic enforcement services and general policing purposes.

(4) The patrol shall not account for or record locally provided DUI cost reimbursement payments as expenditure credits to the state patrol highway account. The patrol shall report the amount of expected locally provided DUI cost reimbursements to the transportation committees of the senate and house of representatives by December 31 of each year.

(5) \$750,000 of the state patrol highway account--state appropriation and \$198,000 of the state patrol highway account--federal appropriation are provided for the purchase of 65 in car video cameras and the replacement of 60 aged datamaster breath test instruments. The funds shall only be expended after the DUI cost recoveries have been deposited into the state patrol highway account.

**Sec. 209.** 2003 c 360 s 209 (uncodified) is amended to read as follows:

**FOR THE WASHINGTON STATE PATROL--SUPPORT SERVICES BUREAU** WASHINGTON STATE PATROL||SUPPORT SERVICES BUREAU

State Patrol Highway Account--State Appropriation . . . . .	<del>(\$69,993,000)</del>
	<u>\$69,469,000</u>
State Patrol Highway Account--Private/Local Appropriation	\$1,290,000
TOTAL APPROPRIATION . . . . .	<del>(\$71,283,000)</del>
	<u>\$70,759,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Under the direction of the legislative auditor, the patrol shall update the pursuit vehicle life-cycle cost model developed in the 1998 Washington state patrol performance audit (JLARC Report 99-4). The patrol shall utilize the updated model as a basis for determining maintenance and other cost impacts resulting from the increase to pursuit vehicle mileage above 110 thousand miles in the 2003-05 biennium. The patrol shall submit a report, that includes identified cost impacts, to the transportation committees of the senate and house of representatives by December 31, 2003.

(2) The Washington state patrol shall assign two full-time detectives to work solely to investigate incidents of identity fraud, drivers' license fraud, and identity theft. The detectives shall work cooperatively with the department of licensing's driver's special investigation unit.

**Sec. 210.** 2003 c 360 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--MANAGEMENT AND SUPPORT SERVICES**

DEPARTMENT OF LICENSING||MANAGEMENT AND SUPPORT SERVICES

Marine Fuel Tax Refund Account--State Appropriation . . . . .	(( <del>\$7,000</del> ))
	<u>\$3,000</u>
Motorcycle Safety Education Account--State	
Appropriation . . . . .	(( <del>\$85,000</del> ))
	<u>\$96,000</u>
Wildlife Account--State Appropriation . . . . .	(( <del>\$77,000</del> ))
	<u>\$84,000</u>
Highway Safety Account--State Appropriation . . . . .	(( <del>\$8,286,000</del> ))
	<u>\$7,953,000</u>
Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$4,623,000</del> ))
	<u>\$4,407,000</u>
DOL Services Account--State Appropriation . . . . .	(( <del>\$107,000</del> ))
	<u>\$85,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$13,185,000</del> ))
	<u>\$12,628,000</u>

**Sec. 211.** 2003 c 360 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--INFORMATION SERVICES**

DEPARTMENT OF LICENSING||INFORMATION SERVICES

Marine Fuel Tax Refund Account--State Appropriation . . . . .	\$2,000
Motorcycle Safety Education Account--State Appropriation	(( <del>\$133,000</del> ))
	<u>\$137,000</u>
Wildlife Account--State Appropriation . . . . .	(( <del>\$58,000</del> ))
	<u>\$54,000</u>
Highway Safety Account--State Appropriation . . . . .	(( <del>\$10,489,000</del> ))
	<u>\$11,272,000</u>
Highway Safety Account--Federal Appropriation . . . . .	\$6,000
Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$6,569,000</del> ))
	<u>\$6,253,000</u>
DOL Services Account--State Appropriation . . . . .	(( <del>\$670,000</del> ))
	<u>\$1,040,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$17,927,000</del> ))
	<u>\$18,764,000</u>

The appropriations in this section are subject to the following conditions and limitations: The department shall submit a report to

the transportation committees of the legislature detailing the progress made in transitioning off of the Unisys system by December 1, 2003, and each December 1 thereafter.

**Sec. 212.** 2003 c 360 s 212 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--VEHICLE SERVICES** DEPARTMENT OF LICENSING||VEHICLE SERVICES

Marine Fuel Tax Refund Account--State Appropriation . . . . .	\$60,000
Wildlife Account--State Appropriation . . . . .	\$585,000
Motor Vehicle Account--Local Appropriation . . . . .	\$1,372,000
Motor Vehicle Account--State Appropriation . . . . .	<del>(\$61,509,000)</del>
	<u>\$57,638,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	\$600,000
DOL Services Account--State Appropriation . . . . .	\$3,211,000
TOTAL APPROPRIATION . . . . .	<del>(\$67,337,000)</del>
	<u>\$63,466,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$144,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5435 or Engrossed Substitute House Bill No. 1592.

(2) If Engrossed Senate Bill No. 6063 is not enacted by June 30, 2003, \$1,100,000 of the motor vehicle account--state appropriation shall lapse.

(3) \$81,000 of the DOL services account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1036.

(4) The motor vehicle account--state appropriation includes \$117,000 for the implementation of Engrossed Substitute House Bill No. 2167. If Engrossed Substitute House Bill No. 2167 is not enacted by June 30, 2004, the \$117,000 in funding shall lapse.

(5) The motor vehicle account--state appropriation includes \$25,000 for the implementation of Engrossed House Bill No. 2471. If Engrossed House Bill No. 2471 is not enacted by June 30, 2004, the \$25,000 in funding shall lapse.

(6) The motor vehicle account--state appropriation includes \$33,000 for the implementation of Substitute House Bill No. 2910. If Substitute House Bill No. 2910 is not enacted by June 30, 2004, the \$33,000 in funding shall lapse.

**Sec. 213.** 2003 c 360 s 213 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF LICENSING--DRIVER SERVICES** DEPARTMENT OF LICENSING||DRIVER SERVICES

Motorcycle Safety Education Account--State

Appropriation . . . . .	\$2,576,000
Highway Safety Account--State Appropriation . . . . .	<del>(\$84,809,000)</del>
	<u>\$86,285,000</u>
Highway Safety Account--Federal Appropriation . . . . .	\$318,000
TOTAL APPROPRIATION . . . . .	<del>(\$87,703,000)</del>
	<u>\$89,179,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$178,000 of the highway safety account--state appropriation is provided solely for two temporary collision processing FTEs to eliminate the backlog of collision reports. The department shall report, informally, to the house of representatives and senate transportation committees quarterly, beginning October 1, 2003, on the progress made in eliminating the backlog.

(2) The highway safety account--state appropriation includes \$354,000 for the implementation of House Bill No. 2532. If House Bill No. 2532 is not enacted by June 30, 2004, the \$354,000 in funding shall lapse.

(3) The highway safety account--state appropriation includes \$148,000 for the implementation of House Bill No. 1681. If House Bill No. 1681 is not enacted by June 30, 2004, the \$148,000 in funding shall lapse.

**Sec. 214.** 2003 c 360 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM C** DEPARTMENT OF TRANSPORTATION|| INFORMATION TECHNOLOGY--PROGRAM C

Motor Vehicle Account--State Appropriation . . . . .	<del>(\$58,661,000)</del>
	<u>\$56,474,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	\$5,163,000
Puget Sound Ferry Operations Account--State	
Appropriation . . . . .	<del>(\$6,583,000)</del>
	<u>\$6,383,000</u>
Multimodal Transportation Account--State Appropriation . . . . .	\$363,000
TOTAL APPROPRIATION . . . . .	<del>(\$70,770,000)</del>

The appropriations in this section are subject to the following conditions and limitations:

(1) (~~(\$715,000)~~) \$238,000 of the motor vehicle account--state appropriation is provided solely to (~~retain an external consultant~~) hire a project staff person to provide an assessment of the department's (~~review of current~~) major information technology systems and (~~planning for system and application modernization. The legislative transportation committee shall approve the statement of work before the consultant is hired. The consultant shall also work with the department~~) to prepare (~~an~~) a system and application modernization strategy and (~~preliminary~~) project plan.

The department (~~and the consultant~~) shall work with the office of financial management and the department of information services to ensure that (a) the department's current and future system development is consistent with the overall direction of other key state systems; and (b) when possible, common statewide information systems are used or developed to encourage coordination and integration of information used by the department and other state agencies and to avoid duplication. The department shall provide a report on its proposed application modernization plan to the transportation committees of the legislature by June 30, (~~2004~~) 2006.

(2) (a) (~~(\$2,963,000)~~) \$2,959,000 of the motor vehicle account--state appropriation and \$2,963,000 of the motor vehicle account--federal appropriation are provided solely for implementation of a new revenue collection system, including the integration of the regional fare coordination system (smart card), at the Washington state ferries. By December 1st of each year, an annual update must be provided to the legislative transportation committee concerning the status of implementing and completing this project.

(b) (~~(\$400,000)~~) \$200,000 of the Puget Sound ferry operation account--state appropriation is provided solely for implementation of the smart card program. (~~(\$200,000 of)~~) This amount must be held in allotment reserve until a smart card report is delivered to the legislative transportation committee indicating that an agreement on which technology will be used throughout the state of Washington for the smart card program has been reached among smart card participants.

(3) The department shall contract with the department of information services to conduct a survey that identifies possible opportunities and benefits associated with siting and use of technology

and wireless facilities located on state right of way authorized by RCW 47.60.140. The department shall submit a report regarding the survey to the appropriate legislative committees by December 1, 2004.

**Sec. 215.** 2003 c 360 s 215 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING** DEPARTMENT OF TRANSPORTATION|FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D

Motor Vehicle Account--State Appropriation . . . . . (~~(\$31,048,000)~~)  
\$30,981,000

**Sec. 216.** 2003 c 360 s 216 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--AVIATION--PROGRAM F** DEPARTMENT OF TRANSPORTATION|AVIATION--PROGRAM F

Aeronautics Account--State Appropriation . . . . . (~~(\$5,107,000)~~)  
\$5,607,000

Aeronautics Account--Federal Appropriation . . . . . (~~(\$650,000)~~)  
\$2,150,000

Aircraft Search and Rescue Safety and Education  
Account--State Appropriation . . . . . (~~(\$282,000)~~)  
\$260,000

TOTAL APPROPRIATION . . . . . (~~(\$6,039,000)~~)  
\$8,017,000

The appropriations in this section are subject to the following conditions and limitations: \$1,381,000 of the aeronautics account--state appropriation is provided solely for additional preservation grants to airports. (~~(\$122,000 of the aircraft search and rescue safety and education account--state appropriation is provided for additional search and rescue and safety and education activities. If Senate Bill No. 6056 is not enacted by June 30, 2003, the amounts provided shall lapse.))~~)

**Sec. 217.** 2003 c 360 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H** DEPARTMENT OF TRANSPORTATION|PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H

Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$49,010,000</del> ))	
		<u>\$49,056,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	\$400,000	
TOTAL APPROPRIATION . . . . .	(( <del>\$49,410,000</del> ))	<u>\$49,456,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$14,310,000 of the motor vehicle account--state appropriation is provided solely for the staffing, activities, and overhead of the department's environmental affairs office. This funding is provided in lieu of funding provided in sections 305 and 306 of this act.

(2) \$3,100,000 of the motor vehicle account--state appropriation is provided solely for the staffing and activities of the transportation permit efficiency and accountability committee.

(3) \$300,000 of the motor vehicle account--state appropriation is provided to the department in accordance with RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department solely for the purposes of providing contract services to the association of Washington cities and Washington state association of counties to implement section 2(3)(c), (5), and (6), chapter 8 (ESB 5279), Laws of 2003 for activities of the transportation permit efficiency and accountability committee.

**Sec. 218.** 2003 c 360 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**

DEPARTMENT OF TRANSPORTATION||ECONOMIC PARTNERSHIPS--PROGRAM K

Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$1,011,000</del> ))	
		<u>\$1,411,000</u>

The appropriation in this section is subject to the following conditions and limitations: \$400,000 of the motor vehicle account--state appropriation is provided solely for a traffic and economic study of the Mount Saint Helens tourist and recreational area. The study shall analyze existing and potential traffic patterns in the area and develop funding strategies sufficient to fund construction of a connection between state route number 504 and forest service road number 99. The study shall also include an analysis of potential partnership funding plans involving the use of tolls in order to determine the potential to pay for ongoing maintenance and operations requirements of visitor centers, roads, and other amenities provided to

tourists. The purpose and results of this study shall be made available to citizens, businesses, and community organizations in the affected area. The study shall be completed and submitted to the transportation committees of the house of representatives and senate by December 31, 2004.

**Sec. 219.** 2003 c 360 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

DEPARTMENT OF TRANSPORTATION  HIGHWAY MAINTENANCE--PROGRAM M	
Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$283,350,000</del> ))
	<u>\$283,991,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	\$1,426,000
Motor Vehicle Account--Private/Local Appropriation . . . . .	\$4,253,000
TOTAL APPROPRIATION . . . . .	(( <del>\$289,029,000</del> ))
	<u>\$289,670,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) If portions of the appropriations in this section are required to fund maintenance work resulting from major disasters not covered by federal emergency funds such as fire, flooding, and major slides, supplemental appropriations must be requested to restore state funding for ongoing maintenance activities.

(2) The department shall request an unanticipated receipt for any federal moneys received for emergency snow and ice removal and shall place an equal amount of the motor vehicle account--state into unallotted status. This exchange shall not affect the amount of funding available for snow and ice removal.

(3) The department shall request an unanticipated receipt for any private or local funds received for reimbursements of third party damages that are in excess of the motor vehicle account--private/local appropriation.

(4) Funding is provided for maintenance on the state system to allow for a continuation of the level of service targets included in the 2001-03 biennium. In delivering the program, the department should concentrate on the following areas:

(a) Meeting or exceeding the target for structural bridge repair on a statewide basis;

(b) Eliminating the number of activities delivered in the "f" level of service at the region level;

(c) Reducing the number of activities delivered in the "d" level of service by increasing the resources directed to those activities on a statewide and region basis; and

(d) Evaluating, analyzing, and potentially redistributing resources within and among regions to provide greater consistency in delivering the program statewide and in achieving overall level of service targets.

**Sec. 220.** 2003 c 360 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--OPERATING** DEPARTMENT OF TRANSPORTATION||TRAFFIC OPERATIONS--PROGRAM Q--OPERATING

Motor Vehicle Account--State Appropriation . . . . .	<del>(\$38,869,000)</del>
	<u>\$39,442,000</u>
Motor Vehicle Account--Private/Local Appropriation . . . . .	\$125,000
TOTAL APPROPRIATION . . . . .	<del>(\$38,994,000)</del>
	<u>\$39,567,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) A maximum of \$8,800,000 of the motor vehicle account--state appropriation may be expended for the incident response program, including the service patrols. The department and the Washington state patrol shall continue to consult and coordinate with private sector partners, such as towing companies, media, auto, insurance and trucking associations, and the legislative transportation committees to ensure that limited state resources are used most effectively. No funds shall be used to purchase tow trucks.

(2) \$4,400,000 of the motor vehicle account--state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis.

(3) At a frequency determined by the department, the interstate-5 variable message signs shall display a message advising slower traffic to keep right.

(4) \$518,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute House Bill No. 1702. If Substitute House Bill No. 1702 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

**Sec. 221.** 2003 c 360 s 221 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S** DEPARTMENT OF TRANSPORTATION||TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S

Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$24,852,000</del> ))	
		<u>\$25,779,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	\$636,000	
Puget Sound Ferry Operations Account--State Appropriation	\$1,093,000	
Multimodal Transportation Account--State Appropriation . .	\$973,000	
TOTAL APPROPRIATION . . . . .	(( <del>\$27,554,000</del> ))	
		<u>\$28,481,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$627,000 of the motor vehicle account--state appropriation is provided solely for the implementation of Substitute Senate Bill No. 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30, 2003, the amount provided in this subsection shall lapse. The agency may transfer between programs funds provided in this subsection.

(2) The department shall transfer at no cost to the Washington state patrol the title to the Walla Walla colocation facility.

**Sec. 222.** 2003 c 360 s 222 (uncodified) is amended to read as follows:

DEPARTMENT OF TRANSPORTATION||TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$30,064,000</del> ))	
		<u>\$23,014,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	\$14,814,000	
Multimodal Transportation Account--State Appropriation (( <del>\$1,021,000</del> ))		
		<u>\$1,521,000</u>
Multimodal Transportation Account--Federal Appropriation	\$2,000,000	
TOTAL APPROPRIATION . . . . .	(( <del>\$47,899,000</del> ))	
		<u>\$41,349,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$3,800,000~~)) \$2,400,000 of the motor vehicle account--state appropriation is provided solely for a study of regional congestion relief solutions for Puget Sound, Spokane, and Vancouver. The study

must include proposals to alleviate congestion consistent with population and land use expectations under the growth management act, and must include measurement of all modes of transportation.

(2) \$2,000,000 of the motor vehicle account--state appropriation is provided solely for additional assistance to support regional transportation planning organizations and long-range transportation planning efforts.

(3) (~~(\$3,000,000)~~) \$2,100,000 of the motor vehicle account--state appropriation is provided solely for the costs of the regional transportation investment district (RTID) election and department of transportation project oversight. These funds are provided as a loan to the RTID and shall be repaid to the state motor vehicle account within one year following the certification of the election results related to the RTID.

(4) \$100,000 of the motor vehicle account--state appropriation is provided solely for the costs of department of transportation oversight and support in selecting transportation projects and funding for those transportation projects under chapter 36.120 RCW in counties newly authorized to establish a regional transportation investment district under House Bill No. 2531.

(5) \$500,000 of the multimodal transportation account--state appropriation is provided solely for contracting with the department of natural resources to develop data systems for state submerged lands that can be shared with other governmental agencies and that can support the state vision for ecoregional planning. The data to be shared shall include, but not limited to, tabular and geospatial data describing public land ownership, distributions of native plants, marine and aquatic species and their habitats, physical attributes, aquatic ecosystems, and specially designated conservation or environmentally sensitive areas.

(6) \$650,000 of the motor vehicle account--state appropriation is provided to the department in accordance with RCW 46.68.110(2) and 46.68.120(3) and shall be used by the department to support the processing and analysis of the backlog of city and county collision reports.

~~((+5))~~ (7) The department shall contribute to the report required in section 208(1) of this act in the form of an analysis of the cost impacts incurred by the department as the result of the policy implemented in section 208(1) of this act. The analysis shall contrast overtime costs charged by the patrol prior to July 1, 2003, with contract costs for similar services after July 1, 2003.

((+6)) (8) \$60,000 of the distribution under RCW 46.68.110(2) and 46.68.120(3) is provided solely to the department for the Washington strategic freight transportation analysis.

**Sec. 223.** 2003 c 360 s 223 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--PROGRAM U DEPARTMENT OF TRANSPORTATION||CHARGES FROM OTHER AGENCIES--PROGRAM U**

Motor Vehicle Account--State Appropriation . . . . . (~~(\$61,082,000)~~)  
\$54,738,000

The appropriation in this section is subject to the following conditions and limitations:

(1) (~~(\$50,799,000)~~) \$43,799,000 of the motor vehicle fund--state appropriation is provided solely for the liabilities attributable to the department of transportation. The office of financial management must provide a detailed accounting of the revenues and expenditures of the self-insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.

(2) Payments in this section represent charges from other state agencies to the department of transportation.

(a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT  
DIVISION OF RISK MANAGEMENT FEES . . . . . (~~(\$989,000)~~)  
\$848,000

(b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE  
AUDITOR . . . . . (~~(\$823,000)~~)  
\$819,000

(c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL  
ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED  
MAIL SERVICES . . . . . \$3,850,000

(d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF  
PERSONNEL . . . . . (~~(\$2,252,000)~~)  
\$2,786,000

(e) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS  
AND ADMINISTRATION . . . . . (~~(\$50,799,000)~~)  
\$43,799,000

(f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL  
ADMINISTRATION CAPITAL PROJECTS SURCHARGE . . . . . \$1,846,000

(g) FOR ARCHIVES AND RECORDS MANAGEMENT . . . . . (~~(\$523,000)~~)  
\$538,000

(h) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITY  
AND WOMEN'S BUSINESS ENTERPRISES . . . . . \$252,000

**Sec. 224.** 2003 c 360 s 224 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**

DEPARTMENT OF TRANSPORTATION||PUBLIC TRANSPORTATION--PROGRAM V

Multimodal Transportation Account--State

Appropriation . . . . . (~~(\$46,457,000)~~)  
\$47,197,000

Multimodal Transportation Account--Federal Appropriation \$2,574,000

Multimodal Transportation Account--Private/Local

Appropriation . . . . . \$155,000

TOTAL APPROPRIATION . . . . . (~~(\$49,186,000)~~)  
\$49,926,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for nonprofit providers of transportation for persons with special transportation needs. \$14,000,000 of the multimodal transportation account--state appropriation is provided solely for a grant program for transit agencies to transport persons with special transportation needs. (~~(Moneys shall be to provide additional service only and may not be used to supplant current funding.)~~) Grants shall only be used by nonprofit providers and transit agencies for capital and operating costs (~~(directly associated with adding additional service)~~). Grants for nonprofit providers shall be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided. Grants for transit agencies shall be prorated based on the amount expended for demand response service and route deviated service in calendar year 2001 as reported in the "Summary of Public Transportation - 2001" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions. The first \$200,000 provided to King county shall be used to provide electric buses, instead of diesel buses, for service on Capital Hill in Seattle, Washington through June 30, 2005.

(2) \$1,500,000 of the multimodal transportation account--state appropriation is provided solely for grants to implement section 9 of

Engrossed Substitute House Bill No. 2228. For the 2003-05 biennium, the grant program is not subject to the \$750,000 annual limitation but may not expend more than \$1,500,000 for the biennium.

(3) Funds are provided for the rural mobility grant program as follows:

(a) \$6,000,000 of the multimodal transportation account--state appropriation is provided solely for grants for those transit systems serving small cities and rural areas as identified in the Summary of Public Transportation - 2001 published by the department of transportation. Noncompetitive grants must be distributed to the transit systems serving small cities and rural areas in a manner similar to past disparity equalization programs.

(b) \$4,000,000 of the multimodal transportation account--state appropriation is provided solely to providers of rural mobility service in areas not served or underserved by transit agencies through a competitive grant process.

(4) \$4,000,000 of the multimodal transportation account--state appropriation is provided solely for a vanpool grant program for public transit agencies. The grant program will cover capital costs only; no operating costs are eligible for funding under this grant program. Only grants that add vanpools are eligible, no supplanting of transit funds currently funding vanpools is allowed. Additional criteria for selecting grants will include leveraging funds other than state funds.

(5) \$3,000,000 of the multimodal transportation account--state appropriation is provided to the city of Seattle for the Seattle streetcar project on South Lake Union.

(6) \$240,000 of the multimodal transportation account--state appropriation is provided solely for additional commute trip reduction (CTR) program funding distributions. This amount shall be divided equally among Benton, Clark, Kitsap, Thurston, Whatcom, and Yakima counties for CTR programs and planning.

**Sec. 225.** 2003 c 360 s 225 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X** DEPARTMENT OF TRANSPORTATION||MARINE--PROGRAM X

Puget Sound Ferry Operations Account--State

Appropriation . . . . . ((~~\$309,580,000~~))  
\$311,744,000

Multimodal Transportation Account--State Appropriation . \$5,120,000

TOTAL APPROPRIATION . . . . . (~~(\$314,700,000)~~)  
\$316,864,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The appropriation is based on the budgeted expenditure of (~~(\$34,701,000)~~) \$35,348,000 for vessel operating fuel in the 2003-2005 biennium. If the actual cost of fuel is less than this budgeted amount, the excess amount may not be expended. If the actual cost exceeds this amount, the department shall request a supplemental appropriation.

(2) The Washington state ferries (WSF) is directed to work with the office of the state treasurer to use available financing tools to mitigate the fluctuating price of fuel. The WSF shall enter into contracts to sell put options and purchase call options, creating a "costless collar" that will both set a floor and a cap on fuel prices for at least fifty percent of the ferry system's fuel needs for the 2005 fiscal year. The state treasurer and the state investment board shall provide the necessary direction and oversight to ensure the WSF develops and implements a financially sound strategy.

(3) The appropriation provides for the compensation of ferry employees. The expenditures for compensation paid to ferry employees during the 2003-2005 biennium may not exceed (~~(\$207,757,000)~~) \$208,130,000 plus a dollar amount, as prescribed by the office of financial management, that is equal to any insurance benefit increase granted general government employees in excess of \$495.30 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for fiscal year 2004 and \$567.67 a month annualized per eligible marine employee multiplied by the number of eligible marine employees for fiscal year 2005, a dollar amount as prescribed by the office of financial management for costs associated with pension amortization charges, and a dollar amount prescribed by the office of financial management for salary increases during the 2003-2005 biennium. For the purposes of this section, the expenditures for compensation paid to ferry employees shall be limited to salaries and wages and employee benefits as defined in the office of financial management's policies, regulations, and procedures named under objects of expenditure "A" and "B" (7.2.6.2).

The prescribed salary increase or decrease dollar amount that shall be allocated from the governor's compensation appropriations is in addition to the appropriation contained in this section and may be used

to increase or decrease compensation costs, effective July 1, 2003, and thereafter, as established in the 2003-2005 general fund operating budget.

~~((3))~~ (4) \$4,234,000 of the multimodal transportation account--state appropriation and \$800,000 of the Puget Sound ferry operations account--state appropriation are provided solely for operating costs associated with the Vashon to Seattle passenger-only ferry. The Washington state ferries will develop a plan to increase passenger-only farebox recovery to at least forty percent by July 1, 2003, with an additional goal of eighty percent, through increased fares, lower operation costs, and other cost-saving measures as appropriate. In order to implement the plan, ferry system management is authorized to negotiate changes in work hours (requirements for split shift work), but only with respect to operating passenger-only ferry service, to be included in a collective bargaining agreement in effect during the 2003-05 biennium that differs from provisions regarding work hours in the prior collective bargaining agreement. The department must report to the transportation committees of the legislature by December 1, 2003.

~~((4))~~ (5) \$866,000 of the multimodal transportation account--state appropriation and \$200,000 of the Puget Sound ferry operations account--state appropriation are provided solely for operating costs associated with the Bremerton to Seattle passenger-only ferry service for thirteen weeks.

~~((5))~~ (6) The department shall study the potential for private or public partners, including but not limited to King county, to provide passenger-only ferry service from Vashon to Seattle. The department shall report to the legislative transportation committees by December 31, 2003.

~~((6))~~ (7) The Washington state ferries shall continue to provide service to Sidney, British Columbia.

~~((7))~~ (8) When augmenting the existing ferry fleet, the department of transportation ferry capital program shall explore cost-effective options to include the leasing of ferries from private-sector organizations.

~~((8))~~ (9) The Washington state ferries shall work with the department of general administration, office of state procurement to improve the existing fuel procurement process and solicit, identify, and evaluate, purchasing alternatives to reduce the overall cost of fuel and mitigate the impact of market fluctuations and pressure on both short- and long-term fuel costs. Consideration shall include, but

not be limited to, long-term fuel contracts, partnering with other public entities, and possibilities for fuel storage in evaluating strategies and options. The department shall report back to the transportation committees of the legislature by December 1, 2003, on the options, strategies, and recommendations for managing fuel purchases and costs.

~~((+9))~~ (10) The department must provide a separate accounting of passenger-only ferry service costs and auto ferry service costs, and must provide periodic reporting to the legislature on the financial status of both passenger-only and auto ferry service in Washington state.

~~((+10))~~ (11) The Washington state ferries must work with the department's information technology division to implement a new revenue collection system, including the integration of the regional fare coordination system (smart card). Each December, annual updates are to be provided to the transportation committees of the legislature concerning the status of implementing and completing this project, with updates concluding the first December after full project implementation.

~~((+11))~~ (12) The Washington state ferries shall evaluate the benefits and costs of selling the depreciation rights to ferries purchased by the state in the future through sale and lease-back agreements, as permitted under RCW 47.60.010. The department is authorized to issue a request for proposal to solicit proposals from potential buyers. The department must report to the transportation committees of the legislature by December 1, 2004, on the options, strategies, and recommendations for sale/lease-back agreements on existing ferry boats as well as future ferry boat purchases.

(13) The Washington state ferries will develop a standard cost allocation methodology and accounting process to adequately identify, capture, and report revenues and expenses associated with their increasing number of profit center business activities. The intent of the legislature is to ensure that costs incurred for any of the ferry system's break-even or profit-center activities are properly associated with the revenues generated by that activity. A standard methodology for identifying and allocating indirect costs is to be developed. In addition, recommendations for identifying and allocating capital costs are to be established, where applicable. The Washington state ferries will submit a report to the house of representatives transportation committee and to the senate highways and transportation committee by December 1, 2004, outlining the cost allocation methodologies and

accounting processes to be used to capture information and report business unit revenue and expenses.

(14) The department shall analyze the total cost of purchasing traditional fossil-based fuels for ferry operations versus the cost of replacing traditional fuels with bio-fuels. In calculating the total cost of both types of fuel the department must include, but is not limited to, the costs associated with environmental protection requirements associated with truck-based on-ship loading, assuming the use of 100 per cent bio-fuel, regulated by the federal government as vegetable oil.

(15) \$238,000 of the Puget Sound ferry operations account--state appropriation is provided solely for the implementation of Second Substitute House Bill No. 3112. If Second Substitute House Bill No. 3112 is not enacted by June 30, 2004, the amount provided in this subsection shall lapse.

**Sec. 226.** 2003 c 360 s 226 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**  
DEPARTMENT OF TRANSPORTATION||RAIL--PROGRAM Y--OPERATING  
Multimodal Transportation Account--State

Appropriation . . . . . ((~~\$35,075,000~~))  
\$34,118,000

The appropriation in this section is subject to the following conditions and limitations:

(1) ((~~\$30,831,000~~)) \$29,961,000 of the multimodal transportation account--state appropriation is provided solely for the Amtrak service contract and Talgo maintenance contract associated with providing and maintaining the state-supported passenger rail service.

(2) No Amtrak Cascade runs may be eliminated.

(3) The department is directed to explore scheduling changes that will reduce the delay in Seattle when traveling from Portland to Vancouver B.C.

(4) The department is directed to explore opportunities with British Columbia (B.C.) concerning the possibility of leasing an existing Talgo trainset to B.C. during the day for a commuter run when the Talgo is not in use during the Bellingham layover.

**Sec. 227.** 2003 c 360 s 227 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--  
OPERATING** DEPARTMENT OF TRANSPORTATION||LOCAL PROGRAMS--PROGRAM Z--  
OPERATING

Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$7,057,000</del> ))
	<u>\$7,067,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	\$2,569,000
TOTAL APPROPRIATION . . . . .	(( <del>\$9,626,000</del> ))
	<u>\$9,636,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Up to \$75,000 of the total appropriation is provided in accordance with RCW 46.68.110(2) and 46.68.120(3) to fund the state's share of the 2004 Washington marine cargo forecast study. Public port districts, acting through their association, must provide funding to cover the remaining cost of the forecast.

(2) \$300,000 of the motor vehicle account--state appropriation is provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to fund a study of the threats posed by flooding to the state and other infrastructure near the Interstate 5 crossing of the Skagit River. This funding is contingent on the receipt of federal matching funds.

**TRANSPORTATION AGENCIES--CAPITAL**

**Sec. 301.** 2003 c 360 s 304 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF  
TRANSPORTATION-ONLY PROJECTS) --CAPITAL** DEPARTMENT OF  
TRANSPORTATION||PROGRAM D--CAPITAL

Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$17,296,000</del> ))
	<u>\$15,940,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) The entire motor vehicle account--state appropriation is provided solely to implement the activities and projects included in the Legislative 2003 Transportation Project List - Current Law report as transmitted to LEAP on ((~~April 27, 2003~~)) March 11, 2004.

(2) The department shall develop a standard design for all maintenance facilities to be funded under this section. Prior to developing design standards, the department must solicit input from all personnel classifications typically employed at maintenance facilities.

By September 1, 2003, the department shall submit a report to the legislative transportation committees describing the stakeholder involvement process undertaken and the adopted design standards for maintenance facilities.

**Sec. 302.** 2003 c 360 s 305 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

DEPARTMENT OF TRANSPORTATION  IMPROVEMENTS--PROGRAM I	
Transportation 2003 Account (Nickel Account)--State	
Appropriation . . . . .	(( <del>\$565,300,000</del> ))
	<u>\$558,789,000</u>
Transportation 2003 Account (Nickel Account)--Federal	
Appropriation . . . . .	(( <del>\$950,000</del> ))
	<u>\$7,239,000</u>
Transportation 2003 Account (Nickel Account)--Local	
Appropriation . . . . .	(( <del>\$3,434,000</del> ))
	<u>\$3,211,000</u>
Motor Vehicle Account--State Appropriation . . . . .	
	(( <del>\$157,374,000</del> ))
	<u>\$159,225,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	
	(( <del>\$192,940,000</del> ))
	<u>\$191,338,000</u>
Motor Vehicle Account--Local Appropriation . . . . .	
	(( <del>\$13,258,000</del> ))
	<u>\$26,691,000</u>
Special Category C Account--State Appropriation . . . . .	
	\$50,279,000
Tacoma Narrows Toll Bridge Account-- <u>State</u>	
Appropriation . . . . .	(( <del>\$613,300,000</del> ))
	<u>\$603,992,000</u>
TOTAL APPROPRIATION . . . . .	
	(( <del>\$1,596,835,000</del> ))
	<u>\$1,600,764,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) ((~~\$157,374,000~~)) \$159,225,000 of the motor vehicle account--state appropriation, ((~~\$192,940,000~~)) \$191,338,000 of the motor vehicle account--federal appropriation, ((~~\$13,258,000~~)) \$26,691,000 of the motor vehicle account--local appropriation, and \$50,279,000 of the special category C account--state appropriation are provided solely to implement the activities and projects included in the Legislative 2003 Transportation Project List - Current Law report as transmitted to LEAP on ((~~April 27, 2003~~)) March 11, 2004.

(2) The motor vehicle account--state appropriation includes (~~(\$78,000,000)~~) \$93,615,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation. The motor vehicle account--state appropriation includes (~~(\$18,038,000)~~) \$17,380,000 in unexpended proceeds from bond sales authorized in RCW 47.10.843 for mobility and economic initiative improvement projects.

(3) The Tacoma Narrows toll bridge account--state appropriation includes \$567,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The Tacoma Narrows toll bridge account--state appropriation includes (~~(\$46,300,000)~~) \$36,992,000 in unexpended proceeds from the January 2003 bond sale authorized in RCW 47.10.843 for the Tacoma Narrows bridge project.

(4) The special category C account--state appropriation includes \$44,000,000 in proceeds from the sale of bonds authorized by RCW 47.10.812. The transportation commission may authorize the use of current revenues available in the special category C account in lieu of bond proceeds for any part of the state appropriation.

(5) The entire transportation 2003 account (nickel account) appropriation is provided solely for the projects and activities as indicated in the Legislative 2003 Transportation Project List - New Law report transmitted to LEAP on (~~(April 27, 2003)~~) March 11, 2004.

(6) The (~~(motor vehicle account)~~) transportation 2003 account (nickel account)--state appropriation includes (~~(\$280,000,000)~~) \$269,000,000 in proceeds from the sale of bonds authorized by Senate Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(7) \$11,000,000 of the (~~(motor vehicle account)~~) transportation 2003 account (nickel account)--state appropriation is provided solely for the environmental impact statement on the SR 520 Evergreen floating bridge.

(8) \$250,000 of the transportation 2003 account (Nickel Account)--state appropriation and an equal amount from the city of Seattle are provided solely for an analysis of the impacts that an expansion of the SR 520 Evergreen floating bridge will have on the streets of North Capitol Hill, Roanoke Park, and Montlake. An advisory committee with two members each from Portage Bay/Roanoke Park Community Council, Montlake Community Council, and the North Capitol Hill community

organization along with the secretary of transportation is established. The seven-member committee shall hire and oversee the contract with a transportation consulting organization to: (a) Perform an analysis of such impacts; and (b) design a traffic and circulation plan that mitigates the adverse consequences of such impacts. If the city of Seattle does not agree to provide \$250,000 by January 1, 2004, the amount provided in this subsection shall lapse.

(9) (a) (~~(\$500,000)~~) \$170,000 of the motor vehicle account--state appropriation is provided solely for a study to provide the legislature with information regarding the feasibility of pursuing a Washington commerce corridor. The department shall retain outside experts to conduct the study. The study must include the following conditions:

(i) The Washington commerce corridor must be a north-south corridor starting in the vicinity of Lewis county and extending northerly to the vicinity of the Canadian border. The corridor must be situated east of state route number 405 and west of the Cascades. The corridor may include any of the following features:

(A) Ability to carry long-haul freight;

(B) Ability to provide for passenger auto travel;

(C) Freight rail;

(D) Passenger rail;

(E) Public utilities; and

(F) Other ancillary facilities as may be desired to maximize use of the corridor;

(ii) The Washington commerce corridor must be developed, financed, designed, constructed, and operated by private sector consortiums; and

(iii) The Washington commerce corridor must be subject to a joint permitting process involving federal, state, and local agencies with jurisdiction.

(b) The legislative transportation committee shall form a working group to work with the department and the outside consultant on the study.

(10) (~~(\$8,000,000)~~) \$3,500,000 of the (~~motor vehicle~~) transportation 2003 (nickel) account--state appropriation is provided for the SR 522, University of Washington-Bothell campus access project. (~~(This amount will cover approximately one-half of the construction costs.)~~)

(11) The transportation permit efficiency and accountability committee (TPEAC) shall select from the project list under this subsection ten projects that have not yet secured state permits. TPEAC shall select projects from both urban and rural areas representing a

wide variety of locations within the state. These projects shall be designated "Department of Transportation Permit Drafting Pilot Projects" and shall become a part of the work plan of TPEAC required under section 2(1)(b), chapter 8 (ESB 5279), Laws of 2003.

(12) Of the amounts appropriated in this section and section 306 of this act, no more than \$124,000 is provided for increased project costs due to the enactment of Substitute Senate Bill No. 5457.

~~((14))~~ (13) To manage some projects more efficiently, federal funds may be transferred from program Z to program I ~~((to replace those federal))~~ and replaced with state funds in a dollar-for-dollar match. However, funds may not be transferred between federal programs. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations shall initially be allotted as appropriated in this act. The department shall not transfer funds as authorized under this subsection without approval of the transportation commission and the director of financial management. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2004.

(14) The department shall report on the costs associated synchronizing all stop lights within one-half mile of each other on state highway 20 between Anacortes and Burlington at the I-5 interchange, so that a vehicle, starting from a stop at a red light and traveling at the posted speed limit, can pass through the other lights without having to stop for an additional red light.

(15) Funding provided by this act for the Alaskan Way Viaduct project shall not be spent for preliminary engineering, design, right of way acquisition, or construction on the project if it could have the effect of reducing roadway capacity on that facility.

(16) In conducting its environmental impact statement responsibilities on the Alaskan Way Viaduct project, the department of transportation must provide briefings and consult with the legislators in the affected project area on the design alternatives for that facility.

**Sec. 303.** 2003 1st sp.s. c 26 s 506 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**  
Transportation 2003 Account (Nickel Account)--State  
Appropriation . . . . . ~~(( \$2,000,000 ))~~  
\$20,000

Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$178,909,000</del> ))
	<u>\$186,395,000</u>
Motor Vehicle Account--Federal Appropriation . . . . .	(( <del>\$457,467,000</del> ))
	<u>\$458,653,000</u>
Motor Vehicle Account--Local Appropriation . . . . .	(( <del>\$12,666,000</del> ))
	<u>\$12,665,000</u>
Multimodal Account--State Appropriation . . . . .	\$1,690,000
Multimodal Account--Federal Appropriation . . . . .	(( <del>\$4,247,000</del> ))
<u>Puyallup Tribal Settlement Account--State</u>	
<u>Appropriation . . . . .</u>	<u>\$11,000,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$656,979,000</del> ))
	<u>\$670,423,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$178,909,000~~)) \$186,395,000 of the motor vehicle account--state appropriation, ((~~\$457,467,000~~)) \$458,653,000 of the motor vehicle account--federal appropriation, ((~~\$12,666,000~~)) \$12,665,000 of the motor vehicle account--local appropriation, \$1,690,000 of the multimodal transportation account--state appropriation, and ((~~\$4,247,000~~ of the multimodal transportation account--federal)) \$11,000,000 of the Puyallup tribal settlement account--state appropriation are provided solely to implement the activities and projects included in the Legislative 2003 Transportation Project List - Current Law report transmitted to LEAP on ((~~April 27, 2003~~)) March 11, 2004.

(2) The motor vehicle account--state appropriation includes \$2,850,000 in proceeds from the sale of bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes. The motor vehicle account--state appropriation includes \$338,000 in unexpended proceeds from the January 2003 bond sale authorized in RCW 47.10.761 and 47.10.762 for emergency purposes.

(3) The motor vehicle account--state appropriation includes \$77,700,000 in proceeds from the sale of bonds authorized by RCW 47.10.843. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(4) The entire transportation 2003 account (nickel account) appropriation is provided solely for the projects and activities as indicated in the Legislative 2003 Transportation Project List - New Law report transmitted to LEAP on ((~~April 27, 2003~~)) March 11, 2004.

(5) The department of transportation shall continue to implement the lowest life cycle cost planning approach to pavement management throughout the state to encourage the most effective and efficient use of pavement preservation funds. Emphasis should be placed on increasing the number of roads addressed on time and reducing the number of roads past due.

(6) Of the amounts appropriated in this section and section 305 of this act, no more than \$124,000 is provided for increased project costs due to the enactment of Substitute Senate Bill No. 5457.

(7) To manage some projects more efficiently, federal funds may be transferred from program Z to program P (~~to replace those federal~~) and replaced with state funds in a dollar-for-dollar match. However, funds may not be transferred between federal programs. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations shall initially be allotted as appropriated in this act. The department shall not transfer funds as authorized under this subsection without approval of the transportation commission and the director of financial management. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2004.

(8) The department is authorized to negotiate with the city of Tacoma for the purpose of transferring ownership of the Murray Morgan/11th street bridge to the city. The department is allowed to use the Puyallup tribal settlement account appropriation as well as any funds appropriated in the current biennium and planned in future biennia for the demolition and mitigation for the demolition of the bridge to rehabilitate or replace the bridge if agreed to by the city. In no event will the departments participation exceed \$26,500,000 and no funds may be expended unless the city has signed an agreement to accept ownership of the bridge.

(9) The department shall explore short and long term opportunities for development of the land beneath the Alaskan Way Viaduct to generate additional revenue for transportation purposes. The department shall report back to the transportation committees of the house of representatives and senate by December 1, 2005.

**Sec. 304.** 2003 c 360 s 308 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**

**CONSTRUCTION--PROGRAM W DEPARTMENT OF TRANSPORTATION||WASHINGTON STATE**

FERRIES CONSTRUCTION--PROGRAM W

Puget Sound Capital Construction Account--

State Appropriation . . . . . ((~~\$129,066,000~~))  
\$108,260,000

Puget Sound Capital Construction Account--

Federal Appropriation . . . . . ((~~\$34,400,000~~))  
\$69,881,000

Puget Sound Capital Construction Account--

Local Appropriation . . . . . \$249,000

Multimodal Transportation Account--State

Appropriation . . . . . ((~~\$13,381,000~~))  
\$16,473,000

Transportation 2003 Account (nickel account)

Appropriation . . . . . \$5,749,000

TOTAL APPROPRIATION . . . . . ((~~\$182,596,000~~))  
\$200,612,000

The appropriations in this section are provided for improving the Washington state ferry system, including, but not limited to, vessel construction, major and minor vessel improvements, and terminal construction and improvements. The appropriations in this section are subject to the following conditions and limitations:

(1) The multimodal transportation account--state appropriation includes \$11,772,000 in proceeds from the sale of bonds authorized by Senate Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) ((~~\$129,066,000~~)) \$108,260,000 of the Puget Sound capital construction account--state appropriation ((~~and \$34,400,000~~)), \$69,881,000 of the Puget Sound capital construction account--federal appropriation, \$249,000 of the Puget Sound capital construction account--local appropriation, and \$4,701,000 of the multimodal transportation account--state appropriation are provided solely for capital projects as listed in the Legislative 2003 Transportation Project List - Current Law as transmitted to the LEAP on ((~~April 27, 2003~~)) March 11, 2004.

(3) ((~~\$17,521,000~~)) \$5,749,000 of the transportation 2003 account (nickel account)--state appropriation ((~~is~~)) and \$11,772,000 of the multimodal transportation account--state appropriation are provided solely for capital projects as listed in the Legislative 2003

Transportation Project List - New Law as transmitted to the LEAP on (~~April 27, 2003~~) March 11, 2004.

(4) The Puget Sound capital construction account--state appropriation includes (~~(\$45,000,000)~~) \$29,385,000 in proceeds from the sale of bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead time materials acquisition for the Washington state ferries. The transportation commission may authorize the use of current revenues available to the motor vehicle account in lieu of bond proceeds for any part of the state appropriation.

(5) Any revenues made available to the motor vehicle account from the Puget Sound capital construction account are provided as a loan and are to be repaid with interest to that account by the close of the 2005-07 biennium. The annual interest rate on the loan shall be five percent.

(6) The Washington state ferries shall consult with the United States Coast Guard regarding operational and design standards required to meet Safety of Life at Sea requirements, in an effort to determine the most efficient and cost-effective vessel design that meets these requirements.

(7) The department of transportation shall continue to implement the current financing plan that assumes four auto boats will be financed through revenues generated through mechanisms provided in current law and additional revenues. The department shall evaluate whether sufficient financing will be made available through operating savings, additional financing mechanisms, or a combination of the two approaches to finance a fifth auto boat. A report of the findings shall be provided to the transportation committees of the legislature by December 15, 2004.

(8) The department of transportation shall not sell any passenger-only ferries in the ferry system fleet before the legislature has had an opportunity to review and act on the results of the cost/benefit analysis required under this subsection. The department is authorized, however, to lease to other public or private ferry operators the passenger-only vessels not scheduled for use or for backup in the 2003-2005 biennium on a short-term (two years or less) basis.

The department shall develop alternatives for the use of passenger-only vessels that are not scheduled for use or for backup. Options should include, but are not limited to:

(a) Retaining the vessels for future use on state ferry routes;

(b) Leasing the vessels to public or private operators; and

(c) Selling the vessels and using the proceeds to purchase smaller vessels that better match current and anticipated passenger loads.

The department must provide a cost/benefit analysis of the alternatives identified and provide recommendations to the transportation committees of the legislature by December 15, 2004.

(9) The department shall provide to the transportation committees of the legislature an estimate of the total cost associated with provisioning each ferry vessel with life vests and life boats or rafts to accommodate for the maximum number of passengers on each ferry vessel.

**Sec. 305.** 2003 1st sp.s. c 26 s 508 (uncodified) is amended to read as follows:

<b>FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL</b>	
Essential Rail Assistance Account--State Appropriation . . .	\$770,000
Multimodal Transportation Account--State	
Appropriation . . . . .	<del>(\$34,530,000)</del>
	<u>\$35,330,000</u>
Multimodal Transportation Account--Federal	
Appropriation . . . . .	<del>(\$9,499,000)</del>
	<u>\$10,088,000</u>
<u>Multimodal Transportation Account--Local Appropriation . . .</u>	<u>\$9,787,000</u>
Washington Fruit Express Account--State Appropriation . . .	\$500,000
TOTAL APPROPRIATION . . . . .	<del>(\$45,299,000)</del>
	<u>\$56,475,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The multimodal transportation account--state appropriation includes \$30,000,000 in proceeds from the sale of bonds authorized by Senate Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(2) ~~(\$4,530,000)~~ \$5,330,000 of the multimodal transportation account--state appropriation, ~~(\$9,499,000)~~ \$10,088,000 of the multimodal transportation account--federal appropriation, \$9,787,000 of the multimodal transportation account--local appropriation, \$500,000 of the Washington fruit express account--state appropriation, and \$770,000 of the essential rail assistance account--state appropriation are provided solely for capital projects as listed in the Legislative 2003 Transportation Project List - Current Law as transmitted to the LEAP on

((April 27, 2003)) March 11, 2004.

(3) \$1,230,000 of the multimodal transportation account--state appropriation and \$770,000 of the essential rail assistance account--state appropriation is to be placed in reserve status by the office of financial management to be held until the department identifies the location for a new transload facility at either Wenatchee or Quincy. The funds are to be released upon determination of a location and approval by the office of financial management.

(4) \$30,000,000 of the multimodal transportation account--state appropriation is provided solely for capital projects as listed in the Legislative 2003 Transportation Project List - New Law as transmitted to the LEAP on ((April 27, 2003)) March 11, 2004.

(5) If federal block grant funding for freight or passenger rail is received, the department shall consult with the legislative transportation committee prior to spending the funds on additional projects.

(6) If the department issues a call for projects, applications must be received by the department by November 1, 2003, and November 1, 2004.

NEW SECTION. **Sec. 306.** 2003 1st sp.s. c 26 s 509 (uncodified) is repealed.

**Sec. 307.** 2003 c 360 s 310 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION-- LOCAL PROGRAMS--PROGRAM Z--  
CAPITAL DEPARTMENT OF TRANSPORTATION||LOCAL PROGRAMS--PROGRAM Z--  
CAPITAL**

Highway Infrastructure Account--State Appropriation . . . . .	\$207,000
Highway Infrastructure Account--Federal Appropriation . . . . .	\$1,602,000
Motor Vehicle Account--State Appropriation . . . . .	<del>(\$28,425,000)</del>
	<u>\$33,226,000</u>
<u>Motor Vehicle Account--Federal Appropriation . . . . .</u>	<u>\$1,000,000</u>
Multimodal Transportation Account--State Appropriation( <del>(\$13,726,000)</del> )	
	<u>\$30,226,000</u>
TOTAL APPROPRIATION . . . . .	<del>(\$43,960,000)</del>
	<u>\$66,261,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the multimodal transportation account--state

appropriation is provided solely for the projects and activities as indicated in the Legislative 2003 Transportation Project List - New Law Local Projects report transmitted to LEAP on (~~April 27, 2003~~) March 11, 2004.

(2) To manage some projects more efficiently, federal funds may be transferred from program Z to programs I and P and state funds shall be transferred from programs I and P to program Z to replace those federal funds in a dollar-for-dollar match. However, funds may not be transferred between federal programs. Fund transfers authorized under this subsection shall not affect project prioritization status. Appropriations shall initially be allotted as appropriated in this act. The department may not transfer funds as authorized under this subsection without approval of the transportation commission. The department shall submit a report on those projects receiving fund transfers to the transportation committees of the senate and house of representatives by December 1, 2004.

(3) \$7,576,000 of the multimodal transportation account--state appropriation is reappropriated and provided solely to fund the first phase of a multiphase cooperative project with the state of Oregon to dredge the Columbia River. If dredge material is disposed of in the ocean, the department shall not expend the appropriation in this subsection unless agreement on ocean disposal sites has been reached that protects the state's commercial crab fishery. The amount provided in this subsection shall lapse unless the state of Oregon appropriates a dollar-for-dollar match to fund its share of the project.

(4) (~~(\$1,156,000)~~) \$647,000 of the motor vehicle account--state appropriation is reappropriated and provided solely for additional small city pavement preservation program grants, to be administered by the department's highways and local programs division. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded small city pavement preservation program grant funds, but does not report activity on the project within one year of grant award, should be reviewed by the department to determine whether the grant should be terminated. The department must promptly close out grants when projects have been completed, and identify where unused grant funds remain because actual project costs were lower than estimated in the grant award. The department shall expeditiously extend new grant awards to qualified projects when funds become available either because grant awards have been rescinded for lack of sufficient project activity or because

completed projects returned excess grant funds upon project closeout.

(5) (~~(\$4,010,000)~~) \$3,156,000 of the motor vehicle account--state appropriation is reappropriated and provided solely for additional traffic and pedestrian safety improvements near schools. The highways and local programs division within the department of transportation shall administer this program. The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded traffic and pedestrian safety improvement grant funds, but does not report activity on the project within one year of grant award should be reviewed by the department to determine whether the grant should be terminated. The department must promptly close out grants when projects have been completed, and identify where unused grant funds remain because actual project costs were lower than estimated in the grant award. The department shall expeditiously extend new grant awards to qualified projects when funds become available either because grant awards have been rescinded for lack of sufficient project activity or because completed projects returned excess grant funds upon project closeout.

(6) The motor vehicle account--state appropriation includes (~~(\$20,452,000)~~) \$15,317,000 in unexpended proceeds from the sale of bonds authorized by RCW 47.10.843.

(7) The multimodal transportation account--state appropriation includes \$6,000,000 in proceeds from the sale of bonds authorized by Senate Bill No. 6062. The transportation commission may authorize the use of current revenues available to the department of transportation in lieu of bond proceeds for any part of the state appropriation.

(8) \$15,500,000 of the multimodal transportation account--state appropriation is provided solely for a rail barge facility to accommodate very large or oversized cargo to complement the port of Everett's existing deep water marine terminals. This appropriation is contingent upon an office of financial management finding that:

(a) This project is a necessary expansion for the port to meet the needs of a tenant employing thousands of Washington residents to expand the tenant's operations and to provide very substantial economic benefits to the region; and

(b) The tenant has committed to performing the manufacturing or other programs that this project will serve in the Puget Sound region.

The department shall report to the house of representatives and senate transportation committees, the house of representatives capital committee, and the senate ways and means committee at least ten days

prior to the transmittal of any funds authorized under this section.

(9) \$11,400,000 of the motor vehicle account--state appropriation is provided solely to implement the activities and projects included in the Legislative 2003 Transportation Project List - Current Law report transmitted to LEAP on March 11, 2004.

**TRANSFERS AND DISTRIBUTIONS**

**Sec. 401.** 2003 c 360 s 401 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE**

STATE TREASURER  BOND RETIREMENT AND INTEREST	
Highway Bond Retirement Account Appropriation . . . . .	(( <del>\$258,971,000</del> ))
	<u>\$250,000,000</u>
Nondebt-Limit Reimbursable Account Appropriation . . . . .	\$4,131,000
Ferry Bond Retirement Account Appropriation . . . . .	\$43,340,000
Transportation Improvement Board Bond Retirement	
Account--State Appropriation . . . . .	\$36,721,000
Motor Vehicle Account--State Appropriation . . . . .	(( <del>\$3,876,000</del> ))
	<u>\$5,254,000</u>
Special Category C Account--State Appropriation . . . . .	(( <del>\$331,000</del> ))
	<u>\$338,000</u>
Transportation Improvement Account--State	
Appropriation . . . . .	\$240,000
Multimodal Transportation Account--State Appropriation . . . . .	\$358,000
Transportation 2003 Account (nickel account)--State	
Appropriation . . . . .	(( <del>\$2,100,000</del> ))
	<u>\$2,117,000</u>
TOTAL APPROPRIATION . . . . .	(( <del>\$350,068,000</del> ))
	<u>\$342,499,000</u>

**Sec. 402.** 2003 c 360 s 402 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES** STATE TREASURER||BOND RETIREMENT AND INTEREST

Motor Vehicle Account--State Appropriation . . . . .	\$1,293,000
Special Category C Account-- <u>State</u> Appropriation . . . . .	\$111,000

Transportation Improvement Account--State	
Appropriation . . . . .	( <del>(\$5,000)</del> )
	<u>\$21,000</u>
Multimodal Transportation Account--State Appropriation . . .	\$119,000
Transportation 2003 Account (nickel account)--State	
Appropriation . . . . .	\$700,000
TOTAL APPROPRIATION . . . . .	( <del>(\$2,228,000)</del> )
	<u>\$2,244,000</u>

**Sec. 403.** 2003 c 360 s 403 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR MVFT BONDS AND TRANSFERS STATE TREASURER||BOND RETIREMENT AND INTEREST**

(1) Motor Vehicle Account--State Reappropriation:  
 For transfer to the Tacoma Narrows toll bridge  
 account . . . . . \$567,000,000

The department of transportation is authorized to sell up to \$567,000,000 in bonds authorized by RCW 47.10.843 for the Tacoma Narrows bridge project. Proceeds from the sale of the bonds shall be deposited into the motor vehicle account. The department of transportation shall inform the treasurer of the amount to be deposited.

(2) Motor Vehicle Account--State Appropriation:  
 For transfer to the Puget Sound capital construction  
 account . . . . . (~~(\$45,000,000)~~)  
\$29,385,000

The department of transportation is authorized to sell up to (~~(\$45,000,000)~~) \$29,385,000 in bonds authorized by RCW 47.10.843 for vessel and terminal acquisition, major and minor improvements, and long lead-time materials acquisition for the Washington state ferries.

**Sec. 404.** 2003 c 360 s 404 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

Motor Vehicle Account Appropriation for  
 motor vehicle fuel tax distributions to  
 cities and counties . . . . . (~~(\$441,359,000)~~)  
\$439,328,354

Motor Vehicle Account--State Appropriation:  
 For license permit and fee distributions to cities  
 and counties . . . . . (~~(\$51,652,000)~~)  
\$13,119,000

**Sec. 405.** 2003 c 360 s 405 (uncodified) is amended to read as follows:

**FOR THE STATE TREASURER--TRANSFERS** STATE TREASURER| |TRANSFERS

(1) State Patrol Highway Account--State  
 Appropriation: For transfer to the Motor  
 Vehicle Account . . . . . \$20,000,000

(2) Motor Vehicle Account--State  
 Appropriation: For motor vehicle fuel tax  
 refunds and transfers . . . . . (~~(\$465,152,000)~~)  
\$770,347,000

(3) Highway Safety Account--State  
 Appropriation: For transfer to the motor  
 vehicle account--state . . . . . (~~(\$12,000,000)~~)  
\$17,000,000

The state treasurer shall perform the transfers from the state patrol highway account and the highway safety account to the motor vehicle account on a quarterly basis up to the amounts provided as determined by the department of transportation.

**Sec. 406.** 2003 c 360 s 406 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION--TRANSFERS** DEPARTMENT OF TRANSPORTATION| |TRANSFERS

(1) Motor Vehicle Account--State Appropriation:  
 For transfer to Puget Sound Ferry Operations  
 Account . . . . . \$21,757,000

(2) RV Account--State Appropriation:  
 For transfer to the Motor Vehicle Account--State . . . . \$1,954,000

(3) Motor Vehicle Account--State Appropriation:  
 For transfer to Puget Sound Capital Construction  
 Account . . . . . (~~(\$64,287,000)~~)  
\$61,287,000

(4) Puget Sound Ferry Operations Account--State  
 Appropriation: For transfer to Puget Sound  
 Capital Construction Account . . . . . \$22,000,000

(5) Transportation Equipment Fund--State

Appropriation: For transfer to the Motor Vehicle

Account--State . . . . . \$5,000,000

(6) Advanced Right-of-Way Revolving Account--State

Appropriation: For transfer to the Motor Vehicle

Account--State . . . . . \$3,000,000

The transfers identified in this section are subject to the following conditions and limitations:

(a) The department of transportation shall only transfer funds in subsections (2) and (3) of this section up to the level provided, on an as-needed basis.

(b) The department of transportation shall transfer funds in subsection (4) of this section up to the amount identified, provided that a minimum balance of \$5,000,000 is retained in the Puget Sound ferry operations account.

(c) The amount identified in subsection (4) of this section may not include any revenues collected as passenger fares.

**Sec. 407.** 2003 c 360 s 407 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--TRANSFERS** DEPARTMENT OF RETIREMENT SYSTEMS||TRANSFERS

State Patrol Highway Account: For transfer to the department of retirement systems expense account:

For the administrative expenses of the ((judicial))

Washington state patrol retirement system . . . . . \$223,304

**MISCELLANEOUS**

NEW SECTION. **Sec. 501.** A new section is added to 2003 c 360 (uncodified) to read as follows:

**AGENCY EXPENDITURES FOR MOTOR VEHICLES.** AGENCY EXPENDITURES FOR MOTOR VEHICLES The use of hybrid motor vehicles reduces air contaminants, greenhouse gas emissions and reliance on imported sources of petroleum. To foster the use of hybrid motor vehicles, beginning July 1, 2004, before the purchase or lease of a motor vehicle, state agencies should first consider the feasibility of hybrid motor vehicles. State agencies should strive to purchase or lease a hybrid motor vehicle when the use of such a vehicle is consistent with and can accomplish the agency's mission and when the purchase is financially

reasonable. The financial assessment should include savings accruing from reduced fuel purchases over the life of the vehicle. Agencies shall report on their purchases of hybrid vehicles in their biennial sustainability plans as required under executive order 02-03.

NEW SECTION. **Sec. 502.** A new section is added to 2003 c 360 (uncodified) to read as follows:

Washington state ferries are more than a symbol of the state's natural beauty and economic vitality. They also are a critical component of our state's transportation system, serving as an extension of our land-based highways and transit systems, connecting Washington's people, jobs, and communities.

The investments made in the 2003 transportation funding package provide the foundation for a marine transportation system that coordinates Washington's cross-Sound marine transportation and our land-based transportation alternatives to create a fully integrated marine/land multimodal transportation system. Achieving this will require the development of a long-range vision and supporting strategy that will provide the policy guidance to define and maximize efficient delivery of quality marine transportation service to the traveling public.

(1) To accomplish this, the Washington state department of transportation shall develop a vision statement and 10-year strategy for the future development of Washington's multimodal water-based transportation system.

(a) This strategy shall recommend the most appropriate means of moving foot passengers across central Puget Sound, using Washington state ferries, alternative operators, or a combination of both, in the immediate future and over the longer term:

(i) Giving priority to those routes where passenger service likely will be provided at least for the near term on passenger-only vessels, such as Vashon-Seattle, Kingston-Seattle, Southworth-Seattle, and Clinton-Seattle. Consideration shall be given to existing public-private partnership opportunities;

(ii) Considering how service patterns will best fit in the near and long term with development goals and opportunities of Colman Dock as a major hub for integrating water transportation with other transportation modes in downtown Seattle;

(iii) Evaluating how operating economies and reasonable fare box recoveries can be established by scheduling A.M. and P.M. services to match commuter demand and to fit within existing collective bargaining

agreements as interpreted and applied to facilitate "split shift" transit-like operations; and

(iv) Providing a vessel plan that most efficiently uses existing state ferry assets and provides for their likely repair and rehabilitation needs, while preserving flexibility to structure services around vessel availability that could rely on purchase or lease of additional vessels, as may suitably be required.

The strategy shall also consider the availability of partnering in operations, vessel deployment, or funding arrangements with other public transportation entities and with the private sector. The study shall also recommend the most effective use of federal funding opportunities for the overall support of integrated water transportation services on the central Puget Sound.

(b) Other components of the strategy shall include but not be limited to:

(i) A long-term plan for the ferry system's existing terminals, considering the revenue generation opportunities and potential for partnering with the private sector where appropriate. This should include a plan for generating other revenues as identified in the 2003 5-5-5 plan; and

(ii) A more equitable fare structure for the San Juan Islands, particularly for island residents.

(2) The department shall consult with key public and private sector stakeholders including business, labor, environmental community representatives, local governments, and transit agencies as part of the development of the vision statement and supporting strategy.

The long-range strategy should also recommend a short-range implementation plan for the 2005-07 biennium. The department shall provide its recommendations to the transportation committees of the legislature by December 15, 2004.

NEW SECTION.     **Sec. 503.**     In addition to other gubernatorial appointees, the state historic preservation officer shall be appointed to any steering committee that makes the final selection of projects funded from the surface transportation program flexible funds or a similar program anticipated to be authorized in the extension or reauthorization of the Transportation Equity Act for the 21st Century (TEA-21).

**PROVISIONS NECESSARY TO IMPLEMENT APPROPRIATIONS**

NEW SECTION. **Sec. 601.** 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.

NEW SECTION. **Sec. 602.** The following bills, as identified by bill number, in the form passed by the legislature are necessary to implement portions of this act: House Bill numbers 1702, 1796, 1960, 2531, 3164, and 3205.

NEW SECTION. **Sec. 603.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

(End of bill)

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