

ESHB 2878 - S COMM AMD
By Senator Transportation

ADOPTED AND ENGROSSED 02/27/2008

1 Strike everything after the enacting clause and insert the
2 following:

3 "2007-09 BIENNIUM

4 GENERAL GOVERNMENT AGENCIES--OPERATING

5 Sec. 101. 2007 c 518 s 101 (uncodified) is amended to read as
6 follows:

7 FOR THE UTILITIES AND TRANSPORTATION COMMISSION

8 Grade Crossing Protective Account--State

9 Appropriation ((~~\$505,000~~))
10 \$504,000

11 Sec. 102. 2007 c 518 s 102 (uncodified) is amended to read as
12 follows:

13 FOR THE OFFICE OF FINANCIAL MANAGEMENT

14 Motor Vehicle Account--State Appropriation ((~~\$3,054,000~~))
15 \$3,177,000

16 Puget Sound Ferry Operations Account--State

17 Appropriation \$100,000

18 TOTAL APPROPRIATION ((~~\$3,154,000~~))
19 \$3,277,000

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

22 (1) \$2,545,000 of the motor vehicle account--state appropriation is
23 provided solely for the office of regulatory assistance integrated
24 permitting project.

25 (2) \$75,000 of the motor vehicle account state appropriation is
26 provided solely to address transportation budget and reporting
27 requirements.

1 \$340,000

2 The appropriation in this section is subject to the following
3 conditions and limitations: The entire appropriation is provided
4 solely for (~~staffing costs to be dedicated to state~~) transportation
5 activities. Staff hired to support transportation activities must have
6 practical experience with complex construction projects.

7 **TRANSPORTATION AGENCIES--OPERATING**

8 **Sec. 201.** 2007 c 518 s 201 (uncodified) is amended to read as
9 follows:

10 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

11 Highway Safety Account--State Appropriation	((\$2,609,000))
	<u>\$2,605,000</u>
13 Highway Safety Account--Federal Appropriation	((\$15,880,000))
	<u>\$15,849,000</u>
15 School Zone Safety Account--State Appropriation	((\$3,300,000))
	<u>\$3,376,000</u>
17 TOTAL APPROPRIATION	((\$21,789,000))
	<u>\$21,830,000</u>

19 The appropriations in this section are subject to the following
20 conditions and limitations: \$76,000 of the school zone safety
21 account--state appropriation is provided solely for contracting with
22 the office of the superintendent of public instruction (OSPI) to
23 conduct pilot programs in three school districts for road safety
24 education and training for children, in order to teach children safe
25 walking, bicycling, and transit use behavior. The pilot projects shall
26 be conducted during the 2008-09 academic year, and shall be modeled
27 after a program and curriculum successfully implemented in the Spokane
28 school district. Funds are provided for curriculum resources, bicycle
29 purchases, teacher training, other essential services and equipment,
30 and OSPI administrative expenses which may include contracting out
31 pilot program administration. The participating school districts shall
32 be located as follows: One in Grant county, one in Island county, and
33 one in Kitsap county. The OSPI shall evaluate the pilot programs, and
34 report to the transportation committees of the legislature no later
35 than December 1, 2009, on the outcomes of the pilot programs. The

1 report shall include a survey identifying barriers to, interest in, and
2 the likelihood of students traveling by biking, walking, or transit
3 both prior to and following completion of the pilot program.

4 **Sec. 202.** 2007 c 518 s 202 (uncodified) is amended to read as
5 follows:

6 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

7 Rural Arterial Trust Account--State Appropriation	((\$907,000))
	<u>\$901,000</u>
9 Motor Vehicle Account--State Appropriation	((\$2,075,000))
	<u>\$2,060,000</u>
11 County Arterial Preservation Account--State	
12 Appropriation	((\$1,399,000))
	<u>\$1,389,000</u>
14 TOTAL APPROPRIATION	((\$4,381,000))
	<u>\$4,350,000</u>

16 The appropriations in this section are subject to the following
17 conditions and limitations: \$481,000 of the county arterial
18 preservation account--state appropriation is provided solely for
19 continued development and implementation of a maintenance management
20 system to manage county transportation assets.

21 **Sec. 203.** 2007 c 518 s 203 (uncodified) is amended to read as
22 follows:

23 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

24 Urban Arterial Trust Account--State Appropriation	((\$1,793,000))
	<u>\$1,780,000</u>
26 Transportation Improvement Account--State	
27 Appropriation	((\$1,795,000))
	<u>\$1,781,000</u>
29 TOTAL APPROPRIATION	((\$3,588,000))
	<u>\$3,561,000</u>

31 **Sec. 204.** 2007 c 518 s 204 (uncodified) is amended to read as
32 follows:

33 **FOR THE BOARD OF PILOTAGE COMMISSIONERS**

34 Pilotage Account--State Appropriation	((\$1,156,000))
	<u>\$1,153,000</u>

1 (vi) The department's development of a long-range capital plan;
2 (b) Reviewing the following Washington state ferry programs:
3 (i) Ridership demand forecast;
4 (ii) Updated life cycle cost model, as directed by Engrossed
5 Substitute House Bill No. 2358;
6 (iii) Administrative operating costs, nonlabor and nonfuel
7 operating costs, Eagle Harbor maintenance facility program and
8 maintenance costs, administrative and systemwide capital costs, and
9 vessel preservation costs; and
10 (iv) The Washington state ferries' proposed capital cost allocation
11 plan methodology, as described in Engrossed Substitute House Bill No.
12 2358;
13 (c) Making recommendations regarding:
14 (i) The most efficient timing and sizing of future vessel
15 acquisitions beyond those currently authorized by the legislature.
16 Vessel acquisition recommendations must be based on the ridership
17 projections, level of service standards, and operational and pricing
18 strategies reviewed by the committee and must include the impact of
19 those recommendations on the timing and size of terminal capital
20 investments and the state ferries' long range operating and capital
21 finance plans; and
22 (ii) Capital financing strategies for consideration in the 2009
23 legislative session. This work must include confirming the
24 department's estimate of future capital requirements based on a long
25 range capital plan and must include the department's development of a
26 plan for codevelopment and public private partnership opportunities at
27 public ferry terminals; and
28 (d) Evaluate the capital cost allocation plan methodology developed
29 by the department to implement Engrossed Substitute House Bill No.
30 2358.
31 (2) \$250,000 of the motor vehicle account--state appropriation and
32 \$250,000 of the multimodal transportation account--state appropriation
33 are for the continuing implementation of (~~Substitute Senate Bill No.~~
34 ~~5207~~) chapter 514, Laws of 2007.
35 (3) \$300,000 of the multimodal transportation account--state
36 appropriation is for implementing Substitute House Bill No. 1694
37 (coordinated transportation). If Substitute House Bill No. 1694 is not

1 enacted by June 30, 2007, the amount provided in this subsection shall
2 lapse.

3 (4) \$100,000 of the state patrol highway account--state
4 appropriation is for a study of the most cost-effective means of
5 ensuring that the pension concerns of the members of the Washington
6 state patrol retirement system are adequately and appropriately
7 considered and submitted to the legislature. The committee shall
8 solicit participation and guidance from the senate ways and means
9 committee, the house of representatives appropriations committee, the
10 department of retirement systems, the office of financial management,
11 the Washington state patrol troopers association, the Washington state
12 patrol lieutenants association, the Washington state patrol, and the
13 office of the state actuary, and report the study recommendations to
14 the legislature by November 1, 2008.

15 **Sec. 206.** 2007 c 518 s 206 (uncodified) is amended to read as
16 follows:

17 **FOR THE TRANSPORTATION COMMISSION**

18	Motor Vehicle Account--State Appropriation	((\$2,276,000))
19		<u>\$2,469,000</u>
20	Multimodal Transportation Account--State Appropriation . . .	\$112,000
21	TOTAL APPROPRIATION	((\$2,388,000))
22		<u>\$2,581,000</u>

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

25 (1) \$350,000 of the motor vehicle account--state appropriation is
26 provided solely for the commission to conduct a survey of ferry
27 customers as described in Engrossed Substitute House Bill No. 2358.
28 Development and interpretation of the survey must be done with
29 participation of the joint transportation committee work group
30 established in section 205(1) of this act.

31 (2) (~~(\$100,000)~~) \$300,000 of the motor vehicle account--state
32 appropriation is provided solely for a study to identify and evaluate
33 long-term financing alternatives for the Washington state ferry system.
34 The study shall incorporate the findings of the initial survey
35 described in subsection (1) of this section, and shall consider the
36 potential for state, regional, or local financing options. The

1 commission shall submit a draft final report of its findings and
2 recommendations to the transportation committees of the legislature no
3 later than December 2008.

4 (3) The commission shall conduct a planning grade tolling study
5 that is based on the recommended policies in the commission's
6 comprehensive tolling study submitted September 20, 2006.

7 (4) Pursuant to RCW 43.135.055, during the 2007-09 fiscal biennium,
8 the transportation commission shall establish, periodically review,
9 and, if necessary, modify a schedule of toll charges applicable to the
10 state route 167 high-occupancy toll lane pilot project, as required by
11 RCW 47.56.403.

12 (5) The transportation commission shall consider revisions to the
13 toll rates and other user fees for the Tacoma Narrows bridge. This
14 review shall ensure that the revenues are sufficient to: (a) Meet the
15 operating costs of the eligible toll facilities, including necessary
16 maintenance, preservation, toll collection, administration, and toll
17 enforcement by public law enforcement; (b) meet obligations for the
18 repayment of debt and interest on the eligible toll facilities, and any
19 other associated financing costs including, but not limited to,
20 required reserves, minimum debt coverage or other appropriate
21 contingency funding, and insurance; and (c) meet any other obligations
22 of the tolling authority. A report on this review shall be submitted
23 to the legislature by September 30, 2008.

24 **Sec. 207.** 2007 c 518 s 207 (uncodified) is amended to read as
25 follows:

26 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

27 Motor Vehicle Account--State Appropriation ((~~\$695,000~~))
28 \$692,000

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

31 (1) The freight mobility strategic investment board shall, on a
32 quarterly basis, provide status reports to the office of financial
33 management and the transportation committees of the legislature on the
34 delivery of projects funded by this act.

35 (2) The freight mobility strategic investment board and the
36 department of transportation shall collaborate to submit a report to
37 the office of financial management and the transportation committees of

1 the legislature by September 1, 2008, listing proposed freight highway
2 and rail projects. The report must describe the analysis used for
3 selecting such projects, as required by chapter 47.06A RCW for the
4 board and as required by this act for the department. When developing
5 its list of proposed freight highway and rail projects, the freight
6 mobility strategic investment board shall use the priorities identified
7 in section 309(7)(a) of this act to the greatest extent possible.

8 **Sec. 208.** 2007 c 518 s 208 (uncodified) is amended to read as
9 follows:

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

11 State Patrol Highway Account--State	
12 Appropriation	((\$225,445,000))
13	<u>\$227,172,000</u>
14 State Patrol Highway Account--Federal	
15 Appropriation	\$10,602,000
16 State Patrol Highway Account--Private/Local	
17 Appropriation	\$410,000
18 TOTAL APPROPRIATION	((\$236,457,000))
19	<u>\$238,184,000</u>

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

22 (1) Washington state patrol officers engaged in off-duty uniformed
23 employment providing traffic control services to the department of
24 transportation or other state agencies may use state patrol vehicles
25 for the purpose of that employment, subject to guidelines adopted by
26 the chief of the Washington state patrol. The Washington state patrol
27 shall be reimbursed for the use of the vehicle at the prevailing state
28 employee rate for mileage and hours of usage, subject to guidelines
29 developed by the chief of the Washington state patrol.

30 (2) In addition to the user fees, the patrol shall transfer into
31 the state patrol nonappropriated airplane revolving account under RCW
32 43.79.470 no more than the amount of appropriated state patrol highway
33 account and general fund funding necessary to cover the costs for the
34 patrol's use of the aircraft. The state patrol highway account and
35 general fund--state funds shall be transferred proportionately in
36 accordance with a cost allocation that differentiates between highway
37 traffic enforcement services and general policing purposes.

1 (3) The patrol shall not account for or record locally provided DUI
2 cost reimbursement payments as expenditure credits to the state patrol
3 highway account. The patrol shall report the amount of expected
4 locally provided DUI cost reimbursements to the governor and
5 transportation committees of the senate and house of representatives by
6 September 30th of each year.

7 (4) \$1,662,000 of the state patrol highway account--state
8 appropriation is provided solely for the implementation of Substitute
9 House Bill No. 1304 (commercial vehicle enforcement). If Substitute
10 House Bill No. 1304 is not enacted by June 30, 2007, the amount
11 provided in this subsection shall lapse.

12 (5) During the fiscal year 2008, the Washington state patrol shall
13 continue to perform traffic accident investigations on Thurston, Mason,
14 and Lewis county roads, and shall work with the counties to transition
15 the traffic accident investigations on county roads to the counties by
16 July 1, 2008.

17 (6) \$100,000 of the state patrol highway account--state
18 appropriation is provided solely for the implementation of Substitute
19 House Bill No. 1417 (health benefits for surviving dependents). If
20 Substitute House Bill No. 1417 is not enacted by June 30, 2007, the
21 amount provided in this subsection shall lapse.

22 (7) \$3,300,000 of the state patrol highway account--state
23 appropriation is provided solely for the salaries and benefits
24 associated with accretion in the number of troopers employed above
25 1,158 authorized commissioned troopers, or solely for training new
26 cadets; however, the amount provided in this subsection is contingent
27 on the Washington state patrol submitting a 2009-11 budget request that
28 fully funds field force operations without reliance on a projected
29 vacancy rate.

30 (8) By July 1, 2008, the Washington state patrol shall assign six
31 additional troopers to the Monroe detachment from among troopers
32 requesting transfer to Monroe or graduating cadet classes.

33 **Sec. 209.** 2007 c 518 s 209 (uncodified) is amended to read as
34 follows:

35 **FOR THE WASHINGTON STATE PATROL--INVESTIGATIVE SERVICES BUREAU**
36 State Patrol Highway Account--State Appropriation . . . ((~~\$1,300,000~~))
37 \$1,553,000

1 the other members of the Washington state interoperability executive
2 committee to ensure compatibility between emergency communication
3 systems.

4 **Sec. 211.** 2007 c 518 s 212 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF LICENSING**

7	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
8	Motorcycle Safety Education Account--State	
9	Appropriation	((\$3,905,000))
10		<u>\$3,899,000</u>
11	Wildlife Account--State Appropriation	((\$843,000))
12		<u>\$831,000</u>
13	Highway Safety Account--State Appropriation	((\$141,953,000))
14		<u>\$145,570,000</u>
15	Highway Safety Account--Federal Appropriation	\$233,000
16	Motor Vehicle Account--State Appropriation	((\$79,230,000))
17		<u>\$78,424,000</u>
18	Motor Vehicle Account--Private/Local Appropriation	\$1,372,000
19	Motor Vehicle Account--Federal Appropriation	((\$117,000))
20		<u>\$1,354,000</u>
21	Department of Licensing Services Account--State	
22	Appropriation	((\$3,540,000))
23		<u>\$4,542,000</u>
24	Washington State Patrol Highway Account--State	
25	Appropriation	\$1,145,000
26	TOTAL APPROPRIATION	((\$232,370,000))
27		<u>\$237,402,000</u>

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

30 (1) \$2,941,000 of the highway safety account--state appropriation
31 is provided solely for the implementation of Substitute House Bill No.
32 1267 (modifying commercial driver's license requirements). If
33 Substitute House Bill No. 1267 is not enacted by June 30, 2007, the
34 amount provided in this subsection shall lapse. The department shall
35 informally report to the legislature by December 1, 2008, with
36 measurable data indicating the department's progress in meeting its

1 goal of improving public safety by improving the quality of the
2 commercial driver's license testing process.

3 (2) \$716,000 of the motorcycle safety education account--state
4 appropriation is provided solely for the implementation of Senate Bill
5 No. 5273 (modifying motorcycle driver's license endorsement and
6 education provisions). If Senate Bill No. 5273 is not enacted by June
7 30, 2007, the amount provided in this subsection shall lapse.

8 (3) (~~(\$8,872,000)~~) \$12,322,000 of the highway safety account--state
9 appropriation is provided solely for costs associated with the
10 (~~(systems development and issuance of)~~) processing costs of issuing
11 enhanced drivers' licenses and identicards to facilitate crossing the
12 Canadian border. (~~(If Engrossed Substitute House Bill No. 1289~~
13 ~~(relating to the issuance of enhanced drivers' licenses and~~
14 ~~identicards) is not enacted by June 30, 2007, the amount provided in~~
15 ~~this subsection shall lapse. The department may expend funds only~~
16 ~~after acceptance of the enhanced Washington state driver's license for~~
17 ~~border crossing purposes by the Canadian and United States governments.~~
18 ~~The department may expend funds only after prior written approval of~~
19 ~~the director of financial management. Of the amount provided in this~~
20 ~~subsection, up to \$1,000,000 is for a statewide educational campaign,~~
21 ~~which must include coordination with existing public and private~~
22 ~~entities, to inform the Washington public of the benefits of the new~~
23 ~~enhanced drivers' licenses and identicards.))~~

24 (4) \$91,000 of the motor vehicle account--state appropriation and
25 \$152,000 of the highway safety account--state appropriation are
26 provided solely for contracting with the office of the attorney general
27 to investigate criminal activity uncovered in the course of the
28 agency's licensing and regulatory activities. Funding is provided for
29 the 2008 fiscal year. The department may request funding for the 2009
30 fiscal year if the request is submitted with measurable data indicating
31 the department's progress in meeting its goal of increased prosecution
32 of illegal activity.

33 (5) \$350,000 of the highway safety account--state appropriation is
34 provided solely for the costs associated with the systems development
35 of the interface that will allow insurance carriers and their agents
36 real time, online access to drivers' records. If Substitute Senate
37 Bill No. 5937 is not enacted by June 30, 2007, the amount provided in
38 this subsection shall lapse.

1 (6) \$1,145,000 of the state patrol highway account--state
2 appropriation is provided solely for the implementation of Substitute
3 House Bill No. 1304 (modifying commercial motor vehicle carrier
4 provisions). If Substitute House Bill No. 1304 is not enacted by June
5 30, 2007, the amount provided in this subsection shall lapse.

6 (7) The department may submit information technology related
7 requests for funding only if the department has coordinated with the
8 department of information services as required by section 602 of this
9 act.

10 (8) ~~((Within the amounts appropriated in this section, the~~
11 ~~department shall, working with the legislature, develop a proposal to))~~
12 \$116,000 of the motor vehicle account--state appropriation is provided
13 solely to, in consultation with the legislature, streamline title and
14 registration statutes to specifically address apparent conflicts, fee
15 distribution, and other recommendations by the department that are
16 revenue neutral and which do not change legislative policy. The
17 department shall ((report the results of this review to the
18 transportation committees of the legislature by December 1, 2007))
19 submit recommended changes to the transportation committees of the
20 legislature by the end of the biennium.

21 (9) \$246,000 of the department of licensing services account--state
22 appropriation is provided solely for the implementation of Substitute
23 Senate Bill No. 6836 (secure vehicle licensing system). If Substitute
24 Senate Bill No. 6836 is not enacted by June 30, 2008, the amount
25 provided in this subsection shall lapse.

26 (10) \$960,000 of the motor vehicle account--state appropriation is
27 provided solely for the implementation of Second Substitute House Bill
28 No. 1046 (motor vehicle insurance). If Second Substitute House Bill
29 No. 1046 is not enacted by June 30, 2008, the amount provided in this
30 subsection shall lapse.

31 (11) \$277,000 of the highway safety account--state appropriation is
32 provided solely for the implementation of Senate Bill No. 6885 (driving
33 record abstracts). If Senate Bill No. 6885 is not enacted by June 30,
34 2008, the amount provided in this subsection shall lapse.

35 (12) \$417,000 of the highway safety account--state appropriation is
36 provided solely for the implementation of Engrossed Second Substitute
37 Senate Bill No. 6546 (ignition interlock drivers' license). If

1 Engrossed Second Substitute Senate Bill No. 6546 is not enacted by June
2 30, 2008, the amount provided in this subsection shall lapse.

3 (13) The department shall investigate instituting a program whereby
4 individual registered vehicle owners can have license plates tested for
5 reflectivity to determine whether the department's requirement that the
6 license plates be replaced after seven years can be waived for that
7 particular set of license plates.

8 **Sec. 212.** 2007 c 518 s 213 (uncodified) is amended to read as
9 follows:

10 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
11 **MAINTENANCE--PROGRAM B**

12	High-Occupancy Toll Lanes Account--State	
13	Appropriation	(((\$2,596,000))
14		<u>\$2,253,000</u>
15	Motor Vehicle Account--State Appropriation	(((\$5,600,000))
16		<u>\$1,018,000</u>
17	Tacoma Narrows Toll Bridge Account--State	
18	Appropriation	(((\$28,218,000))
19		<u>\$28,249,000</u>
20	TOTAL APPROPRIATION	(((\$36,414,000))
21		<u>\$31,520,000</u>

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

24 ~~((1) \$5,000,000 of the motor vehicle account state is provided~~
25 ~~solely to provide a reserve for the Tacoma Narrows Bridge project.~~
26 ~~This appropriation shall be held in unallotted status until the office~~
27 ~~of financial management deems that revenues applicable to the Tacoma~~
28 ~~Narrows Bridge project are not sufficient to cover the project's~~
29 ~~expenditures.~~

30 ~~(2) The department shall solicit private donations to fund~~
31 ~~activities related to the opening ceremonies of the Tacoma Narrows~~
32 ~~bridge project.)) The department shall develop incentives to reduce~~
33 ~~and control tolling operations costs. These incentives may be directed~~
34 ~~at the public, the tolling contractor, or the department. Incentives~~
35 ~~to be considered should include, but not be limited to: Incentives to~~
36 ~~return unneeded transponders, incentives to close inactive accounts,~~
37 ~~incentives to reduce printed account statements, incentives to reduce~~

1 labor costs, and incentives to reduce postage and shipping costs.
2 These incentives shall be presented for review by the transportation
3 commission by September 30, 2008.

4 **Sec. 213.** 2007 c 518 s 214 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
7 **C**

8	Transportation Partnership Account--State	
9	Appropriation	((\$4,556,000))
10		<u>\$5,892,000</u>
11	Motor Vehicle Account--State Appropriation	((\$67,613,000))
12		<u>\$67,744,000</u>
13	Motor Vehicle Account--Federal Appropriation	\$1,096,000
14	Puget Sound Ferry Operations Account--State	
15	Appropriation	((\$9,192,000))
16		<u>\$9,147,000</u>
17	Multimodal Transportation Account--State	
18	Appropriation	\$363,000
19	Transportation 2003 Account (Nickel Account)--State	
20	Appropriation	((\$4,000,000))
21		<u>\$5,337,000</u>
22	TOTAL APPROPRIATION	((\$86,820,000))
23		<u>\$89,579,000</u>

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

26 (1) The department shall consult with the office of financial
27 management and the department of information services to ensure that
28 (a) the department's current and future system development is
29 consistent with the overall direction of other key state systems; and
30 (b) when possible, use or develop common statewide information systems
31 to encourage coordination and integration of information used by the
32 department and other state agencies and to avoid duplication.

33 (2) The department shall provide updated information on six project
34 milestones for all active projects, funded in part or in whole with
35 2005 transportation partnership account funds or 2003 nickel account
36 funds, on a quarterly basis in the transportation executive information
37 system (TEIS). The department shall also provide updated information

1 on six project milestones for projects, funded with preexisting funds
2 and that are agreed to by the legislature, office of financial
3 management, and the department, on a quarterly basis in TEIS.

4 (3) (~~(\$2,300,000)~~) \$3,300,000 of the motor vehicle account--state
5 appropriation is provided solely for preliminary work needed to
6 transition the department to the state government network. In
7 collaboration with the department of information services the
8 department shall complete an inventory of the current network
9 infrastructure, (~~and~~) develop an implementation plan for transition
10 to the state government network, improve security, and initiate
11 connection to the state government network.

12 (4) \$1,000,000 of the motor vehicle account--state appropriation,
13 (~~(\$4,556,000)~~) \$5,892,000 of the transportation partnership account--
14 state appropriation, and (~~(\$4,000,000)~~) \$5,337,000 of the
15 transportation 2003 account (nickel account)--state appropriation are
16 provided solely for the department to develop a project management and
17 reporting system which is a collection of integrated tools for capital
18 construction project managers to use to perform all the necessary tasks
19 associated with project management. The department shall integrate
20 commercial off-the-shelf software with existing department systems and
21 enhanced approaches to data management to provide web-based access for
22 multi-level reporting and improved business workflows and reporting.
23 Beginning September 1, 2007, and on a quarterly basis thereafter, the
24 department shall report to the office of financial management and the
25 transportation committees of the legislature on the status of the
26 development and integration of the system. The first report shall
27 include a detailed work plan for the development and integration of the
28 system including timelines and budget milestones. At a minimum the
29 ensuing reports shall indicate the status of the work as it compares to
30 the work plan, any discrepancies, and proposed adjustments necessary to
31 bring the project back on schedule or budget if necessary.

32 (5) The department may submit information technology related
33 requests for funding only if the department has coordinated with the
34 department of information services as required by section 602 of this
35 act.

36 (6) \$1,600,000 of the motor vehicle account--state appropriation is
37 provided solely for the critical application assessment implementation
38 project. The department shall submit a progress report on the critical

1 application assessment implementation project to the house of
2 representatives and senate transportation committees on or before
3 December 1, 2007, and December 1, 2008, with a final report on or
4 before June 30, 2009.

5 **Sec. 214.** 2007 c 518 s 215 (uncodified) is amended to read as
6 follows:

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

9 Motor Vehicle Account--State Appropriation (~~(\$34,569,000)~~)
10 \$34,030,000

11 **Sec. 215.** 2007 c 518 s 216 (uncodified) is amended to read as
12 follows:

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

14 Aeronautics Account--State Appropriation (~~(\$6,889,000)~~)
15 \$7,868,000

16 Aeronautics Account--Federal Appropriation \$2,150,000

17 Multimodal Transportation Account--State Appropriation . . . \$631,000

18 TOTAL APPROPRIATION (~~(\$9,670,000)~~)
19 \$10,649,000

20 The appropriations in this section are subject to the following
21 conditions and limitations: The entire multimodal transportation
22 account--state appropriation (~~is~~) and \$400,000 of the aeronautics
23 account--state appropriation are provided solely for the aviation
24 planning council as provided for in RCW 47.68.410.

25 **Sec. 216.** 2007 c 518 s 217 (uncodified) is amended to read as
26 follows:

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

29 Transportation Partnership Account--State
30 Appropriation \$2,422,000

31 Motor Vehicle Account--State Appropriation (~~(\$50,446,000)~~)
32 \$52,317,000

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

34 Multimodal Transportation Account--State
35 Appropriation \$250,000

1	K	
2	Motor Vehicle Account--State Appropriation	((\$1,151,000))
3		<u>\$1,142,000</u>
4	Multimodal Transportation Account--State Appropriation . . .	\$300,000
5	TOTAL APPROPRIATION	((\$1,451,000))
6		<u>\$1,442,000</u>

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

9 (1) \$300,000 of the multimodal account--state appropriation is
10 provided solely for the department to hire a consultant to develop a
11 plan for codevelopment and public-private partnership opportunities at
12 public ferry terminals.

13 (2) The department shall conduct an analysis and, if determined to
14 be feasible, initiate requests for proposals involving the distribution
15 of alternative fuels along state department of transportation
16 rights-of-way.

17 **Sec. 218.** 2007 c 518 s 219 (uncodified) is amended to read as
18 follows:

19	FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M	
20	Motor Vehicle Account--State Appropriation	((\$321,888,000))
21		<u>\$331,565,000</u>
22	Motor Vehicle Account--Federal Appropriation	((\$2,000,000))
23		<u>\$5,000,000</u>
24	Motor Vehicle Account--Private/Local Appropriation	\$5,797,000
25	TOTAL APPROPRIATION	((\$329,685,000))
26		<u>\$342,362,000</u>

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
36 place an equal amount of the motor vehicle account--state into

1 unallotted status. This exchange shall not affect the amount of
2 funding available for snow and ice removal.

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

7 (4) (~~(\$1,500,000)~~) \$5,000,000 of the motor vehicle account--federal
8 appropriation is provided for unanticipated federal funds that may be
9 received during the 2007-09 biennium. Upon receipt of the funds, the
10 department shall provide a report on the use of the funds to the
11 transportation committees of the legislature and the office of
12 financial management.

13 (5) Funding is provided for maintenance on the state system to
14 deliver service level targets as listed in LEAP Transportation Document
15 2007-C, as developed April 20, 2007. In delivering the program and
16 aiming for these targets, the department should concentrate on the
17 following areas:

18 (a) Eliminating the number of activities delivered in the "f" level
19 of service at the region level; and

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

24 (6) The department may work with the department of corrections to
25 utilize corrections crews for the purposes of litter pickup on state
26 highways.

27 (7) \$650,000 of the motor vehicle account--state appropriation is
28 provided solely for increased asphalt costs.

29 (8) The department shall prepare a comprehensive listing of
30 maintenance backlogs and related costs and report to the office of
31 financial management and the transportation committees of the
32 legislature by December 31, 2008.

33 (9) \$79,266,000 of the motor vehicle account--state appropriation
34 is for snow and ice related expenses, within which is a one-time
35 increase of \$3,250,000 provided solely for extraordinary snow and ice
36 removal expenses incurred during the winter of 2007-08.

1 (b) The department shall use the following guidelines to administer
2 the program:

3 (i) Automated traffic safety cameras may only take pictures of the
4 vehicle and vehicle license plate and only while an infraction is
5 occurring. The picture must not reveal the face of the driver or of
6 passengers in the vehicle;

7 (ii) The department shall plainly mark the locations where the
8 automated traffic safety cameras are used by placing signs on locations
9 that clearly indicate to a driver that he or she is entering a roadway
10 construction zone where traffic laws are enforced by an automated
11 traffic safety camera;

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

14 (iv) The owner of the vehicle is not responsible for the violation
15 if the owner of the vehicle, within fourteen days of receiving
16 notification of the violation, mails to the patrol, a declaration under
17 penalty of perjury, stating that the vehicle involved was, at the time,
18 stolen or in the care, custody, or control of some person other than
19 the registered owner, or any other extenuating circumstances;

20 (v) For purposes of the 2007-09 biennium pilot project, infractions
21 detected through the use of automated traffic safety cameras are not
22 part of the registered owner's driving record under RCW 46.52.101 and
23 46.52.120. Additionally, infractions generated by the use of automated
24 traffic safety cameras must be processed in the same manner as parking
25 infractions for the purposes of RCW 3.46.120, 3.50.100, 35.20.220,
26 46.16.216, and 46.20.270(3). However, the amount of the fine issued
27 for an infraction generated through the use of an automated traffic
28 safety camera is one hundred thirty-seven dollars. The court shall
29 remit thirty-two dollars of the fine to the state treasurer for deposit
30 into the state patrol highway account;

31 (vi) If a notice of infraction is sent to the registered owner and
32 the registered owner is a rental car business, the infraction will be
33 dismissed against the business if it mails to the patrol, within
34 fourteen days of receiving the notice, a declaration under penalty of
35 perjury of the name and known mailing address of the individual driving
36 or renting the vehicle when the infraction occurred. If the business
37 is unable to determine who was driving or renting the vehicle at the
38 time the infraction occurred, the business must sign a declaration

1 under penalty of perjury to this effect. The declaration must be
2 mailed to the patrol within fourteen days of receiving the notice of
3 traffic infraction. Timely mailing of this declaration to the issuing
4 agency relieves a rental car business of any liability under this
5 section for the notice of infraction. A declaration form suitable for
6 this purpose must be included with each automated traffic infraction
7 notice issued, along with instructions for its completion and use; and

8 (vii) By June 30, 2009, the department shall provide a report to
9 the legislature regarding the use, public acceptance, outcomes, and
10 other relevant issues regarding the pilot project.

11 (5) The traffic signal operations along 164th Street SE at the
12 intersections of Mill Creek Boulevard and SR 527 should be optimized to
13 minimize vehicle delay on both corridors based on traffic volumes and
14 not only on functional classification or designation.

15 **Sec. 220.** 2007 c 518 s 221 (uncodified) is amended to read as
16 follows:

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

19	Motor Vehicle Account--State Appropriation	((\$28,215,000))
20		<u>\$27,392,000</u>
21	Motor Vehicle Account--Federal Appropriation	\$30,000
22	Puget Sound Ferry Operations Account--State	
23	Appropriation	\$1,321,000
24	Multimodal Transportation Account--State	
25	Appropriation	\$1,223,000
26	TOTAL APPROPRIATION	((\$30,789,000))
27		<u>\$29,966,000</u>

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

30 (1) The department shall work with staffs from the legislative
31 evaluation and accountability program committee, the transportation
32 committees of the legislature, and the office of financial management
33 on developing a new capital budgeting system to meet identified
34 information needs.

35 (2) \$250,000 of the multimodal account--state appropriation is
36 provided solely for implementing a wounded combat veteran's internship

1 program, administered by the department. The department shall seek
2 federal funding to support the continuation of this program.

3 **Sec. 221.** 2007 c 518 s 222 (uncodified) is amended to read as
4 follows:

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

7	Motor Vehicle Account--State Appropriation	((\$30,698,000))
8		<u>\$27,700,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$19,163,000
10	Multimodal Transportation Account--State	
11	Appropriation	((\$1,029,000))
12		<u>\$1,941,000</u>
13	Multimodal Transportation Account--Federal	
14	Appropriation	\$2,809,000
15	Multimodal Transportation Account--Private/Local	
16	Appropriation	\$100,000
17	TOTAL APPROPRIATION	((\$53,799,000))
18		<u>\$51,713,000</u>

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

21 ~~(1) ((\$3,900,000 of the motor vehicle account--state appropriation~~
22 ~~is provided solely for the costs of the regional transportation~~
23 ~~investment district (RTID) and department of transportation project~~
24 ~~oversight. The department shall provide support from its urban~~
25 ~~corridors region to assist in preparing project costs, expenditure~~
26 ~~plans, and modeling. The department shall not deduct a management~~
27 ~~reserve, nor charge management or overhead fees. These funds,~~
28 ~~including those expended since 2003, are provided as a loan to the RTID~~
29 ~~and shall be repaid to the state within one year following formation of~~
30 ~~the RTID. \$2,391,000 of the amount provided under this subsection~~
31 ~~shall lapse, effective January 1, 2008, if voters fail to approve~~
32 ~~formation of the RTID at the 2007 general election, as determined by~~
33 ~~the certification of the election results.)) \$1,559,000 of the motor
34 vehicle account--state appropriation is provided solely for costs
35 incurred for the 2007 regional transportation investment district
36 election.~~

1 (2) (~~(\$300,000)~~) \$1,080,000 of the multimodal transportation
2 account--state appropriation is provided solely for a transportation
3 demand management program, developed by the Whatcom council of
4 governments, to further reduce drive-alone trips and maximize the use
5 of sustainable transportation choices. The community-based program
6 must focus on all trips, not only commute trips, by providing
7 education, assistance, and incentives to four target audiences: (a)
8 Large work sites; (b) employees of businesses in downtown areas; (c)
9 school children; and (d) residents of Bellingham.

10 (3) \$320,000 of the motor vehicle account--state appropriation and
11 \$128,000 of the motor vehicle account--federal appropriation are
12 provided solely for development of a freight database to help guide
13 freight investment decisions and track project effectiveness. The
14 database will be based on truck movement tracked through geographic
15 information system technology. TransNow will contribute an additional
16 \$192,000 in federal funds which are not appropriated in the
17 transportation budget. The department shall work with the freight
18 mobility strategic investment board to implement this project.

19 (4) By December 1, 2008, the department shall require confirmation
20 from jurisdictions that plan under the growth management act, chapter
21 36.70A RCW, and that receive state transportation funding under this
22 act, that the jurisdictions have adopted standards for access
23 permitting on state highways that meet or exceed department standards
24 in accordance with RCW 47.50.030. The objective of this subsection is
25 to encourage local governments, through the receipt of state
26 transportation funding, to adhere to best practices in access control
27 applicable to development activity significantly impacting state
28 transportation facilities. By January 1, 2009, the department shall
29 submit a report to the appropriate committees of the legislature
30 detailing the progress of the local jurisdictions in adopting the
31 highway access permitting standards.

32 (5) \$150,000 of the motor vehicle account--federal appropriation is
33 provided solely for the costs to develop an electronic map-based
34 computer application that will enable law enforcement officers and
35 others to more easily locate collisions and other incidents in the
36 field.

37 (6) The department shall add a position within the freight systems

1 division to provide expertise regarding the trucking aspects of the
2 state's freight system.

3 (7) The department shall evaluate the feasibility of developing a
4 freight corridor bypass from Everett to Gold Bar on US 2, including a
5 connection to SR 522. US 2 is an important freight corridor, and is an
6 alternative route for I-90. Congestion, safety issues, and flooding
7 concerns have all contributed to the need for major improvements to the
8 corridor. The evaluation shall consider the use of toll lanes for the
9 project. The department must report to the transportation committees
10 of the legislature by December 1, 2007, on its analysis and
11 recommendations regarding the benefit of a freight corridor and the
12 potential use of freight toll lanes to improve safety and congestion in
13 the corridor.

14 (8) The department shall work with the department of ecology, the
15 county road administration board, and the transportation improvement
16 board to develop model procedures and municipal and state rules in
17 regard to maximizing the use of recycled asphalt on road construction
18 and preservation projects. The department shall report to the joint
19 transportation committee by December 1, 2008, with recommendations on
20 increasing the use of recycled asphalt at the state and local level.

21 (9) \$140,000 of the multimodal transportation account--state
22 appropriation is provided solely for a full-time employee to develop
23 vehicle miles traveled and other greenhouse gas emissions benchmarks.

24 (10) \$80,000 of the motor vehicle account--state appropriation is
25 provided solely to study the feasibility of a new interchange on
26 interstate 5 between the city of Rochester and harrison avenue.

27 **Sec. 222.** 2007 c 518 s 223 (uncodified) is amended to read as
28 follows:

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

31	Motor Vehicle Account--State Appropriation	((\$66,342,000))
32		<u>\$66,428,000</u>
33	Motor Vehicle Account--Federal Appropriation	\$400,000
34	Multimodal Transportation Account--State	
35	Appropriation	\$259,000
36	TOTAL APPROPRIATION	((\$67,001,000))
37		<u>\$67,087,000</u>

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

3 (1) \$36,665,000 of the motor vehicle fund--state appropriation is
4 provided solely for the liabilities attributable to the department of
5 transportation. The office of financial management must provide a
6 detailed accounting of the revenues and expenditures of the self-
7 insurance fund to the transportation committees of the legislature on
8 December 31st and June 30th of each year.

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

11 (a) FOR PAYMENT OF OFFICE OF FINANCIAL MANAGEMENT
12 DIVISION OF RISK MANAGEMENT FEES \$1,520,000

13 (b) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE
14 AUDITOR ((~~\$1,150,000~~))
15 \$1,153,000

16 (c) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL
17 ADMINISTRATION FACILITIES AND SERVICES AND CONSOLIDATED
18 MAIL SERVICES ((~~\$4,157,000~~))
19 \$4,859,000

20 (d) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF
21 PERSONNEL ((~~\$4,033,000~~))
22 \$7,593,000

23 (e) FOR PAYMENT OF SELF-INSURANCE LIABILITY
24 PREMIUMS AND ADMINISTRATION \$36,665,000

25 (f) FOR PAYMENT OF THE DEPARTMENT OF GENERAL
26 ADMINISTRATION CAPITAL PROJECTS SURCHARGE \$1,838,000

27 (g) FOR ARCHIVES AND RECORDS MANAGEMENT ((~~\$647,000~~))
28 \$677,000

29 (h) FOR OFFICE OF MINORITIES AND WOMEN BUSINESS
30 ENTERPRISES ((~~\$1,070,000~~))
31 \$1,042,000

32 (i) FOR USE OF FINANCIAL SYSTEMS PROVIDED BY
33 THE OFFICE OF FINANCIAL MANAGEMENT ((~~\$930,000~~))
34 \$966,000

35 (j) FOR POLICY ASSISTANCE FROM THE DEPARTMENT
36 OF INFORMATION SERVICES ((~~\$1,138,000~~))
37 \$945,000

38 (k) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY

1 GENERAL'S OFFICE ((~~\$8,859,000~~))
 2 \$9,045,000
 3 (1) FOR LEGAL SERVICE PROVIDED BY THE ATTORNEY
 4 GENERAL'S OFFICE FOR THE SECOND PHASE OF THE BOLDT
 5 LITIGATION \$158,000
 6 (m) FOR DEPARTMENT OF PERSONNEL ONLINE RECRUITING \$326,000

7 **Sec. 223.** 2007 c 518 s 224 (uncodified) is amended to read as
 8 follows:

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

11 Regional Mobility Grant Program Account--State
 12 Appropriation \$40,000,000
 13 Multimodal Transportation Account--State
 14 Appropriation ((~~\$85,202,000~~))
 15 \$85,606,000
 16 Multimodal Transportation Account--Federal
 17 Appropriation \$2,582,000
 18 Multimodal Transportation Account--Private/Local
 19 Appropriation ((~~\$291,000~~))
 20 \$659,000
 21 TOTAL APPROPRIATION ((~~\$128,075,000~~))
 22 \$128,847,000

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

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

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

35 (b) \$19,500,000 of the amount provided in this subsection is
 36 provided solely for grants to transit agencies to transport persons
 37 with special transportation needs. To receive a grant, the transit

1 agency must have a maintenance of effort for special needs
2 transportation that is no less than the previous year's maintenance of
3 effort for special needs transportation. Grants for transit agencies
4 shall be prorated based on the amount expended for demand response
5 service and route deviated service in calendar year 2005 as reported in
6 the "Summary of Public Transportation - 2005" published by the
7 department of transportation. No transit agency may receive more than
8 thirty percent of these distributions.

9 (2) Funds are provided for the rural mobility grant program as
10 follows:

11 (a) \$8,500,000 of the multimodal transportation account--state
12 appropriation is provided solely for grants for those transit systems
13 serving small cities and rural areas as identified in the Summary of
14 Public Transportation - 2005 published by the department of
15 transportation. Noncompetitive grants must be distributed to the
16 transit systems serving small cities and rural areas in a manner
17 similar to past disparity equalization programs.

18 (b) \$8,500,000 of the multimodal transportation account--state
19 appropriation is provided solely to providers of rural mobility service
20 in areas not served or underserved by transit agencies through a
21 competitive grant process.

22 (3) \$8,600,000 of the multimodal transportation account--state
23 appropriation is provided solely for a vanpool grant program for: (a)
24 Public transit agencies to add vanpools; and (b) incentives for
25 employers to increase employee vanpool use. The grant program for
26 public transit agencies will cover capital costs only; no operating
27 costs for public transit agencies are eligible for funding under this
28 grant program. No additional employees may be hired from the funds
29 provided in this section for the vanpool grant program, and supplanting
30 of transit funds currently funding vanpools is not allowed. Additional
31 criteria for selecting grants must include leveraging funds other than
32 state funds.

33 (4) \$40,000,000 of the regional mobility grant program account--
34 state appropriation is provided solely for the regional mobility grant
35 projects identified on the LEAP Transportation Document 2007-B as
36 developed April 20, 2007. The department shall review all projects
37 receiving grant awards under this program at least semiannually to
38 determine whether the projects are making satisfactory progress. Any

1 project that has been awarded funds, but does not report activity on
2 the project within one year of the grant award, shall be reviewed by
3 the department to determine whether the grant should be terminated.
4 The department shall promptly close out grants when projects have been
5 completed, and any remaining funds available to the office of transit
6 mobility shall be used only to fund projects on the LEAP Transportation
7 Document 2007-B as developed April 20, 2007. The department shall
8 provide annual status reports on December 15, 2007, and December 15,
9 2008, to the office of financial management and the transportation
10 committees of the legislature regarding the projects receiving the
11 grants.

12 (5) \$17,168,087 of the multimodal transportation account--state
13 appropriation is reappropriated and provided solely for the regional
14 mobility grant projects identified on the LEAP Transportation Document
15 2006-D, regional mobility grant program projects as developed March 8,
16 2006. The department shall continue to review all projects receiving
17 grant awards under this program at least semiannually to determine
18 whether the projects are making satisfactory progress. The department
19 shall promptly close out grants when projects have been completed, and
20 any remaining funds available to the office of transit mobility shall
21 be used only to fund projects on the LEAP Transportation Document
22 2007-B as developed April 20, 2007, or the LEAP Transportation Document
23 2006-D as developed March 8, 2006.

24 (6) \$200,000 of the multimodal transportation account--state
25 appropriation is provided solely for the department to study and then
26 develop pilot programs aimed at addressing commute trip reduction
27 strategies for K-12 students and for college and university students.
28 The department shall submit to the legislature by January 1, 2009, a
29 summary of the program results and recommendations for future student
30 commute trip reduction strategies. The pilot programs are described as
31 follows:

32 (a) The department shall consider approaches, including mobility
33 education, to reducing and removing traffic congestion in front of
34 schools by changing travel behavior for elementary, middle, and high
35 school students and their parents; and

36 (b) The department shall design a program that includes student
37 employment options as part of the pilot program applicable to college
38 and university students.

1 (7) \$2,400,000 of the multimodal account--state appropriation is
2 provided solely for establishing growth and transportation efficiency
3 centers (GTEC). Funds are appropriated for one time only. The
4 department shall provide in its annual report to the legislature an
5 evaluation of the GTEC concept and recommendations on future funding
6 levels.

7 (8) \$381,000 of the multimodal transportation account--state
8 appropriation is provided solely for the implementation of Substitute
9 House Bill No. 1694 (reauthorizing the agency council on coordinated
10 transportation). If Substitute House Bill No. 1694 is not enacted by
11 June 30, 2007, the amount provided in this subsection shall lapse.

12 (9) (~~(\$136,000)~~) \$504,000 of the multimodal transportation
13 account--private/local appropriation is provided solely for the
14 implementation of Senate Bill No. 5084 (updating rail transit safety
15 plans). If Senate Bill No. 5084 is not enacted by June 30, 2007, the
16 amount provided in this subsection shall lapse.

17 (10) \$60,000 of the multimodal transportation account--state
18 appropriation is provided solely for low-income car ownership programs.
19 The department shall collaborate with interested regional
20 transportation planning organizations and metropolitan planning
21 organizations to determine the effectiveness of the programs at
22 providing transportation solutions for low-income persons who depend
23 upon cars to travel to their places of employment.

24 (11) \$1,000,000 of the multimodal transportation account--state
25 appropriation is provided solely for additional funding for the trip
26 reduction performance program, including telework enhancement projects.
27 Funds are appropriated for one time only.

28 (12) (~~(\$2,000,000)~~) \$2,309,000 of the multimodal transportation
29 account--state appropriation is provided solely for the tri-county
30 connection service for Island, Skagit, and Whatcom transit agencies.

31 (13) \$150,000 of the multimodal transportation account--state
32 appropriation is provided solely as a grant for a telework pilot
33 project to be developed, administered, and monitored by the Kitsap
34 regional coordinating council. Funds are appropriated for one time
35 only. The primary purposes of the pilot project are to educate
36 employers about telecommuting, develop telework policies and resources
37 for employers, and reduce traffic congestion by encouraging teleworking
38 in the workplace. As part of the pilot project, the council shall

1 recruit public and private sector employer participants throughout the
2 county, identify telework sites, develop an employer's toolkit
3 consisting of teleworking resources, and create a telecommuting
4 template that may be applied in other communities. The council shall
5 submit to the legislature by July 1, 2009, a summary of the program
6 results and any recommendations for future telework strategies.

7 **Sec. 224.** 2007 c 518 s 225 (uncodified) is amended to read as
8 follows:

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

10	Puget Sound Ferry Operations Account--State	
11	Appropriation	((\$412,189,000))
12		<u>\$425,009,000</u>
13	Multimodal Transportation Account--State	
14	Appropriation	((\$1,830,000))
15		<u>\$1,914,000</u>
16	TOTAL APPROPRIATION	((\$414,019,000))
17		<u>\$426,923,000</u>

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

20 (1) ((~~\$79,191,000~~)) \$90,299,000 of the Puget Sound ferry
21 operations--state appropriation is provided solely for auto ferry
22 vessel operating fuel in the 2007-2009 biennium.

23 (2) The Washington state ferries must work with the department's
24 information technology division to implement an electronic fare system,
25 including the integration of the regional fare coordination system
26 (smart card). Each December and June, semiannual updates must be
27 provided to the transportation committees of the legislature concerning
28 the status of implementing and completing this project, with updates
29 concluding the first December after full project implementation.

30 (3) The Washington state ferries shall continue to provide service
31 to Sidney, British Columbia.

32 (4) ((~~\$1,830,000~~)) \$1,914,000 of the multimodal transportation
33 account--state appropriation is provided solely to provide
34 passenger-only ferry service. The ferry system shall continue
35 passenger-only ferry service from Vashon Island to Seattle through June
36 30, 2008. Ferry system management shall continue to implement its

1 agreement with the inlandboatmen's union of the pacific and the
2 international organization of masters, mates and pilots providing for
3 part-time passenger-only work schedules.

4 (5) \$932,000 of the Puget Sound ferries operations account--state
5 appropriation is provided solely for compliance with department of
6 ecology rules regarding the transfer of oil on or near state waters.
7 Funding for compliance with on-board fueling rules is provided for the
8 2008 fiscal year. The department may request funding for the 2009
9 fiscal year if the request is submitted with an alternative compliance
10 plan filed with the department of ecology, as allowed by rule.

11 (6) \$1,116,000 of the Puget Sound ferry operations account--state
12 appropriation is provided solely for ferry security operations
13 necessary to comply with the ferry security plan submitted by the
14 Washington state ferry system to the United States coast guard. The
15 department shall track security costs and expenditures. Ferry security
16 operations costs shall not be included as part of the operational costs
17 that are used to calculate farebox recovery.

18 (7) \$378,000 of the Puget Sound ferry operations account--state
19 appropriation is provided solely to meet the United States coast guard
20 requirements for appropriate rest hours between shifts for vessel crews
21 on the Bainbridge to Seattle and Edmonds to Kingston ferry routes.

22 (8) \$694,000 of the Puget Sound ferries operating account--state
23 appropriation is provided solely for implementing Engrossed Substitute
24 House Bill No. 2358 as follows:

25 (a) The department shall allow the joint transportation committee
26 work group established in section 205(1) of this act to participate in
27 the following elements as they are described in Engrossed Substitute
28 House Bill No. 2358:

29 (i) Development and implementation of a survey of ferry customers;

30 (ii) Analysis and reestablishment of vehicle level of service
31 standards. In reestablishing the standards, consideration shall be
32 given to whether boat wait is the appropriate measure. The level of
33 service standard shall be reestablished in conjunction with or after
34 the survey has been implemented;

35 (iii) Development of pricing policy proposals. In developing these
36 policies, the policies, in effect on some routes, of collecting fares
37 in only one direction shall be evaluated to determine whether one-way

1 fare pricing best serves the ferry system. The pricing policy
2 proposals must be developed in conjunction with or after the survey has
3 been implemented;

4 (iv) Development of operational strategies. The operational
5 strategies shall be reestablished in conjunction with the survey or
6 after the survey has been implemented;

7 (v) Development of terminal design standards. The terminal design
8 standards shall be finalized after the provisions of subsections (a)(i)
9 through (iv) and subsection (b) of this section have been developed and
10 reviewed by the joint transportation committee; and

11 (vi) Development of a capital plan. The capital plan shall be
12 finalized after terminal design standards have been developed by the
13 department and reviewed by the joint transportation committee.

14 (b) The department shall develop a ridership demand forecast that
15 shall be used in the development of a long-range capital plan. If more
16 than one forecast is developed they must be reconciled.

17 (c) The department shall update the life cycle cost model to meet
18 the requirements of Engrossed Substitute House Bill No. 2358 no later
19 than August 1, 2007.

20 (d) The department shall develop a cost allocation methodology
21 proposal to meet the requirements described in Engrossed Substitute
22 House Bill No. 2358. The proposal shall be completed and presented to
23 the joint transportation committee no later than August 1, 2007.

24 (9) \$200,000 of the Puget Sound ferry operations account--state
25 appropriation is provided solely for the initial acquisition of
26 transportation worker identification credentials required by the United
27 States department of homeland security for unescorted access to secure
28 areas of ferries and terminals.

29 (10) The legislature finds that a rigorous incident investigation
30 process is an essential component of marine safety. The department is
31 directed to review its accident and incident investigation procedures
32 and report the results of its review with any proposals for changes to
33 the legislature by November 1, 2008.

34 **Sec. 225.** 2007 c 518 s 226 (uncodified) is amended to read as
35 follows:

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

1 Appropriation ((~~\$37,034,000~~))
2 \$37,012,000

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

5 (1) The department shall publish a final long-range plan for Amtrak
6 Cascades by September 30, 2007. By December 31, 2008, the department
7 shall submit to the office of financial management and the
8 transportation committees of the legislature a midrange plan for Amtrak
9 Cascades that identifies specific steps the department would propose to
10 achieve additional service beyond current levels.

11 (2)(a) \$29,091,000 of the multimodal transportation account--state
12 appropriation is provided solely for the Amtrak service contract and
13 Talgo maintenance contract associated with providing and maintaining
14 the state-supported passenger rail service. Upon completion of the
15 rail platform project in the city of Stanwood, the department shall
16 provide daily Amtrak Cascades service to the city.

17 (b) The department shall negotiate with Amtrak and Burlington
18 Northern Santa Fe to adjust the Amtrak Cascades schedule to leave
19 Bellingham at a significantly earlier hour.

20 (c) When Amtrak Cascades expands the second roundtrip between
21 Vancouver, B.C. and Seattle, the department shall negotiate for the
22 second roundtrip to leave Bellingham southbound no later than 8:30 a.m.

23 (3) No Amtrak Cascade runs may be eliminated.

24 (4) \$40,000 of the multimodal transportation account--state
25 appropriation is provided solely for the produce railcar program. The
26 department is encouraged to implement the produce railcar program by
27 maximizing private investment.

28 (5) The department shall begin planning for a third roundtrip
29 Cascades train between Seattle and Vancouver, B.C. by 2010.

30 **Sec. 226.** 2007 c 518 s 227 (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 ((~~\$8,630,000~~))
35 \$8,989,000

36 Motor Vehicle Account--Federal Appropriation \$2,567,000

37 TOTAL APPROPRIATION ((~~\$11,197,000~~))

1 \$11,556,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: The department of transportation shall
4 provide up to \$3,450,000 in toll credits to Kitsap transit for
5 passenger-only ferry service. The number of toll credits provided to
6 Kitsap transit must be equal to, but no more than, a number sufficient
7 to meet federal match requirements for grant funding for passenger-only
8 ferry service, but shall not exceed the amount authorized under this
9 section. The department may not allocate, grant, or utilize any state
10 or state appropriated or managed federal funds as match to the federal
11 grant funding on projects to which these toll credits are applied.

12 **TRANSPORTATION AGENCIES--CAPITAL**

13 **Sec. 301.** 2007 c 518 s 301 (uncodified) is amended to read as
14 follows:

15 **FOR THE WASHINGTON STATE PATROL**

16 State Patrol Highway Account--State Appropriation . . . (~~(\$2,934,000)~~)
17 \$4,234,000

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

20 (1) \$2,200,000 is provided solely for the following minor works
21 projects: \$195,000 for HVAC renovation at the Chehalis, Kelso,
22 Okanogan, and Ellensburg detachments; \$50,000 for roof replacements at
23 the Toppenish, SeaTac NB, SeaTac SB, and Plymouth weigh stations;
24 \$35,000 for replacement of the Shelton academy roof drain and
25 downspout; \$100,000 for parking lot repairs at Okanogan, Goldendale,
26 Ritzville, and Moses Lake detachment offices and the Wenatchee 6
27 headquarters; \$290,000 for replacement of the weigh station scales at
28 Brady and Artic; \$152,000 for carpet replacement at the Ritzville,
29 Moses Lake, Morton, Kelso, Chehalis, Walla Walla, Kennewick, South
30 King, and Hoquiam detachment offices; \$185,000 for HVAC replacement at
31 Tacoma and Marysville detachment offices; \$330,000 for repair and
32 upgrade of the Bellevue tower; \$473,000 for replacement of twenty-one
33 communication site underground fuel tanks; \$240,000 for replacement of
34 communication site buildings at Lind, Scoggans Mountain, and Lewiston
35 Ridge; and \$150,000 for unforeseen emergency repairs.

1 (2) \$687,000 is provided solely for design and construction of
2 regional waste water treatment systems for the Shelton academy of the
3 Washington state patrol.

4 (3) \$47,000 is provided solely for predesign of a single,
5 consolidated aviation facility at the Olympia airport to house the
6 fixed wing operations of the Washington state patrol, the department of
7 natural resources (DNR), and the department of fish and wildlife, and
8 the rotary operations of the DNR.

9 (4) \$1,300,000 of the state patrol highway account--state
10 appropriation is provided solely for the acquisition of land adjacent
11 to the Shelton training academy for anticipated expansion; however, the
12 amount provided in this subsection is contingent on the Washington
13 state patrol adding a surcharge to the rates charged to any other
14 agency or entity that uses the academy in an amount sufficient to
15 defray a share of the expansion costs that is proportionate to the
16 relative volume of use of the academy by such agencies or entities.
17 The surcharge imposed must be sufficient to recover the requisite
18 portion of the academy expansion costs within ten years of the
19 effective date of this subsection.

20 **Sec. 302.** 2007 c 518 s 302 (uncodified) is amended to read as
21 follows:

22 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

23 Rural Arterial Trust Account--State Appropriation	\$64,000,000
24 Motor Vehicle Account--State Appropriation	((\$2,368,000))
25	<u>\$2,370,000</u>
26 County Arterial Preservation Account--State	
27 Appropriation	((\$32,861,000))
28	<u>\$32,641,000</u>
29 TOTAL APPROPRIATION	((\$99,229,000))
30	<u>\$99,011,000</u>

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

33 (1) ((~~\$2,069,000~~)) \$2,370,000 of the motor vehicle account--state
34 appropriation may be used for county ((ferries. The board shall review
35 the requests for county ferry funding in consideration with other
36 projects funded from the board. If the board determines these projects

1 are a priority over the projects in the rural arterial and county
2 arterial preservation grant programs, then they may provide funding for
3 these requests)) ferry projects as set forth in RCW 47.56.725(4).

4 (2) The appropriations contained in this section include funding to
5 counties to assist them in efforts to recover from winter storm and
6 flood damage, by providing capitalization advances and local match for
7 federal emergency funding as determined by the county road
8 administration board. The county road administration board shall
9 specifically identify any such selected projects and shall include
10 information concerning them in its next annual report to the
11 legislature.

12 **Sec. 303.** 2007 c 518 s 303 (uncodified) is amended to read as
13 follows:

14 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

15	Small City Pavement and Sidewalk Account--State	
16	Appropriation	((\$4,500,000))
17		<u>\$5,900,000</u>
18	Urban Arterial Trust Account--State Appropriation . .	((\$129,600,000))
19		<u>\$128,200,000</u>
20	Transportation Improvement Account--State	
21	Appropriation	((\$90,643,000))
22		<u>\$87,143,000</u>
23	TOTAL APPROPRIATION	((\$224,743,000))
24		<u>\$221,243,000</u>

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

27 (1) The transportation improvement account--state appropriation
28 includes up to \$7,143,000 in proceeds from the sale of bonds authorized
29 in RCW 47.26.500.

30 (2) The urban arterial trust account--state appropriation includes
31 up to \$15,000,000 in proceeds from the sale of bonds authorized in
32 Substitute House Bill No. 2394. If Substitute House Bill No. 2394 is
33 not enacted by June 30, 2007, the amount provided in this subsection
34 shall lapse.

35 NEW SECTION. **Sec. 304.** A new section is added to 2007 c 518
36 (uncodified) to read as follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION.** The nickel and transportation
2 partnership revenue packages were created in 2003 and 2005 to finance
3 transportation construction over a sixteen year period. Since the
4 adoption of the 2003 and 2005 transportation project lists, significant
5 cost increases have resulted from extraordinary inflation. At the same
6 time, motor vehicle fuel prices have risen dramatically, and state and
7 federal gas tax revenues dedicated to paying for these programs are
8 forecasted to decrease over the sixteen year time period. Additional
9 cost increases and eroding revenues will be difficult, if not
10 impossible, to accommodate in the sixteen year financial plan.

11 As part of its budget submittal for the 2009-2011 biennium, the
12 department of transportation shall prepare information regarding the
13 nickel and transportation partnership funded projects for consideration
14 by the office of financial management and the legislative
15 transportation committees that:

16 (1) Compares the original project cost estimates approved in the
17 2003 and 2005 project list to the completed cost of the project, or the
18 most recent legislatively approved budget and total project costs for
19 projects not yet completed;

20 (2) Identifies highway projects that may be reduced in scope and
21 still achieve a functional benefit;

22 (3) Identifies highway projects that have experienced scope
23 increases and that can be reduced in scope;

24 (4) Identifies highway projects that have lost significant local or
25 regional contributions which were essential to completing the project;
26 and

27 (5) Identifies contingency amounts allocated to projects.

28 **Sec. 305.** 2007 c 518 s 304 (uncodified) is amended to read as
29 follows:

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

32 Motor Vehicle Account--State Appropriation (~~(\$6,202,000)~~)
33 \$7,157,000

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

36 (1) \$584,000 of the motor vehicle account--state appropriation is
37 for statewide administration.

1 (2) (~~(\$750,000)~~) \$803,000 of the motor vehicle account--state
2 appropriation is for regional minor projects.

3 (3) \$568,000 of the motor vehicle account--state appropriation is
4 for the Olympic region headquarters property payments.

5 (4) By September 1, 2007, the department shall submit to the
6 transportation committees of the legislature predesign plans, developed
7 using the office of financial management's predesign process, for all
8 facility replacement projects to be proposed in the facilities 2008
9 budget proposal.

10 (5) \$1,600,000 of the motor vehicle account--state appropriation is
11 for site acquisition for the Tri-cities area maintenance facility.

12 (6) \$2,700,000 of the motor vehicle account--state appropriation is
13 for site acquisition for the Vancouver light industrial facility.

14 (7) The department shall work with the office of financial
15 management and staff of the transportation committees of the
16 legislature to develop a statewide inventory of all department-owned
17 surplus property that is suitable for development for department
18 facilities or that should be sold. By December 1, 2008, the department
19 shall report to the joint transportation committee on the findings of
20 this study.

21 (8) \$902,000 of the motor vehicle account--state appropriation is
22 for reimbursing the miscellaneous transportation programs account for
23 expenditures for the Olympic region headquarters complex that were
24 incurred in the 2005-07 biennium.

25 **Sec. 306.** 2007 c 518 s 305 (uncodified) is amended to read as
26 follows:

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

28 Transportation Partnership Account--State

29	Appropriation	((\$1,226,516,000))
30		<u>\$1,123,428,004</u>
31	Motor Vehicle Account--State Appropriation	((\$82,045,000))
32		<u>\$86,845,000</u>
33	Motor Vehicle Account--Federal Appropriation	((\$404,090,000))
34		<u>\$458,332,000</u>
35	Motor Vehicle Account--Private/Local	
36	Appropriation	((\$49,157,000))
37		<u>\$64,487,000</u>

1 practicable to protect against further adverse impacts on neighborhood
2 environmental quality as a result of repairs and improvements made to
3 the state route 520 bridge and its connecting roadways, and that any
4 such impacts will be addressed through engineering design choices,
5 mitigation measures, or a combination of both. The requirements of
6 this section shall not apply to off-site pontoon construction
7 supporting the state route number 520 bridge replacement and HOV
8 project.

9 (3) Within the amounts provided in this section, (~~(\$1,991,000)~~)
10 \$1,895,000 of the transportation partnership account--state
11 appropriation, (~~(\$1,656,000)~~) \$2,147,000 of the motor vehicle account--
12 federal appropriation, and (~~(\$8,343,000)~~) \$10,331,000 of the
13 transportation 2003 account (nickel account)--state appropriation are
14 for project 109040T as identified in the LEAP transportation document
15 referenced in subsection (1) of this section: I-90/Two Way Transit-
16 Transit and HOV Improvements - Stage 1. Expenditure of the funds on
17 construction is contingent upon revising the access plan for Mercer
18 Island traffic such that Mercer Island traffic will have access to the
19 outer roadway high occupancy vehicle (HOV) lanes during the period of
20 operation of such lanes following the removal of Mercer Island traffic
21 from the center roadway and prior to conversion of the outer roadway
22 HOV lanes to high occupancy toll (HOT) lanes. Sound transit may only
23 have access to the center lanes when alternative R8A is complete.

24 (4) The Tacoma Narrows toll bridge account--state appropriation
25 includes up to (~~(\$131,016,000)~~) \$18,000,000 in proceeds from the sale
26 of bonds authorized by RCW 47.10.843.

27 (5) The funding described in this section includes (~~(\$8,095,541)~~)
28 \$36,693,000 of the transportation 2003 account (nickel account)--state
29 appropriation and (~~(\$237,241 of the motor vehicle account--~~
30 ~~private/local)~~) \$208,000 of the freight mobility multimodal account--
31 state appropriation, which are for the SR 519 project identified as
32 project number 851902A in the LEAP Transportation Document referenced
33 in subsection (1) of this section. The total project is expected to
34 cost no more than \$74,400,000 including (~~(\$11,950,000)~~) \$10,402,000 in
35 contributions from project partners.

36 (6) To promote and support community-specific noise reduction
37 solutions, the department shall:

1 (a) Prepare a draft directive that establishes how each community's
2 priorities and concerns may be identified and addressed in order to
3 allow consideration of a community's preferred methods of advanced
4 visual shielding and aesthetic screening, for the purpose of improving
5 the noise environment of major state roadway projects in locations that
6 do not meet the criteria for standard noise barriers. The intent is
7 for these provisions to be supportable by existing project budgets.
8 The directive shall also include direction on the coordination and
9 selection of visual and aesthetic options with local communities. The
10 draft directive shall be provided to the standing transportation
11 committees of the legislature by January 2008; and

12 (b) Pilot the draft directive established in (a) of this subsection
13 in two locations along major state roadways. If practicable, the
14 department should begin work on the pilot projects while the directive
15 is being developed. One pilot project shall be located in Clark county
16 on a significant capacity improvement project. The second pilot
17 project shall be located in urban King county, which shall be on a
18 corridor highway project through mixed land use areas that is nearing
19 or under construction. The department shall provide a written report
20 to the standing transportation committees of the legislature on the
21 findings of the Clark county pilot project by January 2009, and the
22 King county pilot project by January 2010. Based on results of the
23 pilot projects, the department shall update its design manual,
24 environmental procedures, or other appropriate documents to incorporate
25 the directive.

26 ((+8)) (7) If the "Green Highway" provisions of Engrossed Second
27 Substitute House Bill No. 1303 (cleaner energy) are enacted, the
28 department shall erect signs on the interstate highways included in
29 those provisions noting that these interstates have been designated
30 "Washington Green Highways."

31 ((+9)) (8) If on the I-405/I-90 to SE 8th Street Widening project
32 the department finds that there is an alternative investment to
33 preserve reliable rail accessibility to major manufacturing sites
34 within the I-405 corridor that are less expensive than replacing the
35 Wilburton Tunnel, the department may enter into the necessary
36 agreements to implement that alternative provided that costs remain
37 within the approved project budget.

1 ~~((+11+))~~ (9) The department shall apply for surface transportation
2 program (STP) enhancement funds to be expended in lieu of or in
3 addition to state funds for eligible costs of projects in Programs I
4 and P, including, but not limited to, the SR 518, SR 519, SR 520, and
5 Alaskan Way Viaduct projects.

6 ~~((+12+))~~ (10) \$250,000 of the motor vehicle account--state
7 appropriation ~~((is))~~ and \$213,000 of the motor vehicle account--federal
8 appropriation are provided solely for an inland pacific hub study to
9 develop an inland corridor for the movement of freight and goods to and
10 through eastern Washington; and \$500,000 of the motor vehicle account--
11 state appropriation is provided solely for the SR3/SR16 corridor study
12 to plan and prioritize state and local improvements needed over the
13 next 10-20 years to support safety, capacity development, and economic
14 development within the corridor.

15 ~~((+13+))~~ (11) The department shall, on a quarterly basis beginning
16 July 1, 2007, provide to the office of financial management and the
17 legislature reports providing the status on each active project funded
18 in part or whole by the transportation 2003 account (nickel account) or
19 the transportation partnership account. Funding provided at a
20 programmatic level for transportation partnership account and
21 transportation 2003 account (nickel account) projects relating to
22 bridge rail, guard rail, fish passage barrier removal, and roadside
23 safety projects should be reported on a programmatic basis. Projects
24 within this programmatic level funding should be completed on a
25 priority basis and scoped to be completed within the current
26 programmatic budget. Other projects may be reported on a programmatic
27 basis. The department shall work with the office of financial
28 management and the transportation committees of the legislature to
29 agree on report formatting and elements. Elements shall include, but
30 not be limited to, project scope, schedule, and costs. The department
31 shall also provide the information required under this subsection on a
32 quarterly basis via the transportation executive information systems
33 (TEIS).

34 ~~((+14+))~~ (12) The department shall apply for the competitive
35 portion of federal transit administration funds for eligible transit-
36 related costs of the SR 520 bridge replacement and HOV project. The
37 federal funds described in this subsection shall not include those
38 federal transit administration funds distributed by formula.

1 ~~((15))~~ (13) Funding provided by this act for the Alaskan Way
2 Viaduct project shall not be spent for preliminary engineering, design,
3 right-of-way acquisition, or construction on the project if completion
4 of the project would more likely than not reduce the capacity of the
5 facility. Capacity shall be measured by including the consideration of
6 the efficient movement of people and goods on the facility.

7 ~~((16))~~ (14) The governor shall convene a collaborative process
8 involving key leaders to determine the final project design for the
9 Alaskan Way Viaduct.

10 (a) The process shall be guided by the following common principles:
11 Public safety must be maintained; the final project shall meet both
12 capacity and mobility needs; and taxpayer dollars must be spent
13 responsibly.

14 (b) The state's project expenditures shall not exceed
15 \$2,800,000,000.

16 (c) A final design decision shall be made by December 31, 2008.

17 ~~((17))~~ (15) During the 2007-09 biennium, the department shall
18 proceed with a series of projects on the Alaskan Way Viaduct that are
19 common to any design alternative. Those projects include relocation of
20 two electrical transmission lines, Battery Street tunnel upgrades,
21 seismic upgrades from Lenora to the Battery Street tunnel, viaduct
22 removal from Holgate to King Street, and development of transit
23 enhancements and other improvements to mitigate congestion during
24 construction. However, the department shall not be responsible for
25 funding any cost increases on any early action projects for which it is
26 not the lead agency, and funds shall not be expended by the department
27 on the early action item project six - transit enhancements and other
28 capital improvements until the following conditions have been met:

29 (a) The city of Seattle signs an agreement with the department
30 waiving construction permit fees and lost parking meter revenue that
31 will likely occur during construction of the Alaskan Way viaduct
32 replacement projects; and

33 (b) The city of Seattle and the department determine the
34 appropriate cost allocation for public utilities removal and
35 replacement on the Alaskan Way viaduct replacement project, and report
36 to the joint transportation committee by September 30, 2008, on a
37 proposed cost sharing allocation.

1 ~~((18) The entire freight congestion relief account state~~
2 ~~appropriation is contingent upon the enactment during the 2007-2009~~
3 ~~fiscal biennium of a bill, resulting from the study established in~~
4 ~~Substitute Senate Bill No. 5207, that makes available funding to~~
5 ~~support project expenditures funded from the freight congestion relief~~
6 ~~account created in Substitute Senate Bill No. 5207. If such a funding~~
7 ~~bill is not enacted by June 30, 2009, the entire freight congestion~~
8 ~~relief account state appropriation shall lapse.~~

9 ~~(19))~~ (16) The transportation 2003 account (nickel account)--state
10 appropriation includes up to ~~(((\$874,610,000))~~ \$817,264,000 in proceeds
11 from the sale of bonds authorized by RCW 47.10.861.

12 ~~((20))~~ (17) The transportation partnership account--state
13 appropriation includes up to ~~(((\$900,000,000))~~ \$722,170,000 in proceeds
14 from the sale of bonds authorized in RCW 47.10.873.

15 ~~((21))~~ (18) The special category C account--state appropriation
16 includes up to ~~(((\$22,080,000))~~ \$22,517,000 in proceeds from the sale of
17 bonds authorized in Substitute House Bill No. 2394. If Substitute
18 House Bill No. 2394 is not enacted by June 30, 2007, the amount
19 provided in this subsection shall lapse.

20 ~~((22))~~ (19) \$4,500,000 of the motor vehicle account--federal
21 appropriation is provided solely for cost increases on the SR
22 304/Bremerton tunnel project.

23 ~~((23) \$3,000,000))~~ (20) \$2,071,000 of the motor vehicle account--
24 ~~((state))~~ federal appropriation is provided solely for initial design
25 and right of way work on a new southbound SR 509 to eastbound SR 518
26 freeway-to-freeway elevated ramp.

27 ~~((24))~~ (21) \$500,000 of the motor vehicle account--federal
28 appropriation to the SR 543/I-5 to Canadian border project is provided
29 solely for retaining wall facia improvements.

30 ~~((25) \$1,400,000))~~ (22) \$950,000 of the motor vehicle account--
31 federal appropriation ~~((is))~~ and \$24,000 of the motor vehicle
32 account--state appropriation are provided solely for the Westview
33 school noise wall.

34 ~~((26))~~ (23) \$1,600,000 of the motor vehicle account--~~((federal))~~
35 state appropriation is provided solely for two noise walls on SR 161 in
36 King county.

37 ~~((27))~~ (24) ~~(((\$900,000))~~ \$20,000 of the motor vehicle account--

1 state appropriation and (~~(\$100,000)~~) \$280,000 of the motor vehicle
2 account--federal appropriation are provided solely for interchange
3 design and planning work on US 12 at A street and tank farm road.

4 (25) The funding described in this section includes \$19,939,000 of
5 the transportation partnership account--state appropriation, \$29,000 of
6 the motor vehicle account--state appropriation, \$308,000 of the motor
7 vehicle account--private/local appropriation, and \$17,900,000 of the
8 motor vehicle account--federal appropriation for the I-5/Columbia river
9 crossing/Vancouver project. The funding described in this subsection
10 includes up to \$15,000,000 awarded to Washington and Oregon jointly
11 through the U.S. department of transportation corridors of the future
12 program in the 2007 federal highway authority discretionary fund
13 allocations.

14 (26) The department shall study any outstanding issues, including
15 financial issues that may apply to the I-5/Columbia river
16 crossing/Vancouver project. The department's efforts must include an
17 analysis of current bi-state efforts in planning, coordination, and
18 funding for the project; opportunities for the joining of state and
19 local government agencies and the private sector in a strong
20 partnership that contributes to the completion of the project; and
21 opportunities to work with the congressional delegations of Oregon and
22 Washington to provide federal funding and other assistance that will
23 advance this project of national and regional significance.

24 (27) \$1,500,000 of the motor vehicle account--federal appropriation
25 and \$4,908,000 of the transportation partnership account--state
26 appropriation are provided solely for project 1090400 as identified in
27 the LEAP transportation document in subsection (1) of this section:
28 I-90/Two-Way Transit-Transit and HOV Improvements, Stages 2 and 3. Of
29 these amounts, up to \$550,000 of the transportation partnership
30 account--state appropriation is to provide funding for an independent
31 technical review, overseen by the joint transportation committee, of
32 light rail impacts on the Interstate 90 - Homer Hadley Floating Bridge.
33 The technical review shall complement sound transit's current and
34 planned engineering design work to expand light rail in the central
35 Puget Sound region. The department shall coordinate its work with
36 sound transit and seek contributions from sound transit for the review.

37 (28) \$700,000 of the motor vehicle account--state appropriation is
38 provided solely for a westbound passing lane west of Sultan on US

1 Highway 2. Additional project funding of \$4,300,000 is assumed in the
2 2009-2011 biennium, bringing the total project funding to \$5,000,000.
3 This high priority safety project will provide a safe passing lane,
4 reducing head-on and crossover collisions as well as improving safety
5 and mobility.

6 (29) An additional \$500,000 of the transportation partnership
7 account--state appropriation is provided solely for SR 302/Elgin
8 Clifton road to SR 16 (330216A).

9 (30) An additional \$1,000,000 of the motor vehicle account--state
10 appropriation is provided solely for the SR 28/ E End of the George
11 Sellar bridge (202802V).

12 (31) An additional \$1,500,000 of the motor vehicle account--state
13 appropriation is provided solely for the SR 28/E End of the George
14 Sellar bridge (202802V) for the purpose of funding a pedestrian tunnel
15 connection. This funding is provided in anticipation of a federal
16 grant specific to this project, which, if received, must be used to
17 reimburse the state funding provided in this subsection.

18 **Sec. 307.** 2007 c 518 s 306 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**

21 Transportation Partnership Account--State	
22 Appropriation	((\$220,164,000))
23	<u>\$181,666,000</u>
24 Motor Vehicle Account--State Appropriation	((\$71,392,000))
25	<u>\$86,540,000</u>
26 Motor Vehicle Account--Federal Appropriation	((\$425,161,000))
27	<u>\$463,338,000</u>
28 Motor Vehicle Account--Private/Local Appropriation	((\$15,285,000))
29	<u>\$18,138,000</u>
30 Transportation 2003 Account (Nickel Account)--State	
31 Appropriation	((\$5,122,000))
32	<u>\$11,136,000</u>
33 Puyallup Tribal Settlement Account--State	
34 Appropriation	((\$11,000,000))
35	<u>\$12,500,000</u>
36 TOTAL APPROPRIATION	((\$748,124,000))
37	<u>\$773,318,000</u>

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

3 (1) Except as provided otherwise in this section, the entire
4 transportation 2003 account (nickel account) appropriation and the
5 entire transportation partnership account appropriation are provided
6 solely for the projects and activities as listed by fund, project, and
7 amount in LEAP Transportation Document ((~~2007-1~~)) 2008-1, Highway
8 Preservation Program (P) as developed ((~~April 20, 2007~~)) February 25,
9 2008. However, limited transfers of specific line-item project
10 appropriations may occur between projects for those amounts listed
11 subject to the conditions and limitations in section 603 of this act.

12 (2) ((~~\$295,000~~)) \$287,000 of the motor vehicle account--federal
13 appropriation and ((~~\$5,000~~)) \$11,000 of the motor vehicle account--
14 state appropriation are provided solely for the department to determine
15 the most cost efficient way to replace the current Keller ferry.
16 Options reviewed shall not include an expansion of the current capacity
17 of the Keller ferry.

18 (3) ((~~\$5,513,000~~)) \$5,308,000 of the transportation partnership
19 account--state appropriation is provided solely for the purposes of
20 settling all identified and potential claims from the Lower Elwha
21 Klallam Tribe related to the construction of a graving dock facility on
22 the graving dock property. In the matter of *Lower Elwha Klallam Tribe*
23 *et al v. State et al*, Thurston county superior court, cause no.
24 05-2-01595-8, the Lower Elwha Klallam Tribe and the state of Washington
25 entered into a settlement agreement that settles all claims related to
26 graving dock property and associated construction and releases the
27 state from all claims related to the construction of the graving dock
28 facilities. The expenditure of this appropriation is contingent on the
29 conditions and limitations set forth in subsections (a) and (b) of this
30 subsection.

31 (a) \$2,000,000 of the transportation partnership account--state
32 appropriation is provided solely for the benefit of the Lower Elwha
33 Klallam Tribe to be disbursed by the department in accordance with
34 terms and conditions of the settlement agreement.

35 (b) ((~~\$3,513,000~~)) \$3,308,000 of the transportation partnership
36 account--state appropriation is provided solely for the department's
37 remediation work on the graving dock property in accordance with the
38 terms and conditions of the settlement agreement.

1 (4) The department shall apply for surface transportation program
2 (STP) enhancement funds to be expended in lieu of or in addition to
3 state funds for eligible costs of projects in Programs I and P,
4 including, but not limited to, the SR 518, SR 519, SR 520, and Alaskan
5 Way Viaduct projects.

6 (5) The department shall, on a quarterly basis beginning July 1,
7 2007, provide to the office of financial management and the legislature
8 reports providing the status on each active project funded in part or
9 whole by the transportation 2003 account (nickel account) or the
10 transportation partnership account. Funding provided at a programmatic
11 level for transportation partnership account projects relating to
12 seismic bridges should be reported on a programmatic basis. Projects
13 within this programmatic level funding should be completed on a
14 priority basis and scoped to be completed within the current
15 programmatic budget. Other projects may be reported on a programmatic
16 basis. The department shall work with the office of financial
17 management and the transportation committees of the legislature to
18 agree on report formatting and elements. Elements shall include, but
19 not be limited to, project scope, schedule, and costs. The department
20 shall also provide the information required under this subsection on a
21 quarterly basis via the transportation executive information systems
22 (TEIS).

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

29 (7) (~~(\$2,604,501)~~) \$13,257,000 of the motor vehicle account--
30 federal appropriation and (~~(\$3,000,000)~~) \$5,000,000 of the motor
31 vehicle account--state appropriation are for expenditures on damaged
32 state roads due to flooding, mudslides, rock fall, or other unforeseen
33 events.

34 (8) (~~(\$9,665)~~) \$188,000 of the motor vehicle account--state
35 appropriation, (~~(\$12,652,812)~~) \$28,749,000 of the motor vehicle
36 account--federal appropriation, and (~~(\$138,174,581)~~) \$105,653,000 of
37 the transportation partnership account--state appropriation are
38 provided solely for the Hood Canal bridge project.

1	Appropriation	((\$139,139,000))
2		<u>\$143,155,000</u>
3	Puget Sound Capital Construction Account--Federal	
4	Appropriation	((\$66,145,000))
5		<u>\$43,979,000</u>
6	<u>Puget Sound Capital Construction Account--</u>	
7	<u>Private/Local Appropriation</u>	<u>\$2,089,000</u>
8	Multimodal Transportation Account--State	
9	Appropriation	\$4,100,000
10	Transportation 2003 Account (Nickel Account)--State	
11	Appropriation	((\$76,525,000))
12		<u>\$51,431,000</u>
13	TOTAL APPROPRIATION	((\$285,909,000))
14		<u>\$244,754,000</u>

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

17 (1) ((~~\$6,432,000~~)) \$36,500,000 of the Puget Sound capital
18 construction account--state appropriation is provided solely for
19 ((~~emergency capital costs~~)) project 944470A as identified in the LEAP
20 Transportation Document 2008-1, Ferries Construction Program (W) as
21 developed February 25, 2008, for the construction of three marine
22 vessels to replace the steel electric auto ferry vessels. The document
23 includes a total of \$84,500,000 for these replacement vessels.

24 (2) ((~~\$16,567,000~~)) \$22,922,823 of the Puget Sound capital
25 construction account--state appropriation ((~~and~~)), \$4,100,000 of the
26 multimodal transportation account--state appropriation, \$5,410,000 of
27 the transportation 2003 account (nickel account)--state appropriation,
28 \$4,490,000 of the Puget Sound capital construction account--federal
29 appropriation, and \$2,089,000 of the Puget Sound capital construction
30 account--private/local appropriation are provided solely for the
31 terminal projects listed:

32 (a) Anacortes ferry terminal - utilities work; right-of-way
33 purchase for a holding area during construction; and completion of
34 design and permitting on the terminal building, pick-up and drop-off
35 sites, ((~~and~~)) pedestrian and bicycle facilities, and paving;

36 (b) Bainbridge Island ferry terminal - environmental planning and
37 a traffic signalization project in the vicinity of SR 305 Harborview
38 drive;

1 (c) Bremerton ferry terminal - overhead loading control system and
2 moving the terminal agent's office;

3 (d) Clinton ferry terminal - septic system replacement;

4 (e) Edmonds ferry terminal - right-of-way acquisition costs
5 ~~((and))~~, federal match requirements, and removal of Unocal Pier;

6 (f) Friday Harbor ferry terminal - parking resurfacing;

7 (g) Keystone and Port Townsend ferry terminals - route
8 environmental planning;

9 (h) Kingston ferry terminal - transfer span retrofit and overhead
10 vehicle holding control system modifications;

11 (i) Mukilteo ferry terminal - right-of-way acquisition,
12 archaeological studies, ~~((and))~~ environmental planning, and additional
13 vehicle holding;

14 (j) Orcas ferry terminal - dolphin replacement;

15 (k) Port Townsend ferry terminal - wingwall replacement, interim
16 holding, tie-up slip, and initial reservation system;

17 ~~((+k))~~ (l) Seattle ferry terminal - environmental planning,
18 coordination with local jurisdictions, ((and)) coordination with
19 highway projects, and contractor payment for automated re-entry gates;
20 ~~((and~~

21 ~~(+l))~~ (m) Southworth ferry terminal - federal grant to conduct
22 preliminary studies and planning for a 2nd operating slip; and

23 (n) Vashon Island and Seattle ferry terminals - modify the
24 passenger-only facilities.

25 ~~((+4) \$76,525,000))~~ (3) \$46,020,666 of the transportation 2003
26 account (nickel account)--state appropriation and ~~((+\$50,985,000))~~
27 \$3,750,000 of the Puget Sound capital construction account--~~((state))~~
28 federal appropriation are provided solely for the procurement of
29 ~~((four))~~ up to three 144-vehicle auto-passenger ferry vessels.

30 ~~((+5))~~ (4) \$18,716,000 of the Puget Sound capital construction
31 account--state appropriation is provided solely for the Eagle Harbor
32 maintenance facility preservation project. These funds may not be used
33 for relocating any warehouses not currently on the Eagle Harbor site.

34 ~~((+6))~~ (5) The department shall research an asset management
35 system to improve Washington state ferries' management of capital
36 assets and the department's ability to estimate future preservation
37 needs. The department shall report its findings regarding a new asset

1 management system to the governor and the transportation committees of
2 the legislature no later than January 15, 2008.

3 ~~((+7))~~ (6) The department shall sell the M.V. Chinook and M.V.
4 Snohomish passenger-only fast ferries as soon as practicable and
5 deposit the proceeds of the sales into the passenger ferry account
6 created in RCW 47.60.645. Once the department ceases to provide
7 passenger-only ferry service, the department shall sell the M.V. Kalama
8 and M.V. Skagit passenger-only ferries and deposit the proceeds of the
9 sales into the passenger ferry account created in RCW 47.60.645.

10 ~~((+8))~~ (7) The department shall, on a quarterly basis beginning
11 July 1, 2007, provide to the office of financial management and the
12 legislature reports providing the status on each project listed in this
13 section and in the project lists submitted pursuant to this act and on
14 any additional projects for which the department has expended funds
15 during the 2007-09 fiscal biennium. Elements shall include, but not be
16 limited to, project scope, schedule, and costs. The department shall
17 also provide the information required under this subsection via the
18 transportation executive information systems (TEIS).

19 (8) The department of transportation is authorized to sell up to
20 \$90,000,000 in bonds authorized by RCW 47.10.843 for vessel and
21 terminal acquisition, major and minor improvements, and long lead-time
22 materials acquisition for the Washington state ferries.

23 (9) The department shall review the costs and benefits of continued
24 use of the primavera scheduling system in the Washington state ferries
25 marine division and include that review with its 2009-2011 budget
26 submittal.

27 (10) The department shall review staffing in its capital
28 engineering divisions to ensure core competency in, and a focus on,
29 terminal and vessel preservation, with staffing sufficient to implement
30 the preservation program in the capital plan. The department shall not
31 fill any current or future vacancies in the capital program until the
32 completion of the capital plan.

33 (11) The department shall submit a plan for the disposal or sale of
34 the four steel electric auto-ferry vessels to the joint transportation
35 committee by July 1, 2008.

36 **Sec. 310.** 2007 c 518 s 309 (uncodified) is amended to read as
37 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL	
2	Essential Rail Assistance Account--State Appropriation . . .	\$500,000
3	(Freight Congestion Relief Account--State	
4	Appropriation	\$25,000,000)
5	Transportation Infrastructure Account--State	
6	Appropriation	((\$2,500,000))
7		<u>\$1,713,000</u>
8	<u>Transportation Infrastructure Account--Federal</u>	
9	<u>Appropriation</u>	<u>\$787,000</u>
10	Multimodal Transportation Account--State	
11	Appropriation	((\$154,637,000))
12		<u>\$165,492,000</u>
13	Multimodal Transportation Account--Federal	
14	Appropriation	((\$30,450,000))
15		<u>\$33,906,000</u>
16	Multimodal Transportation Account--Private/Local	
17	Appropriation	((\$7,894,000))
18		<u>\$2,659,000</u>
19	TOTAL APPROPRIATION	((\$220,981,000))
20		<u>\$205,057,000</u>

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

23 (1)(a) Except as provided otherwise in (~~subsection (8) of~~) this
24 section, the entire appropriations in this section are provided solely
25 for the projects and activities as listed by fund, project, and amount
26 in LEAP Transportation Document ((~~2007-1~~)) 2008-1, Rail Capital Program
27 (Y) as developed ((~~April 20, 2007~~)) February 25, 2008. However,
28 limited transfers of specific line-item project appropriations may
29 occur between projects for those amounts listed subject to the
30 conditions and limitations in section 603 of this act.

31 (b) Within the amounts provided in this section, ((~~\$2,500,000~~))
32 \$1,500,000 of the transportation infrastructure account--state
33 appropriation ((~~is~~)) and \$787,000 of the transportation infrastructure
34 account--federal appropriation are for low-interest loans for rail
35 capital projects through the freight rail investment bank program. The
36 department shall issue a call for projects based upon the legislative
37 priorities specified in subsection (7)(a) of this section. Application
38 must be received by the department by ((~~November 1, 2007~~)) October 1,

1 2008. By (~~December 1, 2007~~) November 1, 2008, the department shall
2 submit a prioritized list of recommended projects to the office of
3 financial management and the transportation committees of the
4 legislature. The department shall award low-interest loans to the port
5 of Moses Lake in the amount of \$213,000, and based upon the prioritized
6 list of rail capital projects most recently submitted to the
7 legislature pursuant to this subsection, as follows: Port of Benton
8 County (\$250,000); Port of Everett (\$250,000); Central Terminals, LLC
9 (\$250,000); Tacoma Rail--Maintenance Facility (\$250,000); NW Container
10 Service (\$250,000); Port of Chehalis (\$250,000); Ballard Terminal
11 Railroad (\$250,000); Eastern Washington Gateway Railroad (\$36,875);
12 Spokane County (\$250,000); Tacoma Rail--Locomotive Idling (\$250,000).

13 (c) Within the amounts provided in this section, (~~(\$3,335,000)~~)
14 \$2,561,000 of the multimodal transportation account--state
15 appropriation is for statewide - emergent freight rail assistance
16 projects. However, the department shall perform a cost/benefit
17 analysis of the projects according to the legislative priorities
18 specified in subsection (7)(a) of this section, and shall give priority
19 to the following projects: Rail - Tacoma rail yard switching upgrades
20 (\$500,000); Rail - Port of Ephrata spur rehabilitation (\$127,000); Rail
21 - Lewis and Clark rail improvements (\$1,100,000); Rail - Port of Grays
22 Harbor rail access improvements (\$543,000); and Rail - Port of Longview
23 rail loop construction (\$291,000)(~~(; and Rail - Port of Chehalis~~
24 ~~(\$774,000))~~). If the relative cost of any of the six projects
25 identified in this subsection (1)(c) is not substantially less than the
26 public benefits to be derived from the project, then the department
27 shall not assign the funds to the project, and instead shall use those
28 funds toward those projects identified by the department in the
29 attachments to the "Washington State Department of Transportation
30 FREIGHT RAIL ASSISTANCE FUNDING PROGRAM: 2007-2009 Prioritized Project
31 List and Program Update" dated December 2006 for which the proportion
32 of public benefits to be gained compared to the cost of the project is
33 greatest.

34 (~~(d) (Within the amounts provided in this section, \$25,000,000 of~~
35 ~~the freight congestion relief account state appropriation is for~~
36 ~~modifications to the Stampede Pass rail tunnel to facilitate the~~
37 ~~movement of double stacked rail cars. The department shall quantify~~
38 ~~and report to the legislature by December 1, 2007, the volume of~~

1 ~~freight traffic that would likely be shipped by rail rather than trucks~~
2 ~~if the Stampede Pass rail tunnel were modified to accommodate double~~
3 ~~stacked rail cars.~~

4 ~~(e))~~ Within the amounts provided in this section, ~~(((\$200,000))~~
5 \$339,000 of the multimodal transportation account--state appropriation
6 is for rescoping and completion of a programmatic EIS for the Kelso to
7 Martin's Bluff - 3rd Mainline and Storage Tracks project. The rescoped
8 project may include funds that are committed to the project by local or
9 private funding partners. However, the rescoped project must be
10 capable of being completed with not more than \$49,470,000 in future
11 state funding, inclusive of inflation costs. Subject to this funding
12 constraint, the rescoped project must maximize capacity improvements
13 along the rail mainline.

14 ~~((+f))~~ (e) Within the amounts provided in this section, \$3,600,000
15 of the multimodal transportation account--state appropriation is for
16 work items on the Palouse River and Coulee City Railroad lines.

17 (2) The multimodal transportation account--state appropriation
18 includes up to ~~(((\$137,620,000))~~ \$144,500,000 in proceeds from the sale
19 of bonds authorized by RCW 47.10.867.

20 (3) The department is directed to seek the use of unprogrammed
21 federal rail crossing funds to be expended in lieu of or in addition to
22 state funds for eligible costs of projects in Program Y, including, but
23 not limited to the "Tacoma -- bypass of Pt. Defiance" project.

24 (4) If new federal funding for freight or passenger rail is
25 received, the department shall consult with the transportation
26 committees of the legislature and the office of financial management
27 prior to spending the funds on existing or additional projects.

28 (5) The department shall sell any ancillary property, acquired when
29 the state purchased the right-of-ways to the PCC rail line system, to
30 a lessee of the ancillary property who is willing to pay fair market
31 value for the property. The department shall deposit the proceeds from
32 the sale of ancillary property into the transportation infrastructure
33 account.

34 ~~((The entire freight congestion relief account state~~
35 ~~appropriation is contingent upon the enactment during the 2007-2009~~
36 ~~fiscal biennium of a bill, resulting from the study established in~~
37 ~~Substitute Senate Bill No. 5207, that makes available funding to~~
38 ~~support project expenditures funded from the freight congestion relief~~

1 ~~account created in Substitute Senate Bill No. 5207. If such a funding~~
2 ~~bill is not enacted by June 30, 2009, the entire freight congestion~~
3 ~~relief account state appropriation shall lapse.~~

4 (7)))(a) The department shall develop and implement the
5 benefit/impact evaluation methodology recommended in the statewide rail
6 capacity and needs study finalized in December 2006. The
7 benefit/impact evaluation methodology shall be developed using the
8 following priorities, in order of relative importance:

9 (i) Economic, safety, or environmental advantages of freight
10 movement by rail compared to alternative modes;

11 (ii) Self-sustaining economic development that creates family-wage
12 jobs;

13 (iii) Preservation of transportation corridors that would otherwise
14 be lost;

15 (iv) Increased access to efficient and cost-effective transport to
16 market for Washington's agricultural and industrial products;

17 (v) Better integration and cooperation within the regional,
18 national, and international systems of freight distribution; and

19 (vi) Mitigation of impacts of increased rail traffic on
20 communities.

21 (b) The department shall convene a work group to collaborate on the
22 development of the benefit/impact analysis method to be used in the
23 evaluation. The work group must include, at a minimum, the freight
24 mobility strategic investment board, the department of agriculture, and
25 representatives from the various users and modes of the state's rail
26 system.

27 (c) The department shall use the benefit/impact analysis and
28 priorities in (a) of this subsection when submitting requests for state
29 funding for rail projects. The department shall develop a standardized
30 format for submitting requests for state funding for rail projects that
31 includes an explanation of the analysis undertaken, and the conclusions
32 derived from the analysis.

33 (d) The department and the freight mobility strategic investment
34 board shall collaborate to submit a report to the office of financial
35 management and the transportation committees of the legislature by
36 September 1, 2008, listing proposed freight highway and rail projects.
37 The report must describe the analysis used for selecting such projects,
38 as required by this act for the department and as required by chapter

1 47.06A RCW for the board. When developing its list of proposed freight
2 highway and rail projects, the freight mobility strategic investment
3 board shall use the priorities identified in (a) of this subsection to
4 the greatest extent possible.

5 ~~((8) \$5,000,000 of the multimodal transportation account state
6 appropriation is reappropriated and provided solely for the costs of
7 acquisition of the PCC railroad associated with the memorandum of
8 understanding (MOU), which was executed between Washington state and
9 Watco. Total costs associated with the MOU shall not exceed
10 \$10,937,000.))~~

11 (7) The department shall apply at the earliest possible date for
12 grants, pursuant to the new competitive intercity rail grant program
13 announced by the federal railroad administration on February 19, 2008,
14 for any projects that may qualify for such federal grants and are
15 currently identified on the project list referenced in subsection
16 (1)(a) of this section.

17 (8) Up to \$8,500,000 of any state funding designated on the project
18 list referenced in subsection (1)(a) of this section for the
19 "Vancouver-Rail Bypass and W 39th Street Bridge" project may be used to
20 upgrade, to class 2 condition, track owned by Clark county between
21 Vancouver and Battle Ground.

22 **Sec. 311.** 2007 c 518 s 310 (uncodified) is amended to read as
23 follows:

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

26	Highway Infrastructure Account--State Appropriation	\$207,000
27	Highway Infrastructure Account--Federal	
28	Appropriation	\$1,602,000
29	Freight Mobility Investment Account--State	
30	Appropriation	((\$12,500,000))
31		<u>\$12,378,000</u>
32	((Freight Congestion Relief Account--State	
33	Appropriation	\$46,720,000))
34	Transportation Partnership Account--State	
35	Appropriation	((\$2,906,000))
36		<u>\$3,906,000</u>
37	Motor Vehicle Account--State Appropriation	((\$9,854,000))

1 (4) The department shall apply for surface transportation program
2 (STP) enhancement funds to be expended in lieu of or in addition to
3 state funds for eligible costs of projects in local programs, program
4 Z capital.

5 (5) Federal funds may be transferred from program Z to programs I
6 and P and state funds shall be transferred from programs I and P to
7 program Z to replace those federal funds in a dollar-for-dollar match.
8 Fund transfers authorized under this subsection shall not affect
9 project prioritization status. Appropriations shall initially be
10 allotted as appropriated in this act. The department may not transfer
11 funds as authorized under this subsection without approval of the
12 office of financial management. The department shall submit a report
13 on those projects receiving fund transfers to the office of financial
14 management and the transportation committees of the legislature by
15 December 1, 2007, and December 1, 2008.

16 (6) The city of Winthrop may utilize a design-build process for the
17 Winthrop bike path project. Of the amount appropriated in this section
18 for this project, \$500,000 of the multimodal transportation account--
19 state appropriation is contingent upon the state receiving from the
20 city of Winthrop \$500,000 in federal funds awarded to the city of
21 Winthrop by its local planning organization.

22 (7) (~~(\$7,000,000)~~) \$11,591,224 of the multimodal transportation
23 account--state appropriation, (~~(\$7,000,000)~~) \$8,640,239 of the motor
24 vehicle account--federal appropriation, and \$4,000,000 of the motor
25 vehicle account--federal appropriation are provided solely for the
26 pedestrian and bicycle safety program projects and safe routes to
27 schools program projects identified in the LEAP Transportation Document
28 2007-A, pedestrian and bicycle safety program projects and safe routes
29 to schools program projects as developed April 20, 2007. Projects must
30 be allocated funding based on order of priority. The department shall
31 review all projects receiving grant awards under this program at least
32 semiannually to determine whether the projects are making satisfactory
33 progress. Any project that has been awarded funds, but does not report
34 activity on the project within one year of the grant award, shall be
35 reviewed by the department to determine whether the grant should be
36 terminated. The department shall promptly close out grants when
37 projects have been completed, and identify where unused grant funds

1 remain because actual project costs were lower than estimated in the
2 grant award.

3 (8) Up to a maximum of \$5,000,000 of the multimodal transportation
4 account--state appropriation and up to a maximum of \$2,000,000 of the
5 motor vehicle account--federal appropriation are reappropriated for the
6 pedestrian and bicycle safety program projects and safe routes to
7 schools program projects identified in the LEAP transportation document
8 2006-B, pedestrian and bicycle safety program projects and safe routes
9 to schools program projects as developed March 8, 2006. Projects must
10 be allocated funding based on order of priority. The department shall
11 review all projects receiving grant awards under this program at least
12 semiannually to determine whether the projects are making satisfactory
13 progress. Any project that has been awarded funds, but does not report
14 activity on the project within one year of the grant award, shall be
15 reviewed by the department to determine whether the grant should be
16 terminated. The department shall promptly close out grants when
17 projects have been completed, and identify where unused grant funds
18 remain because actual project costs were lower than estimated in the
19 grant award.

20 ~~(9) ((The entire freight congestion relief account state~~
21 ~~appropriation is contingent upon the enactment during the 2007-2009~~
22 ~~fiscal biennium of a bill, resulting from the study established in~~
23 ~~Substitute Senate Bill No. 5207, that makes available funding to~~
24 ~~support project expenditures funded from the freight congestion relief~~
25 ~~account created in Substitute Senate Bill No. 5207. If such a funding~~
26 ~~bill is not enacted by June 30, 2009, the entire freight congestion~~
27 ~~relief account state appropriation shall lapse.~~

28 ~~(10))~~ \$3,500,000 of the multimodal transportation account--federal
29 appropriation is provided solely for the Museum of Flight pedestrian
30 bridge safety project.

31 ~~((11))~~ (10) \$250,000 of the multimodal transportation account--
32 state appropriation is provided solely for the icicle rail station in
33 Leavenworth.

34 ~~((12))~~ (11) \$1,500,000 of the motor vehicle account--state
35 appropriation is provided solely for the Union Gap city road project.

36 ~~((13) \$350,000))~~ (12) \$250,000 of the motor vehicle account--state
37 appropriation is provided solely for the Saltwater state park bridge
38 project and off-site traffic control costs.

1 \$7,000
 2 Special Category C Account--State Appropriation ((\$53,000))
 3 \$13,000
 4 TOTAL APPROPRIATION ((\$4,996,000))
 5 \$827,000

6 **Sec. 403.** 2007 c 518 s 403 (uncodified) is amended to read as
 7 follows:

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

10 (1) Motor Vehicle Account--State Reappropriation:
 11 For transfer to the Tacoma Narrows Toll Bridge
 12 Account ((\$131,016,000))
 13 \$18,000,000

14 ~~((The department of transportation is authorized to sell up to~~
 15 ~~\$131,016,000 in bonds authorized by RCW 47.10.843 for the Tacoma~~
 16 ~~Narrows bridge project. Proceeds from the sale of the bonds shall be~~
 17 ~~deposited into the motor vehicle account. The department of~~
 18 ~~transportation shall inform the treasurer of the amount to be~~
 19 ~~deposited.))~~

20 (2) Motor Vehicle Account--State Appropriation:
 21 For transfer to the Puget Sound Capital Construction
 22 Account ((\$131,500,000))
 23 \$83,000,000

24 ~~((The department of transportation is authorized to sell up to~~
 25 ~~\$131,500,000 in bonds authorized by RCW 47.10.843 for vessel and~~
 26 ~~terminal acquisition, major and minor improvements, and long lead time~~
 27 ~~materials acquisition for the Washington state ferries.))~~

28 **Sec. 404.** 2007 c 518 s 404 (uncodified) is amended to read as
 29 follows:

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

31 Motor Vehicle Account Appropriation for
 32 motor vehicle fuel tax distributions to cities
 33 and counties ((\$526,320,000))
 34 \$501,783,827

1 (6) Advanced Right-of-Way Revolving Account--State
2 Appropriation: For transfer to the Motor Vehicle
3 Account--State \$30,000,000
4 (7) Waste Tire Removal Account--State Appropriation:
5 For transfer to the Motor Vehicle Account--State \$5,600,000
6 (8) Motor Vehicle Account--State Appropriation:
7 For transfer to the Transportation Partnership
8 Account--State ((~~\$25,000,000~~))
9 \$18,000,000
10 ((~~10~~)) (9) Multimodal Transportation Account--State
11 Appropriation: For transfer to the Transportation
12 Infrastructure Account--State ((~~\$7,000,000~~))
13 \$6,000,000
14 ((~~11~~)) (10) Highway Safety Account--State Appropriation:
15 For transfer to the Multimodal Transportation
16 Account--State \$9,500,000
17 (11) Urban Arterial Trust Account--State Appropriation:
18 For transfer to the Small City Pavement and Sidewalk
19 Account--State \$1,400,000
20 (12) Multimodal Transportation Account--Federal
21 Appropriation: For transfer to the Transportation
22 Infrastructure Account--Federal \$1,000,000

23 The transfers identified in this section are subject to the
24 following conditions and limitations: ((~~a~~)) The amount transferred
25 in subsection (3) of this section may be spent only on "highway
26 purposes" as that term is construed in Article II, section 40 of the
27 Washington state Constitution.

28 **COMPENSATION**

29 **Sec. 501.** 2007 c 518 s 501 (uncodified) is amended to read as
30 follows:

31 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS.** The
32 appropriations for state agencies, are subject to the following
33 conditions and limitations:

34 (1)(a) The monthly employer funding rate for insurance benefit
35 premiums, public employees' benefits board administration, and the

1 uniform medical plan, shall not exceed \$707 per eligible employee for
2 fiscal year 2008. For fiscal year 2009 the monthly employer funding
3 rate shall not exceed ((~~\$732~~)) \$575 per eligible employee.

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

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

17 (2) The health care authority, subject to the approval of the
18 public employees' benefits board, shall provide subsidies for health
19 benefit premiums to eligible retired or disabled public employees and
20 school district employees who are eligible for medicare, pursuant to
21 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
22 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
23 be \$184.26 per month.

24 **Sec. 502.** 2007 c 518 s 502 (uncodified) is amended to read as
25 follows:

26 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
27 **BENEFITS.** The appropriations for state agencies, are subject to the
28 following conditions and limitations:

29 (1)(a) The monthly employer funding rate for insurance benefit
30 premiums, public employees' benefits board administration, and the
31 uniform medical plan, for represented employees outside the super
32 coalition under chapter 41.80 RCW, shall not exceed \$707 per eligible
33 employee for fiscal year 2008. For fiscal year 2009 the monthly
34 employer funding rate shall not exceed ((~~\$732~~)) \$575 per eligible
35 employee.

36 (b) In order to achieve the level of funding provided for health
37 benefits, the public employees' benefits board shall require any or all

1 of the following: Employee premium copayments, increases in
2 point-of-service cost sharing, the implementation of managed
3 competition, or make other changes to benefits consistent with RCW
4 41.05.065.

5 (c) The health care authority shall deposit any moneys received on
6 behalf of the uniform medical plan as a result of rebates on
7 prescription drugs, audits of hospitals, subrogation payments, or any
8 other moneys recovered as a result of prior uniform medical plan claims
9 payments, into the public employees' and retirees' insurance account to
10 be used for insurance benefits. Such receipts shall not be used for
11 administrative expenditures.

12 (2) The health care authority, subject to the approval of the
13 public employees' benefits board, shall provide subsidies for health
14 benefit premiums to eligible retired or disabled public employees and
15 school district employees who are eligible for medicare, pursuant to
16 RCW 41.05.085. From January 1, 2008, through December 31, 2008, the
17 subsidy shall be \$165.31. Starting January 1, 2009, the subsidy shall
18 be \$184.26 per month.

19 **Sec. 503.** 2007 c 518 s 503 (uncodified) is amended to read as
20 follows:

21 **COMPENSATION--REPRESENTED EMPLOYEES--SUPER COALITION.** Collective
22 bargaining agreements negotiated as part of the super coalition under
23 chapter 41.80 RCW include employer contributions to health insurance
24 premiums at 88% of the cost. Funding rates at this level are currently
25 \$707 per month for fiscal year 2008 and (~~(\$732)~~) \$575 per month for
26 fiscal year 2009. The agreements also include a one-time payment of
27 \$756 for each employee who is eligible for insurance for the month of
28 June, 2007, and is covered by a 2007-2009 collective bargaining
29 agreement pursuant to chapter 41.80 RCW, as well as continuation of the
30 salary increases that were negotiated for the twelve-month period
31 beginning July 1, 2006, and scheduled to terminate June 30, 2007.

32 **MISCELLANEOUS**

33 **Sec. 601.** RCW 46.68.110 and 2007 c 148 s 1 are each amended to
34 read as follows:

1 Funds credited to the incorporated cities and towns of the state as
2 set forth in RCW 46.68.090 shall be subject to deduction and
3 distribution as follows:

4 (1) One and one-half percent of such sums distributed under RCW
5 46.68.090 shall be deducted monthly as such sums are credited and set
6 aside for the use of the department of transportation for the
7 supervision of work and expenditures of such incorporated cities and
8 towns on the city and town streets thereof, including the supervision
9 and administration of federal-aid programs for which the department of
10 transportation has responsibility: PROVIDED, That any moneys so
11 retained and not expended shall be credited in the succeeding biennium
12 to the incorporated cities and towns in proportion to deductions herein
13 made;

14 (2) Thirty-three one-hundredths of one percent of such funds
15 distributed under RCW 46.68.090 shall be deducted monthly, as such
16 funds accrue, and set aside for the use of the department of
17 transportation for the purpose of funding the cities' share of the
18 costs of highway jurisdiction studies and other studies. Any funds so
19 retained and not expended shall be credited in the succeeding biennium
20 to the cities in proportion to the deductions made;

21 (3) One percent of such funds distributed under RCW 46.68.090 shall
22 be deducted monthly, as such funds accrue, to be deposited in the small
23 city pavement and sidewalk account, to implement the city hardship
24 assistance program, as provided in RCW 47.26.164. However, any moneys
25 so retained and not required to carry out the program under this
26 subsection as of July 1st of each odd-numbered year thereafter, shall
27 be retained in the account and used for maintenance, repair, and
28 resurfacing of city and town streets for cities and towns with a
29 population of less than five thousand.

30 (4) Except as provided in RCW 47.26.080, after making the
31 deductions under subsections (1) through (3) of this section and RCW
32 35.76.050, the balance remaining to the credit of incorporated cities
33 and towns shall be apportioned monthly as such funds accrue among the
34 several cities and towns within the state ratably on the basis of the
35 population last determined by the office of financial management.

36 NEW SECTION. Sec. 602. A new section is added to 2007 c 518
37 (uncodified) to read as follows:

1 In order to promote the receipt of federal enhancement funds, or
2 other applicable federal or state grant funds, the following portions
3 of highway are designated as part of the scenic and recreational
4 highway system: Beginning at the Anacortes ferry landing, the
5 Washington state ferries Anacortes/San Juan Islands route, which
6 includes stops at Lopez, Shaw, Orcas, and San Juan Islands; and the
7 roads on San Juan and Orcas Islands as described in San Juan Island
8 county council resolution no. 7, adopted February 5, 2008.

9 NEW SECTION. **Sec. 603.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 604.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 immediately.

(End of bill)

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ESHB 2878 - S COMM AMD
By Senator Transportation

ADOPTED AND ENGROSSED 02/27/2008

1 On page 1, line 1 of the title, after "appropriations;" strike the
2 remainder of the title and insert "amending RCW 46.68.110; amending
3 2007 c 518 ss 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205,
4 206, 207, 208, 209, 210, 212, 213, 214, 215, 216, 217, 218, 219, 220,
5 221, 222, 223, 224, 225, 226, 227, 301, 302, 303, 304, 305, 306, 307,
6 308, 309, 310, 401, 402, 403, 404, 405, 406, 407, 501, 502, and 503
7 (uncodified); adding new sections to 2007 c 518 (uncodified); making
8 appropriations and authorizing capital improvements; and declaring an
9 emergency."

--- END ---