
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: H-2961.8/05 8th draft

ATTY/TYPIST: LL:seg

BRIEF DESCRIPTION: Making 2005-07 and 2003-05 transportation appropriations.

1 AN ACT Relating to transportation funding and appropriations;
2 amending 2004 c 229 ss 101, 207, 208, 209, 211, 212, 213, 215, 218,
3 219, 220, 222, 223, 224, 225, 401, 402, 404, 405, and 406 (uncodified);
4 amending 2003 c 360 s 218 (uncodified); adding new sections to 2003 c
5 360 (uncodified); creating new sections; making appropriations and
6 authorizing expenditures for capital improvements; and declaring an
7 emergency.

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

9 **2005-07 BIENNIUM**

10 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
11 is hereby adopted and, subject to the provisions set forth, the several
12 amounts specified, or as much thereof as may be necessary to accomplish
13 the purposes designated, are hereby appropriated from the several
14 accounts and funds named to the designated state agencies and offices
15 for employee compensation and other expenses, for capital projects, and
16 for other specified purposes, including the payment of any final
17 judgments arising out of such activities, for the period ending June
18 30, 2007.

1 (2) Unless the context clearly requires otherwise, the definitions
2 in this subsection apply throughout this act.

3 (a) "Fiscal year 2006" or "FY 2006" means the fiscal year ending
4 June 30, 2006.

5 (b) "Fiscal year 2007" or "FY 2007" means the fiscal year ending
6 June 30, 2007.

7 (c) "FTE" means full-time equivalent.

8 (d) "Lapse" or "revert" means the amount shall return to an
9 unappropriated status.

10 (e) "Provided solely" means the specified amount may be spent only
11 for the specified purpose.

12 (f) "Reappropriation" means appropriation and, unless the context
13 clearly provides otherwise, is subject to the relevant conditions and
14 limitations applicable to appropriations.

15 (g) "LEAP" means the legislative evaluation and accountability
16 program committee.

17 **GENERAL GOVERNMENT AGENCIES--OPERATING**

18 NEW SECTION. **Sec. 101. FOR THE UTILITIES AND TRANSPORTATION**
19 **COMMISSION**

20 Grade Crossing Protective Account--State Appropriation . . . \$501,000

21 The appropriation in this section is subject to the following
22 conditions and limitations: Per current law, funds will be transferred
23 from the public service revolving fund's miscellaneous fees and
24 penalties accounts to the grade crossing protection account--state as
25 needed to implement the commission's railroad safety program.

26 NEW SECTION. **Sec. 102. FOR THE MARINE EMPLOYEES COMMISSION**

27 Puget Sound Ferry Operations Account--State
28 Appropriation \$383,000

29 The appropriation in this section is subject to the following
30 conditions and limitations: To address its growing caseload, the
31 marine employees commission shall develop a plan for prioritizing cases
32 to schedule for hearings. The commission shall report back to the
33 transportation committees of the legislature on its case prioritization
34 plan by December 15, 2005.

1 NEW SECTION. **Sec. 205. FOR THE JOINT TRANSPORTATION COMMITTEE**

2 Motor Vehicle Account--State Appropriation \$1,400,000

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

5 (1) \$450,000 of the motor vehicle account--state appropriation is
6 provided solely for the department to administer a consultant study of
7 the long-term viability of the state's transportation financing methods
8 and sources. The study shall be guided by a twelve-member oversight
9 committee consisting of: (a) The chair and ranking member of the house
10 of representatives and senate transportation committees, and one
11 additional legislator appointed by each; (b) two members of the state
12 transportation commission, to be appointed by the commission chair; (c)
13 the chair of the transportation performance audit board; and (d) one
14 member representing the office of financial management, to be appointed
15 by the director. The secretary of the department of transportation or
16 a designee shall serve as an ex officio nonvoting member.

17 (2) At a minimum, the study must examine the following: (a) The
18 short and long-term viability of the motor fuel tax (both state and
19 federal) as a major source of funding for transportation projects and
20 programs; (b) the desirability and effectiveness of state-distributed
21 transportation funds for the benefit of local units of government; (c)
22 the potential for alternative and/or emerging sources of transportation
23 revenues, with particular emphasis on user-based fees and charges; and
24 (d) trends and implications of debt financing for transportation
25 projects. The scope of work for the study may be expanded to include
26 analysis of other financing issues relevant to the long-term viability
27 of the state's transportation system.

28 (3) The findings and recommendations must be submitted to the
29 fiscal committees of the legislature and the office of financial
30 management by November 1, 2006.

31 NEW SECTION. **Sec. 206. FOR THE TRANSPORTATION ACCOUNTABILITY**
32 **COMMISSION**

33 Motor Vehicle Account--State Appropriation \$1,870,000

34 NEW SECTION. **Sec. 207. FOR THE TRANSPORTATION COMMISSION**

35 Motor Vehicle Account--State Appropriation (FY 2006) \$413,000

36 Motor Vehicle Account--State Appropriation (FY 2007) \$414,000

1 TOTAL APPROPRIATION \$827,000

2 NEW SECTION. **Sec. 208. FOR THE FREIGHT MOBILITY STRATEGIC**
3 **INVESTMENT BOARD**

4 Motor Vehicle Account--State Appropriation \$655,000

5 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--FIELD**
6 **OPERATIONS BUREAU**

7 State Patrol Highway Account--State Appropriation \$190,636,000

8 State Patrol Highway Account--Federal Appropriation . . . \$10,412,000

9 State Patrol Highway Account--Private/Local Appropriation . . \$169,000

10 TOTAL APPROPRIATION \$201,217,000

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

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

19 (2) The state patrol highway account--state appropriation for DUI
20 reimbursements shall only be spent for pursuit vehicle video cameras,
21 datamaster DUI testing equipment, tire deflator equipment, and taser
22 guns. The Washington state patrol prior to the issuance of any taser
23 guns will train the troopers on using the equipment. The agency will
24 provide a report to the transportation committees of the senate and
25 house of representatives by December 31st of each year on the
26 occurrences where the taser guns were utilized along with any issues
27 that have been identified.

28 (3) \$29,000 of the state patrol highway account--state
29 appropriation is provided solely for the implementation of House Bill
30 No. 1469. If House Bill No. 1469 is not enacted by June 30, 2005, this
31 appropriation shall lapse.

32 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--**
33 **TECHNICAL SERVICES BUREAU**

34 State Patrol Highway Account--State Appropriation \$80,277,000

35 State Patrol Highway Account--Private/Local

1	Appropriation	\$1,994,000
2	TOTAL APPROPRIATION	\$82,271,000

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

5 (1) The Washington state patrol is instructed to work with the risk
6 management division in the office of financial management in compiling
7 the state patrol data for establishing the agency's risk management
8 insurance premiums to the tort claims account. The office of financial
9 management and the Washington state patrol will submit a report to the
10 transportation committees of the senate and house of representatives by
11 December 31 of each year on the number of claims, estimated claims to
12 be paid, method of calculation, and the adjustment in the premium.

13 (2) The Washington state patrol fuel budget for the 2005-07
14 biennium is \$6,228,000. This funding shall only be used for fuel and
15 any savings due to decreased usage or fuel prices can not be used for
16 any other purpose. This funds the Washington state patrol at an
17 average fuel price of \$1.73.

18 (3) The Washington state patrol pursuit vehicle budget state patrol
19 highway account--state is \$9,017,000 for the 2005-07 biennium and 360
20 pursuit vehicles to be purchased. This amount was transferred to this
21 bureau in the 1999-2001 budget and legislative pursuit vehicle funding
22 increases during the 2001-03 biennium. This funding shall only be used
23 for the purchase of the pursuit vehicles.

24 (4) The Washington state patrol vehicle repair budget state patrol
25 highway account--state is \$4,900,000 for the 2005-07 biennium. This
26 amount was transferred to this bureau in the 1999-2001 budget. This
27 funding shall only be used for the maintenance of vehicles used for
28 highway purposes.

29 (5) The Washington state patrol mission vehicle budget for the
30 commercial vehicle and traffic investigation sections for the state
31 patrol highway account--state is \$384,000 for the 2005-07 biennium.
32 This amount was transferred to this bureau in the 2001-03 budget. This
33 funding shall only be used for the purchase of mission vehicles for the
34 commercial vehicle enforcement and traffic investigations.

35 (6) \$247,000 of the state patrol highway account--state
36 appropriation is provided solely for the implementation of Second
37 Substitute House Bill No. 1188. If Second Substitute House Bill No.
38 1188 is not enacted by June 30, 2005, this appropriation shall lapse.

1 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF LICENSING--**

2 **MANAGEMENT AND SUPPORT SERVICES**

3	Marine Fuel Tax Refund Account--State Appropriation	\$3,000
4	Motorcycle Safety Education Account--State Appropriation . . .	\$92,000
5	Wildlife Account--State Appropriation	\$79,000
6	Highway Safety Account--State Appropriation	\$10,070,000
7	Motor Vehicle Account--State Appropriation	\$6,820,000
8	Motor Vehicle Account--Local Appropriation	\$26,000
9	DOL Services Account--State Appropriation	\$84,000
10	Biometric Security Account--State Appropriation	\$57,000
11	TOTAL APPROPRIATION	\$17,231,000

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

14 (1) \$55,000 of the highway safety account--state appropriation is
15 provided solely for the implementation of Substitute House Bill No.
16 1854. If Substitute House Bill No. 1854 is not enacted by June 30,
17 2005, this appropriation shall lapse.

18 (2) \$26,000 of the motor vehicle account--local appropriation is
19 provided solely for the implementation of Engrossed Substitute House
20 Bill No. 2157. If Engrossed Substitute House Bill No. 2157 is not
21 enacted by June 30, 2005, this appropriation shall lapse. If a
22 regional transportation improvement authority is not formed by June 30,
23 2007, this appropriation shall revert to the motor vehicle account--
24 local appropriation.

25 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF LICENSING--**

26 **INFORMATION SERVICES**

27	Marine Fuel Tax Refund Account--State Appropriation	\$2,000
28	Motorcycle Safety Education Account--State Appropriation . . .	\$35,000
29	Wildlife Account--State Appropriation	\$101,000
30	Highway Safety Account--State Appropriation	\$20,766,000
31	Motor Vehicle Account--State Appropriation	\$11,864,000
32	Motor Vehicle Account--Private/Local Appropriation	\$1,550,000
33	DOL Services Account--State Appropriation	\$3,967,000
34	Biometric Security Account--State Appropriation	\$4,570,000
35	TOTAL APPROPRIATION	\$42,855,000

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

1 (1) The department shall submit a report to the transportation
2 committees of the legislature detailing the progress made in
3 transitioning off of the HP 3000 system. Reports shall be made by the
4 following dates: December 30, 2005, and each December 30 thereafter
5 until the project is fully completed.

6 (2) \$357,000 of the motor vehicle account--state appropriation is
7 provided solely for the implementation of all special license plate
8 bills introduced during the 2005 legislative session and approved by
9 the special license plate review board. The amount provided in this
10 subsection shall be reduced accordingly for any of those bills that are
11 not enacted by June 30, 2005.

12 (3) \$864,000 of the motor vehicle account--local appropriation is
13 provided solely for the implementation of Engrossed Substitute House
14 Bill No. 2157. If Engrossed Substitute House Bill No. 2157 is not
15 enacted by June 30, 2005, this appropriation shall lapse. If a
16 regional transportation improvement authority is not formed by June 30,
17 2007, this appropriation shall revert to the motor vehicle account--
18 local appropriation.

19 (4) \$186,000 of the highway safety account--local appropriation is
20 provided solely for the implementation of Substitute Senate Bill No.
21 5177. If Substitute Senate Bill No. 5177 is not enacted by June 30,
22 2005, this appropriation shall lapse.

23 (5) \$58,000 of the wildlife account--state appropriation is
24 provided solely for the implementation of Engrossed Senate Bill No.
25 5423. If Engrossed Senate Bill No. 5423 is not enacted by June 30,
26 2005, this appropriation shall lapse.

27 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF LICENSING--VEHICLE**
28 **SERVICES**

29	Marine Fuel Tax Refund Account--State Appropriation	\$26,000
30	Wildlife Account--State Appropriation	\$614,000
31	Motor Vehicle Account--State Appropriation	\$49,080,000
32	Motor Vehicle Account--Private/Local Appropriation	\$1,364,000
33	DOL Services Account--State Appropriation	\$1,146,000
34	TOTAL APPROPRIATION	\$52,230,000

35 (1) \$247,000 of the motor vehicle account--state appropriation is
36 provided solely for the implementation of all special license plate
37 bills introduced during the 2005 legislative session and approved by

1 the special license plate review board. The amount provided in this
2 subsection shall be reduced accordingly for any of those bills that are
3 not enacted by June 30, 2005.

4 (2) \$375,000 of the motor vehicle account--local appropriation is
5 provided solely for the implementation of Engrossed Substitute House
6 No. Bill 2157. If Engrossed Substitute House Bill No. 2157 is not
7 enacted by June 30, 2005, this appropriation shall lapse. If a
8 regional transportation improvement authority is not formed by June 30,
9 2007, this appropriation shall revert to the motor vehicle account--
10 local appropriation.

11 (3) \$117,000 of the motor vehicle account--local appropriation is
12 provided solely for the implementation of Substitute Senate Bill No.
13 5177. If Substitute Senate Bill No. 5177 is not enacted by June 30,
14 2005, this appropriation shall lapse.

15 (4) \$11,000 of the wildlife account--state appropriation is
16 provided solely for the implementation of Engrossed Senate Bill No.
17 5423. If Engrossed Senate Bill No. 5423 is not enacted by June 30,
18 2005, this appropriation shall lapse.

19 (5) \$11,000 of the highway safety account--state appropriation is
20 provided solely for the implementation of Engrossed Substitute Senate
21 Bill No. 5513. If Engrossed Substitute Senate Bill No. 5513 is not
22 enacted by June 30, 2005, this appropriation shall lapse.

23 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF LICENSING--DRIVER**
24 **SERVICES**

25 Motorcycle Safety Education Account--State

26 Appropriation	\$2,998,000
27 Highway Safety Account--State Appropriation	\$83,428,000
28 Biometric Security Account--State Appropriation	\$1,514,000
29 TOTAL APPROPRIATION	\$87,940,000

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

32 (1) \$847,000 of the highway safety account--state appropriation is
33 provided solely for the commercial driver license program. The
34 department shall informally report to the transportation committees of
35 the legislature on the progress made in addressing federal audit
36 findings and in implementing the motor carrier safety improvement act.

1 Reports shall be made by the following dates: November 1, 2005, and
2 each November 1 thereafter.

3 (2) \$412,000 of the motorcycle safety and education account--state
4 appropriation is provided solely for the department's motorcycle safety
5 program. The department shall informally report to the transportation
6 committees of the legislature detailing the progress made in
7 implementing national highway traffic safety assessment guidelines.
8 Reports shall be made by the following dates: November 1, 2005, and
9 each November 1 thereafter.

10 (3) The department of licensing, in consultation with the
11 department of transportation and other stakeholders, shall draft
12 legislation to bring the state into compliance with any federal
13 legislation or rules enacted relative to identification necessary for
14 persons crossing international borders. The department must report to
15 the transportation committees of the legislature by December 1, 2005,
16 on the recommended legislation for bringing the state into compliance
17 with federal requirements.

18 (4) \$97,000 of the highway safety account--state appropriation
19 shall lapse if House Bill No. 1260 is enacted by June 30, 2005.

20 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**
21 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

22 Tacoma Narrows Toll Bridge Account--State Appropriation . . \$8,543,000

23 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **INFORMATION TECHNOLOGY--PROGRAM C**

25	Motor Vehicle Account--State Appropriation	\$54,659,000
26	Motor Vehicle Account--Federal Appropriation	\$1,964,000
27	Puget Sound Ferry Operations Account--State	
28	Appropriation	\$8,371,000
29	Multimodal Transportation Account--State Appropriation	\$363,000
30	TOTAL APPROPRIATION	\$65,357,000

31 The appropriations in this section are subject to the following
32 conditions and limitations: \$350,000 of the motor vehicle account--
33 state appropriation is provided solely for a financial and capital
34 project systems needs assessment for future automation development and
35 enhancements. The completed assessment will identify options and shall

1 be presented to the transportation committees of the senate and the
2 house of representatives by December 31, 2005.

3 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
4 **FACILITY MAINTENANCE, OPERATIONS AND CONSTRUCTION--PROGRAM D--OPERATING**
5 Motor Vehicle Account--State Appropriation \$32,630,000

6 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
7 **AVIATION--PROGRAM F**
8 Aeronautics Account--State Appropriation \$5,335,000
9 Aeronautics Account--Federal Appropriation \$2,150,000
10 Aircraft Search and Rescue Safety and Education
11 Account--State Appropriation \$262,000
12 Multimodal Account--State Appropriation \$200,000
13 Multimodal Account--Federal Appropriation \$900,000
14 TOTAL APPROPRIATION \$8,847,000

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

17 (1)(a) \$190,000 of the aeronautics account--state appropriation is
18 provided solely for the implementation of Substitute Senate Bill No.
19 5414. If Substitute Senate Bill No. 5414 is not enacted by June 30,
20 2005, this appropriation shall lapse.

21 (b) \$262,000 of the aircraft search and rescue safety and education
22 account--state appropriation shall lapse if Substitute Senate Bill No.
23 5414 is enacted by June 30, 2005.

24 (2) \$200,000 of the multimodal transportation account--state
25 appropriation is provided solely for implementing Engrossed Substitute
26 Senate Bill No. 5121. If Engrossed Substitute Senate Bill No. 5121 is
27 not enacted by June 30, 2005, or if federal fund funds are not received
28 for the purpose of implementing Engrossed Substitute Senate Bill No.
29 5121, the amount provided in this subsection shall lapse.

30 (3) If Substitute Senate Bill No. 5414 is enacted by July 1, 2005,
31 then the remaining fund balance in the aircraft search and rescue,
32 safety, and education account shall be deposited in the state
33 aeronautics account.

34 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**

1 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**

2 Motor Vehicle Account--State Appropriation \$47,106,000

3 Motor Vehicle Account--Federal Appropriation \$500,000

4 TOTAL APPROPRIATION \$47,606,000

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

7 (1) \$1,475,000 of the motor vehicle account--state appropriation is
8 provided solely for the staffing and activities of the transportation
9 permit efficiency and accountability committee.

10 (2) \$300,000 of the motor vehicle account--state appropriation is
11 provided to the department in accordance with RCW 46.68.110(2) and
12 46.68.120(3) and shall be used by the department solely for the
13 purposes of providing contract services to the association of
14 Washington cities and Washington state association of counties to
15 implement section 2(3)(c), (5), and (6), chapter 8 (Engrossed Senate
16 Bill No. 5279), Laws of 2003 for activities of the transportation
17 permit efficiency and accountability committee.

18 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
19 **ECONOMIC PARTNERSHIPS--PROGRAM K**

20 Motor Vehicle Account--State Appropriation \$1,025,000

21 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
22 **HIGHWAY MAINTENANCE--PROGRAM M**

23 Motor Vehicle Account--State Appropriation \$290,893,000

24 Motor Vehicle Account--Federal Appropriation \$1,426,000

25 Motor Vehicle Account--Private/Local Appropriation \$4,253,000

26 TOTAL APPROPRIATION \$296,572,000

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

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

34 (2) The department shall request an unanticipated receipt for any
35 federal moneys received for emergency snow and ice removal and shall

1 place an equal amount of the motor vehicle account--state into
2 unallotted status. This exchange shall not affect the amount of
3 funding available for snow and ice removal.

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

8 (4) Funding is provided for maintenance on the state system to
9 allow for a continuation of the level of service targets included in
10 the 2003-05 biennium. In delivering the program, the department should
11 concentrate on the following areas:

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

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

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

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

23 (5) The department shall evaluate the feasibility of growing and
24 harvesting trees utilizing portions of the right of way of state
25 highways and interstates in order to generate moneys for transportation
26 funding. In its evaluation, the department shall address the
27 requirements and applicability of the Washington forest practices act,
28 the types of trees best suited for the project, and the risks
29 associated with it, along with any other relevant considerations. The
30 department must report to the transportation committees of the
31 legislature by December 1, 2005, on the options, strategies, and
32 recommendations for growing and harvesting trees in the right of way of
33 state highways and interstates.

34 (6) The department shall develop and implement a plan to improve
35 work zone safety on a statewide basis. As part of the strategy
36 included in the plan, the department shall fund equipment purchases
37 using a portion of the money from the annual OTEF equipment purchasing
38 and replacement process. The department shall also identify and

1 evaluate statewide equipment needs (such as work zone safety equipment)
2 and prioritize any such needs on a statewide basis. Substitute
3 purchasing at the statewide level, when appropriate, shall be utilized
4 to meet those identified needs. The department must report to the
5 transportation committees of the legislature by December 1, 2005, on
6 the plan, and by December 1, 2006, on the status of implementing the
7 plan.

8 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

10	Motor Vehicle Account--State Appropriation	\$41,234,000
11	Motor Vehicle Account--Federal Appropriation	\$2,050,000
12	Motor Vehicle Account--Private/Local Appropriation	\$125,000
13	TOTAL APPROPRIATION	\$43,409,000

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

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

22 (2) \$4,400,000 of the motor vehicle account--state appropriation is
23 provided solely for low-cost enhancements. The department shall give
24 priority to low-cost enhancement projects that improve safety or
25 provide congestion relief. The department shall prioritize low-cost
26 enhancement projects on a statewide rather than regional basis. Each
27 quarter, the department shall report to the transportation committees
28 of the legislature on the projects implemented with this funding.

29 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
30 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

31	Motor Vehicle Account--State Appropriation	\$24,718,000
32	Motor Vehicle Account--Federal Appropriation	\$30,000
33	Puget Sound Ferry Operations Account--State	
34	Appropriation	\$1,321,000
35	Multimodal Transportation Account--State Appropriation	\$973,000
36	TOTAL APPROPRIATION	\$27,042,000

1 (3) The department shall develop and implement a plan to educate
2 drivers about traffic roundabouts, including their purpose and proper
3 use. The department shall work with the traffic safety commission and
4 TVW in developing and implementing this plan in order to maximize
5 public awareness and safety. The department must report to the
6 transportation committees of the legislature by December 1, 2005, on
7 the plan and implementation status of educating drivers about
8 roundabouts.

9 (4) \$175,000 of the motor vehicle account--state appropriation is
10 provided to the department in accordance with RCW 46.68.110(2) and
11 46.68.120(3) and shall be used by the department to support the
12 processing and analysis of the backlog of city and county collision
13 reports by January, 2006. The amount provided in this subsection shall
14 lapse if federal funds become available for this purpose.

15 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**
16 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

17	Motor Vehicle Account--State Appropriation	\$45,030,000
18	Motor Vehicle Account--Federal Appropriation	\$400,000
19	TOTAL APPROPRIATION	\$45,430,000

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

22 (1) \$31,749,000 of the motor vehicle fund--state appropriation is
23 provided solely for the liabilities attributable to the department of
24 transportation. The office of financial management must provide a
25 detailed accounting of the revenues and expenditures of the self-
26 insurance fund to the transportation committees of the legislature on
27 December 31st and June 30th of each year.

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

30 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
31 DIVISION OF RISK MANAGEMENT FEES \$1,667,000

32 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
33 AUDITOR \$1,017,000

34 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
35 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
36 MAIL SERVICES \$4,049,000

37 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF

1 PERSONNEL \$3,572,000
 2 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY
 3 PREMIUMS AND ADMINISTRATION \$31,749,000
 4 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL
 5 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,717,000
 6 (g) FOR PAYMENT OF ARCHIVES AND RECORDS MANAGEMENT . . . \$545,000
 7 (h) FOR PAYMENT OF COSTS OF THE OFFICE OF MINORITIES
 8 AND WOMEN BUSINESS ENTERPRISES \$1,114,000

9 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**
 10 **PUBLIC TRANSPORTATION--PROGRAM V**

11 Multimodal Transportation Account--State
 12 Appropriation \$60,060,000
 13 Multimodal Transportation Account--Federal
 14 Appropriation \$2,574,000
 15 Multimodal Transportation Account--Private/Local
 16 Appropriation \$155,000
 17 TOTAL APPROPRIATION \$62,789,000

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

20 (1) \$25,000,000 of the multimodal transportation account--state
 21 appropriation is provided solely for a grant program for special needs
 22 transportation provided by transit agencies and nonprofit providers of
 23 transportation.

24 (a) \$5,500,000 of the amount provided in this subsection is
 25 provided solely for grants to nonprofit providers of special needs
 26 transportation. Grants for nonprofit providers shall be based on need,
 27 including the availability of other providers of service in the area,
 28 efforts to coordinate trips among providers and riders, and the cost
 29 effectiveness of trips provided.

30 (b) \$19,500,000 of the amount provided in this subsection is
 31 provided solely for grants to transit agencies to transport persons
 32 with special transportation needs. To receive a grant, the transit
 33 agency must have a maintenance of effort for special needs
 34 transportation that is no less than the previous year's maintenance of
 35 effort for special needs transportation. Grants for transit agencies
 36 shall be pro-rated based on the amount expended for demand response
 37 service and route deviated service in calendar year 2003 as reported in

1 the "Summary of Public Transportation - 2003" published by the
2 department of transportation. No transit agency may receive more than
3 thirty percent of these distributions. The first \$450,000 provided to
4 King county shall be used as follows:

5 (i) \$320,000 shall be used to provide electric buses, instead of
6 diesel buses, for service on Capital Hill in Seattle, Washington
7 through June 30, 2007;

8 (ii) \$130,000 shall be used to provide training for blind
9 individuals traveling through Rainier Valley and the greater Seattle
10 area. The training is to include destination training and re-training
11 due to the expected closure of the downtown bus tunnel and training on
12 how to use the Sound Transit light rail system.

13 (2) Funds are provided for the rural mobility grant program as
14 follows:

15 (a) \$7,000,000 of the multimodal transportation account--state
16 appropriation is provided solely for grants for those transit systems
17 serving small cities and rural areas as identified in the Summary of
18 Public Transportation - 2003 published by the department of
19 transportation. Noncompetitive grants must be distributed to the
20 transit systems serving small cities and rural areas in a manner
21 similar to past disparity equalization programs.

22 (b) \$7,000,000 of the multimodal transportation account--state
23 appropriation is provided solely to providers of rural mobility service
24 in areas not served or underserved by transit agencies through a
25 competitive grant process.

26 (3) \$5,000,000 of the multimodal transportation account--state
27 appropriation is provided solely for a vanpool grant program for: (a)
28 Public transit agencies to add vanpools; and (b) incentives for
29 employers to increase employee vanpool use. The grant program for
30 public transit agencies will cover capital costs only; no operating
31 costs for public transit agencies are eligible for funding under this
32 grant program. No additional employees may be hired for the vanpool
33 grant program, and supplanting of transit funds currently funding
34 vanpools is not allowed. Additional criteria for selecting grants will
35 include leveraging funds other than state funds.

36 (4) \$3,000,000 of the multimodal transportation account--state
37 appropriation is provided to the city of Seattle for the Seattle
38 streetcar project on South Lake Union.

1 (5) \$2,000,000 of the multimodal transportation account--state
2 appropriation is provided solely to King county as a state match to
3 obtain federal funding for a car sharing program for persons meeting
4 certain income or employment criteria.

5 (6) \$1,200,000 of the multimodal transportation account--state
6 appropriation is provided solely for the implementation of Substitute
7 House Bill No. 2124. If Substitute House Bill No. 2124 is not enacted
8 by June 30, 2005, the amount provided in this subsection shall lapse.

9 (7) The regional mobility steering committee created in Substitute
10 House Bill No. 2124 (state role in public transportation) shall
11 establish a program for granting state funds to transit agencies for
12 intercounty connections, rush hour service, van pools, and capital
13 projects, including park and ride lots. The steering committee shall
14 identify cost-effective projects that enhance the efficiency of
15 regional corridors, reducing delay for people and goods, and submit a
16 prioritized list to the legislature for funding.

17 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**
18 **MARINE--PROGRAM X**

19 Puget Sound Ferry Operations Account--State
20 Appropriation \$346,522,000
21 Multimodal Transportation Account--State
22 Appropriation \$3,660,000
23 TOTAL APPROPRIATION \$350,182,000

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

26 (1) The appropriation is based on the budgeted expenditure of
27 \$57,928,000 for vessel operating fuel in the 2003-2005 biennium. If
28 the actual cost of fuel is less than this budgeted amount, the excess
29 amount may not be expended. If the actual cost exceeds this amount,
30 the department shall request a supplemental appropriation.

31 (2) The appropriation provides for the compensation of ferry
32 employees. The expenditures for compensation paid to ferry employees
33 during the 2005-2007 biennium may not exceed \$216,213,000 plus a dollar
34 amount, as prescribed by the office of financial management, that is
35 equal to any insurance benefit increase granted general government
36 employees in excess of \$584.58 a month annualized per eligible marine
37 employee multiplied by the number of eligible marine employees for

1 fiscal year 2006 and \$584.58 a month annualized per eligible marine
2 employee multiplied by the number of eligible marine employees for
3 fiscal year 2007, a dollar amount as prescribed by the office of
4 financial management for costs associated with pension amortization
5 charges, and a dollar amount prescribed by the office of financial
6 management for salary increases during the 2005-2007 biennium. For the
7 purposes of this section, the expenditures for compensation paid to
8 ferry employees shall be limited to salaries and wages and employee
9 benefits as defined in the office of financial management's policies,
10 regulations, and procedures named under objects of expenditure "A" and
11 "B" (7.2.6.2).

12 The prescribed salary increase or decrease dollar amount that shall
13 be allocated from the governor's compensation appropriations is in
14 addition to the appropriation contained in this section and may be used
15 to increase or decrease compensation costs, effective July 1, 2005, and
16 thereafter, as established in sections 501 and 502 of this act.

17 (3) \$3,660,000 of the multimodal transportation account--state
18 appropriation is provided solely to provide passenger-only ferry
19 service. The ferry system shall continue passenger-only ferry service
20 from Vashon Island to Seattle through December 31, 2006. Beginning
21 September 1, 2005, ferry system management shall implement its
22 agreement with the Inlandboatmen's Union of the Pacific providing for
23 part-time passenger-only work schedules. Beginning on January 1, 2007,
24 Washington state ferries shall begin passenger-only ferry service on
25 the "Triangle" route, connecting Southworth, Vashon and Seattle.

26 (4) The Washington state ferries must work with the department's
27 information technology division to implement a new revenue collection
28 system, including the integration of the regional fare coordination
29 system (smart card). Each December and June, updates are to be
30 provided to the transportation committees of the legislature concerning
31 the status of implementing and completing this project, with updates
32 concluding the first December after full project implementation.

33 NEW SECTION. **Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--**
34 **RAIL--PROGRAM Y--OPERATING**
35 Multimodal Transportation Account--State
36 Appropriation \$37,309,000

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

3 (1) \$29,091,000 of the multimodal transportation account--state
4 appropriation is provided solely for the Amtrak service contract and
5 Talgo maintenance contract associated with providing and maintaining
6 the state-supported passenger rail service.

7 (2) \$2,750,000 of the multimodal transportation account--state
8 appropriation is provided solely for a new round trip rail service
9 between Seattle and Portland beginning July 1, 2006.

10 NEW SECTION. **Sec. 229. FOR THE DEPARTMENT OF TRANSPORTATION--**
11 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

12	Motor Vehicle Account--State Appropriation	\$7,016,000
13	Motor Vehicle Account--Federal Appropriation	\$2,544,000
14	TOTAL APPROPRIATION	\$9,560,000

15 **GENERAL GOVERNMENT AGENCIES--CAPITAL**

16 NEW SECTION. **Sec. 230. FOR THE WASHINGTON STATE PARKS AND**
17 **RECREATION--CAPITAL PROJECTS**

18	Motor Vehicle Account--State Appropriation	\$1,300,000
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19 The appropriation in this section is subject to the following
20 conditions and limitations: The motor vehicle account--state
21 appropriation is a one-time appropriation and is provided solely for
22 the SR 14 interchange portion of the Beacon Rock state park entrance
23 road project. Any of the appropriation not expended by June 30, 2007,
24 shall revert to the motor vehicle account--state appropriation.

25 **TRANSPORTATION AGENCIES--CAPITAL**

26 NEW SECTION. **Sec. 301. FOR THE WASHINGTON STATE PATROL**

27	State Patrol Highway Account--State Appropriation	\$2,801,000
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28 NEW SECTION. **Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

29	Rural Arterial Trust Account--State Appropriation	\$67,933,000
30	Motor Vehicle Account--State Appropriation	\$355,000
31	County Arterial Preservation Account--State	
32	Appropriation	\$30,392,000

1 TOTAL APPROPRIATION \$98,680,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: \$355,000 of the motor vehicle account--
4 state appropriation is provided for county ferries as set forth in RCW
5 47.56.725(4).

6 NEW SECTION. **Sec. 303. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

7 Urban Arterial Trust Account--State Appropriation \$99,425,000

8 Transportation Improvement Account--State

9 Appropriation \$103,601,000

10 Small City Pavement and Sidewalk

11 Account--State Appropriation \$2,000,000

12 TOTAL APPROPRIATION \$205,026,000

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

15 (1) The transportation improvement account--state appropriation
16 includes \$14,143,000 in proceeds from the sale of bonds authorized in
17 RCW 47.26.500. The transportation improvement board may authorize the
18 use of current revenues available to the agency in lieu of bond
19 proceeds for any part of the state appropriation.

20 (2) \$2,000,000 of the small city pavement and sidewalk account--
21 state appropriation is provided to fund the provisions of chapter
22 . . . , Laws of 2005 (Substitute Senate Bill No. 5775).

23 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

25 Motor Vehicle Account--State Appropriation \$2,492,000

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

28 (1) \$602,000 of the motor vehicle account--state appropriation is
29 provided solely for the statewide administration.

30 (2) \$632,000 of the motor vehicle account--state appropriation is
31 provided solely for regional minor projects.

32 (3) \$224,000 of the motor vehicle account--state appropriation is
33 provided solely for designing the replacement of the existing outdated
34 maintenance facility in Ephrata.

1 (4) \$219,000 of the motor vehicle account--state appropriation is
2 provided solely for the designing of the northwest regional maintenance
3 complex in Seattle.

4 (5) \$833,000 of the motor vehicle account--state appropriation is
5 provided solely for the Olympic region headquarters project.

6 (a) The department of transportation is authorized to use
7 certificates of participation for the financing of the Olympic region
8 project in the amount of \$34,874,000 plus financing expenses and
9 required reserves pursuant to chapter 39.94 RCW.

10 (b) The Washington state department of transportation may utilize
11 the design-build process in accordance with chapter 39.10 RCW for the
12 Olympic region project. If the design-build process is used, it may be
13 developed in partnership with the department of general administration.

14 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **IMPROVEMENTS--PROGRAM I**

16	Motor Vehicle Account--State Appropriation	\$70,012,000
17	Motor Vehicle Account--Federal Appropriation	\$225,513,000
18	Motor Vehicle Account--Private/Local Appropriation	\$31,500,000
19	Special Category C Account--State Appropriation	\$3,419,000
20	Tacoma Narrows Bridge Toll	
21	Account--State Appropriation	\$272,329,000
22	Transportation 2005 Account--State Appropriation	\$433,816,000
23	Transportation 2003 Account (Nickel Account)--State	
24	Appropriation	\$1,170,576,000
25	TOTAL APPROPRIATION	\$2,207,165,000

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

28 (1) The motor vehicle account--state appropriation includes
29 \$42,000,000 in proceeds from the sale of bonds authorized by RCW
30 47.10.843. The transportation commission may authorize the use of
31 current revenues available to the department of transportation in lieu
32 of bond proceeds for any part of the state appropriation.

33 (2) The transportation 2003 account (nickel account)--state
34 appropriation includes \$940,000,000 in proceeds from the sale of bonds
35 authorized by RCW 47.10.861. The transportation commission may
36 authorize the use of current revenues available to the department of

1 transportation in lieu of bond proceeds for any part of the state
2 appropriation.

3 (3) The Tacoma Narrows toll bridge account--state appropriation
4 includes \$257,016,000 in proceeds from the sale of bonds authorized by
5 RCW 47.10.843. The Tacoma Narrows toll bridge account--state
6 appropriation includes \$15,410,000 in unexpended proceeds from the
7 January 2003 bond sale authorized in RCW 47.10.843 for the Tacoma
8 Narrows bridge project.

9 (4) The transportation 2005 account--state appropriation includes
10 \$380,000,000 in proceeds from the sale of bonds authorized by House
11 Bill No. 2311. The transportation commission may authorize the use of
12 current revenues available to the department of transportation in lieu
13 of bond proceeds for any part of the state appropriation.

14 (5) The department shall not commence construction on any part of
15 the SR 520 bridge project until agreements have been reached with the
16 incorporated towns or cities that represent the communities affected by
17 the SR 520 project. The agreements must provide reasonable assurance
18 that no further degradation will occur to the citizens' current use and
19 enjoyment of their properties as a result of repairs and improvements
20 made to the SR 520 bridge and its connecting roadways. Such assurances
21 may be achieved through engineering design choices, mitigation
22 measures, or a combination of both.

23 (6) The department shall, on a quarterly basis, provide status
24 reports to the legislature on the delivery of projects as outlined in
25 the project lists distributed with this act, and on any additional
26 projects for which the department has expended funds during the 2005-07
27 fiscal biennium. The department shall work with the transportation
28 committees of the legislature to agree on report formatting and
29 elements. For projects funded by new revenue in the 2003 and 2005
30 transportation packages, reporting elements shall include, but not be
31 limited to, project scope, schedule, and costs. Other projects may be
32 reported on a programmatic basis. The department shall also provide
33 the information required under this subsection via the transportation
34 executive information system (TEIS).

35 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
36 **PRESERVATION--PROGRAM P**

37 Motor Vehicle Account--State Appropriation \$73,625,000

1	Motor Vehicle Account--Federal Appropriation	\$404,360,000
2	Motor Vehicle Account--Private/Local Appropriation	\$6,656,000
3	Transportation 2003 Account (Nickel Account)--State	
4	Appropriation	\$10,622,000
5	Puyallup Tribal Settlement Account--State Appropriation	\$11,000,000
6	Transportation 2005 Account--State Appropriation	\$160,059,000
7	TOTAL APPROPRIATION	\$666,322,000

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

10 (1) The motor vehicle account--state appropriation includes
11 \$530,000 in unexpended proceeds from bond sales authorized by RCW
12 47.10.461 and 47.10.762 for emergency purposes.

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

19 (3) \$11,000,000 of the Puyallup tribal settlement account--state
20 appropriation is provided solely for mitigation costs associated with
21 the Murray Morgan/11st Street Bridge demolition. The department may
22 negotiate with the city of Tacoma for the purpose of transferring
23 ownership of the Murray Morgan/11th Street Bridge to the city. The
24 department is allowed to use the Puyallup tribal settlement account
25 appropriation, as well as any funds appropriated in the current
26 biennium and planned in future biennia for the demolition and
27 mitigation for the demolition of the bridge to rehabilitate or replace
28 the bridge, if agreed to by the city. In no event will the
29 department's participation exceed \$26,500,000 and no funds may be
30 expended unless the city of Tacoma agrees to take ownership of the
31 bridge in its entirety and provide that the payment of these funds
32 extinguishes any real or implied agreements regarding future
33 expenditures on the bridge.

34 (4) The department shall, on a quarterly basis, provide status
35 reports to the legislature on the delivery of projects as outlined in
36 the project lists distributed with this act, and on any additional
37 projects for which the department has expended funds during the 2005-07
38 fiscal biennium. The department shall work with the transportation

1 committees of the legislature to agree on report formatting and
2 elements. For projects funded by new revenue in the 2003 and 2005
3 transportation packages, reporting elements shall include, but not be
4 limited to, project scope, schedule, and costs. Other projects may be
5 reported on a programmatic basis. The department shall also provide
6 the information required under this subsection via the transportation
7 executive information system (TEIS).

8 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

10	Motor Vehicle Account--State Appropriation	\$17,489,000
11	Motor Vehicle Account--Federal Appropriation	\$15,068,000
12	Motor Vehicle Account--Local Appropriation	\$108,000
13	TOTAL APPROPRIATION	\$32,665,000

14 The appropriations in this section are subject to the following
15 conditions and limitations: The motor vehicle account--state
16 appropriation includes \$11,010,000 for state matching funds for
17 federally selected competitive grant or congressional earmark projects
18 other than the commercial vehicle information systems and network.
19 These moneys shall be placed into reserve status until such time as
20 federal funds are secured that require a state match.

21 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
22 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

23	Puget Sound Capital Construction Account--State	
24	Appropriation	\$159,339,000
25	Puget Sound Capital Construction Account--Federal	
26	Appropriation	\$59,967,000
27	Puget Sound Capital Construction Account--Local	
28	Appropriation	\$26,000
29	Multimodal Transportation Account--State	
30	Appropriation	\$13,249,000
31	Transportation 2003 Account (Nickel Account)--State	
32	Appropriation	\$34,987,000
33	TOTAL APPROPRIATION	\$267,568,000

34 The appropriations in this section are provided for improving the
35 Washington state ferry system, including, but not limited to, vessel

1 construction, major and minor vessel preservation, and terminal
2 preservation, construction, and improvements. The appropriations in
3 this section are subject to the following conditions and limitations:

4 (1) The Puget Sound capital construction account--state
5 appropriation includes \$83,000,000 in proceeds from the sale of bonds
6 authorized by RCW 47.10.843 for vessel and terminal acquisition, major
7 and minor improvements, and long lead time materials acquisition for
8 the Washington state ferries. The transportation commission may
9 authorize the use of current revenues available to the motor vehicle
10 account in lieu of bond proceeds for any part of the state
11 appropriation.

12 (2) The multimodal transportation account--state appropriation
13 includes \$10,249,000 in proceeds from the sale of bonds authorized by
14 RCW 47.10.843. Funding may be transferred from the multimodal
15 transportation account to the motor vehicle account to cover the debt
16 service on these bonds. The transportation commission may authorize
17 the use of current revenues available to the department of
18 transportation in lieu of bond proceeds from any part of the state
19 appropriation.

20 (3) The department shall, on a quarterly basis, provide status
21 reports to the legislature on the delivery of projects as outlined in
22 the project lists distributed with this act, and on any additional
23 projects for which the department has expended funds during the 2005-07
24 fiscal biennium. The department shall work with the transportation
25 committees of the legislature to agree on report formatting and
26 elements. For projects funded by new revenue in the 2003 and 2005
27 transportation packages, reporting elements shall include, but not be
28 limited to, project scope, schedule, and costs. Other projects may be
29 reported on a programmatic basis. The department shall also provide
30 the information required under this subsection via the transportation
31 executive information system (TEIS).

32 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
33 **RAIL--PROGRAM Y--CAPITAL**

34	Essential Rail Assistance Account--State Appropriation . . .	\$250,000
35	Multimodal Transportation Account--State Appropriation . .	\$51,408,000
36	Multimodal Transportation Account--Federal	
37	Appropriation	\$10,966,000

1 TOTAL APPROPRIATION \$82,665,000

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

4 (1) The department shall, on a quarterly basis, provide status
5 reports to the legislature on the delivery of projects as outlined in
6 the project lists distributed with this act, and on any additional
7 projects for which the department has expended funds during the 2005-07
8 fiscal biennium. The department shall work with the transportation
9 committees of the legislature to agree on report formatting and
10 elements. For projects funded by new revenue in the 2003 and 2005
11 transportation packages, reporting elements shall include, but not be
12 limited to, project scope, schedule, and costs. Other projects may be
13 reported on a programmatic basis. The department shall also provide
14 the information required under this subsection via the transportation
15 executive information system (TEIS).

16 (2) The multimodal transportation account--state appropriation
17 includes \$6,000,000 in proceeds from the sale of bonds authorized by
18 RCW 47.10.867. The transportation commission may authorize the use of
19 current revenues available to the department of transportation in lieu
20 of bond proceeds for any part of the state appropriation.

21 (3) \$3,545,000 of the multimodal transportation account--state
22 appropriation is reappropriated and provided solely to fund the
23 multiphase cooperative project with the state of Oregon to dredge the
24 Columbia River. The amount provided in this subsection shall lapse
25 unless the state of Oregon appropriates a dollar-for-dollar match to
26 fund its share of the project.

27 (4) \$1,002,000 of the motor vehicle account--state appropriation is
28 reappropriated and provided solely for additional traffic and
29 pedestrian safety improvements near schools. The highways and local
30 programs division within the department of transportation shall
31 administer this program. The department shall review all projects
32 receiving grant awards under this program at least semiannually to
33 determine whether the projects are making satisfactory progress. Any
34 project that has been awarded traffic and pedestrian safety improvement
35 grant funds, but does not report activity on the project within one
36 year of grant award should be reviewed by the department to determine
37 whether the grant should be terminated. The department must promptly
38 close out grants when projects have been completed, and identify where

1 unused grant funds remain because actual project costs were lower than
2 estimated in the grant award. The department shall expeditiously
3 extend new grant awards to qualified projects when funds become
4 available either because grant awards have been rescinded for lack of
5 sufficient project activity or because completed projects returned
6 excess grant funds upon project closeout.

7 (5) The motor vehicle account--state appropriation includes
8 \$905,000 in unexpended proceeds from the sale of bonds authorized by
9 RCW 47.10.843.

10 (6) \$868,000 of the multimodal transportation account--state
11 appropriation is provided solely to support the safe routes to school
12 program.

13 (7) \$18,221,000 of the motor vehicle account--federal appropriation
14 and \$3,400,000 of the motor vehicle account--state appropriation are
15 provided solely for the local freight capital projects in progress
16 identified in this subsection. The specific funding listed is provided
17 solely for the respective projects: SR 397 Ainsworth Ave. Grade
18 Crossing, \$5,540,000; Colville Alternate Truck Route, \$2,000,000; S.
19 228th Street Extension and Grade Separation, \$6,500,000; Duwamish
20 Intelligent Transportation Systems (ITS), \$2,520,000; Bigelow Gulch
21 Road-Urban Boundary to Argonne Rd., \$2,000,000; Granite Falls Alternate
22 Route, \$1,791,000; Port of Kennewick/Piert Road, \$520,000; and Pacific
23 Hwy. E./Port of Tacoma Road to Alexander, \$750,000.

24 (8) \$6,000,000 of the multimodal account--state appropriation is
25 provided solely for the local freight 'D' street grade separation
26 project.

27 **TRANSFERS AND DISTRIBUTIONS**

28 **NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT**
29 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
30 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**
31 **TRANSPORTATION FUND REVENUE**

32 Highway Bond Retirement Account Appropriation	\$350,713,000
33 Nondebt-Limit Reimbursable Account Appropriation	\$8,775,000
34 Ferry Bond Retirement Account Appropriation	\$39,010,000
35 Transportation Improvement Board Bond Retirement	
36 Account--State Appropriation	\$30,899,000

1 Motor Vehicle Account--State Appropriation \$2,562,000
 2 Transportation Improvement Account--State Appropriation . . . \$105,000
 3 Multimodal Transportation Account--State Appropriation . . . \$303,000
 4 Transportation 2003 Account (Nickel Account)
 5 Appropriation \$19,177,000
 6 TOTAL APPROPRIATION \$451,544,000

7 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT**
 8 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 9 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

10 Motor Vehicle Account--State Appropriation \$283,000
 11 Transportation Improvement Account--State Appropriation . . . \$13,000
 12 Multimodal Transportation Account--State Appropriation . . . \$96,000
 13 Transportation 2003 Account (Nickel Account)--State
 14 Appropriation \$2,400,000
 15 Transportation 2005 Account--State Appropriation \$2,800,000
 16 TOTAL APPROPRIATION \$5,592,000

17 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT**
 18 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
 19 **MVFT BONDS AND TRANSFERS**

20 (1) Motor Vehicle Account--State Reappropriation:
 21 For transfer to the Tacoma Narrows toll bridge
 22 account \$257,016,000

23 The department of transportation is authorized to sell up to
 24 \$257,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma
 25 Narrows bridge project. Proceeds from the sale of the bonds shall be
 26 deposited into the motor vehicle account. The department of
 27 transportation shall inform the treasurer of the amount to be
 28 deposited.

29 (2) Motor Vehicle Account--State Appropriation:
 30 For transfer to the Puget Sound capital construction
 31 account \$83,000,000

32 The department of transportation is authorized to sell up to
 33 \$83,000,000 in bonds authorized by RCW 47.10.843 for vessel and
 34 terminal acquisition, major and minor improvements, and long lead-time
 35 materials acquisition for the Washington state ferries.

1 shall only transfer funds in subsection (2) of this section up to the
2 level provided, on an as-needed basis.

3 NEW SECTION. **Sec. 407. STATUTORY APPROPRIATIONS.** In addition to
4 the amounts appropriated in sections 101 through 408 of this act for
5 revenue for distribution, state contributions to the law enforcement
6 officers' and fire fighters' retirement system, and bond retirement and
7 interest including ongoing bond registration and transfer charges,
8 transfers, interest on registered warrants, and certificates of
9 indebtedness, there is also appropriated such further amounts as may be
10 required or available for these purposes under any statutory formula or
11 under any proper bond covenant made under law.

12 NEW SECTION. **Sec. 408.** The department of transportation is
13 authorized to undertake federal advance construction projects under the
14 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in
15 meeting approved highway construction and preservation objectives. The
16 legislature recognizes that the use of state funds may be required to
17 temporarily fund expenditures of the federal appropriations for the
18 highway construction and preservation programs for federal advance
19 construction projects prior to conversion to federal funding.

20 NEW SECTION. **Sec. 409. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--**
21 **TRANSFERS**

22 State Patrol Highway Account: For transfer to the
23 department of retirement systems expense account:
24 For the administrative expenses of the
25 Washington state patrol retirement system \$280,000

26 **COMPENSATION**

27 NEW SECTION. **Sec. 501. EMPLOYEE SALARY COST OF LIVING ADJUSTMENT**
28 Dedicated Funds and Accounts Appropriation \$29,828,000

29 The appropriation in this section shall be expended solely for the
30 purposes designated in this section and is subject to the following
31 conditions and limitations:

32 (1) In addition to the purposes set forth in subsections (2) and
33 (3) of this section, the appropriation in this section is provided

1 solely for a 3.2% increase effective July 1, 2005, for all classified
2 employees and state employees under the personnel system reform act of
3 2002. Also included are employees in the Washington management
4 service, and exempt employees under the jurisdiction of the personnel
5 resources board or the director of personnel, as applicable.

6 (2) The appropriation is also sufficient to fund a 3.2% salary
7 increase effective September 1, 2005, for general government,
8 legislative, and judicial employees exempt from merit system rules
9 whose maximum salaries are not set by the commission on salaries for
10 elected officials.

11 (3) The appropriation in this section is provided for a 1.6% salary
12 increase effective July 1, 2006, until June 30, 2007, for all
13 classified employees and state employees under the personnel system
14 reform act of 2002. Also included are employees in the Washington
15 management service, and exempt employees under the jurisdiction of the
16 personnel resources board or the director of personnel, as applicable.
17 The appropriation is also sufficient to fund a 1.6% salary increase
18 effective September 1, 2006, until June 30, 2007, for general
19 government, legislative, and judicial employees exempt from merit
20 system rules whose maximum salaries are not set by the commission on
21 salaries for elected officials.

22 (4)(a) No salary increase may be paid under this section to any
23 person whose salary has been Y-rated pursuant to rules adopted by the
24 personnel resources board or the director of personnel, as applicable.

25 (b) The average salary increases paid under this section to agency
26 officials whose maximum salaries are established by the committee on
27 agency official salaries shall not exceed the average increases
28 provided under subsection (2) of this section.

29 (5) The office of financial management shall update agency
30 appropriations schedules to reflect the addition of the funding in this
31 section, as identified by agency and account in LEAP document "2005-07
32 Transportation Budget-Salary Adjustment Allocation" dated April 11,
33 2005.

34 **NEW SECTION. Sec. 502. COMPENSATION--INSURANCE BENEFITS**
35 Dedicated Funds and Accounts Appropriation \$11,515,000

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

1 (1)(a) The monthly employer funding rate for insurance benefit
2 premiums, public employees' benefits board administration, and the
3 uniform medical plan, shall not exceed \$663.00 per eligible employee
4 for fiscal year 2006. For fiscal year 2007 the monthly employer
5 funding rate shall not exceed \$744.00 per eligible represented employee
6 or \$618.00 per eligible non-represented employee.

7 (b) In order to achieve the level of funding provided for health
8 benefits, the public employees' benefits board shall require any or all
9 of the following: Employee premium co-payments, increases in
10 point-of-service cost sharing, the implementation of managed
11 competition, or other changes to benefits consistent with RCW
12 41.05.065.

13 (c) The health care authority shall deposit any moneys received on
14 behalf of the uniform medical plan as a result of rebates on
15 prescription drugs, audits of hospitals, subrogation payments, or any
16 other moneys recovered as a result of prior uniform medical plan claims
17 payments, into the public employees' and retirees' insurance account to
18 be used for insurance benefits. Such receipts shall not be used for
19 administrative expenditures.

20 (2) The office of financial management shall update agency
21 appropriations schedules to reflect the addition of the funding in this
22 section, as identified by agency and account in LEAP document "2005-07
23 Transportation Budget-Health Benefit Adjustment Allocation" dated April
24 11, 2005.

25 NEW SECTION. **Sec. 503. CONTRIBUTIONS TO RETIREMENT SYSTEMS**

26 Dedicated Funds and Accounts Appropriation (\$11,362,000)

27 The appropriation in this section is subject to the following
28 conditions and limitations: Funding in this section is provided solely
29 for funding agency savings in the cost of other compensation items
30 provided at the pension rates as set forth in House Bill No. 1043 and
31 House Bill No. 1044. The office of financial management shall update
32 agency appropriations schedules to reflect the addition of the funding
33 in this section, as identified by agency and account in OFM document
34 "2005-07 Transportation Budget-Pension Adjustment Allocation" dated
35 April 11, 2005.

1 (2) Agencies shall use their information technology portfolios in
2 making decisions on matters related to the following:

3 (a) System refurbishment, acquisitions, and development efforts;

4 (b) Setting goals and objectives for using information technology
5 in meeting legislatively-mandated missions and business needs;

6 (c) Assessment of overall information processing performance,
7 resources, and capabilities;

8 (d) Ensuring appropriate transfer of technological expertise for
9 the operation of any new systems developed using external resources;
10 and

11 (e) Progress toward enabling electronic access to public
12 information.

13 (3) Each project will be planned and designed to take optimal
14 advantage of Internet technologies and protocols. Agencies shall
15 ensure that the project is in compliance with the architecture,
16 infrastructure, principles, policies, and standards of digital
17 government as maintained by the information services board.

18 (4) The agency shall produce a feasibility study for information
19 technology projects at the direction of the information services board
20 and in accordance with published department of information services
21 policies and guidelines. At a minimum, such studies shall include a
22 statement of: (a) The purpose or impetus for change; (b) the business
23 value to the agency, including an examination and evaluation of
24 benefits, advantages, and cost; (c) a comprehensive risk assessment
25 based on the proposed project's impact on both citizens and state
26 operations, its visibility, and the consequences of doing nothing; (d)
27 the impact on agency and statewide information infrastructure; and (e)
28 the impact of the proposed enhancements to an agency's information
29 technology capabilities on meeting service delivery demands.

30 (5) The agency shall produce a comprehensive management plan for
31 each project. The plan or plans shall address all factors critical to
32 successful completion of each project. The plan(s) shall include, but
33 is not limited to, the following elements: A description of the
34 problem or opportunity that the information technology project is
35 intended to address; a statement of project objectives and assumptions;
36 a definition and schedule of phases, tasks, and activities to be
37 accomplished; and the estimated cost of each phase. The planning for
38 the phased approach shall be such that the business case justification

1 for a project needs to demonstrate how the project recovers cost or
2 adds measurable value or positive cost benefit to the agency's business
3 functions within each development cycle.

4 (6) The agency shall produce quality assurance plans for
5 information technology projects. Consistent with the direction of the
6 information services board and the published policies and guidelines of
7 the department of information services, the quality assurance plan
8 shall address all factors critical to successful completion of the
9 project and successful integration with the agency and state
10 information technology infrastructure. At a minimum, quality assurance
11 plans shall provide time and budget benchmarks against which project
12 progress can be measured, a specification of quality assurance
13 responsibilities, and a statement of reporting requirements. The
14 quality assurance plans shall set out the functionality requirements
15 for each phase of a project.

16 (7) A copy of each feasibility study, project management plan, and
17 quality assurance plan shall be provided to the department of
18 information services, the office of financial management, and
19 legislative fiscal committees. The plans and studies shall demonstrate
20 a sound business case that justifies the investment of taxpayer funds
21 on any new project, an assessment of the impact of the proposed system
22 on the existing information technology infrastructure, the disciplined
23 use of preventative measures to mitigate risk, and the leveraging of
24 private-sector expertise as needed. Authority to expend any funds for
25 individual information systems projects is conditioned on the approval
26 of the relevant feasibility study, project management plan, and quality
27 assurance plan by the department of information services and the office
28 of financial management.

29 (8) Quality assurance status reports shall be submitted to the
30 department of information services, the office of financial management,
31 and legislative fiscal committees at intervals specified in the
32 project's quality assurance plan.

33 NEW SECTION. **Sec. 602.** During the 2005-07 biennium, the director
34 of general administration, through the office of state procurement,
35 shall:

36 (1) In consultation with the state investment board and the state
37 treasurer's office, explore and implement strategies designed to reduce

1 the overall cost of fuel and mitigate the impact of market fluctuations
2 and pressure on both short-term and long-term fuel costs. The
3 department of general administration shall contract for these services.
4 These fuel cost mitigation strategies shall be made available to all
5 state agencies, institutions of higher education, and political
6 subdivisions that purchase fuel through the office of state
7 procurement. These strategies may include but are not limited to
8 futures contracts, swap transactions, option contracts, costless
9 collars, and long-term storage.

10 (2) Recommend a mechanism for funding these fuel cost mitigation
11 strategies that recognizes that the benefit accrues across state and
12 local governments. To pay for these services, the director may also
13 explore negotiated incentives with contracted providers.

14 (3) Report to the fiscal committees of the legislature each
15 December 15th regarding the types of contracts established to mitigate
16 fuel costs, the amounts of fuel covered by the contracts, and the cost
17 mitigation results. The reports shall also include recommendations for
18 improving or continuing the fuel cost mitigation program.

19 NEW SECTION. **Sec. 603.** The department of transportation may
20 transfer federal funds for state funds within the preservation and
21 improvement programs if funded projects are eligible to use additional
22 federal funds and the scope of the project is not increased. The
23 department shall not transfer funds as authorized under this subsection
24 without approval of the transportation commission and the director of
25 financial management. A report of the transfers will be submitted on
26 October 1st of each fiscal year to the senate and house of
27 representatives transportation committees.

28 NEW SECTION. **Sec. 604.** The transportation commission may
29 authorize a transfer of spending allocation within the appropriation
30 provided and between projects funded with transportation 2003 state
31 appropriations and transportation 2005 account--state appropriations to
32 manage project spending and efficiently deliver all projects in the
33 program under the following conditions and limitations:

34 (1) Transfers from a project may be made if the funds allocated to
35 the project are in excess of the amount needed to complete the project;

1 (2) Transfers from a project may be made if the project is
2 experiencing unavoidable expenditure delays;

3 (3) Transfers may be made between fund sources on projects that
4 contain both transportation 2003 state appropriations, transportation
5 2005 account appropriations, and other funds;

6 (4) Each transfer between projects may only occur if the commission
7 finds that any resulting change will not impact completing the projects
8 approved by the legislature; and

9 (5) Transfers may not occur to projects not identified on the list.

10 (6) A report of the transfers shall be submitted on October 1st of
11 each fiscal year to the senate and house of representatives
12 transportation committees.

13 NEW SECTION. **Sec. 605.** The department of transportation, in
14 conjunction with the office of financial management, must implement the
15 governmental accounting standards board's (GASB) statement number 34.
16 The financial reporting value of the state's highway system must be
17 adjusted for any new additions to the system. The biennial reporting
18 of the condition of the system must be related to the funding levels of
19 maintaining the system. The department must maintain a current
20 inventory of the state's highway system and estimate the actual cost to
21 maintain and preserve the assets. In addition to the GASB statement
22 34, the department of transportation with the office of financial
23 management's assistance must establish an asset replacement value for
24 the state's highway system. A report must be submitted to the
25 transportation committees of the senate and the house of
26 representatives each April. During 2005, the speaker of the house of
27 representatives and the president of the senate must select one member
28 from each caucus to work with the office of financial management, the
29 joint legislative audit and review committee, the department of
30 transportation, and the department of general administration to
31 identify areas in state government where the GASB philosophy could be
32 implemented. The purpose of this effort is to enhance decision-making
33 that will result in strategic long-term investment decisions in
34 transportation capital project management.

35 NEW SECTION. **Sec. 606.** The department of transportation shall not

1 authorize, certify, or otherwise allow toll credits for any purpose
2 relating to passenger-only vessels not owned by the state.

3 NEW SECTION. **Sec. 607.** The department of transportation shall
4 eliminate 131 middle management positions by June 30, 2007. The middle
5 management reduction, however, shall not impact the work force required
6 to manage and support the delivery of the 2003 nickel package and 2005
7 transportation partnership package.

8 NEW SECTION. **Sec. 608.** If a regional funding plan has not been
9 implemented and approved by the voters by January 1, 2007, any projects
10 funded in this act that require matching funds for completion will be
11 reviewed to determine project viability before reappropriating unused
12 funds for the 2007-09 biennial budget.

13 NEW SECTION. **Sec. 609.** The legislature intends that tolls be
14 charged to offset or partially offset the costs for the Alaskan Way
15 Viaduct, State Route 520 Bridge replacement, and widening of Interstate
16 405.

17 NEW SECTION. **Sec. 610.** The following measures are necessary to
18 implement the provisions contained in this budget, and are not subject
19 to the cutoff resolution: HB 1541; HB 1865; HB 1879; HB 2085; HB 2124;
20 HB 2157; SB 5058; SB 5121; SB 5139; SB 5177; SB 5414; SB 5513; SB 5623;
21 SB 5775.

22 **2003-05 BIENNIUM**

23 **GENERAL GOVERNMENT AGENCIES--OPERATING**

24 **Sec. 700.** 2004 c 229 s 101 (uncodified) is amended to read as
25 follows:

26 **FOR THE MARINE EMPLOYEES COMMISSION**

27 Puget Sound Ferry Operations Account--State

28 Appropriation ((\$365,000))
29 \$375,000

1	Highway Safety Account--Local Appropriation	\$60,000
2	Motor Vehicle Account--State Appropriation	\$6,285,000
3	DOL Services Account--State Appropriation	\$1,220,000
4	TOTAL APPROPRIATION	(((\$19,428,000))
5		<u>\$19,462,000</u>

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

8 (1) The department shall submit a report to the transportation
9 committees of the legislature detailing the progress made in
10 transitioning off of the Unisys system by December 1, 2003, and each
11 December 1 thereafter.

12 (2) \$151,000 of the highway safety account--state appropriation is
13 provided solely for the implementation of Third Substitute Senate Bill
14 No. 5412. Within the amount provided, the department of licensing
15 shall prepare to implement a "one-to-one" biometric matching system
16 that compares the biometric identifier submitted to the individual
17 applicant's record. The authority to expend funds provided under this
18 subsection is subject to compliance with the provisions under section
19 504 of this act. If Third Substitute Senate Bill No. 5412 is not
20 enacted by June 30, 2004, the amount provided in this subsection shall
21 lapse.

22 **Sec. 705.** 2004 c 229 s 211 (uncodified) is amended to read as
23 follows:

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

25	Motorcycle Safety Education Account--State Appropriation .	\$2,576,000
26	Highway Safety Account--State Appropriation	(((\$87,259,000))
27		<u>\$87,123,000</u>
28	Highway Safety Account--Federal Appropriation	\$318,000
29	Highway Safety Account--Local Appropriation	\$67,000
30	TOTAL APPROPRIATION	(((\$90,220,000))
31		<u>\$90,084,000</u>

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

34 (1) \$178,000 of the highway safety account--state appropriation is
35 provided solely for two temporary collision processing FTEs to
36 eliminate the backlog of collision reports. The department shall

1 report, informally, to the house of representatives and senate
2 transportation committees quarterly, beginning October 1, 2003, on the
3 progress made in eliminating the backlog.

4 (2) \$369,000 of the highway safety account--state appropriation is
5 provided solely to implement Engrossed Substitute Senate Bill No. 5428
6 or House Bill No. 1681. Within the amount provided in this subsection,
7 the department is authorized to accept applications for driver's
8 license and identicard renewals via the mail or internet. If Engrossed
9 Substitute Senate Bill No. 5428 or House Bill No. 1681 is not enacted
10 by June 30, 2004, the amount provided in this subsection shall lapse.

11 (3) \$282,000 of the highway safety account--state appropriation is
12 provided solely for the implementation of Third Substitute Senate Bill
13 No. 5412. Within the amount provided, the department of licensing
14 shall prepare to implement a "one-to-one" biometric matching system
15 that compares the biometric identifier submitted to the individual
16 applicant's record. The authority to expend funds provided under this
17 subsection is subject to compliance with the provisions under section
18 504 of this act. If Third Substitute Senate Bill No. 5412 is not
19 enacted by June 30, 2004, the amount provided in this subsection shall
20 lapse.

21 (4) \$354,000 of the highway safety account--state appropriation is
22 provided solely for the implementation of Substitute House Bill No.
23 2532. If Substitute House Bill No. 2532 is not enacted by June 30,
24 2004, the amount provided in this subsection shall lapse.

25 (5) \$538,000 of the highway safety account--state appropriation is
26 provided solely for the implementation of Substitute House Bill No.
27 2660. If Substitute House Bill No. 2660 is not enacted by June 30,
28 2004, the amount provided in this subsection shall lapse.

29 **Sec. 706.** 2004 c 229 s 212 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
32 **C**

33	Motor Vehicle Account--State Appropriation	((\$56,236,000))
34		<u>\$53,522,000</u>
35	Motor Vehicle Account--Federal Appropriation	((\$5,163,000))
36		<u>\$6,654,000</u>

37 Puget Sound Ferry Operations Account--State

1	Appropriation	\$7,038,000
2	Multimodal Transportation Account--State Appropriation . . .	\$363,000
3	TOTAL APPROPRIATION	(\$68,800,000)
4		<u>\$67,577,000</u>

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

7 (1) \$850,000 of the motor vehicle account--state appropriation is
8 provided for the continued maintenance and support of the
9 transportation executive information system (TEIS). The TEIS shall be
10 enhanced during the 2004 interim to shift towards a monitoring and
11 reporting system capable of tracking and reporting on major project
12 milestones and measurements. The department shall work with the
13 legislature to identify and define meaningful milestones and measures
14 to be used in monitoring the scope, schedule, and cost of projects.

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

23 (b) \$200,000 of the Puget Sound ferry operation account--state
24 appropriation is provided solely for implementation of the smart card
25 program.

26 (3) The department shall contract with the department of
27 information services to conduct a survey that identifies possible
28 opportunities and benefits associated with siting and use of technology
29 and wireless facilities located on state right of way authorized by RCW
30 47.60.140. The department shall submit a report regarding the survey
31 to the appropriate legislative committees by December 1, 2004.

32 **Sec. 707.** 2004 c 229 s 213 (uncodified) is amended to read as
33 follows:

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

36	Motor Vehicle Account--State Appropriation	(\$30,981,000)
37		<u>\$30,515,000</u>

1 **FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM K**
 2 Motor Vehicle Account--State Appropriation (~~(\$1,011,000)~~)
 3 \$996,000

4 **Sec. 710.** 2004 c 229 s 218 (uncodified) is amended to read as
 5 follows:

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

8 Motor Vehicle Account--State Appropriation (~~(\$38,924,000)~~)
 9 \$38,338,000
 10 Motor Vehicle Account--Private/Local Appropriation \$125,000
 11 TOTAL APPROPRIATION (~~(\$39,049,000)~~)
 12 \$38,463,000

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

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

23 (2) \$4,400,000 of the motor vehicle account--state appropriation is
 24 provided solely for low-cost enhancements. The department shall give
 25 priority to low-cost enhancement projects that improve safety or
 26 provide congestion relief. The department shall prioritize low-cost
 27 enhancement projects on a statewide rather than regional basis.

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

31 (4) The appropriation authority under this section includes
 32 spending authority to administer the motorist information sign panel
 33 program. The department shall establish the annual fees charged for
 34 these services so that all costs to administer this program are
 35 recovered; in no event, however, shall the department charge more than:

36 (a) \$1,000 per business per location on freeways and expressways
 37 with average daily trips greater than 80,000;

- 1 (b) \$750 per business per location on freeways and expressways with
- 2 average daily trips less than 80,000; and
- 3 (c) \$400 per business per location on conventional highways.

4 **Sec. 711.** 2004 c 229 s 219 (uncodified) is amended to read as
 5 follows:

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

8	Motor Vehicle Account--State Appropriation	((\$24,579,000))
9		<u>\$24,079,000</u>
10	Motor Vehicle Account--Federal Appropriation	\$636,000
11	Puget Sound Ferry Operations Account--State Appropriation .	\$1,093,000
12	Multimodal Transportation Account--State Appropriation . . .	\$973,000
13	TOTAL APPROPRIATION	((\$27,281,000))
14		<u>\$26,781,000</u>

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

- 17 (1) \$627,000 of the motor vehicle account--state appropriation is
- 18 provided solely for the implementation of Substitute Senate Bill No.
- 19 5248. If Substitute Senate Bill No. 5248 is not enacted by June 30,
- 20 2003, the amount provided in this subsection shall lapse. The agency
- 21 may transfer between programs funds provided in this subsection.
- 22 (2) The department shall transfer at no cost to the Washington
- 23 state patrol the title to the Walla Walla colocation facility.

24 **Sec. 712.** 2004 c 229 s 220 (uncodified) is amended to read as
 25 follows:

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

28	Motor Vehicle Account--State Appropriation	((\$29,494,000))
29		<u>\$24,694,000</u>
30	Motor Vehicle Account--Federal Appropriation	\$14,814,000
31	Multimodal Transportation Account--State	
32	Appropriation	\$1,521,000
33	Multimodal Transportation Account--Federal Appropriation .	\$2,000,000
34	TOTAL APPROPRIATION	((\$47,829,000))
35		<u>\$43,029,000</u>

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

3 (1) \$3,800,000 of the motor vehicle account--state appropriation is
4 provided solely for a study of regional congestion relief solutions for
5 Puget Sound (including state route 169), Spokane, and Vancouver. The
6 study must include proposals to alleviate congestion consistent with
7 population and land use expectations under the growth management act,
8 and must include measurement of all modes of transportation.

9 (2) \$2,000,000 of the motor vehicle account--state appropriation is
10 provided solely for additional assistance to support regional
11 transportation planning organizations and long-range transportation
12 planning efforts. As a condition of receiving this support, a regional
13 transportation planning organization containing any county with a
14 population in excess of one million shall provide voting membership on
15 its executive board to any incorporated principal city of a
16 metropolitan statistical area within the region, as designated by the
17 United States census bureau.

18 (3) (~~(\$3,000,000)~~) \$1,200,000 of the motor vehicle account--state
19 appropriation is provided solely for the costs of the regional
20 transportation investment district (RTID) election and department of
21 transportation project oversight. These funds are provided as a loan
22 to the RTID and shall be repaid to the state motor vehicle account
23 within one year following the certification of the election results
24 related to the RTID.

25 (4) \$650,000 of the motor vehicle account--state appropriation is
26 provided to the department in accordance with RCW 46.68.110(2) and
27 46.68.120(3) and shall be used by the department to support the
28 processing and analysis of the backlog of city and county collision
29 reports.

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

36 (6) \$60,000 of the distribution under RCW 46.68.110(2) and
37 46.68.120(3) is provided solely to the department for the Washington
38 strategic freight transportation analysis.

1 (7) \$500,000 of the multimodal transportation account--state
2 appropriation is provided solely for contracting with the department of
3 natural resources to develop data systems for state submerged lands
4 that can be shared with other governmental agencies and that can
5 support the state vision for ecoregional planning. The data to be
6 shared shall include, but not limited to, tabular and geospatial data
7 describing public land ownership, distributions of native plants,
8 marine and aquatic species and their habitats, physical attributes,
9 aquatic ecosystems, and specially designated conservation or
10 environmentally sensitive areas.

11 **Sec. 713.** 2004 c 229 s 222 (uncodified) is amended to read as
12 follows:

13 **FOR THE DEPARTMENT OF TRANSPORTATION--PUBLIC TRANSPORTATION--PROGRAM V**
14 Multimodal Transportation Account--State

15	Appropriation	((\$47,057,000))
16		<u>\$46,757,000</u>
17	Multimodal Transportation Account--Federal Appropriation .	\$2,574,000
18	Multimodal Transportation Account--Private/Local	
19	Appropriation	\$155,000
20	TOTAL APPROPRIATION	((\$49,786,000))
21		<u>\$49,486,000</u>

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

24 (1) \$18,000,000 of the multimodal transportation account--state
25 appropriation is provided solely for a grant program for special needs
26 transportation provided by transit agencies and nonprofit providers of
27 transportation.

28 (a) \$4,000,000 of the amount provided in this subsection is
29 provided solely for grants to nonprofit providers of special needs
30 transportation. Grants for nonprofit providers shall be based on need,
31 including the availability of other providers of service in the area,
32 efforts to coordinate trips among providers and riders, and the cost
33 effectiveness of trips provided.

34 (b) \$14,000,000 of the amount provided in this subsection is
35 provided solely for grants to transit agencies to transport persons
36 with special transportation needs. To receive a grant, the transit
37 agency must have a maintenance of effort for special needs

1 transportation that is no less than the previous year's maintenance of
2 effort for special needs transportation. Grants for transit agencies
3 shall be prorated based on the amount expended for demand response
4 service and route deviated service in calendar year 2001 as reported in
5 the "Summary of Public Transportation - 2001" published by the
6 department of transportation. No transit agency may receive more than
7 thirty percent of these distributions.

8 (2) \$1,500,000 of the multimodal transportation account--state
9 appropriation is provided solely for grants to implement section 9 of
10 Engrossed Substitute House Bill No. 2228.

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

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

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

24 (4) \$4,000,000 of the multimodal transportation account--state
25 appropriation is provided solely for a vanpool grant program for: (a)
26 Public transit agencies to add vanpools; and (b) incentives for
27 employers to increase employee vanpool use. The grant program for
28 public transit agencies will cover capital costs only; no operating
29 costs for public transit agencies are eligible for funding under this
30 grant program. No additional employees may be hired for the vanpool
31 grant program, and supplanting of transit funds currently funding
32 vanpools is not allowed. Additional criteria for selecting grants will
33 include leveraging funds other than state funds. The commute trip
34 reduction task force shall determine the cost effectiveness of the
35 grants, including vanpool system coordination, regarding the use of the
36 funds.

37 (5) \$100,000 of the multimodal transportation account--state

1 appropriation is provided solely for the commute trip reduction program
2 for Benton county.

3 (6) \$3,000,000 of the multimodal transportation account--state
4 appropriation is provided to the city of Seattle for the Seattle
5 streetcar project on South Lake Union.

6 (7) \$500,000 of the multimodal transportation account--state
7 appropriation is provided solely to King county as a state match to
8 obtain federal funding for a car sharing program.

9 **Sec. 714.** 2004 c 229 s 223 (uncodified) is amended to read as
10 follows:

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

12 Puget Sound Ferry Operations Account--State

13 Appropriation ((~~\$312,490,000~~))
14 \$324,058,000

15 Multimodal Transportation Account--State

16 Appropriation \$5,120,000

17 TOTAL APPROPRIATION ((~~\$317,610,000~~))
18 \$329,178,000

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

21 (1) The appropriation is based on the budgeted expenditure of
22 ((~~\$35,348,000~~)) \$51,048,000 for vessel operating fuel in the 2003-2005
23 biennium. If the actual cost of fuel is less than this budgeted
24 amount, the excess amount may not be expended. If the actual cost
25 exceeds this amount, the department shall request a supplemental
26 appropriation.

27 (2) The appropriation provides for the compensation of ferry
28 employees. The expenditures for compensation paid to ferry employees
29 during the 2003-2005 biennium may not exceed \$208,935,700, plus a
30 dollar amount, as prescribed by the office of financial management,
31 that is equal to any insurance benefit increase granted general
32 government employees in excess of \$495.30 a month annualized per
33 eligible marine employee multiplied by the number of eligible marine
34 employees for fiscal year 2004 and \$567.67 a month annualized per
35 eligible marine employee multiplied by the number of eligible marine
36 employees for fiscal year 2005, a dollar amount as prescribed by the
37 office of financial management for costs associated with pension

1 amortization charges, and a dollar amount prescribed by the office of
2 financial management for salary increases during the 2003-2005
3 biennium. For the purposes of this section, the expenditures for
4 compensation paid to ferry employees shall be limited to salaries and
5 wages and employee benefits as defined in the office of financial
6 management's policies, regulations, and procedures named under objects
7 of expenditure "A" and "B" (7.2.6.2).

8 The prescribed salary increase or decrease dollar amount that shall
9 be allocated from the governor's compensation appropriations is in
10 addition to the appropriation contained in this section and may be used
11 to increase or decrease compensation costs, effective July 1, 2003, and
12 thereafter, as established in the 2003-2005 general fund operating
13 budget.

14 (3) \$4,234,000 of the multimodal transportation account--state
15 appropriation and \$800,000 of the Puget Sound ferry operations
16 account--state appropriation are provided solely for operating costs
17 associated with the Vashon to Seattle passenger-only ferry. The
18 Washington state ferries will develop a plan to increase passenger-only
19 farebox recovery to at least forty percent by July 1, 2003, with an
20 additional goal of eighty percent, through increased fares, lower
21 operation costs, and other cost-saving measures as appropriate. In
22 order to implement the plan, ferry system management is authorized to
23 negotiate changes in work hours (requirements for split shift work),
24 but only with respect to operating passenger-only ferry service, to be
25 included in a collective bargaining agreement in effect during the
26 2003-05 biennium that differs from provisions regarding work hours in
27 the prior collective bargaining agreement. The department must report
28 to the transportation committees of the legislature by December 1,
29 2003.

30 (4) \$984,000 of the Puget Sound ferry operations account--state
31 appropriation is provided solely for ferry security operations
32 necessary to comply with the ferry security plan submitted by the
33 Washington state ferry system to the United States coast guard. The
34 department shall track security costs and expenditures. Ferry security
35 operations costs shall not be included as part of the operational costs
36 that are used to calculate farebox recovery.

37 (5) \$866,000 of the multimodal transportation account--state
38 appropriation and \$200,000 of the Puget Sound ferry operations

1 account--state appropriation are provided solely for operating costs
2 associated with the Bremerton to Seattle passenger-only ferry service
3 for thirteen weeks.

4 (6) The department shall study the potential for private or public
5 partners, including but not limited to King county, to provide
6 passenger-only ferry service from Vashon to Seattle. The department
7 shall report to the legislative transportation committees by December
8 31, 2003.

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

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

15 (9) The Washington state ferries shall work with the department of
16 general administration, office of state procurement to improve the
17 existing fuel procurement process and solicit, identify, and evaluate,
18 purchasing alternatives to reduce the overall cost of fuel and mitigate
19 the impact of market fluctuations and pressure on both short- and long-
20 term fuel costs. Consideration shall include, but not be limited to,
21 long-term fuel contracts, partnering with other public entities, and
22 possibilities for fuel storage in evaluating strategies and options.
23 The department shall report back to the transportation committees of
24 the legislature by December 1, 2003, on the options, strategies, and
25 recommendations for managing fuel purchases and costs.

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

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

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

10 **Sec. 715.** 2004 c 229 s 224 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
13 Multimodal Transportation Account--State
14 Appropriation ((~~\$34,118,000~~))
15 \$33,488,000

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

18 (1) ((~~\$29,961,000~~)) \$29,331,000 of the multimodal transportation
19 account--state appropriation is provided solely for the Amtrak service
20 contract and Talgo maintenance contract associated with providing and
21 maintaining the state-supported passenger rail service.

22 (2) No Amtrak Cascade runs may be eliminated.

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

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

30 **Sec. 716.** 2004 c 229 s 225 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
33 **OPERATING**
34 Motor Vehicle Account--State Appropriation ((~~\$7,067,000~~))
35 \$6,957,000
36 Motor Vehicle Account--Federal Appropriation \$2,569,000

1 TOTAL APPROPRIATION ((~~\$9,636,000~~))
2 \$9,526,000

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

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

10 (2) \$300,000 of the motor vehicle account--state appropriation is
11 provided in accordance with RCW 46.68.110(2) and 46.68.120(3) solely to
12 fund a study of the threats posed by flooding to the state and other
13 infrastructure near the Interstate 5 crossing of the Skagit River.
14 This funding is contingent on the receipt of federal matching funds.

15 **TRANSPORTATION AGENCIES--CAPITAL**

16 NEW SECTION. **Sec. 717.** A new section is added to 2003 c 360
17 (uncodified) to read as follows:

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

19 The project titled "SR 206, SR 206 and Bruce Road Roundabout" will
20 not include a roundabout but will evaluate and implement other safety
21 measures.

22 **TRANSFERS AND DISTRIBUTIONS**

23 **Sec. 801.** 2004 c 229 s 401 (uncodified) is amended to read as
24 follows:

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

28 Highway Bond Retirement Account Appropriation ((~~\$250,000,000~~))
29 \$240,833,000
30 Nondebt-Limit Reimbursable Account Appropriation ((~~\$4,131,000~~))
31 \$1,440,000
32 Ferry Bond Retirement Account Appropriation ((~~\$43,340,000~~))
33 \$42,084,000
34 Transportation Improvement Board Bond Retirement

1 and counties ((~~\$13,119,000~~))
2 \$0

3 **Sec. 804.** 2004 c 229 s 405 (uncodified) is amended to read as
4 follows:

5 **FOR THE STATE TREASURER--TRANSFERS**

6 (1) State Patrol Highway Account--State
7 Appropriation: For transfer to the Motor
8 Vehicle Account ((~~\$20,000,000~~))
9 \$4,000,000

10 (2) Motor Vehicle Account--State
11 Appropriation: For motor vehicle fuel tax
12 refunds and transfers ((~~\$770,347,000~~))
13 \$752,823,000

14 (3) Highway Safety Account--State
15 Appropriation: For transfer to the motor
16 vehicle account--state \$12,000,000

17 (4) Transfer from the Motor Vehicle Account--
18 State Appropriation to the Puget Sound ferry
19 operations account \$5,000,000

20
21 The state treasurer shall perform the transfers from the state
22 patrol highway account and the highway safety account to the motor
23 vehicle account on a quarterly basis.

24 **Sec. 805.** 2004 c 229 s 406 (uncodified) is amended to read as
25 follows:

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

27 (1) Motor Vehicle Account--State Appropriation:
28 For transfer to Puget Sound Ferry Operations
29 Account ((~~\$21,757,000~~))
30 \$26,757,000

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

33 (3) Motor Vehicle Account--State Appropriation:
34 For transfer to Puget Sound Capital Construction
35 Account \$61,287,000

36 (4) Puget Sound Ferry Operations Account--State
37 Appropriation: For transfer to Puget Sound Capital

1 Construction Account \$22,000,000
 2 (5) Transportation Equipment Fund--State
 3 Appropriation: For transfer to the Motor Vehicle
 4 Account--State \$5,000,000
 5 (6) Advanced Right-of-Way Revolving Account--
 6 State Appropriation: For transfer to the Motor
 7 Vehicle Account--State \$3,000,000

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

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

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

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

19 **MISCELLANEOUS**

20 NEW SECTION. **Sec. 901.** If any provision of this act or its
 21 application to any person or circumstance is held invalid, the
 22 remainder of the act or the application of the provision to other
 23 persons or circumstances is not affected.

24 NEW SECTION. **Sec. 902.** This act is necessary for the immediate
 25 preservation of the public peace, health, or safety, or support of the
 26 state government and its existing public institutions, and takes effect
 27 immediately.

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