
ENGROSSED SUBSTITUTE HOUSE BILL 1864

State of Washington

63rd Legislature

2013 Regular Session

By House Transportation (originally sponsored by Representatives Clibborn, Liiias, Ryu, and Fey; by request of Governor Inslee)

READ FIRST TIME 04/09/13.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 47.64.170, 47.64.270, 43.19.642, 46.12.630, 46.18.060,
3 46.68.113, 46.68.170, 46.68.325, 47.29.170, 47.56.403, 47.56.876,
4 46.20.745, and 90.58.140; amending 2012 c 86 ss 102, 201, 202, 203,
5 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218,
6 219, 220, 221, 222, 223, 302, 303, 305, 306, 307, 308, 309, 310, 401,
7 402, 404, 405, 406, 407, and 701 (uncodified); amending 2011 c 367 s
8 601 (uncodified); reenacting and amending RCW 46.63.170; adding a new
9 section to chapter 47.06A RCW; creating new sections; repealing 2012 c
10 86 ss 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714,
11 715, and 716 (uncodified); prescribing penalties; making appropriations
12 and authorizing expenditures for capital improvements; providing an
13 effective date; providing a contingent effective date; and declaring an
14 emergency.

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

16 **2013-2015 FISCAL BIENNIUM**

17 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
18 is hereby adopted and, subject to the provisions set forth, the several

1 amounts specified, or as much thereof as may be necessary to accomplish
2 the purposes designated, are hereby appropriated from the several
3 accounts and funds named to the designated state agencies and offices
4 for employee compensation and other expenses, for capital projects, and
5 for other specified purposes, including the payment of any final
6 judgments arising out of such activities, for the period ending June
7 30, 2015.

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

10 (a) "Fiscal year 2014" or "FY 2014" means the fiscal year ending
11 June 30, 2014.

12 (b) "Fiscal year 2015" or "FY 2015" means the fiscal year ending
13 June 30, 2015.

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

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

17 (e) "Provided solely" means the specified amount may be spent only
18 for the specified purpose. Unless otherwise specifically authorized in
19 this act, any portion of an amount provided solely for a specified
20 purpose that is not expended subject to the specified conditions and
21 limitations to fulfill the specified purpose shall lapse.

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

25 (g) "LEAP" means the legislative evaluation and accountability
26 program committee.

27 **2013-2015 FISCAL BIENNIUM**

28 **GENERAL GOVERNMENT AGENCIES--OPERATING**

29 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
30 **HISTORIC PRESERVATION**

31 Motor Vehicle Account--State Appropriation \$435,000

32 The appropriation in this section is subject to the following
33 conditions and limitations: The entire appropriation is provided
34 solely for staffing costs to be dedicated to state transportation
35 activities. Staff hired to support transportation activities must have
36 practical experience with complex construction projects.

1 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
2 **COMMISSION**

3 Grade Crossing Protective Account--State Appropriation \$504,000

4 NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

5 Motor Vehicle Account--State Appropriation \$1,841,000

6 Puget Sound Ferry Operations Account--State
7 Appropriation \$176,000

8 TOTAL APPROPRIATION \$2,017,000

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

11 (1) \$932,000 of the motor vehicle account--state appropriation is
12 provided solely for the office of financial management, from funds set
13 aside out of statewide fuel taxes distributed to counties according to
14 RCW 46.68.120(3), to contract with the Washington state association of
15 counties to identify, analyze, evaluate, and implement county
16 transportation performance measures associated with transportation
17 system policy goals outlined in RCW 47.04.280. The Washington state
18 association of counties, in cooperation with state agencies, must:
19 Identify, analyze, and report on county transportation system
20 preservation; identify, evaluate, and report on opportunities to
21 streamline reporting requirements for counties; and evaluate project
22 management tools to help improve project delivery at the county level.

23 (2) \$70,000 of the Puget Sound ferry operations account--state
24 appropriation is provided solely for the state's share of the marine
25 salary survey.

26 (3) \$200,000 of the motor vehicle account--state appropriation is
27 provided solely for the office of financial management to contract with
28 a statewide organization representing Washington cities and a statewide
29 organization representing Washington counties to work with the
30 Washington state governor's office of regulatory assistance to:

31 (a) Fulfill completion of recent EZview enhancements developed to
32 consolidate applications and expedite local, state, and regional
33 transportation and public works maintenance permitting related to (i)
34 general hydraulic project approval permits issued consistent with
35 section 103(3), chapter 247, Laws of 2010 and (ii) section 106
36 consultations completed under the national historic preservation act;

1 (b) Work with local, state, and regional transportation and public
2 works maintenance agencies to continue to support development of EZview
3 enhancements and customizations based on applicant needs; and

4 (c) Provide outreach and training to advance the state's interest
5 in continuing to leverage EZview web infrastructure to support and
6 accelerate local, regional, and state transportation and public works
7 planning, permitting, and compliance.

8 NEW SECTION. **Sec. 104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

9	Motor Vehicle Account--State Appropriation	\$502,000
10	Puget Sound Ferry Operations Account--State	
11	Appropriation	\$4,480,000
12	TOTAL APPROPRIATION	\$4,982,000

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

15 (1) \$502,000 of the motor vehicle account--state appropriation is
16 provided solely for the transportation executive information system.

17 (2) \$4,480,000 of the Puget Sound ferry operations account--state
18 appropriation is provided solely for marine insurance. Coverage is for
19 ferry vessels and terminals based on certain deductibles.

20 NEW SECTION. **Sec. 105. FOR THE STATE PARKS AND RECREATION**
21 **COMMISSION**

22	Motor Vehicle Account--State Appropriation	\$986,000
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23 The appropriation in this section is subject to the following
24 conditions and limitations: The entire appropriation in this section
25 is provided solely for road maintenance purposes.

26 NEW SECTION. **Sec. 106. FOR THE DEPARTMENT OF AGRICULTURE**

27	Motor Vehicle Account--State Appropriation	\$1,208,000
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28 The appropriation in this section is subject to the following
29 conditions and limitations:

30 (1) \$351,000 of the motor vehicle account--state appropriation is
31 provided solely for costs associated with the motor fuel quality
32 program.

33 (2) \$857,000 of the motor vehicle account--state appropriation is

1 provided solely to test the quality of biofuel. The department must
2 test fuel quality at the biofuel manufacturer, distributor, and
3 retailer.

4 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
5 **ACCOUNTABILITY PROGRAM COMMITTEE**

6 Motor Vehicle Account--State Appropriation \$529,000

7 **TRANSPORTATION AGENCIES--OPERATING**

8 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
9 **COMMISSION**

10 Highway Safety Account--State Appropriation \$3,147,000
11 Highway Safety Account--Federal Appropriation \$40,629,000
12 Highway Safety Account--Private/Local Appropriation \$50,000
13 School Zone Safety Account--State Appropriation \$1,800,000
14 TOTAL APPROPRIATION \$45,626,000

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

17 (1) The commission shall develop and implement, in collaboration
18 with the Washington state patrol, a target zero team pilot program in
19 Yakima and Spokane counties. The pilot program must demonstrate the
20 effectiveness of intense, high visibility driving under the influence
21 enforcement in Washington state. The commission shall apply to the
22 national highway traffic safety administration for federal highway
23 safety grants to cover the cost of the pilot program.

24 (2) \$20,000,000 of the highway safety account--federal
25 appropriation is provided solely for federal funds that may be
26 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
27 2013-2015 fiscal biennium.

28 NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

29 Rural Arterial Trust Account--State Appropriation \$945,000
30 Motor Vehicle Account--State Appropriation \$2,186,000
31 County Arterial Preservation Account--State
32 Appropriation \$1,456,000
33 TOTAL APPROPRIATION \$4,587,000

1 NEW SECTION. **Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

2 Transportation Improvement Account--State

3 Appropriation \$3,804,000

4 NEW SECTION. **Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

5 Motor Vehicle Account--State Appropriation \$1,330,000

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

8 (1)(a) \$325,000 of the motor vehicle account--state appropriation
9 is provided for a study of transportation cost drivers and potential
10 efficiencies to contain project costs and gain more value from
11 investments in Washington state's transportation system. The goal is
12 to enable the department of transportation to construct bridge and
13 highway projects more quickly and to build and operate them at a lower
14 cost, while ensuring that appropriate environmental and regulatory
15 protections are maintained and a quality project is delivered. The
16 joint transportation committee must convene an advisory panel to
17 provide study guidance and discuss potential efficiencies and
18 recommendations. The scope of the study must be limited to state-level
19 policies and practices relating to the planning, design, permitting,
20 construction, financing, and operation of department of transportation
21 roadway and bridge projects. The study must:

- 22 (i) Identify best practices;
- 23 (ii) Identify inefficiencies in state policy or agency practice
24 where changes may save money;
- 25 (iii) Recommend changes to improve efficiency and save money; and
- 26 (iv) Identify potential savings to be achieved by adopting changes
27 in practice or policy.

28 (b) The joint transportation committee shall issue a report of its
29 findings to the house of representatives and senate transportation
30 committees by December 31, 2013.

31 (2) The joint transportation committee shall coordinate a work
32 group comprised of the department of licensing, the department of
33 revenue, county auditors or other agents, and subagents to identify
34 possible issues relating to the administration of, compliance with, and
35 enforcement of the existing statutory requirement for a person to
36 provide an unexpired driver's license when registering a vehicle. The
37 work group shall provide recommendations on how administration and

1 enforcement may be modified, as needed, to address any identified
2 issues, including whether statutory changes may be needed. A report
3 presenting the recommendations must be presented to the house of
4 representatives and senate transportation committees by December 31,
5 2013.

6 (3) \$250,000 of the motor vehicle account--state appropriation is
7 provided solely for the joint transportation committee to coordinate an
8 analysis of potential savings and benefits by consolidating law
9 enforcement and emergency dispatching centers within the state of
10 Washington. The analysis must consider different governing structures
11 to coordinate and manage dispatching services in specific regions
12 within the state. The analysis must review other states that are
13 similar in size and population to gain an understanding of how other
14 states have coordinated their dispatching centers and benefits that
15 might be gained by employing some of the same processes within
16 Washington.

17 The final report from the analysis must:

- 18 (a) Provide an inventory of the existing dispatch centers in the
19 state along with staffing levels, funding, and services provided;
- 20 (b) Provide a list of dispatch centers that would benefit from
21 consolidation and the centers that would not benefit and why;
- 22 (c) Provide options for a governing board to consolidate and
23 oversee the new dispatch center structure;
- 24 (d) Identify any potential benefits and improved services to the
25 public to be derived by consolidating dispatch centers;
- 26 (e) Identify any potential savings through consolidating
27 communication systems, facilities, and staffing;
- 28 (f) Identify any technology and communication challenges that may
29 require special expertise during the consolidation phase; and
- 30 (g) Provide cost estimates for the consolidation and on-going
31 operations of the proposed restructuring of the state's dispatch
32 centers.

33 The final report must be delivered to the speaker of the house of
34 representatives and the lieutenant governor of the senate by November
35 1, 2014.

36 NEW SECTION. **Sec. 205. FOR THE TRANSPORTATION COMMISSION**

37 Motor Vehicle Account--State Appropriation \$2,947,000

1	Multimodal Transportation Account--State	
2	Appropriation	\$112,000
3	TOTAL APPROPRIATION	\$3,059,000

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

6 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
7 during the 2013-2015 fiscal biennium, the legislature authorizes the
8 transportation commission to periodically review and, if necessary,
9 adjust the schedule of fares for the Washington state ferry system only
10 in amounts not greater than those sufficient to generate the amount of
11 revenue required by the biennial transportation budget. When adjusting
12 ferry fares, the commission must consider input from affected ferry
13 users by public hearing and by review with the affected ferry advisory
14 committees, in addition to the data gathered from the current ferry
15 user survey.

16 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
17 2015 fiscal biennium, the legislature authorizes the transportation
18 commission to periodically review and, if necessary, adjust the
19 schedule of toll charges applicable to the Tacoma Narrows bridge only
20 in amounts not greater than those sufficient to support (a) any
21 required costs for operating and maintaining the toll bridge, including
22 the cost of insurance, (b) any amount required by law to meet the
23 redemption of bonds and applicable interest payments, and (c) repayment
24 of the motor vehicle fund.

25 (3) In accordance with RCW 43.135.055, the transportation
26 commission may adopt, periodically review, and, if necessary, adjust
27 the schedule of toll charges applicable to the portion of state route
28 number 99 that is the deep bore tunnel as set forth and previously
29 authorized in RCW 47.56.862.

30 (4) In accordance with RCW 43.135.055, the transportation
31 commission may adopt, periodically review, and, if necessary, adjust
32 the schedule of toll charges applicable to the Columbia river crossing
33 project as set forth and previously authorized in chapter 36, Laws of
34 2012.

35 (5) In accordance with RCW 43.135.055, the transportation
36 commission may periodically review and, if necessary, adjust the
37 schedule of toll charges applicable to the state route number 520
38 corridor as set forth and previously authorized in RCW 47.56.870.

1 (6)(a) \$400,000 of the motor vehicle account--state appropriation
2 is provided solely for the development of the business case for the
3 transition to a road usage charge system as the basis for funding the
4 state transportation system, from the current motor fuel tax system.
5 The funds are provided for fiscal year 2014 only.

6 (b) The legislature finds that the efforts started in the 2011-2013
7 fiscal biennium regarding the transition to a road usage charge system
8 represent an important first step in the policy and conceptual
9 development of potential alternative systems to fund transportation
10 projects, but that the governance for the development needs
11 clarification. The legislature also finds that significant amounts of
12 research and public education are occurring in similar efforts in
13 several states and that these efforts can and should be leveraged to
14 advance the evaluation in Washington. The legislature intends,
15 therefore, that the commission and its staff lead the policy
16 development of the business case for a road usage charge system, with
17 the goal of providing the business case to the governor and the
18 legislative committees of the legislature in time for inclusion in the
19 2014 supplemental omnibus transportation appropriations act. The
20 legislature intends for additional oversight in the business case
21 development, with guidance from a steering committee as provided in
22 chapter 86, Laws of 2012, augmented with participation by the joint
23 transportation committee. The legislature further intends that the
24 department of transportation continue to address administrative,
25 technical, and conceptual operational issues related to road usage
26 charge systems, and that the department serve as a resource for
27 information gleaned from other states on this topic for the
28 commission's efforts.

29 (c) For the purposes of this subsection (6), the commission shall:

30 (i) Develop preliminary road usage charge policies that are
31 necessary to develop the business case, as well as supporting research
32 and data that will guide the potential application in Washington;

33 (ii) Develop the preferred operational concept or concepts that
34 reflect the preliminary policies;

35 (iii) Evaluate the business case for the road usage charge system
36 that would result from implementing the preliminary policies and
37 preferred operational concept or concepts. The evaluation must assess
38 likely financial outcomes if the system were to be implemented; and

1 (iv) Identify and document policy and other issues that are deemed
2 important to further refine the preferred operational concept or
3 concepts and to gain public acceptance. These identified issues should
4 form the basis for continued work beyond this funding cycle.

5 (d) The commission shall convene a steering committee to guide the
6 development of the business case. The membership must be the same as
7 provided in chapter 86, Laws of 2012, except that the membership must
8 also include the joint transportation committee executive members.

9 (e) The commission shall submit a report of the business case to
10 the governor and the transportation committees of the legislature by
11 December 15, 2013. The report must also include a proposed budget and
12 work plan for fiscal year 2015. A progress report must be submitted to
13 the governor and the joint transportation committee by November 1,
14 2013, including a presentation to the joint transportation committee.

15 (7) \$174,000 of the motor vehicle account--state appropriation is
16 provided solely for the voice of Washington survey program. The
17 funding shall be utilized for the continued program maintenance and two
18 transportation surveys for the 2013-2015 fiscal biennium.

19 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
20 **INVESTMENT BOARD**

21 Motor Vehicle Account--State Appropriation \$904,000

22 NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

23 State Patrol Highway Account--State
24 Appropriation \$369,405,000
25 State Patrol Highway Account--Federal
26 Appropriation \$11,137,000
27 State Patrol Highway Account--Private/Local
28 Appropriation \$3,591,000
29 Highway Safety Account--State Appropriation \$19,429,000
30 Multimodal Transportation Account--State
31 Appropriation \$273,000
32 Ignition Interlock Device Revolving Account--State
33 Appropriation \$573,000
34 TOTAL APPROPRIATION \$404,408,000

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

1 (1) The Washington state patrol shall collaborate with the
2 Washington traffic safety commission on the target zero team pilot
3 program referenced in section 201 of this act.

4 (2) During the 2013-2015 fiscal biennium, the Washington state
5 patrol shall relocate its data center to the state data center in
6 Olympia. The Washington state patrol shall work with the department of
7 enterprise services to negotiate the lease termination agreement for
8 the current data center site.

9 (3) Washington state patrol officers engaged in off-duty uniformed
10 employment providing traffic control services to the department of
11 transportation or other state agencies may use state patrol vehicles
12 for the purpose of that employment, subject to guidelines adopted by
13 the chief of the Washington state patrol. The Washington state patrol
14 must be reimbursed for the use of the vehicle at the prevailing state
15 employee rate for mileage and hours of usage, subject to guidelines
16 developed by the chief of the Washington state patrol.

17 (4) \$12,700,000 of the total appropriation is provided solely for
18 automobile fuel in the 2013-2015 fiscal biennium.

19 (5) \$8,179,000 of the total appropriation is provided solely for
20 the purchase of pursuit vehicles.

21 (6) \$7,004,000 of the total appropriation is provided solely for
22 vehicle repair and maintenance costs of vehicles used for highway
23 purposes.

24 (7) \$1,784,000 of the total appropriation is provided solely for
25 the purpose of mission vehicles used for highway purposes in the
26 commercial vehicle and traffic investigation sections of the Washington
27 state patrol.

28 (8) \$1,974,000 of the total appropriation is provided solely for
29 the aviation aerial traffic enforcement program of the aviation section
30 of the Washington state patrol, and this is the maximum amount that the
31 Washington state patrol may expend for this purpose. The Washington
32 state patrol must, during the 2013-2015 fiscal biennium, sell one of
33 the Cessna airplanes that are currently being used for air traffic
34 control in western Washington. The Cessna airplanes, as candidates to
35 be sold, do not include the two Cessna airplanes equipped with
36 gyro-stabilized forward looking infrared (FLIR) cameras or the Cessna
37 airplane in eastern Washington. Funds from the sale of the Cessna
38 airplane must be deposited into the state patrol highway account.

1 (9) It is the intent of the legislature that the omnibus operating
2 appropriations act provide funding for any share of the debt service on
3 the mobile office platform and the narrowbanding project based on the
4 Washington state patrol cost allocation model that is not attributable
5 to transportation purposes.

6 (10) \$573,000 of the ignition interlock device revolving account--
7 state appropriation is provided solely for the ignition interlock
8 program at the Washington state patrol to provide funding for two staff
9 to work and provide support for the program in working with
10 manufacturers, service centers, technicians, and participants in the
11 program.

12 (11) The Washington state patrol may not expend any state
13 resources, including money and time, enforcing RCW 46.55.060 against a
14 registered tow truck operator who has taken a lunch break that does not
15 exceed one hour and has also posted a notice, visible from outside the
16 office, providing his or her return time and a telephone number at
17 which personnel able to release impounded vehicles may be contacted to
18 respond in a reasonable time.

19 (12) \$370,000 of the state patrol highway account--state
20 appropriation is provided solely for costs associated with the pilot
21 program described under section 216(5) of this act. The Washington
22 state patrol may incur costs related only to the assignment of cadets
23 and necessary computer equipment and to the reimbursement of the
24 department of transportation for contract costs. The appropriation in
25 this subsection must be funded from the portion of the automated
26 traffic safety camera infraction fines deposited into the state patrol
27 highway account; however, if the fines deposited into the state patrol
28 highway account from automated traffic safety camera infractions do not
29 reach three hundred seventy thousand dollars, the department of
30 transportation shall remit funds necessary to the Washington state
31 patrol to ensure the completion of the pilot program. The Washington
32 state patrol may not incur overtime as a result of this pilot program.
33 The Washington state patrol shall not assign troopers to operate or
34 deploy the pilot program equipment used in roadway construction zones.

35 **NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING**
36 Marine Fuel Tax Refund Account--State
37 Appropriation \$34,000

1	Motorcycle Safety Education Account--State	
2	Appropriation	\$4,409,000
3	State Wildlife Account--State Appropriation	\$885,000
4	Highway Safety Account--State Appropriation	\$152,375,000
5	Highway Safety Account--Federal Appropriation	\$4,392,000
6	Motor Vehicle Account--State Appropriation	\$75,888,000
7	Motor Vehicle Account--Federal Appropriation	\$467,000
8	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
9	Ignition Interlock Device Revolving Account--State	
10	Appropriation	\$2,656,000
11	Department of Licensing Services Account--State	
12	Appropriation	\$5,959,000
13	TOTAL APPROPRIATION	\$248,609,000

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

16 (1) \$1,235,000 of the highway safety account--state appropriation
17 is provided solely for the implementation of chapter . . . (Substitute
18 House Bill No. 1752), Laws of 2013 (requirements for the operation of
19 commercial motor vehicles in compliance with federal regulations). If
20 chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not
21 enacted by June 30, 2013, the amount provided in this subsection
22 lapses.

23 (2) \$1,000,000 of the highway safety account--state appropriation
24 is provided solely for information technology field system
25 modernization.

26 NEW SECTION. **Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION--**
27 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

28	High-Occupancy Toll Lanes Operations Account--State	
29	Appropriation	\$1,860,000
30	Motor Vehicle Account--State Appropriation	\$511,000
31	State Route Number 520 Corridor Account--State	
32	Appropriation	\$32,547,000
33	State Route Number 520 Civil Penalties Account--State	
34	Appropriation	\$4,169,000
35	Tacoma Narrows Toll Bridge Account--State	
36	Appropriation	\$23,815,000
37	TOTAL APPROPRIATION	\$62,902,000

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

3 (1)(a) The legislature finds that the department's tolling division
4 has expanded greatly in recent years to address the demands of
5 administering several newly tolled facilities using emerging toll
6 collection technologies. The legislature intends for the department to
7 continue its good work in administering the tolled facilities of the
8 state, while at the same time implementing controls and processes to
9 ensure the efficient and judicious administration of toll payer
10 dollars.

11 (b) The legislature finds that the department has undertaken a
12 cost-of-service study in the winter and spring of 2013 for the purposes
13 of identifying in detail the costs of operating and administering
14 tolling on state route number 520, state route number 167
15 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose
16 of the study is to provide results to establish a baseline by which
17 future activity may be compared and opportunities identified for cost
18 savings and operational efficiencies. In addition, the legislature
19 finds that the state auditor has undertaken a performance audit of the
20 department's contract for the customer service center and back office
21 processing of tolling transactions. The audit findings, which are
22 expected to include lessons learned, are due in late spring 2013.

23 (c) Using the results of the cost-of-service study and the state
24 audit as a basis, the department shall conduct a review of operations
25 using lean management principles in order to eliminate inefficiencies
26 and redundancies, incorporate lessons learned, and identify
27 opportunities to conduct operations more efficiently and effectively.
28 Within current statutory and budgetary tolling policy, the department
29 shall use the results of the review to improve operations in order to
30 conduct toll operations within the appropriations provided in
31 subsections (2) through (4) of this section. The department shall
32 submit the review, along with the status of and plans for the
33 implementation of review recommendations, to the office of financial
34 management and the house of representatives and senate transportation
35 committees by October 15, 2013.

36 (2) \$10,877,000 of the Tacoma Narrows toll bridge account--state
37 appropriation, \$17,139,000 of the state route number 520 corridor
38 account--state appropriation, \$1,232,000 of the high-occupancy toll

1 lanes operations account--state appropriation, and \$511,000 of the
2 motor vehicle account--state appropriation are provided solely for
3 nonvendor costs of administering toll operations, including the costs
4 of: Staffing the division, consultants and other personal service
5 contracts required for technical oversight and management assistance,
6 insurance, payments related to credit card processing, transponder
7 purchases and inventory management, facility operations and
8 maintenance, and other miscellaneous nonvendor costs.

9 (3) \$10,960,000 of the Tacoma Narrows toll bridge account--state
10 appropriation, \$9,408,000 of the state route number 520 corridor
11 account--state appropriation, and \$628,000 of the high-occupancy toll
12 lanes operations account--state appropriation are provided solely for
13 vendor-related costs of operating tolled facilities, including the
14 costs of: The customer service center; cash collections on the Tacoma
15 Narrows bridge; electronic payment processing; and toll collection
16 equipment maintenance, renewal, and replacement.

17 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
18 appropriation and \$6,000,000 of the state route number 520 corridor
19 account--state appropriation are provided solely for the purposes of
20 addressing unforeseen operations and maintenance costs on the Tacoma
21 Narrows bridge and the state route number 520 bridge, respectively.
22 The office of financial management shall place the amounts provided in
23 this section, which represent a portion of the required minimum fund
24 balance under the policy of the state treasurer, in unallotted status.
25 The office may release the funds only when it determines that all other
26 funds designated for operations and maintenance purposes have been
27 exhausted.

28 (5) \$4,169,000 of the state route number 520 civil penalties
29 account--state appropriation and \$676,000 of the Tacoma Narrows toll
30 bridge account--state appropriation are provided solely for
31 expenditures related to the toll adjudication process. The department
32 shall report on the civil penalty process to the office of financial
33 management and the house of representatives and senate transportation
34 committees by the end of each calendar quarter. The reports must
35 include a summary table for each toll facility that includes: The
36 number of notices of civil penalty issued; the number of recipients who
37 pay before the notice becomes a penalty; the number of recipients who

1 request a hearing and the number who do not respond; workload costs
2 related to hearings; the cost and effectiveness of debt collection
3 activities; and revenues generated from notices of civil penalty.

4 (6) The department shall make detailed quarterly expenditure
5 reports available to the transportation commission and to the public on
6 the department's web site using current department resources. The
7 reports must include a summary of toll revenue by facility on all
8 operating toll facilities and high occupancy toll lane systems, and an
9 itemized depiction of the use of that revenue.

10 NEW SECTION. **Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION--**
11 **INFORMATION TECHNOLOGY--PROGRAM C**

12 Transportation Partnership Account--State
13 Appropriation \$1,460,000
14 Motor Vehicle Account--State Appropriation \$68,848,000
15 Multimodal Transportation Account--State
16 Appropriation \$363,000
17 Transportation 2003 Account (Nickel Account)--State
18 Appropriation \$1,460,000
19 TOTAL APPROPRIATION \$72,131,000

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

22 (1) \$370,000 of the motor vehicle account--state appropriation is
23 provided solely for the department's compliance with its national
24 pollution discharge elimination system permit.

25 (2) \$1,460,000 of the transportation partnership account--state
26 appropriation and \$1,460,000 of the transportation 2003 account (nickel
27 account)--state appropriation are provided solely for maintaining the
28 department's project management reporting system.

29 (3) \$502,000 of the motor vehicle account--state appropriation is
30 provided solely for the transportation executive information system.

31 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION--PROGRAM D--**
33 **OPERATING**

34 Motor Vehicle Account--State Appropriation \$26,213,000

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

1 (1) The department shall report to the transportation committees of
2 the legislature and the office of financial management by June 30,
3 2014, on the progress of the construction of the traffic management
4 center in Shoreline, including a schedule for terminating the current
5 lease of the Goldsmith building in Seattle.

6 (2) \$850,000 of the motor vehicle account--state appropriation is
7 provided solely for the department's compliance with its national
8 pollution discharge elimination system permit.

9 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION--**
10 **AVIATION--PROGRAM F**

Aeronautics Account--State Appropriation	\$7,359,000
Aeronautics Account--Federal Appropriation	\$2,150,000
TOTAL APPROPRIATION	\$9,509,000

14 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**

Motor Vehicle Account--State Appropriation	\$47,669,000
Motor Vehicle Account--Federal Appropriation	\$500,000
Multimodal Transportation Account--State Appropriation	\$250,000
TOTAL APPROPRIATION	\$48,419,000

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

23 (1) \$4,504,000 of the motor vehicle account--state appropriation is
24 provided solely for the department's compliance with its national
25 pollution discharge elimination system permit.

26 (2) It is the intent of the legislature that the real estate
27 services division of the department will recover the cost of its
28 efforts from future sale proceeds.

29 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION--**
30 **ECONOMIC PARTNERSHIPS--PROGRAM K**

Motor Vehicle Account--State Appropriation	\$570,000
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32 The appropriation in this section is subject to the following
33 conditions and limitations:

34 (1) The legislature finds that the efforts started in the 2011-2013
35 fiscal biennium regarding the transition to a road usage charge system

1 represent an important first step in the policy and conceptual
 2 development of potential alternative systems to fund transportation
 3 projects, but that the governance for the development needs
 4 clarification. The legislature also finds that significant amounts of
 5 research and public education are occurring in similar efforts in
 6 several states and that these efforts can and should be leveraged to
 7 advance the evaluation in Washington. The legislature intends,
 8 therefore, that the transportation commission and its staff lead the
 9 policy development of the business case for a road usage charge system,
 10 with the goal of providing the business case to the governor and the
 11 legislative committees of the legislature in time for inclusion in the
 12 2014 supplemental omnibus transportation appropriations act. The
 13 legislature intends for additional oversight in the business case
 14 development, with guidance from a steering committee as provided in
 15 chapter 86, Laws of 2012 for the transportation commission, augmented
 16 with participation by the joint transportation committee. The
 17 legislature further intends that, through the economic partnerships
 18 program, the department continue to address administrative, technical,
 19 and conceptual operational issues related to road usage charge systems,
 20 and that the department serve as a resource for information gleaned
 21 from other states on this topic for the transportation commission's
 22 efforts.

23 (2) The economic partnerships program must continue to explore
 24 retail partnerships at state-owned park-and-ride facilities, as
 25 authorized in RCW 47.04.295.

26 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**
 27 **HIGHWAY MAINTENANCE--PROGRAM M**

28	Highway Safety Account--State Appropriation	\$10,000,000
29	Motor Vehicle Account--State Appropriation	\$385,862,000
30	Motor Vehicle Account--Federal Appropriation	\$7,000,000
31	TOTAL APPROPRIATION	\$402,862,000

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

34 (1) \$5,280,000 of the motor vehicle account--state appropriation is
 35 provided solely for the department's compliance with its national
 36 pollution discharge elimination system permit.

1 (2) The department shall continue to report maintenance
2 accountability process targets and achievements on an annual basis.

3 (3) \$10,000,000 of the highway safety account--state appropriation
4 is provided solely for the high priority maintenance backlog.
5 Addressing the maintenance backlog must result in increased levels of
6 service.

7 (4) \$393,000 of the motor vehicle account--state appropriation is
8 provided solely for the implementation of chapter . . . (Engrossed
9 Substitute House Bill No. 1007), Laws of 2013 (covered loads on
10 highways). If chapter . . . (Engrossed Substitute House Bill No.
11 1007), Laws of 2013 is not enacted by June 30, 2013, the amount
12 provided in this subsection lapses.

13 (5) \$270,000 of the motor vehicle account--state appropriation is
14 from the cities statewide fuel tax distribution under RCW 46.68.110(2)
15 for the department to contract with the department of fish and wildlife
16 to inventory, prioritize, and study fish passage barriers associated
17 with city roads and streets in the Puget Sound region. The department
18 of fish and wildlife shall submit the results to the department and to
19 organizations representing cities by June 30, 2015.

20 (6) \$95,000 of the motor vehicle account--state appropriation is
21 from the counties statewide fuel tax distribution under RCW
22 46.68.120(3) for the department to contract with the department of fish
23 and wildlife to inventory, assess, and prioritize fish passage barriers
24 associated with county roads. The department of fish and wildlife
25 shall submit the results to the department, the office of financial
26 management, and the transportation committees of the legislature by
27 June 30, 2015.

28 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
29 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

30	Motor Vehicle Account--State Appropriation	\$50,565,000
31	Motor Vehicle Account--Federal Appropriation	\$2,050,000
32	Motor Vehicle Account--Private/Local Appropriation	\$250,000
33	TOTAL APPROPRIATION	\$52,865,000

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

36 (1) \$6,000,000 of the motor vehicle account--state appropriation is
37 provided solely for low-cost enhancements. The department shall give

1 priority to low-cost enhancement projects that improve safety or
2 provide congestion relief. The department shall prioritize low-cost
3 enhancement projects on a statewide rather than regional basis. By
4 September 1st of each even-numbered year, the department shall provide
5 a report to the legislature listing all low-cost enhancement projects
6 prioritized on a statewide rather than regional basis completed in the
7 prior year.

8 (2) During the 2013-2015 fiscal biennium, the department shall
9 continue a pilot program that expands private transportation providers'
10 access to high occupancy vehicle lanes. Under the pilot program, when
11 the department reserves a portion of a highway based on the number of
12 passengers in a vehicle, the following vehicles must be authorized to
13 use the reserved portion of the highway if the vehicle has the capacity
14 to carry eight or more passengers, regardless of the number of
15 passengers in the vehicle: (a) Auto transportation company vehicles
16 regulated under chapter 81.68 RCW; (b) passenger charter carrier
17 vehicles regulated under chapter 81.70 RCW, except marked or unmarked
18 stretch limousines and stretch sport utility vehicles as defined under
19 department of licensing rules; (c) private nonprofit transportation
20 provider vehicles regulated under chapter 81.66 RCW; and (d) private
21 employer transportation service vehicles. For purposes of this
22 subsection, "private employer transportation service" means regularly
23 scheduled, fixed-route transportation service that is offered by an
24 employer for the benefit of its employees. Nothing in this subsection
25 is intended to authorize the conversion of public infrastructure to
26 private, for-profit purposes or to otherwise create an entitlement or
27 other claim by private users to public infrastructure.

28 (3) The department shall work with the cities of Lynnwood and
29 Edmonds to provide traffic light synchronization on state route number
30 524.

31 (4)(a) Upon receipt of funding from the city of Kenmore, the
32 department shall erect guide signs along Interstate 5, Interstate 405,
33 and state route 522 directing travelers to Bastyr University and
34 Kenmore International Air Harbor.

35 (b) Within existing resources, and only if the department is
36 replacing existing signs, the department shall erect:

37 (i) Guide signs on Interstate 405 northbound and southbound that
38 include the city of Kenmore; and

1 (ii) Overhead signs on Interstate 5 northbound and southbound that
2 include the city of Kenmore.

3 (5) The department, in consultation with the Washington state
4 patrol, must continue a pilot program for the state patrol to issue
5 infractions based on information from automated traffic safety cameras
6 in roadway construction zones on state highways. For the purpose of
7 this pilot program, during the 2013-2015 fiscal biennium, a roadway
8 construction zone includes areas where public employees or private
9 contractors may be present or where a driving condition exists that
10 would make it unsafe to drive at higher speeds, such as, when the
11 department is redirecting or realigning lanes on any public roadway
12 pursuant to ongoing construction. The department shall use the
13 following guidelines to administer the program:

14 (a) Automated traffic safety cameras may only take pictures of the
15 vehicle and vehicle license plate and only while an infraction is
16 occurring. The picture must not reveal the face of the driver or of
17 passengers in the vehicle;

18 (b) The department shall plainly mark the locations where the
19 automated traffic safety cameras are used by placing signs on locations
20 that clearly indicate to a driver that he or she is entering a roadway
21 construction zone where traffic laws are enforced by an automated
22 traffic safety camera;

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

25 (d) The owner of the vehicle is not responsible for the violation
26 if the owner of the vehicle, within fourteen days of receiving
27 notification of the violation, mails to the patrol, a declaration under
28 penalty of perjury, stating that the vehicle involved was, at the time,
29 stolen or in the care, custody, or control of some person other than
30 the registered owner, or any other extenuating circumstances;

31 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
32 infractions detected through the use of automated traffic safety
33 cameras are not part of the registered owner's driving record under RCW
34 46.52.101 and 46.52.120. Additionally, infractions generated by the
35 use of automated traffic safety cameras must be processed in the same
36 manner as parking infractions for the purposes of RCW 3.50.100,
37 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
38 fine issued under this subsection (5) for an infraction generated

1 through the use of an automated traffic safety camera is one hundred
2 thirty-seven dollars. The court shall remit thirty-two dollars of the
3 fine to the state treasurer for deposit into the state patrol highway
4 account; and

5 (f) If a notice of infraction is sent to the registered owner and
6 the registered owner is a rental car business, the infraction must be
7 dismissed against the business if it mails to the patrol, within
8 fourteen days of receiving the notice, a declaration under penalty of
9 perjury of the name and known mailing address of the individual driving
10 or renting the vehicle when the infraction occurred. If the business
11 is unable to determine who was driving or renting the vehicle at the
12 time the infraction occurred, the business must sign a declaration
13 under penalty of perjury to this effect. The declaration must be
14 mailed to the patrol within fourteen days of receiving the notice of
15 traffic infraction. Timely mailing of this declaration to the issuing
16 agency relieves a rental car business of any liability under this
17 section for the notice of infraction. A declaration form suitable for
18 this purpose must be included with each automated traffic safety camera
19 infraction notice issued, along with instructions for its completion
20 and use.

21 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
22 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

23	Motor Vehicle Account--State Appropriation	\$27,278,000
24	Motor Vehicle Account--Federal Appropriation	\$30,000
25	Multimodal Transportation Account--State	
26	Appropriation	\$973,000
27	TOTAL APPROPRIATION	\$28,281,000

28 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
29 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

30	Motor Vehicle Account--State Appropriation	\$20,095,000
31	Motor Vehicle Account--Federal Appropriation	\$24,885,000
32	Multimodal Transportation Account--State	
33	Appropriation	\$662,000
34	Multimodal Transportation Account--Federal	
35	Appropriation	\$2,809,000
36	Multimodal Transportation Account--Private/Local	

1	Appropriation	\$100,000
2	TOTAL APPROPRIATION\$48,551,000

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

5 (1) Within available resources, the department must collaborate
6 with the affected metropolitan planning organizations, regional
7 transportation planning organizations, transit agencies, and private
8 transportation providers to develop a plan to reduce vehicle demand,
9 increase public transportation options, and reduce vehicle miles
10 traveled on corridors affected by growth at Joint Base Lewis-McChord.

11 (2) The legislature finds that there are sixteen companies involved
12 in wood preserving in the state that employ four hundred workers and
13 have an annual payroll of fifteen million dollars. Prior to the
14 department's switch to steel guardrails, ninety percent of the twenty-
15 five hundred mile guardrail system was constructed of preserved wood
16 and one hundred ten thousand wood guardrail posts were produced
17 annually for state use. Moreover, the policy of using steel posts
18 requires the state to use imported steel. Given these findings, the
19 department shall contract with an independent research organization
20 with expertise in the evaluation of wood products to determine on a
21 life-cycle basis the cost effectiveness of using wood posts versus
22 steel posts in new guardrail installations.

23 (a) The study must include the following objectives:

24 (i) Examine wood posts that are randomly selected, are
25 representative of commonly found posts in service, and are of
26 sufficient sampling size to produce a statistically valid data set;

27 (ii) Assess the residual flexural properties of guardrail posts
28 after twenty years in service at various sites representing the
29 climatic and soil variability of the state;

30 (iii) Measure test results against AASHTO standards;

31 (iv) Determine residual preservative levels in wood posts in terms
32 of retention and penetration in order to determine the role of
33 treatment quality on performance following test procedures outlined in
34 American wood protection association standards;

35 (v) Examine the levels of decay in the guardrail posts, in terms of
36 location of pockets and the presence of viable decay fungi, through
37 culturing;

- 1 (vi) Investigate the effects of decay on flexural properties of
- 2 guardrail posts;
- 3 (vii) Determine an acceptable level or number of nonstandard posts
- 4 (i.e. posts with decay pockets that cause post strength to fall below
- 5 AASHTO standards) that can be present in a guardrail run without
- 6 compromising performance; and
- 7 (viii) Conduct thorough data search or identify case studies, or
- 8 both, on service life of wood guardrail posts. Durability test results
- 9 should also be factored in when evaluating service life.
- 10 (b) The study must be submitted to the office of financial
- 11 management and the transportation committees of the legislature by
- 12 January 1, 2015.

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

14 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

15	Motor Vehicle Account--State Appropriation	\$81,628,000
16	Motor Vehicle Account--Federal Appropriation	\$400,000
17	Multimodal Transportation Account--State Appropriation	\$40,000
18	TOTAL APPROPRIATION	\$82,068,000

19 The appropriations in this section are subject to the following

20 conditions and limitations: The department of enterprise services must

21 provide a detailed accounting of the revenues and expenditures of the

22 self-insurance fund to the transportation committees of the legislature

23 on December 31st and June 30th of each year.

24 **NEW SECTION. Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**

25 **PUBLIC TRANSPORTATION--PROGRAM V**

26	State Vehicle Parking Account--State Appropriation	\$452,000
27	Regional Mobility Grant Program Account--State	
28	Appropriation	\$48,687,000
29	Rural Mobility Grant Program Account--State	
30	Appropriation	\$17,000,000
31	Multimodal Transportation Account--State	
32	Appropriation	\$42,177,000
33	Multimodal Transportation Account--Federal	
34	Appropriation	\$3,280,000
35	TOTAL APPROPRIATION	\$111,596,000

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

3 (1) \$25,000,000 of the multimodal transportation account--state
4 appropriation is provided solely for a grant program for special needs
5 transportation provided by transit agencies and nonprofit providers of
6 transportation.

7 (a) \$5,500,000 of the multimodal transportation account--state
8 appropriation is provided solely for grants to nonprofit providers of
9 special needs transportation. Grants for nonprofit providers must be
10 based on need, including the availability of other providers of service
11 in the area, efforts to coordinate trips among providers and riders,
12 and the cost effectiveness of trips provided.

13 (b) \$19,500,000 of the multimodal transportation account--state
14 appropriation is provided solely for grants to transit agencies to
15 transport persons with special transportation needs. To receive a
16 grant, the transit agency must have a maintenance of effort for special
17 needs transportation that is no less than the previous year's
18 maintenance of effort for special needs transportation. Grants for
19 transit agencies must be prorated based on the amount expended for
20 demand response service and route deviated service in calendar year
21 2011 as reported in the "Summary of Public Transportation - 2011"
22 published by the department of transportation. No transit agency may
23 receive more than thirty percent of these distributions.

24 (2) Funds are provided for the rural mobility grant program as
25 follows:

26 (a) \$8,500,000 of the rural mobility grant program account--state
27 appropriation is provided solely for grants for those transit systems
28 serving small cities and rural areas as identified in the "Summary of
29 Public Transportation - 2011" published by the department of
30 transportation. Noncompetitive grants must be distributed to the
31 transit systems serving small cities and rural areas in a manner
32 similar to past disparity equalization programs. If the funding
33 provided in this subsection (2)(a) exceeds the amount required for
34 recipient counties to reach eighty percent of the average per capita
35 sales tax, funds in excess of that amount may be used for the
36 competitive grant process established in (b) of this subsection.

37 (b) \$8,500,000 of the rural mobility grant program account--state

1 appropriation is provided solely to providers of rural mobility service
2 in areas not served or underserved by transit agencies through a
3 competitive grant process.

4 (c) \$2,300,000 of the multimodal transportation account--state
5 appropriation is provided solely for the tri-county connection service
6 for Island, Skagit, and Whatcom transit agencies.

7 (3)(a) \$6,000,000 of the multimodal transportation account--state
8 appropriation is provided solely for a vanpool grant program for: (a)
9 Public transit agencies to add vanpools or replace vans; and (b)
10 incentives for employers to increase employee vanpool use. The grant
11 program for public transit agencies will cover capital costs only;
12 operating costs for public transit agencies are not eligible for
13 funding under this grant program. Additional employees may not be
14 hired from the funds provided in this section for the vanpool grant
15 program, and supplanting of transit funds currently funding vanpools is
16 not allowed. The department shall encourage grant applicants and
17 recipients to leverage funds other than state funds.

18 (b) At least \$1,600,000 of the amount provided in this subsection
19 must be used for vanpool grants in congested corridors.

20 (c) \$520,000 of the amount provided in this subsection is provided
21 solely for the purchase of additional vans for use by vanpools serving
22 soldiers and civilian employees at Joint Base Lewis-McChord.

23 (4)(a) \$8,687,000 of the regional mobility grant program account--
24 state appropriation is reappropriated and provided solely for the
25 following regional mobility grant projects identified in LEAP
26 Transportation Document 2012-1 ALL PROJECTS - Public Transportation -
27 Program (V) as developed March 8, 2012:

28 (i) \$1,619,000 of the amount provided in this subsection is
29 provided solely for Southeast King County Connectors;

30 (ii) \$900,000 of the amount provided in this subsection is provided
31 solely for Rainier/Jackson Transit Priority Corridor Improvements;

32 (iii) \$1,546,000 of the amount provided in this subsection is
33 provided solely for N. 192nd St. to N. 205th St. BAT Lanes;

34 (iv) \$2,082,000 of the amount provided in this subsection is
35 provided solely for Tukwila Urban Center - Transit Center;

36 (v) \$1,700,000 of the amount provided in this subsection is
37 provided solely for Poulsbo SR 305/3 Park and Ride;

1 (vi) \$200,000 of the amount provided in this subsection is provided
2 solely for Plaza Improvements - Wall Street Reconfiguration; and

3 (vii) \$640,000 of the amount provided in this subsection is
4 provided solely for Alger Park and Ride.

5 (b) The department shall continue to review all projects receiving
6 grant awards under this program at least semiannually to determine
7 whether the projects are making satisfactory progress. The department
8 shall promptly close out grants when projects have been completed, and
9 any remaining funds must be used only to fund projects identified in
10 the LEAP transportation document referenced in this subsection. It is
11 the intent of the legislature to appropriate funds through the regional
12 mobility grant program only for projects that will be completed on
13 schedule and that all funds in the regional mobility grant program be
14 used as soon as practicable to advance eligible projects.

15 (5)(a) \$40,000,000 of the regional mobility grant program account--
16 state appropriation is provided solely for the regional mobility grant
17 projects identified in LEAP Transportation Document 2013-B as developed
18 April 3, 2013, except for: Mukilteo park and ride plus, where the
19 funding is awarded to community transit rather than Snohomish county.
20 The department shall review all projects receiving grant awards under
21 this program at least semiannually to determine whether the projects
22 are making satisfactory progress. Any project that has been awarded
23 funds, but does not report activity on the project within one year of
24 the grant award, must be reviewed by the department to determine
25 whether the grant should be terminated. The department shall promptly
26 close out grants when projects have been completed, and any remaining
27 funds must be used only to fund projects identified in the LEAP
28 Transportation Document referenced in this subsection. The department
29 shall provide annual status reports on December 15, 2013, and December
30 15, 2014, to the office of financial management and the transportation
31 committees of the legislature regarding the projects receiving the
32 grants. It is the intent of the legislature to appropriate funds
33 through the regional mobility grant program only for projects that will
34 be completed on schedule.

35 (b) In order to be eligible to receive a grant under (a) of this
36 subsection during the 2013-2015 fiscal biennium, a transit agency must
37 establish a process for private transportation providers to apply for
38 the use of park and ride facilities. For purposes of this subsection,

1 (i) "private transportation provider" means: An auto transportation
2 company regulated under chapter 81.68 RCW; a passenger charter carrier
3 regulated under chapter 81.70 RCW, except marked or unmarked stretch
4 limousines and stretch sport utility vehicles as defined under
5 department of licensing rules; a private nonprofit transportation
6 provider regulated under chapter 81.66 RCW; or a private employer
7 transportation service provider; and (ii) "private employer
8 transportation service" means regularly scheduled, fixed-route
9 transportation service that is offered by an employer for the benefit
10 of its employees.

11 (6) Funds provided for the commute trip reduction (CTR) program may
12 also be used for the growth and transportation efficiency center
13 program.

14 (7) \$6,122,000 of the total appropriation in this section is
15 provided solely for CTR grants and activities. Of this amount:

16 (a) \$3,900,000 of the multimodal transportation account--state
17 appropriation is provided solely for grants to local jurisdictions,
18 selected by the CTR board, for the purpose of assisting employers meet
19 CTR goals;

20 (b) \$1,770,000 of the multimodal transportation account--state
21 appropriation is provided solely for state costs associated with CTR.
22 The department shall develop more efficient methods of CTR assistance
23 and survey procedures; and

24 (c) \$452,000 of the state vehicle parking account--state
25 appropriation is provided solely for CTR-related expenditures,
26 including all expenditures related to the guaranteed ride home program
27 and the STAR pass program.

28 (8) An affected urban growth area that has not previously
29 implemented a commute trip reduction program as of the effective date
30 of this act is exempt from the requirements in RCW 70.94.527.

31 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **MARINE--PROGRAM X**

33	Puget Sound Ferry Operations Account--State	
34	Appropriation	\$443,080,000
35	Puget Sound Ferry Operations Account--Private/Local	
36	Appropriation	\$121,000
37	Highway Safety Account--State Appropriation	\$35,000,000

1 TOTAL APPROPRIATION \$478,201,000

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

4 (1) The office of financial management budget instructions require
5 agencies to recast enacted budgets into activities. The Washington
6 state ferries shall include a greater level of detail in its 2013-2015
7 supplemental and 2015-2017 omnibus transportation appropriations act
8 requests, as determined jointly by the office of financial management,
9 the Washington state ferries, and the transportation committees of the
10 legislature. This level of detail must include the administrative
11 functions in the operating as well as capital programs.

12 (2) Until a reservation system is operational on the San Juan
13 islands inter-island route, the department shall provide the same
14 priority loading benefits on the San Juan islands inter-island route to
15 home health care workers as are currently provided to patients
16 traveling for purposes of receiving medical treatment.

17 (3) For the 2013-2015 fiscal biennium, the department may enter
18 into a distributor controlled fuel hedging program and other methods of
19 hedging approved by the fuel hedging committee.

20 (4) \$77,427,000 of the Puget Sound ferry operations account--state
21 appropriation and \$35,000,000 of the highway safety account--state
22 appropriation are provided solely for auto ferry vessel operating fuel
23 in the 2013-2015 fiscal biennium. The amount provided in this
24 appropriation represents the fuel budget for the purposes of
25 calculating any ferry fare fuel surcharge.

26 (5) \$152,000 of the Puget Sound ferry operations account--state
27 appropriation is provided solely for the department's compliance with
28 its national pollution discharge elimination system permit.

29 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
30 **RAIL--PROGRAM Y--OPERATING**

31 Multimodal Transportation Account--State
32 Appropriation \$33,362,000

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

35 (1) \$27,319,000 of the multimodal transportation account--state
36 appropriation is provided solely for the Amtrak service contract and
37 Talgo maintenance contract associated with providing and maintaining

1 state-supported passenger rail service. The department is directed to
2 continue to pursue efforts to reduce costs, increase ridership, and
3 review fares or fare schedules.

4 (2) Amtrak Cascades runs may not be eliminated.

5 (3) The department shall continue a pilot program by partnering
6 with the travel industry on the Amtrak Cascades service between
7 Vancouver, British Columbia, and Seattle to test opportunities for
8 increasing ridership, maximizing farebox recovery, and stimulating
9 private investment. The pilot program must run from December 31, 2013,
10 to December 31, 2014. The department may offer to Washington
11 universities an opportunity for business students to work as interns on
12 the analysis of the pilot program process and results. The department
13 shall report on the results of the pilot program to the office of
14 financial management and the legislature by January 31, 2015.

15 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
16 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

17	Motor Vehicle Account--State Appropriation	\$8,736,000
18	Motor Vehicle Account--Federal Appropriation	\$2,567,000
19	TOTAL APPROPRIATION	\$11,303,000

20 **TRANSPORTATION AGENCIES--CAPITAL**

21 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
22 **INVESTMENT BOARD**

23	Freight Mobility Investment Account--State	
24	Appropriation	\$11,794,000
25	Freight Mobility Multimodal Account--State	
26	Appropriation	\$9,736,000
27	Freight Mobility Multimodal Account--Private/Local	
28	Appropriation	\$1,320,000
29	Highway Safety Account--State Appropriation	\$2,450,000
30	Motor Vehicle Account--State Appropriation	\$84,000
31	Motor Vehicle Account--Federal Appropriation	\$3,250,000
32	TOTAL APPROPRIATION	\$28,634,000

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

1 (1) Except as provided otherwise in this section, the total
2 appropriation in this section is provided solely for the implementation
3 of chapter . . . (Substitute Senate Bill No. 5239), Laws of 2013
4 (addressing project selection by the freight mobility strategic
5 investment board). If chapter . . . (Substitute Senate Bill No. 5239),
6 Laws of 2013 is not enacted by June 30, 2013, the amounts provided in
7 this section lapse.

8 (2) \$2,450,000 of the highway safety account--state appropriation
9 is provided solely for grants to meet urgent freight corridor
10 improvement and preservation needs.

11 **NEW SECTION. Sec. 302. FOR THE WASHINGTON STATE PATROL**

12 State Patrol Highway Account--State Appropriation \$1,926,000

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

15 (1) \$200,000 of the state patrol highway account--state
16 appropriation is provided solely for unforeseen emergency repairs on
17 facilities.

18 (2) \$426,000 of the state patrol highway account--state
19 appropriation is provided solely for the replacement of the roofs of
20 the Marysville district office and vehicle inspection building and
21 Spokane East office.

22 (3) \$450,000 of the state patrol highway account--state
23 appropriation is provided solely for upgrades to scales at South Pasco,
24 Deer Park, and Kelso required to meet current certification
25 requirements.

26 (4) \$850,000 of the state patrol highway account--state
27 appropriation is provided solely for the replacement of the damaged and
28 unrepairable scale house at the Everett southbound I-5 weigh scales,
29 including equipment, weigh-in-motion technology, and an ALPR camera.

30 **NEW SECTION. Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

31 Rural Arterial Trust Account--State
32 Appropriation \$35,894,000
33 Highway Safety Account--State Appropriation \$10,000,000
34 Motor Vehicle Account--State Appropriation \$706,000
35 County Arterial Preservation Account--State
36 Appropriation \$28,931,000

1 TOTAL APPROPRIATION \$75,531,000

2 NEW SECTION. Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD

3 Small City Pavement and Sidewalk Account--State

4 Appropriation \$3,500,000

5 Highway Safety Account--State Appropriation \$10,000,000

6 Transportation Improvement Account--State

7 Appropriation \$175,620,000

8 TOTAL APPROPRIATION \$189,120,000

9 The appropriations in this section are subject to the following
10 conditions and limitations: The highway safety account--state
11 appropriation is provided solely for:

12 (1) The arterial preservation program to help low tax-based,
13 medium-sized cities preserve arterial pavements;

14 (2) The small city pavement program to help cities meet urgent
15 preservation needs; and

16 (3) The small city low-energy street light retrofit demonstration
17 program.

18 NEW SECTION. Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--
19 FACILITIES--PROGRAM D--(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--
20 CAPITAL

21 Transportation Partnership Account--State

22 Appropriation \$2,298,000

23 Motor Vehicle Account--State Appropriation \$23,387,000

24 TOTAL APPROPRIATION \$25,685,000

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

27 (1) The legislature recognizes that the Marginal Way site (King
28 county parcel numbers 3024049182 & 5367202525) is surplus state-owned
29 real property under the jurisdiction of the Washington state department
30 of transportation and that the public would benefit significantly if
31 this site is used to provide important social services. Therefore, the
32 legislature declares that committing the Marginal Way site to this use
33 is consistent with the public interest.

34 Pursuant to RCW 47.12.063, the department shall work with the owner
35 of King county parcel number 7643400010, which abuts both parcels of
36 the Marginal Way site, and shall convey the Marginal Way site to that

1 abutting property owner for the appraised fair market value of the
2 parcels, the proceeds of which shall be deposited in the motor vehicle
3 fund. The conveyance is conditional upon the purchaser's agreement to
4 commit the use of the Marginal Way site to operations with the goal of
5 ending hunger in western Washington. The department may not make this
6 conveyance before September 1, 2013, and may not make this conveyance
7 after January 15, 2014.

8 The Washington department of transportation is not responsible for
9 any costs associated with the cleanup or transfer of the Marginal Way
10 site.

11 (2) \$250,000 of the motor vehicle fund--state appropriation is
12 provided solely for NPDES facilities projects (D311701).

13 (3) \$17,000,000 of the motor vehicle account--state appropriation
14 is provided solely for costs associated with the construction and
15 consolidation of facilities identified as high priority replacement
16 projects in the facilities oversight plan prepared for the governor and
17 the joint transportation committee of the legislature and dated
18 September 1, 2012. \$16,500,000 of this appropriation must be held in
19 unallotted status until the office of financial management deems that
20 revenue applicable to the sale of identified surplus property is
21 sufficient to cover project expenditures. The Wenatchee administrative
22 building and the Leavenworth and Blewett section maintenance facility
23 projects are to be included in a pilot demonstration project funded by
24 this appropriation. Revenue offsetting this appropriation is
25 anticipated to come from the sale of properties owned by the department
26 but no longer needed for transportation purposes. A portion of the
27 appropriation in this section may be used to prepare, market, and sell
28 the properties providing the offsetting revenue for this appropriation.
29 Proceeds from the sale of these properties must be deposited in the
30 motor vehicle account. The department shall report to the office of
31 financial management and the transportation committees of the
32 legislature the results of the pilot demonstration project, as well as
33 suggestions to improve the process as a part of the department's annual
34 facilities oversight report update.

35 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
36 **IMPROVEMENTS--PROGRAM I**
37 **Multimodal Transportation Account--State**

1	Appropriation	\$1,000,000
2	Transportation Partnership Account--State	
3	Appropriation	\$1,534,698,000
4	Motor Vehicle Account--State Appropriation	\$64,620,000
5	Motor Vehicle Account--Federal Appropriation	\$508,631,000
6	Motor Vehicle Account--Private/Local Appropriation	\$171,669,000
7	Transportation 2003 Account (Nickel Account)--State	
8	Appropriation	\$242,253,000
9	State Route Number 520 Corridor Account--State	
10	Appropriation	\$509,790,000
11	State Route Number 520 Corridor Account--Federal	
12	Appropriation	\$194,915,000
13	Special Category C Account--State Appropriation	\$124,000
14	TOTAL APPROPRIATION	\$3,227,700,000

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

17 (1) Except as provided otherwise in this section, the entire
18 transportation 2003 account (nickel account) appropriation and the
19 entire transportation partnership account appropriation are provided
20 solely for the projects and activities as listed by fund, project, and
21 amount in LEAP Transportation Document 2013-1 as developed April 3,
22 2013, Program - Highway Improvement Program (I). However, limited
23 transfers of specific line-item project appropriations may occur
24 between projects for those amounts listed subject to the conditions and
25 limitations in section 602 of this act.

26 (2) Within the motor vehicle account--state appropriation and
27 motor vehicle account--federal appropriation, the department may
28 transfer funds between programs I and P, except for funds that are
29 otherwise restricted in this act.

30 (3) The department shall apply for the competitive portion of
31 federal transit administration funds for eligible transit-related costs
32 of the state route number 520 bridge replacement and HOV project and
33 the Columbia river crossing project. The federal funds described in
34 this subsection must not include those federal transit administration
35 funds distributed by formula.

36 (4) The transportation 2003 account (nickel account)--state
37 appropriation includes up to \$218,801,000 in proceeds from the sale of
38 bonds authorized by RCW 47.10.861.

1 (5) The transportation partnership account--state appropriation
2 includes up to \$1,143,227,000 in proceeds from the sale of bonds
3 authorized in RCW 47.10.873.

4 (6) The motor vehicle account--state appropriation includes up to
5 \$50,000,000 in proceeds from the sale of bonds authorized in RCW
6 47.10.843.

7 (7) \$286,840,000 of the transportation partnership account--state
8 appropriation, \$11,858,000 of the transportation 2003 account (nickel
9 account)--state appropriation, and \$932,000 of the motor vehicle
10 account--private/local appropriation are provided solely for the I-
11 5/Tacoma HOV Improvements (Nickel/TPA) project (300504A).

12 (8)(a) \$37,292,000 of the motor vehicle account--federal
13 appropriation, \$11,650,000 of the motor vehicle account--private/local
14 appropriation, and \$800,000 of the motor vehicle account--state
15 appropriation are provided solely for the I-5/Columbia River Crossing
16 project (400506A).

17 (b) It is the intent of the legislature that Washington and Oregon
18 have equal funding commitments and equal total expenditures to date on
19 the shared components of the Columbia river crossing project. The
20 department shall provide quarterly reports on this project beginning
21 March 31, 2012. The reports must include:

22 (i) An update on preliminary engineering and right-of-way
23 acquisition for the previous quarter;

24 (ii) Planned objectives for right-of-way and preliminary
25 engineering for the ensuing quarter;

26 (iii) An updated comparison of the total appropriation authority
27 for the project by state;

28 (iv) An updated comparison of the total expenditures to date on the
29 project by state; and

30 (v) The committed funding provided by the state of Oregon to right-
31 of-way acquisition.

32 (c) \$200,000 of the transportation partnership account--state
33 appropriation in this subsection is provided solely for the department
34 to work with the department of archaeology and historic preservation to
35 ensure that the cultural resources investigation is properly conducted
36 on the Columbia river crossing project. This project must be conducted
37 with active archaeological management and result in one report that
38 spans the single cultural area in Oregon and Washington. Additionally,

1 the department shall establish a scientific peer review of independent
2 archaeologists that are knowledgeable about the region and its cultural
3 resources.

4 (d) Consistent with the draft environmental impact statement and
5 the Columbia river crossing project's independent review panel report,
6 the Columbia river crossing project's financial plan must include
7 recognition of state transportation funding contributions from both
8 Washington and Oregon, federal transportation funding, and a funding
9 contribution from toll bond proceeds. Following the refinement of the
10 finance plan as recommended by the independent review panel, the
11 department may seek authorization from the legislature to collect tolls
12 on the existing Columbia river crossing or on a replacement crossing
13 over Interstate 5.

14 (9) Within the amounts provided for the I-5/Columbia river crossing
15 project (400506A), the department shall conduct a traffic and revenue
16 analysis for the Columbia river crossing project that will lay the
17 foundation for investment grade traffic and revenue analysis. While
18 conducting the analysis, the department must coordinate with the Oregon
19 department of transportation, the Washington state transportation
20 commission, Washington state treasurer's office, and Oregon state
21 treasurer's office.

22 (a) The department's analysis must include the assessment and
23 review of the following variables within the project:

- 24 (i) Exemptions from tolls for vehicles with two or more occupants;
25 (ii) A variable toll where the tolls vary by time of day and day of
26 the week; and
27 (iii) A frequency-based toll rate for the facility.

28 (b) The analysis must also assess the following:

29 (i) The impact that light rail service in the corridor will have on
30 estimated toll revenues;

31 (ii) The level of diversion from the Interstate 5 corridor and the
32 impact on estimated toll revenues; and

33 (iii) The estimated toll revenues from vehicle trips originating
34 within the region and outside the region by vehicle type.

35 (c) The department must submit a report of findings to the
36 transportation committees of the legislature by July 1, 2014.

37 (10)(a) \$5,000,000 of the motor vehicle account--federal
38 appropriation and \$200,000 of the motor vehicle account--state

1 appropriation are provided solely for the I-90 Comprehensive Tolling
2 Study and Environmental Review project (100067T). The department shall
3 undertake a comprehensive environmental review of tolling Interstate 90
4 between Interstate 5 and Interstate 405 for the purposes of both
5 managing traffic and providing funding for construction of the unfunded
6 state route number 520 from Interstate 5 to Medina project. The
7 environmental review must include significant outreach to potentially
8 affected communities. The department may consider traffic management
9 options that extend as far east as Issaquah.

10 (b)(i) As part of the project in this subsection (10), the
11 department shall explore and evaluate options to mitigate the effect of
12 tolling on affected residents, including:

13 (A) Allowing all Washington residents to traverse a portion of the
14 tolled section of Interstate 90 without paying a toll. Residents may
15 choose either (I) the portion of Interstate 90 between the easternmost
16 landing west of Mercer Island and the westernmost landing on Mercer
17 Island, or (II) the portion of Interstate 90 between the westernmost
18 landing east of Mercer Island and the easternmost landing on Mercer
19 Island;

20 (B) Assessing a toll only when a driver traverses, in either
21 direction, the entire portion of Interstate 90 between the easternmost
22 landing west of Mercer Island and the westernmost landing east of
23 Mercer Island; and

24 (C) Allowing affected residents to choose one portion of the tolled
25 section of Interstate 90 upon which they may travel without paying a
26 toll. Residents may choose either (I) the portion of Interstate 90
27 between the easternmost landing west of Mercer Island and the
28 westernmost landing on Mercer Island, or (II) the portion of Interstate
29 90 between the westernmost landing east of Mercer Island and the
30 easternmost landing on Mercer Island.

31 (ii) The department may also consider any alternative mitigation
32 options that conform to the purpose of this section.

33 (iii) For the purposes of this subsection (10), "affected resident"
34 means anyone who must use a portion of Interstate 90 west of Interstate
35 405 upon which tolling is considered in order to access necessary
36 medical services, such as a hospital.

37 (11) The department shall reconvene an expert review panel of no
38 more than three members as described under RCW 47.01.400 for the

1 purpose of updating the work that was previously completed by the panel
2 on the Alaskan Way viaduct replacement project and to ensure that an
3 appropriate and viable financial plan is created and regularly
4 reviewed. The expert review panel must be selected cooperatively by
5 the chairs of the senate and house of representatives transportation
6 committees, the secretary of transportation, and the governor. The
7 expert review panel must report findings and recommendations to the
8 transportation committees of the legislature, the governor's Alaskan
9 Way viaduct project oversight committee, and the transportation
10 commission annually until the project is operationally complete.

11 (12) It is important that the public and policymakers have accurate
12 and timely access to information related to the Alaskan Way viaduct
13 replacement project as it proceeds to, and during, the construction of
14 all aspects of the project including, but not limited to, information
15 regarding costs, schedules, contracts, project status, and neighborhood
16 impacts. Therefore, it is the intent of the legislature that the
17 state, city, and county departments of transportation establish a
18 single source of accountability for integration, coordination,
19 tracking, and information of all requisite components of the
20 replacement project, which must include, at a minimum:

21 (a) A master schedule of all subprojects included in the full
22 replacement project or program; and

23 (b) A single point of contact for the public, media, stakeholders,
24 and other interested parties.

25 (13) \$114,369,000 of the transportation partnership account--state
26 appropriation and \$53,755,000 of the transportation 2003 account
27 (nickel account)--state appropriation are provided solely for the I-
28 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
29 project must be completed as soon as practicable as a design-build
30 project. Any future savings on this project or other Interstate 405
31 corridor projects must stay on the Interstate 405 corridor and be made
32 available to either the I-405/SR 167 Interchange - Direct Connector
33 project (140504C) or the I-405 Renton to Bellevue project.

34 (14) \$541,901,000 of the transportation partnership account--state
35 appropriation, \$144,954,000 of the motor vehicle account--federal
36 appropriation, \$129,779,000 of the motor vehicle account--private/local
37 appropriation, and \$78,004,000 of the transportation 2003 account

1 (nickel account)--state appropriation are provided solely for the SR
2 99/Alaskan Way Viaduct - Replacement project (809936Z).

3 (15) \$117,403,000 of the transportation partnership account--state
4 appropriation is provided solely for the I-90/Snoqualmie Past East -
5 Hyak to Keechelus Dam - Corridor Improvement project (509009B).

6 (16) \$7,408,000 of the transportation partnership account--state
7 appropriation, \$14,594,000 of the transportation 2003 account (nickel
8 account)--state appropriation, \$3,730,000 of the motor vehicle
9 account--state appropriation, \$1,000,000 of the multimodal
10 transportation account--state appropriation, and \$41,395,000 of the
11 motor vehicle account--federal appropriation are provided solely for
12 the US 395/North Spokane Corridor projects (600010A & 600003A). Any
13 future savings on the projects must stay on the US 395/Interstate 90
14 corridor and be made available to the current phase of the North
15 Spokane Corridor projects or any future phase of the projects.

16 (17) \$3,151,000 of the motor vehicle account--state appropriation
17 and \$11,821,000 of the motor vehicle account--federal appropriation are
18 provided solely for the I-5/SR 510 to SR 512 - Mobility Improvements
19 project (300596T).

20 (18)(a) The state route number 520 bridge replacement and HOV
21 program (8BI1003) is supported over time from multiple sources,
22 including a \$300,000,000 TIFIA loan, \$819,524,625 in Garvee bonds, toll
23 revenues, state bonds, interest earnings, and other miscellaneous
24 sources.

25 (b) The state route number 520 corridor account--state
26 appropriation includes up to \$678,869,000 in proceeds from the sale of
27 bonds authorized in RCW 47.10.879.

28 (c) The state route number 520 corridor account--federal
29 appropriation includes up to \$194,915,000 in proceeds from the sale of
30 bonds authorized in RCW 47.10.879.

31 (d) \$153,123,000 of the transportation partnership account--state
32 appropriation, \$194,915,000 of the state route number 520 corridor
33 account--federal appropriation, \$68,893,000 of the motor vehicle
34 account--federal appropriation, and \$509,790,000 of the state route
35 number 520 corridor account--state appropriation are provided solely
36 for the state route number 520 bridge replacement and HOV program
37 (BI1003).

1 (e) When developing the financial plan for the program, the
2 department shall assume that all maintenance and operation costs for
3 the new facility are to be covered by tolls collected on the toll
4 facility and not by the motor vehicle account.

5 (19) The department shall itemize all future requests for the
6 construction of new buildings on a project list. Each building
7 construction project must be listed in the project list along with all
8 other highway construction projects and submitted by the department as
9 part of its budget submittal. It is the intent of the legislature that
10 new facility construction must be transparent and not appropriated
11 within larger highway construction projects.

12 (20) The motor vehicle account--federal appropriation contained in
13 this section includes \$50,000,000 for future federal improvement
14 projects (099904Q).

15 (21) \$1,458,000 of the transportation partnership account--state
16 appropriation and \$1,348,000 of the transportation 2003 account (nickel
17 account)--state appropriation are provided solely for the Environmental
18 Mitigation Reserve - Nickel/TPA project (0BI4ENV), as indicated in the
19 LEAP transportation document referenced in subsection (1) of this
20 section. Funds may be used only for environmental mitigation work that
21 is required by permits that were issued for projects funded by the
22 transportation partnership account or transportation 2003 account
23 (nickel account).

24 (22) \$11,162,000 of the motor vehicle account--private/local
25 appropriation is provided solely for the US 2/Bickford Avenue -
26 Intersection Safety Improvements project (100210E).

27 (23) \$595,000 of the motor vehicle account--state appropriation is
28 provided solely for environmental work on the Belfair Bypass project
29 (300344C).

30 (24) \$2,405,000 of the motor vehicle account--federal appropriation
31 and \$45,000 of the motor vehicle account--state appropriation are
32 provided solely for the US 12/Nine Mile Hill to Woodward Canyon Vic -
33 Build New Highway project (501210T).

34 (25) \$155,000 of the motor vehicle account--federal appropriation
35 and \$6,000 of the motor vehicle account--state appropriation are
36 provided solely for the SR 16/Rosedale Street NW Vicinity - Frontage
37 Road project (301639C). The frontage road must be built for driving
38 speeds of no more than thirty-five miles per hour.

1 (26) \$2,112,000 of the motor vehicle account--federal
2 appropriation, \$500,000 of the motor vehicle account--private/local
3 appropriation, and \$58,000 of the motor vehicle account--state
4 appropriation are provided solely for the SR 20/Race Road to Jacob's
5 Road safety project (L2200042).

6 (27) \$790,000 of the motor vehicle account--federal appropriation
7 and \$883,000 of the motor vehicle account--state appropriation are
8 provided solely for design and right-of-way work on the I-82/Red
9 Mountain Vicinity project (508208M). The department shall continue to
10 work with the local partners in developing transportation solutions
11 necessary for the economic growth in the Red Mountain American
12 viticulture area of Benton county.

13 (28) \$631,000 of the motor vehicle account--federal appropriation
14 and \$26,000 of the motor vehicle account--state appropriation are
15 provided solely for preliminary engineering on the I-5/Marvin Road
16 Interchange study (L2200087).

17 (29) \$150,000 of the motor vehicle account--federal appropriation
18 is provided solely for the SR 150/No-See-Um Road Intersection -
19 Realignment project (L2200092).

20 (30) \$15,813,000 of the motor vehicle account--federal
21 appropriation, \$311,000 of the motor vehicle account--state
22 appropriation, and \$2,346,000 of the transportation partnership
23 account--state appropriation are provided solely for the Fish Passage
24 Barriers (TPA) project (099955F).

25 (31) If a planned roundabout in the vicinity of state route number
26 526 and 84th Street SW would divert commercial traffic onto
27 neighborhood streets, the department may not proceed with improvements
28 at state route number 526 and 84th Street SW until the traffic impacts
29 in the vicinity of state route number 526 and 40th Avenue West are
30 addressed.

31 (32) \$22,347,000 of the motor vehicle account--state appropriation
32 is provided solely to advance the design, preliminary engineering, and
33 rights-of-way acquisition for the priority projects identified in LEAP
34 Transportation Document 2013-3 as developed April 3, 2013. Funds must
35 be used to advance the emergent, initial development of these projects
36 for the purpose of expediting delivery of the associated major
37 investments when funding for such investments becomes available.
38 Funding may be reallocated between projects to maximize the

1 accomplishment of design and preliminary engineering work and
2 rights-of-way acquisition, provided that all projects are addressed.
3 It is the intent of the legislature that, while seeking to maximize the
4 outcomes in this section, the department shall provide for continuity
5 of both the state and consulting engineer workforce, while
6 strategically utilizing private sector involvement to ensure
7 consistency with the department's business plan for staffing in the
8 highway construction program in the current fiscal biennium.

9 (33) The legislature finds that there are sixteen companies
10 involved in wood preserving in the state that employ four hundred
11 workers and have an annual payroll of fifteen million dollars. Prior
12 to the department's switch to steel guardrails, ninety percent of the
13 twenty-five hundred mile guardrail system was constructed of preserved
14 wood and one hundred ten thousand wood guardrail posts were produced
15 annually for state use. Moreover, the policy of using steel posts
16 requires the state to use imported steel. Given these findings, where
17 practicable, and until June 30, 2015, the department shall include the
18 design option to use wood guardrail posts, in addition to steel posts,
19 in new guardrail installations. The selection of posts must be
20 consistent with the agency design manual policy that existed before
21 December 2009.

22 (34) The legislature finds that "right-sizing" is a lean,
23 metric-based approach to determining project investments. This concept
24 entails compromise between project cost and design, incorporating local
25 community needs, desired outcomes, and available funding. Furthermore,
26 the legislature finds that the concepts and principles the department
27 has utilized in the safety analyst program have been effective tools to
28 prioritize projects and reduce project costs. Therefore, the
29 department shall establish a pilot project on the SR 3/Belfair Bypass
30 - New Alignment (300344C) to begin implementing the concept of
31 "right-sizing" in the highway construction program.

32 (35) \$1,100,000 of the motor vehicle account--federal appropriation
33 is reappropriated from Program Z and provided solely for the 31st Ave
34 SW Overpass Widening and Improvement project (L1100048).

35 (36) For urban corridors that are all or partially within a
36 metropolitan planning organization boundary and for which the
37 department has not initiated environmental review and which require an
38 environmental impact statement, the department shall do a detailed

1 environmental review of reasonable alternatives to accomplish the
2 project's purpose before selecting a preferred alternative. At least
3 one alternative shall be consistent with the goals set out in RCW
4 47.01.440.

5 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
6 **PRESERVATION--PROGRAM P**

7	Transportation Partnership Account--State	
8	Appropriation	\$36,473,000
9	Highway Safety Account--State Appropriation	\$10,000,000
10	Motor Vehicle Account--State Appropriation	\$61,634,000
11	Motor Vehicle Account--Federal Appropriation	\$600,133,000
12	Motor Vehicle Account--Private/Local Appropriation	\$11,271,000
13	Tacoma Narrows Toll Bridge Account--State Appropriation	\$3,008,000
14	Transportation 2003 Account (Nickel Account)--State	
15	Appropriation	\$2,285,000
16	TOTAL APPROPRIATION	\$724,804,000

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

19 (1) Except as provided otherwise in this section, the entire
20 transportation 2003 account (nickel account) appropriation and the
21 entire transportation partnership account appropriation are provided
22 solely for the projects and activities as listed by fund, project, and
23 amount in LEAP Transportation Document 2013-1 as developed April 3,
24 2013, Program - Highway Preservation Program (P). However, limited
25 transfers of specific line-item project appropriations may occur
26 between projects for those amounts listed subject to the conditions and
27 limitations in section 602 of this act.

28 (2) Within the motor vehicle account--state appropriation and motor
29 vehicle account--federal appropriation, the department may transfer
30 funds between programs I and P, except for funds that are otherwise
31 restricted in this act.

32 (3) \$27,278,000 of the motor vehicle account--federal appropriation
33 and \$1,141,000 of the motor vehicle account--state appropriation are
34 provided solely for the SR 167/Puyallup River Bridge Replacement
35 project (316725A). This project must be completed as a design-build
36 project. The department must work with local jurisdictions and the
37 community during the environmental review process to develop

1 appropriate esthetic design elements, at no additional cost to the
 2 department, and traffic management plans pertaining to this project.
 3 The department must report to the transportation committees of the
 4 legislature on estimated cost and/or time savings realized as a result
 5 of using the design-build process.

6 (4) \$1,371,000 of the motor vehicle account--federal appropriation,
 7 \$206,000 of the motor vehicle account--private/local appropriation, and
 8 \$72,000 of the motor vehicle account--state appropriation are provided
 9 solely for the SR 21/Keller Ferry Boat - Replace Boat project
 10 (602110J).

11 (5) \$60,000 of the motor vehicle account--federal appropriation is
 12 provided solely for the Seismic Bridges Program - High & Med. Risk
 13 (TPA) project (099955H).

14 (6) The department shall examine the use of electric arc furnace
 15 slag for use as an aggregate for new roads and paving projects in high
 16 traffic areas and report back to the legislature on its current use in
 17 other areas of the country and any characteristics that can provide
 18 greater wear resistance and skid resistance in new pavement
 19 construction.

20 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
 21 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

22	Motor Vehicle Account--State Appropriation	\$3,194,000
23	Motor Vehicle Account--Federal Appropriation	\$7,959,000
24	TOTAL APPROPRIATION	\$11,153,000

25 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
 26 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

27	Puget Sound Capital Construction Account--State	
28	Appropriation	\$53,506,000
29	Puget Sound Capital Construction Account--Federal	
30	Appropriation	\$92,648,000
31	Puget Sound Capital Construction Account--Private/Local	
32	Appropriation	\$1,145,000
33	Multimodal Transportation Account--State Appropriation . . .	\$1,534,000
34	Transportation 2003 Account (Nickel Account)--State	
35	Appropriation	\$107,446,000
36	TOTAL APPROPRIATION	\$256,279,000

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 appropriations in this section are provided solely for the projects and
5 activities as listed in LEAP Transportation Document 2013-2 ALL
6 PROJECTS as developed April 3, 2013, Program - Washington State Ferries
7 Capital Program (W).

8 (2) The Puget Sound capital construction account--state
9 appropriation includes up to \$20,000,000 in proceeds from the sale of
10 bonds authorized in RCW 47.10.843.

11 (3) \$107,138,000 of the transportation 2003 account (nickel
12 account)--state appropriation is provided solely for the acquisition of
13 two 144-car vessels (projects L2200038 and L2200039). The department
14 shall use as much already procured equipment as practicable on the 144-
15 car vessels.

16 (4) \$13,739,000 of the total appropriation is provided solely for
17 the Mukilteo ferry terminal (project 952515P). The department shall
18 seek additional federal funding for this project.

19 (5) \$4,395,000 of the Puget Sound capital construction account--
20 state appropriation is provided solely for emergency capital repair
21 costs (project 999910K).

22 (6) Consistent with RCW 47.60.662, which requires the Washington
23 state ferry system to collaborate with passenger-only ferry and transit
24 providers to provide service at existing terminals, the department
25 shall ensure that multimodal access, including for passenger-only
26 ferries and transit service providers, is not precluded by any future
27 modifications at the terminal.

28 (7) \$3,800,000 of the Puget Sound capital construction account--
29 state appropriation is provided solely for the reservation and
30 communications system projects (L200041 & L200042).

31 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **RAIL--PROGRAM Y--CAPITAL**

33	Essential Rail Assistance Account--State	
34	Appropriation	\$455,000
35	Transportation Infrastructure Account--State	
36	Appropriation	\$8,582,000
37	Multimodal Transportation Account--State	

1	Appropriation	\$40,978,000
2	Multimodal Transportation Account--Federal	
3	Appropriation	\$318,960,000
4	TOTAL APPROPRIATION	\$368,975,000

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

7 (1)(a) Except as provided otherwise in this section, the entire
8 appropriations in this section are provided solely for the projects and
9 activities as listed by project and amount in LEAP Transportation
10 Document 2013-2 ALL PROJECTS as developed April 3, 2013, Program - Rail
11 Capital Program (Y).

12 (b)(i) Within the amounts provided in this section, \$8,582,000 of
13 the transportation infrastructure account--state appropriation is for
14 low-interest loans through the freight rail investment bank program.
15 The department shall issue freight rail investment bank program loans
16 with a repayment period of no more than ten years, and only so much
17 interest as is necessary to recoup the department's costs to administer
18 the loans.

19 (ii) Within the amounts provided in this subsection, \$900,000 of
20 the transportation infrastructure account--state appropriation is for
21 a low-interest loan through the freight rail investment bank program to
22 the Port of Everett to upgrade and extend the on-dock rail to support
23 a new roll-on/roll-off facility.

24 (c) Within the amounts provided in this section, \$2,439,000 of the
25 multimodal transportation account--state appropriation and \$311,000 of
26 the essential rail assistance account--state appropriation are for
27 statewide emergent freight rail assistance projects.

28 (2)(a) When the department identifies a prospective rail project
29 that may have strategic significance for the state, or at the request
30 of a proponent of a prospective rail project or a member of the
31 legislature, the department shall evaluate the prospective project
32 according to the cost-benefit methodology developed during the 2008
33 interim using the legislative priorities specified in (b) of this
34 subsection. The department shall report its cost-benefit evaluation of
35 the prospective rail project, as well as the department's best estimate
36 of an appropriate construction schedule and total project costs, to the
37 office of financial management and the transportation committees of the
38 legislature.

1 (b) The legislative priorities to be used in the cost-benefit
2 methodology are, in order of relative importance:

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

5 (ii) Self-sustaining economic development that creates family-wage
6 jobs;

7 (iii) Preservation of transportation corridors that would otherwise
8 be lost;

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

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

13 (vi) Mitigation of impacts of increased rail traffic on
14 communities.

15 (3) \$309,460,000 of the multimodal transportation account--federal
16 appropriation and \$4,772,000 of the multimodal transportation account--
17 state appropriation are provided solely for expenditures related to
18 passenger high-speed rail grants. At one and one-half percent of the
19 total project funds, the multimodal transportation account--state funds
20 are provided solely for expenditures that are not federally
21 reimbursable. Funding in this subsection is the initial portion of
22 multiyear high-speed rail program grants awarded to Washington state
23 for high-speed intercity passenger rail investments. Funding will
24 allow for two additional round trips between Seattle and Portland and
25 other rail improvements.

26 (4) As allowable under federal rail authority rules and existing
27 competitive bidding practices, when purchasing new train sets, the
28 department shall give preference to bidders that propose train sets
29 with characteristics and maintenance requirements most similar to those
30 currently owned by the department.

31 (5) Funds generated by the grain train program are solely for
32 operating, sustaining, and enhancing the grain train program including,
33 but not limited to, operations, capital investments, inspection,
34 developing business plans for future growth, and fleet management. Any
35 funds deemed by the department, in consultation with relevant port
36 districts, to be in excess of current operating needs or capital
37 reserves of the grain train program may be transferred from the
38 miscellaneous program account to the essential rail assistance account

1 for the purpose of sustaining the grain train program through
2 maintaining the Palouse river and Coulee City railroad line, on which
3 the grain train program operates.

4 (6) \$144,000 of the essential rail assistance account--state
5 appropriation and \$2,299,000 of the multimodal transportation account--
6 state appropriation are provided solely for the purpose of
7 rehabilitation and maintenance of the Palouse river and Coulee City
8 railroad line.

9 (7) \$31,500,000 of the total appropriation is provided solely for
10 the purchase of two new train sets for the state-supported intercity
11 passenger rail service. The department shall apply for any federal
12 waivers required to purchase the new train sets, as allowable under
13 existing competitive bidding practices.

14 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION--**
15 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

16	Highway Infrastructure Account--State Appropriation	\$207,000
17	Highway Infrastructure Account--Federal	
18	Appropriation	\$1,602,000
19	Freight Mobility Investment Account--State	
20	Appropriation	\$11,794,000
21	Transportation Partnership Account--State	
22	Appropriation	\$7,214,000
23	Highway Safety Account--State Appropriation	\$11,255,000
24	Motor Vehicle Account--State Appropriation	\$6,868,000
25	Motor Vehicle Account--Federal Appropriation	\$32,413,000
26	Freight Mobility Multimodal Account--State	
27	Appropriation	\$9,736,000
28	Freight Mobility Multimodal Account--Private/Local	
29	Appropriation	\$1,320,000
30	Multimodal Transportation Account--State	
31	Appropriation	\$13,913,000
32	TOTAL APPROPRIATION	\$96,322,000

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

35 (1) Federal funds may be transferred from program Z to programs I
36 and P and state funds must be transferred from programs I and P to
37 program Z to replace those federal funds in a dollar-for-dollar match.

1 Fund transfers authorized under this subsection shall not affect
2 project prioritization status. Appropriations must initially be
3 allotted as appropriated in this act. The department may not transfer
4 funds as authorized under this subsection without approval of the
5 office of financial management. The department shall submit a report
6 on those projects receiving fund transfers to the office of financial
7 management and the transportation committees of the legislature by
8 December 1, 2013, and December 1, 2014.

9 (2) Except as provided otherwise in this section, the entire
10 appropriations in this section are provided solely for the projects and
11 activities as listed by project and amount in LEAP Transportation
12 Document 2013-2 ALL PROJECTS as developed April 3, 2013, Program -
13 Local program (Z).

14 (3) With each department budget submittal, the department shall
15 provide an update on the status of the repayment of the twenty million
16 dollars of unobligated federal funds authority advanced by the
17 department in September 2010 to the city of Tacoma for the Murray
18 Morgan/11th Street bridge project. The department may negotiate with
19 the city of Tacoma an agreement for repayment of the funds over a
20 period of up to twenty-five years at terms agreed upon by the
21 department and the city. The funds previously advanced by the
22 department to the city are not to be considered a general obligation of
23 the city but instead an obligation payable from identified revenues set
24 aside for the repayment of the funds. The department shall not weigh
25 the city's status of repayment against any competitive funding for
26 further repair or maintenance of the bridge for which the city would
27 otherwise be eligible.

28 (4)(a) In accordance with the distribution of federal
29 transportation funds agreement reached on October 23, 2012, \$12,160,000
30 of the multimodal transportation account--state appropriation,
31 \$8,805,000 of the highway safety account--state appropriation,
32 \$6,824,000 of the transportation partnership account--state
33 appropriation, and \$15,162,000 of the motor vehicle account--federal
34 appropriation are provided solely for the pedestrian and bicycle safety
35 program projects and safe routes to schools projects.

36 (b) Of the amounts appropriated in this subsection, \$11,700,000 of
37 the motor vehicle account--federal appropriation, \$5,200,000 of the
38 motor vehicle account--state appropriation, and \$6,800,000 of the

1 highway safety account--state appropriation are provided solely for
2 newly selected projects for the safe routes to school grant program.
3 The amount provided for new projects is intended to reflect the impact
4 of the fee increases in chapter 74, Laws of 2012 and chapter 80, Laws
5 of 2012 on the funding levels for new safe routes to school program
6 projects established by the 2011-2013 omnibus transportation
7 appropriations act. The motor vehicle account--state appropriation is
8 the amount made available by the repeal of the deduction from motor
9 vehicle fuel tax liability for handling losses of motor vehicle fuel,
10 which is provided by RCW 82.36.029.

11 (5) \$84,000 of the motor vehicle account--state appropriation,
12 \$3,250,000 of the motor vehicle account--federal appropriation,
13 \$2,450,000 of the highway safety account--state appropriation,
14 \$11,794,000 of the freight mobility investment account--state
15 appropriation, \$9,736,000 of the freight mobility multimodal account--
16 state appropriation, and \$1,320,000 of the freight mobility multimodal
17 account--private/local appropriation are provided solely for the
18 projects and activities as listed by project and amount in LEAP
19 Transportation Document 2013-C as developed April 3, 2013. If chapter
20 . . . (Substitute Senate Bill No. 5239), Laws of 2013 is enacted by
21 June 30, 2013, the amounts provided in this subsection lapse.

22 (6) Sufficient amounts are appropriated within this section to
23 implement chapter . . . (Substitute House Bill No. 1420), Laws of 2013
24 (public contracts for transportation improvement projects).

25 NEW SECTION. **Sec. 312. REPORTING REQUIREMENTS FOR CAPITAL**
26 **PROGRAM**

27 On a quarterly basis, the department of transportation shall
28 provide to the office of financial management and the legislative
29 transportation committees the following reports for all capital
30 programs:

31 (1) For active projects, the report must include:

32 (a) A TEIS version containing actual capital expenditures for all
33 projects consistent with the structure of the most recently enacted
34 budget;

35 (b) Anticipated cost savings, cost increases, reappropriations, and
36 schedule adjustments for all projects consistent with the structure of
37 the most recently enacted budget;

1 (c) The award amount, the engineer's estimate, and the number of
2 bidders for all active projects consistent with the structure of the
3 most recently enacted budget;

4 (d) Projected costs and schedule for individual projects that are
5 funded at a programmatic level for projects relating to bridge rail,
6 guard rail, fish passage barrier removal, roadside safety projects, and
7 seismic bridges. Projects within this programmatic level funding must
8 be completed on a priority basis and scoped to be completed within the
9 current programmatic budget;

10 (e) Highway projects that may be reduced in scope and still achieve
11 a functional benefit;

12 (f) Highway projects that have experienced scope increases and that
13 can be reduced in scope;

14 (g) Highway projects that have lost significant local or regional
15 contributions that were essential to completing the project; and

16 (h) Contingency amounts for all projects consistent with the
17 structure of the most recently enacted budget.

18 (2) For completed projects, the report must:

19 (a) Compare the original project cost estimates and schedule
20 approved in the transportation 2003 and 2005 transportation partnership
21 project lists to the completed cost of the project;

22 (b) Compare the costs and operationally complete date for projects
23 on the transportation 2003 and 2005 transportation partnership project
24 lists to the last legislatively adopted project list prior to the
25 completion of a project;

26 (c) Compare the costs and operationally complete date for projects
27 with budgets of twenty million dollars that are funded with preexisting
28 funds to the original project cost estimates and schedule; and

29 (d) Provide a list of nickel and TPA projects charging to the
30 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount
31 each project is charging.

32 (3) For prospective projects, the report must:

33 (a) Identify the estimated advertisement date for all projects
34 consistent with the structure of the most recently enacted budget that
35 are going to advertisement during the current biennium;

36 (b) Identify the anticipated operationally complete date for all
37 projects consistent with the structure of the most recently enacted
38 budget that are going to advertisement during the current biennium; and

1 (c) Identify the estimated cost of completion for all projects
2 consistent with the structure of the most recently enacted budget that
3 are going to advertisement during the current biennium.

4 NEW SECTION. **Sec. 313. FEDERAL FUNDS RECEIVED FOR CAPITAL**
5 **PROJECT EXPENDITURES**

6 To the greatest extent practicable, the department of
7 transportation shall expend federal funds received for capital project
8 expenditures before state funds.

9 **TRANSFERS AND DISTRIBUTIONS**

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

14	Transportation Partnership Account--State	
15	Appropriation	\$10,289,000
16	Motor Vehicle Account--State Appropriation	\$630,000
17	State Route Number 520 Corridor Account--State	
18	Appropriation	\$3,866,000
19	Highway Bond Retirement Account--State	
20	Appropriation	\$1,076,005,000
21	Ferry Bond Retirement Account--State Appropriation	\$31,824,000
22	Transportation Improvement Board Bond Retirement	
23	Account--State Appropriation	\$16,267,000
24	Nondebt-Limit Reimbursable Bond Retirement Account--State	
25	Appropriation	\$25,825,000
26	Toll Facility Bond Retirement Account--State	
27	Appropriation	\$52,050,000
28	Transportation 2003 Account (Nickel Account)--State	
29	Appropriation	\$1,969,000
30	Toll Facility Bond Retirement Account--Federal	
31	Appropriation	\$64,982,000
32	Special Category C Account--State Appropriation	\$2,000
33	TOTAL APPROPRIATION	\$1,283,709,000

1 (1) Recreational Vehicle Account--State
 2 Appropriation: For transfer to the Motor Vehicle
 3 Account--State \$1,300,000
 4 (2) Multimodal Transportation Account--State
 5 Appropriation: For transfer to the Puget Sound
 6 Ferry Operations Account--State \$13,000,000
 7 (3) Rural Mobility Grant Program Account--State
 8 Appropriation: For transfer to the Multimodal
 9 Transportation Account--State \$3,000,000
 10 (4) Motor Vehicle Account--State
 11 Appropriation: For transfer to the Special Category C
 12 Account--State \$1,500,000
 13 (5) Capital Vessel Replacement Account--State
 14 Appropriation: For transfer to the Transportation 2003
 15 Account (Nickel Account)--State \$7,702,000
 16 (6) Multimodal Transportation Account--State
 17 Appropriation: For transfer to the Public Transportation
 18 Grant Program Account--State \$26,000,000
 19 (7) Motor Vehicle Account--State Appropriation:
 20 For transfer to the Puget Sound Ferry Operations
 21 Account--State \$26,000,000
 22 (8) Motor Vehicle Account--State Appropriation:
 23 For transfer to the Puget Sound Capital Construction
 24 Account--State \$48,000,000
 25 (9) State Route Number 520 Civil Penalties
 26 Account--State Appropriation: For transfer to the
 27 State Route Number 520 Corridor Account--State \$886,000
 28 (10) Multimodal Transportation Account--State
 29 Appropriation: For transfer to the Highway Safety
 30 Account--State \$10,000,000
 31 (11) Motor Vehicle Account--State Appropriation:
 32 For transfer to the State Patrol Highway
 33 Account--State \$22,000,000
 34 (12) Multimodal Transportation Account--State
 35 Appropriation: For transfer to the State Patrol Highway
 36 Account--State \$5,000,000

1 NEW SECTION. **Sec. 408. FOR THE STATE TREASURER: FOR**
2 **DISTRIBUTION TO TRANSIT ENTITIES**

3 Public Transportation Grant Program Account--State

4 Appropriation \$26,000,000

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

7 (1) One-eighth of the appropriation in this section must be
8 distributed quarterly to transit authorities according to the
9 distribution formula in subsection (2) of this section. Funding must
10 be used for operations.

11 (2) Of the amounts provided in subsection (1) of this section:

12 (a) One-third must be distributed based on vehicle miles of service
13 provided;

14 (b) One-third must be distributed based on the number of vehicle
15 hours of service provided; and

16 (c) One-third must be distributed based on the number of passenger
17 trips.

18 (3) For the purposes of this section:

19 (a) "Transit authorities" has the same meaning as in RCW
20 9.91.025(2)(c).

21 (b) "Vehicle miles of service," "vehicle hours of service," and
22 "passenger trips" are transit service metrics as reported by the public
23 transportation program of the department of transportation in the
24 annual report required in RCW 35.58.2796 for calendar year 2011.

25 NEW SECTION. **Sec. 409. STATUTORY APPROPRIATIONS**

26 In addition to the amounts appropriated in this act for revenue for
27 distribution, state contributions to the law enforcement officers' and
28 firefighters' retirement system, and bond retirement and interest
29 including ongoing bond registration and transfer charges, transfers,
30 interest on registered warrants, and certificates of indebtedness,
31 there is also appropriated such further amounts as may be required or
32 available for these purposes under any statutory formula or under any
33 proper bond covenant made under law.

34 NEW SECTION. **Sec. 410.** The department of transportation is
35 authorized to undertake federal advance construction projects under the
36 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in

1 meeting approved highway construction and preservation objectives. The
2 legislature recognizes that the use of state funds may be required to
3 temporarily fund expenditures of the federal appropriations for the
4 highway construction and preservation programs for federal advance
5 construction projects prior to conversion to federal funding.

6 **COMPENSATION**

7 **NEW SECTION. Sec. 501. COLLECTIVE BARGAINING AGREEMENTS NOT**
8 **IMPAIRED**

9 Nothing in this act prohibits the expenditure of any funds by an
10 agency or institution of the state for benefits guaranteed by any
11 collective bargaining agreement in effect on the effective date of this
12 section.

13 **NEW SECTION. Sec. 502. COLLECTIVE BARGAINING AGREEMENTS**

14 Sections 503 through 516 of this act represent the results of the
15 2013-2015 collective bargaining process required under chapters 47.64,
16 41.80, and 41.56 RCW. Provisions of the collective bargaining
17 agreements contained in sections 503 through 516 of this act are
18 described in general terms. Only major economic terms are included in
19 the descriptions. These descriptions do not contain the complete
20 contents of the agreements. The collective bargaining agreements or
21 the continuation of terms and conditions of the 2011-2013 agreements
22 contained in sections 503 through 516 of this act may also be funded by
23 expenditures from nonappropriated accounts. If positions are funded
24 with lidded grants or dedicated fund sources with insufficient revenue,
25 additional funding from other sources is not provided.

26 **NEW SECTION. Sec. 503. DEPARTMENT OF TRANSPORTATION MARINE**
27 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--OPEIU**

28 An agreement has been reached between the governor and the office
29 and professional employees international union local eight (OPEIU)
30 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
31 Funding is provided for an additional step on the OPEIU salary
32 schedule. The agreement also includes a one percent salary increase
33 for all bargaining unit members effective July 1, 2014, through June

1 30, 2015, contingent on the state collecting \$200,000,000 or more in
2 unanticipated general fund--state revenue from increased economic
3 activity.

4 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**
5 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--FASPAA**

6 An agreement has been reached between the governor and the ferry
7 agents, supervisors, and project administrators association pursuant to
8 chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is
9 provided for a one percent salary increase for all bargaining unit
10 members beginning July 1, 2013, and a one percent salary increase for
11 all bargaining unit members beginning July 1, 2014.

12 NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE**
13 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--SEIU LOCAL 6**

14 An agreement has been reached between the governor and the service
15 employees international union local six pursuant to chapter 47.64 RCW
16 for the 2013-2015 fiscal biennium. Funding is provided for a new step
17 on the salary schedule. The agreement also includes a one percent
18 salary increase for all bargaining unit members effective July 1, 2014,
19 through June 30, 2015, contingent on the state collecting \$200,000,000
20 or more in unanticipated general fund--state revenue from economic
21 activity.

22 NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE**
23 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--CARPENTERS**

24 An agreement has been reached between the governor and the pacific
25 northwest regional council of carpenters pursuant to chapter 47.64 RCW
26 for the 2013-2015 fiscal biennium. Funding is provided for a one and
27 one-half percent salary increase for all bargaining unit members
28 beginning July 1, 2013, and a one and one-half percent salary increase
29 for all bargaining unit members beginning July 1, 2014.

30 NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE**
31 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--METAL TRADES**

32 An agreement has been reached between the governor and the Puget
33 Sound metal trades council through an interest arbitration decision
34 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.

1 Funding is provided for the awarded one and one-half percent salary
2 increase for all bargaining unit members beginning July 1, 2013, and a
3 one and one-half percent salary increase for all bargaining unit
4 members beginning July 1, 2014.

5 NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE**
6 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-UL**

7 An agreement has been reached between the governor and the marine
8 engineers' beneficial association unlicensed engine room employees
9 through an interest arbitration decision pursuant to chapter 47.64 RCW
10 for the 2013-2015 fiscal biennium. Funding is provided for the awarded
11 one percent salary increase for all bargaining unit members beginning
12 July 1, 2013, a one percent salary increase for all bargaining unit
13 members beginning July 1, 2014, and additional vacation accrual
14 beginning July 1, 2014.

15 NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE**
16 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-L**

17 An agreement has been reached between the governor and the marine
18 engineers' beneficial association licensed engineer officers through an
19 interest arbitration decision pursuant to chapter 47.64 RCW for the
20 2013-2015 fiscal biennium. Funding is provided for the awarded one
21 percent salary increase for all bargaining unit members beginning July
22 1, 2013, a one percent salary increase for all bargaining unit members
23 beginning July 1, 2014, and additional vacation accrual beginning July
24 1, 2014.

25 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**
26 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MATES**

27 An agreement has been reached between the governor and the masters,
28 mates, and pilots - mates through an interest arbitration decision
29 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
30 Funding is provided for the awarded three percent salary increase for
31 all bargaining unit members beginning July 1, 2014, additional pay for
32 relief employees, increased uniform allowance, and increased Friday
33 Harbor relief pay.

1 NEW__SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**
2 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MASTERS**

3 An agreement has been reached between the governor and the masters,
4 mates, and pilots - masters through an interest arbitration decision
5 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
6 Funding is provided for a one percent salary increase for all
7 bargaining unit members beginning July 1, 2013, a one percent salary
8 increase for all bargaining unit members beginning July 1, 2014, relief
9 assignment pay for all compensated hours beginning July 1, 2014,
10 increased uniform allowance, increased license renewal allowance, and
11 increased Friday Harbor relief pay.

12 NEW__SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**
13 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P WATCH SUPERVISORS**

14 An agreement has been reached between the governor and the masters,
15 mates, and pilots - watch supervisors through an interest arbitration
16 decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal
17 biennium. Funding is provided for the awarded 16.125 percent salary
18 increase for all bargaining unit members beginning July 1, 2013, and a
19 16.125 percent salary increase for all bargaining unit members
20 beginning July 1, 2014.

21 NEW__SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
22 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--IBU**

23 An agreement has been reached between the governor and the
24 inlandboatmen's union of the pacific pursuant to chapter 47.64 RCW for
25 the 2013-2015 fiscal biennium. Funding is provided for an eighteen
26 percent increase for entry-level wage rates for all bargaining unit
27 members beginning July 1, 2013. For all other wage rates, funding is
28 provided to increase rates two and one-half percent for all bargaining
29 unit members beginning July 1, 2013, and to increase rates two and one-
30 half percent for all bargaining unit members beginning July 1, 2014.
31 Funding is also provided for marine license fees.

32 NEW__SECTION. **Sec. 514. COLLECTIVE BARGAINING AGREEMENTS--PTE**
33 **LOCAL 17**

34 An agreement has been reached between the governor and the
35 professional and technical employees local seventeen under chapter

1 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to
2 add a longevity step. The agreement also includes a one percent salary
3 increase for all bargaining unit members effective July 1, 2014,
4 through June 30, 2015, contingent on the state collecting \$200,000,000
5 or more in unanticipated general fund--state revenue from increased
6 economic activity.

7 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENTS--WSP**
8 **TROOPERS ASSOCIATION**

9 An agreement has been reached between the governor and the
10 Washington state patrol troopers association through an interest
11 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal
12 biennium. Funding is provided for the awarded three percent salary
13 increase for all bargaining unit members effective July 1, 2013, and a
14 one percent increase to longevity pay for years five through nine
15 effective July 1, 2014.

16 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENTS--WSP**
17 **LIEUTENANTS ASSOCIATION**

18 An agreement has been reached between the governor and the
19 Washington state patrol lieutenants association through an interest
20 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal
21 biennium. Funding is provided for the awarded three percent salary
22 increase for all bargaining unit members effective July 1, 2014, and
23 for parking of department-issued vehicles for employees assigned
24 vehicles at the general administration building or capitol campus.

25 NEW SECTION. **Sec. 517. COMPENSATION--REPRESENTED EMPLOYEES--**
26 **SUPER COALITION--INSURANCE BENEFITS**

27 No agreement has been reached between the governor and the health
28 care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal
29 biennium. Appropriations in this act for state agencies, including
30 institutions of higher education, are sufficient to continue the
31 provisions of the 2011-2013 collective bargaining agreement and are
32 subject to the following conditions and limitations:

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

1 uniform medical plan must not exceed \$809 per eligible employee for
2 fiscal year 2014. For fiscal year 2015, the monthly employer funding
3 rate must not exceed \$820 per eligible employee.

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

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

16 (2) The health care authority, subject to the approval of the
17 public employees' benefits board, shall provide subsidies for health
18 benefit premiums to eligible retired or disabled public employees and
19 school district employees who are eligible for medicare, pursuant to
20 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
21 \$150.00 per month.

22 NEW SECTION. **Sec. 518. COMPENSATION--REPRESENTED EMPLOYEES**
23 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS**

24 Appropriations for state agencies in this act are sufficient for
25 represented employees outside the super coalition for health benefits
26 and are subject to the following conditions and limitations:

27 (1)(a) The monthly employer funding rate for insurance benefit
28 premiums, public employees' benefits board administration, and the
29 uniform medical plan must not exceed \$809 per eligible employee for
30 fiscal year 2014. For fiscal year 2015, the monthly employer funding
31 rate must not exceed \$820 per eligible employee.

32 (b) In order to achieve the level of funding provided for health
33 benefits, the public employees' benefits board shall require any of the
34 following: Employee premium copayments; increases in point-of-service
35 cost sharing; the implementation of managed competition; or other
36 changes to benefits consistent with RCW 41.05.065.

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

8 (2) The health care authority, subject to the approval of the
9 public employees' benefits board, shall provide subsidies for health
10 benefit premiums to eligible retired or disabled public employees and
11 school district employees who are eligible for medicare, pursuant to
12 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
13 \$150.00 per month.

14 NEW SECTION. **Sec. 519. COMPENSATION--NONREPRESENTED EMPLOYEES--**
15 **INSURANCE BENEFITS**

16 Appropriations for state agencies in this act are sufficient for
17 nonrepresented state employee health benefits for state agencies,
18 including institutions of higher education, and are subject to the
19 following conditions and limitations:

20 (1)(a) The monthly employer funding rate for insurance benefit
21 premiums, public employees' benefits board administration, and the
22 uniform medical plan must not exceed \$809 per eligible employee for
23 fiscal year 2014. For fiscal year 2015, the monthly employer funding
24 rate must not exceed \$820 per eligible employee.

25 (b) In order to achieve the level of funding provided for health
26 benefits, the public employees' benefits board shall require any of the
27 following: Employee premium copayments; increases in point-of-service
28 cost sharing; the implementation of managed competition; or make other
29 changes to benefits consistent with RCW 41.05.065.

30 (c) The health care authority shall deposit any moneys received on
31 behalf of the uniform medical plan as a result of rebates on
32 prescription drugs, audits of hospitals, subrogation payments, or any
33 other moneys recovered as a result of prior uniform medical plan claims
34 payments into the public employees' and retirees' insurance account to
35 be used for insurance benefits. Such receipts must not be used for
36 administrative expenditures.

1 (2) The health care authority, subject to the approval of the
2 public employees' benefits board, shall provide subsidies for health
3 benefit premiums to eligible retired or disabled public employees and
4 school district employees who are eligible for medicare, pursuant to
5 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
6 \$150.00 per month.

7 NEW SECTION. **Sec. 520. COMPENSATION--NONREPRESENTED EMPLOYEES--**
8 **SALARIES AND WAGES**

9 For classified state employees, except those within the Washington
10 management service and those represented by a bargaining unit under
11 chapter 41.80, 41.56, or 47.64 RCW, funding is provided within agency
12 appropriations for implementation of a longevity step, in accordance
13 with rules adopted under RCW 41.06.133.

14 **Sec. 521.** RCW 47.64.170 and 2011 c 367 s 712 are each amended to
15 read as follows:

16 (1) Any ferry employee organization certified as the bargaining
17 representative shall be the exclusive representative of all ferry
18 employees in the bargaining unit and shall represent all such employees
19 fairly.

20 (2) A ferry employee organization or organizations and the governor
21 may each designate any individual as its representative to engage in
22 collective bargaining negotiations.

23 (3) Negotiating sessions, including strategy meetings of the
24 employer or employee organizations, mediation, and the deliberative
25 process of arbitrators are exempt from the provisions of chapter 42.30
26 RCW. Hearings conducted by arbitrators may be open to the public by
27 mutual consent of the parties.

28 (4) Terms of any collective bargaining agreement may be enforced by
29 civil action in Thurston county superior court upon the initiative of
30 either party.

31 (5) Ferry system employees or any employee organization shall not
32 negotiate or attempt to negotiate directly with anyone other than the
33 person who has been appointed or authorized a bargaining representative
34 for the purpose of bargaining with the ferry employees or their
35 representative.

1 (6)(a) Within ten working days after the first Monday in September
2 of every odd-numbered year, the parties shall attempt to agree on an
3 interest arbitrator to be used if the parties are not successful in
4 negotiating a comprehensive collective bargaining agreement. If the
5 parties cannot agree on an arbitrator within the ten-day period, either
6 party may request a list of seven arbitrators from the federal
7 mediation and conciliation service. The parties shall select an
8 interest arbitrator using the coin toss/alternate strike method within
9 thirty calendar days of receipt of the list. Immediately upon
10 selecting an interest arbitrator, the parties shall cooperate to
11 reserve dates with the arbitrator for potential arbitration between
12 August 1st and September 15th of the following even-numbered year. The
13 parties shall also prepare a schedule of at least five negotiation
14 dates for the following year, absent an agreement to the contrary. The
15 parties shall execute a written agreement before November 1st of each
16 odd-numbered year setting forth the name of the arbitrator and the
17 dates reserved for bargaining and arbitration. This subsection (6)(a)
18 imposes minimum obligations only and is not intended to define or limit
19 a party's full, good faith bargaining obligation under other sections
20 of this chapter.

21 (b) The negotiation of a proposed collective bargaining agreement
22 by representatives of the employer and a ferry employee organization
23 shall commence on or about February 1st of every even-numbered year.

24 (c) For negotiations covering the 2009-2011 biennium and subsequent
25 biennia, the time periods specified in this section, and in RCW
26 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of
27 all agreements on or before October 1st of the even-numbered year next
28 preceding the biennial budget period during which the agreement should
29 take effect. These time periods may only be altered by mutual
30 agreement of the parties in writing. Any such agreement and any
31 impasse procedures agreed to by the parties under RCW 47.64.200 must
32 include an agreement regarding the new time periods that will allow
33 final resolution by negotiations or arbitration by October 1st of each
34 even-numbered year.

35 (7) It is the intent of this section that the collective bargaining
36 agreement or arbitrator's award shall commence on July 1st of each odd-
37 numbered year and shall terminate on June 30th of the next odd-numbered
38 year to coincide with the ensuing biennial budget year, as defined by

1 RCW 43.88.020(7), to the extent practical. It is further the intent of
2 this section that all collective bargaining agreements be concluded by
3 October 1st of the even-numbered year before the commencement of the
4 biennial budget year during which the agreements are to be in effect.
5 After the expiration date of a collective bargaining agreement
6 negotiated under this chapter, except to the extent provided in
7 subsection (11) of this section and RCW 47.64.270(4), all of the terms
8 and conditions specified in the collective bargaining agreement remain
9 in effect until the effective date of a subsequently negotiated
10 agreement, not to exceed one year from the expiration date stated in
11 the agreement. Thereafter, the employer may unilaterally implement
12 according to law.

13 (8) The office of financial management shall conduct a salary
14 survey, for use in collective bargaining and arbitration, which must be
15 conducted through a contract with a firm nationally recognized in the
16 field of human resources management consulting.

17 (9) Except as provided in subsection (11) of this section:

18 (a) The governor shall submit a request either for funds necessary
19 to implement the collective bargaining agreements including, but not
20 limited to, the compensation and fringe benefit provisions or for
21 legislation necessary to implement the agreement, or both. Requests
22 for funds necessary to implement the collective bargaining agreements
23 shall not be submitted to the legislature by the governor unless such
24 requests:

25 (i) Have been submitted to the director of the office of financial
26 management by October 1st before the legislative session at which the
27 requests are to be considered; and

28 (ii) Have been certified by the director of the office of financial
29 management as being feasible financially for the state.

30 (b) The governor shall submit a request either for funds necessary
31 to implement the arbitration awards or for legislation necessary to
32 implement the arbitration awards, or both. Requests for funds
33 necessary to implement the arbitration awards shall not be submitted to
34 the legislature by the governor unless such requests:

35 (i) Have been submitted to the director of the office of financial
36 management by October 1st before the legislative session at which the
37 requests are to be considered; and

1 (ii) Have been certified by the director of the office of financial
2 management as being feasible financially for the state.

3 (c) The legislature shall approve or reject the submission of the
4 request for funds necessary to implement the collective bargaining
5 agreements or arbitration awards as a whole for each agreement or
6 award. The legislature shall not consider a request for funds to
7 implement a collective bargaining agreement or arbitration award unless
8 the request is transmitted to the legislature as part of the governor's
9 budget document submitted under RCW 43.88.030 and 43.88.060. If the
10 legislature rejects or fails to act on the submission, either party may
11 reopen all or part of the agreement and award or the exclusive
12 bargaining representative may seek to implement the procedures provided
13 for in RCW 47.64.210 and 47.64.300.

14 (10) If, after the compensation and fringe benefit provisions of an
15 agreement are approved by the legislature, a significant revenue
16 shortfall occurs resulting in reduced appropriations, as declared by
17 proclamation of the governor or by resolution of the legislature, both
18 parties shall immediately enter into collective bargaining for a
19 mutually agreed upon modification of the agreement.

20 (11)(a) For the collective bargaining agreements negotiated for the
21 2011-2013 fiscal biennium, the legislature may consider a request for
22 funds to implement a collective bargaining agreement even if the
23 request for funds was not received by the office of financial
24 management by October 1st and was not transmitted to the legislature as
25 part of the governor's budget document submitted under RCW 43.88.030
26 and 43.88.060.

27 (b) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective
28 bargaining agreement related to employee health care benefits
29 negotiated between the employer and coalition pursuant to RCW
30 41.80.020(3) regarding the dollar amount expended on behalf of each
31 employee must be a separate agreement for which the governor may
32 request funds necessary to implement the agreement. ~~((If such an
33 agreement is negotiated and funded by the legislature, this agreement
34 will supersede any terms and conditions of an expired 2009-2011
35 biennial master collective bargaining agreement under this chapter
36 regarding health care benefits.))~~ The legislature may act upon a 2013-
37 2015 collective bargaining agreement related to employee health care
38 benefits if an agreement is reached and submitted to the office of

1 financial management and legislative budget committees before final
2 legislative action on the biennial or supplemental operating budget by
3 the sitting legislature.

4 (c) For the collective bargaining agreements negotiated for the
5 2013-2015 fiscal biennium, the legislature may consider a request for
6 funds to implement a collective bargaining agreement reached after
7 October 1st after a determination of financial infeasibility by the
8 director of the office of financial management if the request for funds
9 is transmitted to the legislature as part of the governor's budget
10 document submitted under RCW 43.88.030 and 43.88.060.

11 **Sec. 522.** RCW 47.64.270 and 2011 c 367 s 713 are each amended to
12 read as follows:

13 (1) The employer and one coalition of all the exclusive bargaining
14 representatives subject to this chapter and chapter 41.80 RCW shall
15 conduct negotiations regarding the dollar amount expended on behalf of
16 each employee for health care benefits.

17 (2) Absent a collective bargaining agreement to the contrary, the
18 department of transportation shall provide contributions to insurance
19 and health care plans for ferry system employees and dependents, as
20 determined by the state health care authority, under chapter 41.05 RCW.

21 (3) The employer and employee organizations may collectively
22 bargain for insurance plans other than health care benefits, and
23 employer contributions may exceed that of other state agencies as
24 provided in RCW 41.05.050.

25 (4) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective
26 bargaining agreement related to employee health care benefits
27 negotiated between the employer and coalition pursuant to RCW
28 41.80.020(3) regarding the dollar amount expended on behalf of each
29 employee must be a separate agreement for which the governor may
30 request funds necessary to implement the agreement. ~~((If such an
31 agreement is negotiated and funded by the legislature, this agreement
32 will supersede any terms and conditions of an expired 2009-2011
33 biennial collective bargaining agreement under this chapter regarding
34 health care benefits.))~~

1 **IMPLEMENTING PROVISIONS**

2 **NEW SECTION. Sec. 601. STAFFING LEVELS**

3 (1) As the department of transportation completes delivery of the
4 projects funded by the 2003 and 2005 transportation revenue packages,
5 it is clear that the current staffing levels necessary to deliver these
6 projects are not sustainable into the future. Therefore, the
7 department is directed to quickly move forward to develop and implement
8 new business practices so that a smaller, more nimble state workforce
9 can effectively and efficiently deliver transportation improvement
10 programs as they are approved in the future, in strong partnership with
11 the private sector, while protecting the public's interests and assets.

12 (2) To this end, the department of transportation is directed to
13 reduce the size of its engineering and technical workforce to a level
14 sustained by current law revenue levels currently estimated at two
15 thousand FTEs by the end of the 2013-2015 fiscal biennium. The
16 department's current two thousand eight hundred FTE engineering and
17 technical workforce levels for highway construction will be reduced in
18 the 2011-2013 fiscal biennium, with a target of two thousand four
19 hundred FTEs by June 30, 2013, and to a level of two thousand FTEs by
20 June 30, 2015. The department shall submit a report on the progress
21 made in 2011-2013 by July 1, 2013.

22 (3) In order to successfully deliver the highway construction
23 program as funded, the department of transportation may continue to
24 contract out engineering and technical services. In addition, the
25 department may continue the incentive program for retirements and
26 employee separations.

27 **NEW SECTION. Sec. 602. FUND TRANSFERS**

28 (1) The transportation 2003 projects or improvements and the 2005
29 transportation partnership projects or improvements are listed in the
30 LEAP list titled 2013-1 as developed April 3, 2013, which consists of
31 a list of specific projects by fund source and amount over a sixteen-
32 year period. Current fiscal biennium funding for each project is a
33 line-item appropriation, while the outer year funding allocations
34 represent a sixteen-year plan. The department is expected to use the
35 flexibility provided in this section to assist in the delivery and
36 completion of all transportation partnership account and transportation
37 2003 account (nickel account) projects on the LEAP transportation

1 documents referenced in this act. For the 2011-2013 and 2013-2015
2 project appropriations, unless otherwise provided in this act, the
3 director of financial management may authorize a transfer of
4 appropriation authority between projects funded with transportation
5 2003 account (nickel account) appropriations, or transportation
6 partnership account appropriations, in order to manage project spending
7 and efficiently deliver all projects in the respective program under
8 the following conditions and limitations:

9 (a) Transfers may only be made within each specific fund source
10 referenced on the respective project list;

11 (b) Transfers from a project may not be made as a result of the
12 reduction of the scope of a project or be made to support increases in
13 the scope of a project;

14 (c) Each transfer between projects may only occur if the director
15 of financial management finds that any resulting change will not hinder
16 the completion of the projects as approved by the legislature;

17 (d) Transfers from a project may be made if the funds appropriated
18 to the project are in excess of the amount needed to complete the
19 project;

20 (e) Transfers may not occur for projects not identified on the
21 applicable project list;

22 (f) Transfers may not be made while the legislature is in session;
23 and

24 (g) Transfers between projects may be made by the department of
25 transportation until the transfer amount by project exceeds two hundred
26 fifty thousand dollars, or ten percent of the total project, whichever
27 is less. These transfers must be reported quarterly to the director of
28 financial management and the chairs of the house of representatives and
29 senate transportation committees.

30 (2) At the time the department submits a request to transfer funds
31 under this section, a copy of the request must be submitted to the
32 transportation committees of the legislature.

33 (3) The office of financial management shall work with legislative
34 staff of the house of representatives and senate transportation
35 committees to review the requested transfers in a timely manner.

36 (4) The office of financial management shall document approved
37 transfers and schedule changes in the transportation executive
38 information system, compare changes to the legislative baseline funding

1 and schedules identified by project identification number identified in
2 the LEAP transportation documents referenced in this act, and transmit
3 revised project lists to chairs of the transportation committees of the
4 legislature on a quarterly basis.

5 NEW SECTION. **Sec. 603. CAPITAL BUDGETING EVALUATION**

6 The office of financial management shall convene a work group by
7 June 2013 to evaluate the financial oversight of department of
8 transportation capital projects when the legislature is not in session.
9 Representatives of the group must include office of financial
10 management staff, house of representatives and senate transportation
11 committee staff, department of transportation capital budget
12 representatives, joint transportation committee staff, and house of
13 representatives and senate caucus staff. Legislative staff may provide
14 technical assistance and other research services to the work group but
15 may not participate in policy decisions or recommendations. The group
16 shall develop recommendations for 2015-2017 budget instructions,
17 reporting enhancements, and budget system improvements, and make other
18 recommendations in order to enhance the transparency and accountability
19 of department of transportation capital projects.

20 NEW SECTION. **Sec. 604. ACQUISITION OF PROPERTIES AND FACILITIES**
21 **THROUGH FINANCIAL CONTRACTS**

22 (1) The following agencies may enter into financial contracts, paid
23 from any funds of an agency, appropriated or nonappropriated, for the
24 purposes indicated and in not more than the principal amounts
25 indicated, plus financing expenses and required reserves pursuant to
26 chapter 39.94 RCW. When securing properties under this section,
27 agencies shall use the most economical financial contract option
28 available, including long-term leases, lease-purchase agreements,
29 lease-development with option to purchase agreements, or financial
30 contracts using certificates of participation. Expenditures made by an
31 agency for one of the indicated purposes before the issue date of the
32 authorized financial contract and any certificates of participation
33 therein are intended to be reimbursed from proceeds of the financial
34 contract and any certificates of participation therein to the extent
35 provided in the agency's financing plan approved by the state finance
36 committee.

1 (2) State agencies may enter into agreements with the department of
2 enterprise services and the state treasurer's office to develop
3 requests to the legislature for the acquisition of properties and
4 facilities through financial contracts. The agreements may include
5 charges for services rendered.

6 (a) Department of transportation: Enter into a financing contract
7 for up to \$13,425,000 plus financing expenses and required reserves
8 pursuant to chapter 39.94 RCW for the design and construction of a
9 traffic management center.

10 (b) Washington state patrol: Enter into a financing contract for
11 up to \$4,680,000 plus financing expenses and required reserves pursuant
12 to chapter 39.94 RCW to purchase and install mobile office platforms in
13 state patrol and pursuit vehicles.

14 NEW SECTION. **Sec. 605. MEGA-PROJECT REPORTING**

15 Mega-projects are defined as individual or groups of related
16 projects that cost \$1,000,000,000 or more. These projects include, but
17 are not limited to: Alaskan Way viaduct, SR 520, SR 167, I-405, North
18 Spokane corridor, I-5 Tacoma HOV, I-90 Snoqualmie Pass, and the
19 Columbia river crossing. The department of transportation shall track
20 mega-projects and report the financial status and schedule of these
21 projects at least quarterly to the transportation committees of the
22 legislature and the office of financial management. The design of
23 mega-projects must be evaluated considering cost, capacity, safety,
24 mobility needs, and how well the design of the facility fits within its
25 urban environment.

26 NEW SECTION. **Sec. 606.** (1) The department of transportation shall
27 prepare an updated facilities and property plan to improve the
28 oversight of real estate procurement and property management across all
29 department programs and regions, including the Washington state
30 ferries. The plan must be submitted to the office of financial
31 management and the transportation committees of the legislature by
32 December 31, 2013. The plan must include:

33 (a) An inventory of all currently owned and leased buildings,
34 including tunnel and bridge operation or maintenance facilities, and
35 traffic management centers as provided by the state's facilities

1 inventory process prescribed by the office of financial management
2 annually by September 1st;

3 (b) A land inventory, as of October 2013, including an indication
4 of whether the land is being held for right-of-way, disposition, or
5 future operational facilities;

6 (c) A prioritized list of all facilities that are planned to be
7 constructed, renovated, or remodeled in the next ten years, including
8 each facilities' purpose and use, and the funding source indicating
9 whether the funding that is assumed for the facility improvements is
10 project or operational funding;

11 (d) A list of options for consolidating staff, equipment, and
12 operational activities to reduce costs with an emphasis on
13 consolidating facilities from leased facilities into state-owned
14 facilities. New locations for a permanent state program or activity,
15 unless a life-cycle cost analysis supports leasing in lieu of ownership
16 or funds are not available for construction, should be state-owned
17 facilities;

18 (e) A department-wide coordinated process and plan for regularly
19 evaluating facility needs, which includes all facilities in the
20 inventory under (a) of this subsection; and

21 (f) A list of department-owned property that can be declared
22 surplus property.

23 (2) Except as provided otherwise in this act, the department of
24 transportation may not enter into new leases, equal value exchanges, or
25 property transactions, including land acquisitions, except for right-
26 of-way purchases for projects on the legislative project lists, without
27 first consulting with the office of financial management.

28 **NEW SECTION. Sec. 607. FOR THE DEPARTMENT OF TRANSPORTATION**

29 As part of its 2014 supplemental budget submittal, the department
30 shall provide a report to the legislature and the office of financial
31 management that:

32 (1) Identifies, by capital project, the amount of state funding
33 that has been reappropriated from the 2011-2013 fiscal biennium into
34 the 2013-2015 fiscal biennium; and

35 (2) Identifies, for each project, the amount of cost savings or
36 increases in funding that have been identified as compared to the 2013
37 enacted omnibus transportation appropriations act.

1 NEW SECTION. **Sec. 608. FOR THE DEPARTMENT OF TRANSPORTATION**

2 As part of its annual budget submittal, the department shall
3 provide an annual update to the legislature and the office of financial
4 management that:

5 (1) Compares the original project cost estimates approved in the
6 transportation 2003 and 2005 transportation partnership project lists
7 to the completed cost of the project, or the most recent legislatively
8 approved budget and total project costs for projects not yet completed;

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

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

13 (4) Identifies highway projects that have lost significant local or
14 regional contributions that were essential to completing the project;
15 and

16 (5) Identifies contingency amounts allocated to projects.

17 NEW SECTION. **Sec. 609.** The department of transportation, in
18 conjunction with the office of minority and women's business
19 enterprises, shall review existing minority and women's business
20 enterprise inclusion plans that have been implemented in the state of
21 Washington or other states at the local or state level for project
22 contracts. The review must also: Analyze and recommend what contract
23 amount levels would benefit from an inclusion plan as part of the
24 contract bidding process; determine whether the inclusion plan would
25 replace or complement existing outreach plans; develop options for how
26 to determine market availability of qualified firms; develop options
27 for how bidders would establish their goals in their project bid
28 submittals; and, for project bid scoring, how the processes work for
29 market place availability, identification of women and minority-owned
30 enterprises to be utilized during the project time frame, and
31 contractor past performance in achieving market place availability.
32 The review must include options for post-project review of actual
33 results compared with the inclusion plan submitted with the original
34 bid documents. The review must also include options with advantages
35 and disadvantages of using a minority and women's business enterprise
36 expert in the bid process. A report is due to the transportation
37 committees of the legislature by December 1, 2013.

1 NEW SECTION. **Sec. 610. VOLUNTARY RETIREMENT AND SEPARATION**
2 **INCENTIVES**

3 As a management tool to reduce costs and make more effective use of
4 resources, while improving employee productivity and morale, agencies
5 may implement a voluntary retirement and/or separation program that is
6 cost neutral or results in cost savings, including costs to the state
7 pension systems, over a two-year period following the commencement of
8 the program, provided that the program is approved by the director of
9 financial management. Agencies participating in this authorization may
10 offer voluntary retirement and/or separation incentives and options
11 according to procedures and guidelines established by the office of
12 financial management, in consultation with the office of the state
13 human resources director and the department of retirement systems. The
14 options may include, but are not limited to, financial incentives for
15 voluntary separation or retirement. An employee does not have any
16 contractual right to a financial incentive offered pursuant to this
17 section. Offers must be reviewed and monitored jointly by the office
18 of the state human resources director and the department of retirement
19 systems. Agencies must submit a report by July 30, 2015, to the
20 legislature and the office of financial management on the outcome of
21 their approved incentive program. The report should include
22 information on the details of the program, including the incentive
23 payment amount for each participant, the total cost to the state, and
24 the projected or actual net dollar savings over the two-year period.

25 The department of retirement systems may collect from employers the
26 actuarial cost of any incentive provided under this program, or any
27 other incentive to retire provided by employers to members of the
28 state's pension systems, for deposit in the appropriate pension
29 account.

30 NEW SECTION. **Sec. 611. COMPENSATION--REVISE PENSION CONTRIBUTION**
31 **RATES**

32 The appropriations for school districts and state agencies,
33 including institutions of higher education, are subject to the
34 following conditions and limitations: Appropriations are adjusted to
35 reflect changes to agency appropriations to reflect pension
36 contribution rates adopted by the pension funding council and the law
37 enforcement officers' and firefighters' retirement system plan 2 board.

1 NEW SECTION. **Sec. 612.** The department of transportation may
2 provide up to \$3,000,000 in toll credits to Kitsap Transit for its role
3 in passenger-only ferry service and ferry corridor-related projects.
4 The number of toll credits provided must be equal to, but no more than,
5 the number sufficient to meet federal match requirements for grant
6 funding for passenger-only ferry service, but must not exceed the
7 amount authorized in this section.

8 NEW SECTION. **Sec. 613.** (1) The department of transportation
9 shall, in consultation with local governments, metropolitan planning
10 organizations, and other transportation stakeholders:

11 (a) Review the responsibilities given to the state, counties, and
12 cities for improvement, maintenance, and management of the highway
13 system and the resources available to each level of government and make
14 recommendations to the transportation committees of the legislature to
15 better align resources and responsibilities;

16 (b) Review best practices for stakeholder involvement in
17 transportation decision-making;

18 (c) Identify opportunities to achieve greater program efficiency in
19 the delivery of transportation services and programs through
20 intergovernmental cooperation;

21 (d) Study national best practices for improving the delivery of
22 metropolitan transportation services through enhanced regional
23 decision-making; and

24 (e) Prepare legislation to implement recommendations developed
25 under this section for introduction in the 2014 or 2015 legislative
26 session.

27 (2)(a) As used in this section, "least-cost planning" means a
28 process of comparing direct and indirect costs of demand and supply
29 options to meet transportation goals, policies, or both, where the
30 intent of the process is to identify the most cost-effective mix of
31 options.

32 (b) The department of transportation shall, in consultation with
33 local governments and metropolitan planning organizations, develop a
34 least-cost planning model for use as a decision-making tool in the
35 development of plans and projects at both the state and regional level.

36 (3) The department of transportation shall work with stakeholders
37 to review and update the criteria used to select projects within the

1 statewide transportation improvement program. When revising the
2 project selection criteria, the department shall consider whether the
3 project:

4 (a) Improves the state highway system or major access routes to the
5 state highway system on the local road system to relieve congestion by
6 expanding capacity, enhancing operations, or otherwise improving travel
7 times within high-congestion corridors;

8 (b) Enhances the safety of the traveling public by decreasing
9 traffic crash rates, promoting the efficient movement of people and
10 goods, and preserving the public investment in the transportation
11 system;

12 (c) Increases the operational effectiveness and reliability of the
13 existing system by using technological innovation, providing linkages
14 to other existing components of the transportation system, and
15 relieving congestion;

16 (d) Is capable of being implemented to reduce the need for
17 additional highway projects;

18 (e) Improves the condition, connectivity, and capacity of freight-
19 reliant infrastructure serving the state;

20 (f) Supports improvements necessary for the state's economic growth
21 and competitiveness, accessibility to industries, and economic
22 development;

23 (g) Provides the greatest benefit in relation to project costs;

24 (h) Fosters livable communities by demonstrating that the
25 investment does not undermine sustainable urban development;

26 (i) Enhances the value of transportation projects through designs
27 and development that reflect environmental stewardship and community
28 sensitivity; and

29 (j) Is consistent with the state's greenhouse gas emissions
30 reduction goals established in RCW 70.235.020 and reduces the state's
31 dependence on foreign oil.

32 (4) The department of transportation shall adopt rules, taking into
33 consideration the following:

34 (a) Incorporating environmental performance standards into the
35 design and construction of all state highway construction projects,
36 including local government highway construction projects funded by the
37 department;

1 (b) Improving the environmental permitting process for state
2 highway construction projects in order to:

3 (i) Reduce the time required to design projects and obtain
4 environmental permits;

5 (ii) Reduce the cost and delay associated with redesigning projects
6 to meet environmental requirements;

7 (iii) Maintain a strong commitment to environmental stewardship;
8 and

9 (iv) Reduce the state's dependence on foreign oil; and

10 (c) Incorporate access for bicycle and pedestrian amenities as
11 appropriate.

12 (5) The department of transportation shall implement transportation
13 design practices that follow the concept of practical design.
14 Practical design standards should incorporate maximum flexibility in
15 application of standards that reduce the cost of project delivery while
16 preserving and enhancing safety and mobility.

17 NEW SECTION. **Sec. 614.** To the extent that any appropriation
18 authorizes expenditures of state funds from the motor vehicle account,
19 special category C account, Tacoma Narrows toll bridge account,
20 transportation 2003 account (nickel account), transportation
21 partnership account, transportation improvement account, Puget Sound
22 capital construction account, multimodal transportation account, state
23 route number 520 corridor account, or other transportation capital
24 project account in the state treasury for a state transportation
25 program that is specified to be funded with proceeds from the sale of
26 bonds authorized in chapter 47.10 RCW, the legislature declares that
27 any such expenditures made prior to the issue date of the applicable
28 transportation bonds for that state transportation program are intended
29 to be reimbursed from proceeds of those transportation bonds in a
30 maximum amount equal to the amount of such appropriation.

31 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

32 **Sec. 701.** RCW 43.19.642 and 2012 c 86 s 802 are each amended to
33 read as follows:

34 (1) Effective June 1, 2006, for agencies complying with the ultra-

1 low sulfur diesel mandate of the United States environmental protection
2 agency for on-highway diesel fuel, agencies shall use biodiesel as an
3 additive to ultra-low sulfur diesel for lubricity, provided that the
4 use of a lubricity additive is warranted and that the use of biodiesel
5 is comparable in performance and cost with other available lubricity
6 additives. The amount of biodiesel added to the ultra-low sulfur
7 diesel fuel shall be not less than two percent.

8 (2) Except as provided in subsection (5) of this section, effective
9 June 1, 2009, state agencies are required to use a minimum of twenty
10 percent biodiesel as compared to total volume of all diesel purchases
11 made by the agencies for the operation of the agencies' diesel-powered
12 vessels, vehicles, and construction equipment.

13 (3) All state agencies using biodiesel fuel shall, beginning on
14 July 1, 2006, file biannual reports with the department of enterprise
15 services documenting the use of the fuel and a description of how any
16 problems encountered were resolved.

17 (4) By December 1, 2009, the department of enterprise services
18 shall:

19 (a) Report to the legislature on the average true price
20 differential for biodiesel by blend and location; and

21 (b) Examine alternative fuel procurement methods that work to
22 address potential market barriers for in-state biodiesel producers and
23 report these findings to the legislature.

24 (5) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
25 the Washington state ferries is required to use a minimum of five
26 percent biodiesel as compared to total volume of all diesel purchased
27 made by the Washington state ferries for the operation of the
28 Washington state ferries diesel-powered vessels, as long as the price
29 of a B5 biodiesel blend does not exceed the price of conventional
30 diesel fuel by five percent or more.

31 **Sec. 702.** RCW 46.12.630 and 2012 c 86 s 803 are each amended to
32 read as follows:

33 In addition to any other authority which it may have, the
34 department of licensing may furnish lists of registered and legal
35 owners of motor vehicles only for the purposes specified in this
36 section to:

1 (1)(a) The manufacturers of motor vehicles, or their authorized
2 agents, to be used:

3 (~~(a)~~) (i) To enable those manufacturers to carry out the
4 provisions of the national traffic and motor vehicle safety act of 1966
5 (15 U.S.C. Sec. 1382-1418), including amendments or additions thereto,
6 respecting safety-related defects in motor vehicles; or

7 (~~(b)~~) (ii) During the 2011-2013 fiscal biennium, in research
8 activities, and in producing statistical reports, as long as the
9 personal information is not published, redisclosed, or used to contact
10 individuals; or

11 (b) During fiscal year 2014, an entity that is an authorized agent
12 of a motor vehicle manufacturer, for purposes of using lists of
13 registered and legal owner information to conduct research activities
14 and produce statistical reports, as long as the entity does not allow
15 personal information received under this section to be published,
16 redisclosed, or used to contact individuals;

17 (2) Any governmental agency of the United States or Canada, or
18 political subdivisions thereof, to be used by it or by its authorized
19 commercial agents or contractors only in connection with the
20 enforcement of motor vehicle or traffic laws by, or programs related to
21 traffic safety of, that government agency. Only such parts of the list
22 as are required for completion of the work required of the agent or
23 contractor shall be provided to such agent or contractor;

24 (3) A commercial parking company requiring the names and addresses
25 of registered owners to notify them of outstanding parking violations.
26 Subject to the disclosure agreement provisions of RCW 46.12.635 and the
27 requirements of Executive Order 97-01, the department may provide only
28 the parts of the list that are required for completion of the work
29 required of the company;

30 (4) An authorized agent or contractor of the department, to be used
31 only in connection with providing motor vehicle excise tax, licensing,
32 title, and registration information to motor vehicle dealers;

33 (5) Any business regularly making loans to other persons to finance
34 the purchase of motor vehicles, to be used to assist the person
35 requesting the list to determine ownership of specific vehicles for the
36 purpose of determining whether or not to provide such financing; or

37 (6) A company or its agents operating a toll facility under chapter

1 47.46 RCW or other applicable authority requiring the names, addresses,
2 and vehicle information of motor vehicle registered owners to identify
3 toll violators.

4 Where both a mailing address and residence address are recorded on
5 the vehicle record and are different, only the mailing address will be
6 disclosed. Both addresses will be disclosed in response to requests
7 for disclosure from courts, law enforcement agencies, or government
8 entities with enforcement, investigative, or taxing authority and only
9 for use in the normal course of conducting their business.

10 If a list of registered and legal owners of motor vehicles is used
11 for any purpose other than that authorized in this section, the
12 manufacturer, governmental agency, commercial parking company,
13 authorized agent, contractor, financial institution, toll facility
14 operator, or their authorized agents or contractors responsible for the
15 unauthorized disclosure or use will be denied further access to such
16 information by the department of licensing.

17 **Sec. 703.** RCW 46.18.060 and 2012 c 65 s 6 are each amended to read
18 as follows:

19 (1) The department must review and either approve or reject special
20 license plate applications submitted by sponsoring organizations.

21 (2) Duties of the department include, but are not limited to, the
22 following:

23 (a) Review and approve the annual financial reports submitted by
24 sponsoring organizations with active special license plate series and
25 present those annual financial reports to the joint transportation
26 committee;

27 (b) Report annually to the joint transportation committee on the
28 special license plate applications that were considered by the
29 department;

30 (c) Issue approval and rejection notification letters to sponsoring
31 organizations, the executive committee of the joint transportation
32 committee, and the legislative sponsors identified in each application.
33 The letters must be issued within seven days of making a determination
34 on the status of an application; and

35 (d) Review annually the number of plates sold for each special
36 license plate series created after January 1, 2003. The department may

1 submit a recommendation to discontinue a special plate series to the
2 executive committee of the joint transportation committee.

3 (3) Except as provided in RCW 46.18.245, in order to assess the
4 effects and impact of the proliferation of special license plates, the
5 legislature declares a temporary moratorium on the issuance of any
6 additional plates until July 1, (~~2013~~) 2015. During this period of
7 time, the department is prohibited from accepting, reviewing,
8 processing, or approving any applications. Additionally, a special
9 license plate may not be enacted by the legislature during the
10 moratorium, unless the proposed license plate has been approved by the
11 former special license plate review board before February 15, 2005.

12 (4) The limitations under subsection (3) of this section do not
13 apply to the following special license plates:

14 (a) 4-H license plates created under RCW 46.18.200;

15 (b) Music Matters license plates created under RCW 46.18.200;

16 (c) State flower license plates created under RCW 46.18.200;

17 (d) Volunteer firefighter license plates created under RCW
18 46.18.200.

19 **Sec. 704.** RCW 46.68.113 and 2011 c 353 s 7 are each amended to
20 read as follows:

21 (1) During the 2013-2015 fiscal biennium, cities and towns shall
22 provide to the transportation commission, or its successor entity,
23 preservation rating information on at least seventy percent of the
24 total city and town arterial network. Thereafter, the preservation
25 rating information requirement shall increase in five percent
26 increments in subsequent biennia, but in no case shall it exceed eighty
27 percent. The rating system used by cities and towns must be based upon
28 the Washington state pavement rating method or an equivalent standard
29 approved by the department of transportation. Beginning January 1,
30 2007, the preservation rating information shall be submitted to the
31 department.

32 (2) Cities and towns are exempt from the requirement to report
33 preservation rating information to the department through the 2013-2015
34 fiscal biennium.

35 **Sec. 705.** RCW 46.68.170 and 2011 c 367 s 715 are each amended to
36 read as follows:

1 There is hereby created in the motor vehicle fund the RV account.
2 All moneys hereafter deposited in said account shall be used by the
3 department of transportation for the construction, maintenance, and
4 operation of recreational vehicle sanitary disposal systems at safety
5 rest areas in accordance with the department's highway system plan as
6 prescribed in chapter 47.06 RCW. During the ((2009-2011 and)) 2011-
7 2013 and 2013-2015 fiscal biennia, the legislature may transfer from
8 the RV account to the motor vehicle fund such amounts as reflect the
9 excess fund balance of the RV account to accomplish the purposes
10 identified in this section.

11 **Sec. 706.** RCW 46.68.325 and 2011 c 367 s 721 are each amended to
12 read as follows:

13 (1) The rural mobility grant program account is created in the
14 state treasury. Moneys in the account may be spent only after
15 appropriation. Expenditures from the account may be used only for the
16 grants provided under RCW 47.66.100.

17 (2) Beginning September 2011, by the last day of September,
18 December, March, and June of each year, the state treasurer shall
19 transfer from the multimodal transportation account to the rural
20 mobility grant program account two million five hundred thousand
21 dollars.

22 (3) During the 2011-2013 and 2013-2015 fiscal ((biennium)) biennia,
23 the legislature may transfer from the rural mobility grant program
24 account to the multimodal transportation account such amounts as
25 reflect the excess fund balance of the rural mobility grant program
26 account.

27 NEW SECTION. **Sec. 707.** A new section is added to chapter 47.06A
28 RCW to read as follows:

29 During the 2013-2015 fiscal biennium, members of the freight
30 advisory committee group created as a standing committee of the board
31 may be reimbursed for travel expenses as provided in RCW 43.03.050 and
32 43.03.060.

33 **Sec. 708.** RCW 47.29.170 and 2011 c 367 s 701 are each amended to
34 read as follows:

35 Before accepting any unsolicited project proposals, the commission

1 must adopt rules to facilitate the acceptance, review, evaluation, and
2 selection of unsolicited project proposals. These rules must include
3 the following:

4 (1) Provisions that specify unsolicited proposals must meet
5 predetermined criteria;

6 (2) Provisions governing procedures for the cessation of
7 negotiations and consideration;

8 (3) Provisions outlining that unsolicited proposals are subject to
9 a two-step process that begins with concept proposals and would only
10 advance to the second step, which are fully detailed proposals, if the
11 commission so directed;

12 (4) Provisions that require concept proposals to include at least
13 the following information: Proposers' qualifications and experience;
14 description of the proposed project and impact; proposed project
15 financing; and known public benefits and opposition; and

16 (5) Provisions that specify the process to be followed if the
17 commission is interested in the concept proposal, which must include
18 provisions:

19 (a) Requiring that information regarding the potential project
20 would be published for a period of not less than thirty days, during
21 which time entities could express interest in submitting a proposal;

22 (b) Specifying that if letters of interest were received during the
23 thirty days, then an additional sixty days for submission of the fully
24 detailed proposal would be allowed; and

25 (c) Procedures for what will happen if there are insufficient
26 proposals submitted or if there are no letters of interest submitted in
27 the appropriate time frame.

28 The commission may adopt other rules as necessary to avoid
29 conflicts with existing laws, statutes, or contractual obligations of
30 the state.

31 The commission may not accept or consider any unsolicited proposals
32 before July 1, (~~2013~~) 2015.

33 **Sec. 709.** RCW 47.56.403 and 2011 c 367 s 709 are each amended to
34 read as follows:

35 (1) The department may provide for the establishment, construction,
36 and operation of a pilot project of high occupancy toll lanes on state
37 route 167 high occupancy vehicle lanes within King county. The

1 department may issue, buy, and redeem bonds, and deposit and expend
2 them; secure and remit financial and other assistance in the
3 construction of high occupancy toll lanes, carry insurance, and handle
4 any other matters pertaining to the high occupancy toll lane pilot
5 project.

6 (2) Tolls for high occupancy toll lanes will be established as
7 follows:

8 (a) The schedule of toll charges for high occupancy toll lanes must
9 be established by the transportation commission and collected in a
10 manner determined by the commission.

11 (b) Toll charges shall not be assessed on transit buses and vanpool
12 vehicles owned or operated by any public agency.

13 (c) The department shall establish performance standards for the
14 state route 167 high occupancy toll lane pilot project. The department
15 must automatically adjust the toll charge, using dynamic tolling, to
16 ensure that toll-paying single-occupant vehicle users are only
17 permitted to enter the lane to the extent that average vehicle speeds
18 in the lane remain above forty-five miles per hour at least ninety
19 percent of the time during peak hours. The toll charge may vary in
20 amount by time of day, level of traffic congestion within the highway
21 facility, vehicle occupancy, or other criteria, as the commission may
22 deem appropriate. The commission may also vary toll charges for
23 single-occupant inherently low-emission vehicles such as those powered
24 by electric batteries, natural gas, propane, or other clean burning
25 fuels.

26 (d) The commission shall periodically review the toll charges to
27 determine if the toll charges are effectively maintaining travel time,
28 speed, and reliability on the highway facilities.

29 (3) The department shall monitor the state route 167 high occupancy
30 toll lane pilot project and shall annually report to the transportation
31 commission and the legislature on operations and findings. At a
32 minimum, the department shall provide facility use data and review the
33 impacts on:

- 34 (a) Freeway efficiency and safety;
- 35 (b) Effectiveness for transit;
- 36 (c) Person and vehicle movements by mode;
- 37 (d) Ability to finance improvements and transportation services
38 through tolls; and

1 (e) The impacts on all highway users. The department shall analyze
2 aggregate use data and conduct, as needed, separate surveys to assess
3 usage of the facility in relation to geographic, socioeconomic, and
4 demographic information within the corridor in order to ascertain
5 actual and perceived questions of equitable use of the facility.

6 (4) The department shall modify the pilot project to address
7 identified safety issues and mitigate negative impacts to high
8 occupancy vehicle lane users.

9 (5) Authorization to impose high occupancy vehicle tolls for the
10 state route 167 high occupancy toll pilot project expires if either of
11 the following two conditions apply:

12 (a) If no contracts have been let by the department to begin
13 construction of the toll facilities associated with this pilot project
14 within four years of July 24, 2005; or

15 (b) If high occupancy vehicle tolls are being collected on June 30,
16 (~~2013~~) 2015.

17 (6) The department of transportation shall adopt rules that allow
18 automatic vehicle identification transponders used for electronic toll
19 collection to be compatible with other electronic payment devices or
20 transponders from the Washington state ferry system, other public
21 transportation systems, or other toll collection systems to the extent
22 that technology permits.

23 (7) The conversion of a single existing high occupancy vehicle lane
24 to a high occupancy toll lane as proposed for SR-167 must be taken as
25 the exception for this pilot project.

26 (8) A violation of the lane restrictions applicable to the high
27 occupancy toll lanes established under this section is a traffic
28 infraction.

29 (9) Procurement activity associated with this pilot project shall
30 be open and competitive in accordance with chapter 39.29 RCW.

31 **Sec. 710.** RCW 47.56.876 and 2011 c 367 s 720 are each amended to
32 read as follows:

33 (~~(1)~~) A special account to be known as the state route number 520
34 civil penalties account is created in the state treasury. All state
35 route number 520 bridge replacement and HOV program civil penalties
36 generated from the nonpayment of tolls on the state route number 520
37 corridor must be deposited into the account, as provided under RCW

1 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
2 appropriation. Expenditures from the account may be used to fund any
3 project within the state route number 520 bridge replacement and HOV
4 program, including mitigation. During the 2011-2013 and 2013-2015
5 fiscal (~~(biennium))~~ biennia, the legislature may transfer from the
6 state route number 520 civil penalties account to the state route
7 number 520 corridor account such amounts as reflect the excess fund
8 balance of the state route number 520 civil penalties account. Funds
9 transferred must be used solely for capital expenditures for the state
10 route number 520 bridge replacement and HOV project (8BI1003).

11 ~~((2) This section is contingent on the enactment by June 30, 2010,~~
12 ~~of either chapter 249, Laws of 2010 or chapter . . . (Substitute House~~
13 ~~Bill No. 2897), Laws of 2010, but if the enacted bill does not~~
14 ~~designate the department as the toll penalty adjudicating agency, this~~
15 ~~section is null and void.))~~

16 **Sec. 711.** RCW 46.63.170 and 2012 c 85 s 3 and 2012 c 83 s 7 are
17 each reenacted and amended to read as follows:

18 (1) The use of automated traffic safety cameras for issuance of
19 notices of infraction is subject to the following requirements:

20 (a) The appropriate local legislative authority must prepare an
21 analysis of the locations within the jurisdiction where automated
22 traffic safety cameras are proposed to be located: (i) Before enacting
23 an ordinance allowing for the initial use of automated traffic safety
24 cameras; and (ii) before adding additional cameras or relocating any
25 existing camera to a new location within the jurisdiction. Automated
26 traffic safety cameras may be used to detect one or more of the
27 following: Stoplight, railroad crossing, or school speed zone
28 violations. At a minimum, the local ordinance must contain the
29 restrictions described in this section and provisions for public notice
30 and signage. Cities and counties using automated traffic safety
31 cameras before July 24, 2005, are subject to the restrictions described
32 in this section, but are not required to enact an authorizing
33 ordinance. Beginning one year after June 7, 2012, cities and counties
34 using automated traffic safety cameras must post an annual report of
35 the number of traffic accidents that occurred at each location where an
36 automated traffic safety camera is located as well as the number of

1 notices of infraction issued for each camera and any other relevant
2 information about the automated traffic safety cameras that the city or
3 county deems appropriate on the city's or county's web site.

4 (b) Use of automated traffic safety cameras is restricted to the
5 following locations only: (i) Intersections of two arterials with
6 traffic control signals that have yellow change interval durations in
7 accordance with RCW 47.36.022, which interval durations may not be
8 reduced after placement of the camera; (ii) railroad crossings; and
9 (iii) school speed zones.

10 (c) During the 2011-2013 fiscal biennium, automated traffic safety
11 cameras may be used to detect speed violations for the purposes of
12 section 201(2), chapter 367, Laws of 2011 if the local legislative
13 authority first enacts an ordinance authorizing the use of cameras to
14 detect speed violations.

15 (d) Automated traffic safety cameras may only take pictures of the
16 vehicle and vehicle license plate and only while an infraction is
17 occurring. The picture must not reveal the face of the driver or of
18 passengers in the vehicle. The primary purpose of camera placement is
19 to take pictures of the vehicle and vehicle license plate when an
20 infraction is occurring. Cities and counties shall consider installing
21 cameras in a manner that minimizes the impact of camera flash on
22 drivers.

23 (e) A notice of infraction must be mailed to the registered owner
24 of the vehicle within fourteen days of the violation, or to the renter
25 of a vehicle within fourteen days of establishing the renter's name and
26 address under subsection (3)(a) of this section. The law enforcement
27 officer issuing the notice of infraction shall include with it a
28 certificate or facsimile thereof, based upon inspection of photographs,
29 microphotographs, or electronic images produced by an automated traffic
30 safety camera, stating the facts supporting the notice of infraction.
31 This certificate or facsimile is prima facie evidence of the facts
32 contained in it and is admissible in a proceeding charging a violation
33 under this chapter. The photographs, microphotographs, or electronic
34 images evidencing the violation must be available for inspection and
35 admission into evidence in a proceeding to adjudicate the liability for
36 the infraction. A person receiving a notice of infraction based on
37 evidence detected by an automated traffic safety camera may respond to
38 the notice by mail.

1 (f) The registered owner of a vehicle is responsible for an
2 infraction under RCW 46.63.030(1)(d) unless the registered owner
3 overcomes the presumption in RCW 46.63.075, or, in the case of a rental
4 car business, satisfies the conditions under subsection (3) of this
5 section. If appropriate under the circumstances, a renter identified
6 under subsection (3)(a) of this section is responsible for an
7 infraction.

8 (g) Notwithstanding any other provision of law, all photographs,
9 microphotographs, or electronic images prepared under this section are
10 for the exclusive use of law enforcement in the discharge of duties
11 under this section and are not open to the public and may not be used
12 in a court in a pending action or proceeding unless the action or
13 proceeding relates to a violation under this section. No photograph,
14 microphotograph, or electronic image may be used for any purpose other
15 than enforcement of violations under this section nor retained longer
16 than necessary to enforce this section.

17 (h) All locations where an automated traffic safety camera is used
18 must be clearly marked at least thirty days prior to activation of the
19 camera by placing signs in locations that clearly indicate to a driver
20 that he or she is entering a zone where traffic laws are enforced by an
21 automated traffic safety camera. Signs placed in automated traffic
22 safety camera locations after June 7, 2012, must follow the
23 specifications and guidelines under the manual of uniform traffic
24 control devices for streets and highways as adopted by the department
25 of transportation under chapter 47.36 RCW.

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

32 (2) Infractions detected through the use of automated traffic
33 safety cameras are not part of the registered owner's driving record
34 under RCW 46.52.101 and 46.52.120. Additionally, infractions generated
35 by the use of automated traffic safety cameras under this section shall
36 be processed in the same manner as parking infractions, including for
37 the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3).
38 The amount of the fine issued for an infraction generated through the

1 use of an automated traffic safety camera shall not exceed the amount
2 of a fine issued for other parking infractions within the jurisdiction.
3 However, the amount of the fine issued for a traffic control signal
4 violation detected through the use of an automated traffic safety
5 camera shall not exceed the monetary penalty for a violation of RCW
6 46.61.050 as provided under RCW 46.63.110, including all applicable
7 statutory assessments.

8 (3) If the registered owner of the vehicle is a rental car
9 business, the law enforcement agency shall, before a notice of
10 infraction being issued under this section, provide a written notice to
11 the rental car business that a notice of infraction may be issued to
12 the rental car business if the rental car business does not, within
13 eighteen days of receiving the written notice, provide to the issuing
14 agency by return mail:

15 (a) A statement under oath stating the name and known mailing
16 address of the individual driving or renting the vehicle when the
17 infraction occurred; or

18 (b) A statement under oath that the business is unable to determine
19 who was driving or renting the vehicle at the time the infraction
20 occurred because the vehicle was stolen at the time of the infraction.
21 A statement provided under this subsection must be accompanied by a
22 copy of a filed police report regarding the vehicle theft; or

23 (c) In lieu of identifying the vehicle operator, the rental car
24 business may pay the applicable penalty.

25 Timely mailing of this statement to the issuing law enforcement
26 agency relieves a rental car business of any liability under this
27 chapter for the notice of infraction.

28 (4) Nothing in this section prohibits a law enforcement officer
29 from issuing a notice of traffic infraction to a person in control of
30 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
31 (b), or (c).

32 (5) For the purposes of this section, "automated traffic safety
33 camera" means a device that uses a vehicle sensor installed to work in
34 conjunction with an intersection traffic control system, a railroad
35 grade crossing control system, or a speed measuring device, and a
36 camera synchronized to automatically record one or more sequenced
37 photographs, microphotographs, or electronic images of the rear of a
38 motor vehicle at the time the vehicle fails to stop when facing a

1 steady red traffic control signal or an activated railroad grade
2 crossing control signal, or exceeds a speed limit in a school speed
3 zone as detected by a speed measuring device. During the 2011-2013
4 fiscal biennium, an automated traffic safety camera includes a camera
5 used to detect speed violations for the purposes of section 201(2),
6 chapter 367, Laws of 2011.

7 (6) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
8 this section does not apply to automated traffic safety cameras for the
9 purposes of (~~(section 216(5), chapter 367, Laws of 2011)~~) section
10 216(5) of this act.

11 **Sec. 712.** RCW 46.20.745 and 2012 c 183 s 10 are each amended to
12 read as follows:

13 (1) The ignition interlock device revolving account program is
14 created within the department to assist in covering the monetary costs
15 of installing, removing, and leasing an ignition interlock device, and
16 applicable licensing, for indigent persons who are required under RCW
17 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock
18 device in all vehicles owned or operated by the person. For purposes
19 of this subsection, "indigent" has the same meaning as in RCW
20 10.101.010, as determined by the department. During the 2013-2015
21 fiscal biennium, the ignition interlock device revolving account
22 program also includes ignition interlock enforcement work conducted by
23 the Washington state patrol.

24 (2) A pilot program is created within the ignition interlock device
25 revolving account program for the purpose of monitoring compliance by
26 persons required to use ignition interlock devices and by ignition
27 interlock companies and vendors.

28 (3) The department, the state patrol, and the Washington traffic
29 safety commission shall coordinate to establish a compliance pilot
30 program that will target at least one county from eastern Washington
31 and one county from western Washington, as determined by the
32 department, state patrol, and Washington traffic safety commission.

33 (4) At a minimum, the compliance pilot program shall:

34 (a) Review the number of ignition interlock devices that are
35 required to be installed in the targeted county and the number of
36 ignition interlock devices actually installed;

1 (b) Work to identify those persons who are not complying with
2 ignition interlock requirements or are repeatedly violating ignition
3 interlock requirements; and

4 (c) Identify ways to track compliance and reduce noncompliance.

5 (5) As part of monitoring compliance, the Washington traffic safety
6 commission shall also track recidivism for violations of RCW 46.61.502
7 and 46.61.504 by persons required to have an ignition interlock
8 driver's license under RCW 46.20.385 and 46.20.720.

9 **Sec. 713.** RCW 90.58.140 and 2012 c 84 s 2 are each amended to read
10 as follows:

11 (1) A development shall not be undertaken on the shorelines of the
12 state unless it is consistent with the policy of this chapter and,
13 after adoption or approval, as appropriate, the applicable guidelines,
14 rules, or master program.

15 (2) A substantial development shall not be undertaken on shorelines
16 of the state without first obtaining a permit from the government
17 entity having administrative jurisdiction under this chapter.

18 A permit shall be granted:

19 (a) From June 1, 1971, until such time as an applicable master
20 program has become effective, only when the development proposed is
21 consistent with: (i) The policy of RCW 90.58.020; and (ii) after their
22 adoption, the guidelines and rules of the department; and (iii) so far
23 as can be ascertained, the master program being developed for the area;

24 (b) After adoption or approval, as appropriate, by the department
25 of an applicable master program, only when the development proposed is
26 consistent with the applicable master program and this chapter.

27 (3) The local government shall establish a program, consistent with
28 rules adopted by the department, for the administration and enforcement
29 of the permit system provided in this section. The administration of
30 the system so established shall be performed exclusively by the local
31 government.

32 (4) Except as otherwise specifically provided in subsection (11) of
33 this section, the local government shall require notification of the
34 public of all applications for permits governed by any permit system
35 established pursuant to subsection (3) of this section by ensuring that
36 notice of the application is given by at least one of the following
37 methods:

1 (a) Mailing of the notice to the latest recorded real property
2 owners as shown by the records of the county assessor within at least
3 three hundred feet of the boundary of the property upon which the
4 substantial development is proposed;

5 (b) Posting of the notice in a conspicuous manner on the property
6 upon which the project is to be constructed; or

7 (c) Any other manner deemed appropriate by local authorities to
8 accomplish the objectives of reasonable notice to adjacent landowners
9 and the public.

10 The notices shall include a statement that any person desiring to
11 submit written comments concerning an application, or desiring to
12 receive notification of the final decision concerning an application as
13 expeditiously as possible after the issuance of the decision, may
14 submit the comments or requests for decisions to the local government
15 within thirty days of the last date the notice is to be published
16 pursuant to this subsection. The local government shall forward, in a
17 timely manner following the issuance of a decision, a copy of the
18 decision to each person who submits a request for the decision.

19 If a hearing is to be held on an application, notices of such a
20 hearing shall include a statement that any person may submit oral or
21 written comments on an application at the hearing.

22 (5) The system shall include provisions to assure that construction
23 pursuant to a permit will not begin or be authorized until twenty-one
24 days from the date the permit decision was filed as provided in
25 subsection (6) of this section; or until all review proceedings are
26 terminated if the proceedings were initiated within twenty-one days
27 from the date of filing as defined in subsection (6) of this section
28 except as follows:

29 (a) In the case of any permit issued to the state of Washington,
30 department of transportation, for the construction and modification of
31 SR 90 (I-90) on or adjacent to Lake Washington, the construction may
32 begin after thirty days from the date of filing, and the permits are
33 valid until December 31, 1995;

34 (b)(i) In the case of any permit or decision to issue any permit to
35 the state of Washington, department of transportation, for the
36 replacement of the floating bridge and landings of the state route
37 number 520 Evergreen Point bridge on or adjacent to Lake Washington,
38 the construction may begin twenty-one days from the date of filing.

1 Any substantial development permit granted for the floating bridge and
2 landings is deemed to have been granted on the date that the local
3 government's decision to grant the permit is issued. This
4 authorization to construct is limited to only those elements of the
5 floating bridge and landings that do not preclude the department of
6 transportation's selection of a four-lane alternative for state route
7 number 520 between Interstate 5 and Medina. Additionally, the
8 Washington state department of transportation shall not engage in or
9 contract for any construction on any portion of state route number 520
10 between Interstate 5 and the western landing of the floating bridge
11 until the legislature has authorized the imposition of tolls on the
12 Interstate 90 floating bridge and/or other funding sufficient to
13 complete construction of the state route number 520 bridge replacement
14 and HOV program. For the purposes of this subsection (5)(b), the
15 "western landing of the floating bridge" means the least amount of new
16 construction necessary to connect the new floating bridge to the
17 existing state route number 520 and anchor the west end of the new
18 floating bridge;

19 (ii) Nothing in this subsection (5)(b) precludes the shorelines
20 hearings board from concluding that the project or any element of the
21 project is inconsistent with the goals and policies of the shoreline
22 management act or the local shoreline master program;

23 (iii) This subsection (5)(b) applies retroactively to any appeals
24 filed after January 1, 2012, and to any appeals filed on or after March
25 23, 2012, and expires June 30, (~~2014~~) 2015.

26 (c) Except as authorized in (b) of this subsection, construction
27 may be commenced no sooner than thirty days after the date of the
28 appeal of the board's decision is filed if a permit is granted by the
29 local government and (i) the granting of the permit is appealed to the
30 shorelines hearings board within twenty-one days of the date of filing,
31 (ii) the hearings board approves the granting of the permit by the
32 local government or approves a portion of the substantial development
33 for which the local government issued the permit, and (iii) an appeal
34 for judicial review of the hearings board decision is filed pursuant to
35 chapter 34.05 RCW. The appellant may request, within ten days of the
36 filing of the appeal with the court, a hearing before the court to
37 determine whether construction pursuant to the permit approved by the
38 hearings board or to a revised permit issued pursuant to the order of

1 the hearings board should not commence. If, at the conclusion of the
2 hearing, the court finds that construction pursuant to such a permit
3 would involve a significant, irreversible damaging of the environment,
4 the court shall prohibit the permittee from commencing the construction
5 pursuant to the approved or revised permit until all review proceedings
6 are final. Construction pursuant to a permit revised at the direction
7 of the hearings board may begin only on that portion of the substantial
8 development for which the local government had originally issued the
9 permit, and construction pursuant to such a revised permit on other
10 portions of the substantial development may not begin until after all
11 review proceedings are terminated. In such a hearing before the court,
12 the burden of proving whether the construction may involve significant
13 irreversible damage to the environment and demonstrating whether such
14 construction would or would not be appropriate is on the appellant;

15 (d) Except as authorized in (b) of this subsection, if the permit
16 is for a substantial development meeting the requirements of subsection
17 (11) of this section, construction pursuant to that permit may not
18 begin or be authorized until twenty-one days from the date the permit
19 decision was filed as provided in subsection (6) of this section.

20 If a permittee begins construction pursuant to (a), (b), (c), or
21 (d) of this subsection, the construction is begun at the permittee's
22 own risk. If, as a result of judicial review, the courts order the
23 removal of any portion of the construction or the restoration of any
24 portion of the environment involved or require the alteration of any
25 portion of a substantial development constructed pursuant to a permit,
26 the permittee is barred from recovering damages or costs involved in
27 adhering to such requirements from the local government that granted
28 the permit, the hearings board, or any appellant or intervener.

29 (6) Any decision on an application for a permit under the authority
30 of this section, whether it is an approval or a denial, shall,
31 concurrently with the transmittal of the ruling to the applicant, be
32 filed with the department and the attorney general. This shall be
33 accomplished by return receipt requested mail. A petition for review
34 of such a decision must be commenced within twenty-one days from the
35 date of filing of the decision.

36 (a) With regard to a permit other than a permit governed by
37 subsection (10) of this section, "date of filing" as used in this

1 section refers to the date of actual receipt by the department of the
2 local government's decision.

3 (b) With regard to a permit for a variance or a conditional use
4 governed by subsection (10) of this section, "date of filing" means the
5 date the decision of the department is transmitted by the department to
6 the local government.

7 (c) When a local government simultaneously transmits to the
8 department its decision on a shoreline substantial development with its
9 approval of either a shoreline conditional use permit or variance, or
10 both, "date of filing" has the same meaning as defined in (b) of this
11 subsection.

12 (d) The department shall notify in writing the local government and
13 the applicant of the date of filing by telephone or electronic means,
14 followed by written communication as necessary, to ensure that the
15 applicant has received the full written decision.

16 (7) Applicants for permits under this section have the burden of
17 proving that a proposed substantial development is consistent with the
18 criteria that must be met before a permit is granted. In any review of
19 the granting or denial of an application for a permit as provided in
20 RCW 90.58.180 (1) and (2), the person requesting the review has the
21 burden of proof.

22 (8) Any permit may, after a hearing with adequate notice to the
23 permittee and the public, be rescinded by the issuing authority upon
24 the finding that a permittee has not complied with conditions of a
25 permit. If the department is of the opinion that noncompliance exists,
26 the department shall provide written notice to the local government and
27 the permittee. If the department is of the opinion that the
28 noncompliance continues to exist thirty days after the date of the
29 notice, and the local government has taken no action to rescind the
30 permit, the department may petition the hearings board for a rescission
31 of the permit upon written notice of the petition to the local
32 government and the permittee if the request by the department is made
33 to the hearings board within fifteen days of the termination of the
34 thirty-day notice to the local government.

35 (9) The holder of a certification from the governor pursuant to
36 chapter 80.50 RCW shall not be required to obtain a permit under this
37 section.

1 (10) Any permit for a variance or a conditional use issued with
2 approval by a local government under their approved master program must
3 be submitted to the department for its approval or disapproval.

4 (11)(a) An application for a substantial development permit for a
5 limited utility extension or for the construction of a bulkhead or
6 other measures to protect a single-family residence and its appurtenant
7 structures from shoreline erosion shall be subject to the following
8 procedures:

9 (i) The public comment period under subsection (4) of this section
10 shall be twenty days. The notice provided under subsection (4) of this
11 section shall state the manner in which the public may obtain a copy of
12 the local government decision on the application no later than two days
13 following its issuance;

14 (ii) The local government shall issue its decision to grant or deny
15 the permit within twenty-one days of the last day of the comment period
16 specified in (a)(i) of this subsection; and

17 (iii) If there is an appeal of the decision to grant or deny the
18 permit to the local government legislative authority, the appeal shall
19 be finally determined by the legislative authority within thirty days.

20 (b) For purposes of this section, a limited utility extension means
21 the extension of a utility service that:

22 (i) Is categorically exempt under chapter 43.21C RCW for one or
23 more of the following: Natural gas, electricity, telephone, water, or
24 sewer;

25 (ii) Will serve an existing use in compliance with this chapter;
26 and

27 (iii) Will not extend more than twenty-five hundred linear feet
28 within the shorelines of the state.

29 **2011-2013 FISCAL BIENNIUM**

30 **GENERAL GOVERNMENT AGENCIES--OPERATING**

31 **Sec. 801.** 2012 c 86 s 102 (uncodified) is amended to read as
32 follows:

33 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

34 Motor Vehicle Account--State Appropriation (~~(\$2,128,000)~~)
35 \$2,058,000

1	Puget Sound Ferry Operations Account--State	
2	Appropriation	\$1,260,000
3	Multimodal Transportation Account--State	
4	Appropriation	\$350,000
5	TOTAL APPROPRIATION	((\$3,738,000))
6		<u>\$3,668,000</u>

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

9 (1) The office of financial management, in consultation with the
10 transportation committees of the legislature, shall conduct a budget
11 evaluation study for the new traffic management center proposed by the
12 department of transportation. The study must consider data resulting
13 from the plan identified in section 604 (~~(of this act)~~), chapter 367,
14 Laws of 2011. The budget evaluation study team approach using value
15 engineering techniques must be utilized by the office of financial
16 management in conducting the study. The office of financial management
17 shall select the budget evaluation study team members, contract for the
18 study, and report the results to the transportation committees of the
19 legislature and the department of transportation in a timely manner
20 following the study. Options reviewed must include use of existing
21 facilities, including the Wheeler building data center in Olympia.
22 Funds allocated for the new traffic management center must be used by
23 the office of financial management through an interagency agreement
24 with the department of transportation to cover the cost of the study.

25 (2) \$1,116,000 of the Puget Sound ferry operations account--state
26 appropriation is provided solely for marine insurance. The amount in
27 this subsection as well as the amount in section 103(2) (~~(of this~~
28 ~~act)~~), chapter 86, Laws of 2012 is intended to fully fund a two-year
29 policy. For fiscal year 2012, the office of financial management shall
30 increase the deductible to ten million dollars and reduce components of
31 the policy in order to keep the total cost of the two-year policy at or
32 below the appropriation in this subsection and section 103(2) (~~(of this~~
33 ~~act)~~), chapter 86, Laws of 2012.

34 (3) \$840,000 of the motor vehicle account--state appropriation is
35 provided out of funds set aside out of statewide fuel taxes distributed
36 to counties according to RCW 46.68.120(3) solely for the office of
37 financial management to contract with the Washington state association
38 of counties to identify, evaluate, and implement performance measures

1 associated with county transportation activities. The performance
2 measures must include, at a minimum, those related to safety, system
3 preservation, mobility, environmental protection, and project
4 completion. A report on the county transportation performance
5 implementation project must be provided to the transportation
6 committees of the legislature by December 31, 2012.

7 (4) \$169,000 of the motor vehicle account--state appropriation is
8 provided solely for the office of regulatory assistance integrated
9 permitting project.

10 (5) \$40,000 of the Puget Sound ferry operations account--state
11 appropriation is provided solely for the state's share of the marine
12 salary survey.

13 (6) The office of financial management shall study the available
14 data regarding statewide transit, bicycle, and pedestrian trips and
15 recommend additional performance measures that will effectively measure
16 the state's performance in increasing transit ridership and bicycle and
17 pedestrian trips. The office of financial management shall report its
18 findings and recommendations to the transportation committees of the
19 legislature by November 15, 2011, and integrate the new performance
20 measures into the report prepared by the office of financial management
21 pursuant to RCW 47.04.280 regarding progress towards achieving
22 Washington state's transportation system policy goals.

23 (7) \$350,000 of the multimodal transportation account--state
24 appropriation is provided solely for the office of financial management
25 to contract with a statewide organization representing Washington
26 cities and a statewide organization representing Washington counties to
27 work with the Washington state governor's office of regulatory
28 assistance to:

29 (a) Fulfill completion of recent iPRMT enhancements developed to
30 consolidate applications and expedite local, state, and regional
31 transportation and public works maintenance permitting related to (i)
32 general hydraulic project approval permits issued consistent with
33 section 103(3), chapter 247, Laws of 2010 and (ii) section 106
34 consultations completed under the national historic preservation act;

35 (b) Work with local, state, and regional transportation and public
36 works maintenance agencies to continue to support development of iPRMT
37 enhancements and customizations based on applicant needs; and

1 (c) Provide outreach and training to advance the state's interest
2 in continuing to leverage iPRMT web infrastructure to support and
3 accelerate local, regional, and state transportation and public works
4 planning, permitting, and compliance.

5 (8) \$400,000 of the motor vehicle account--state appropriation is
6 from the cities statewide fuel tax distributions under RCW 46.68.110(2)
7 for the department of transportation to contract with the department of
8 fish and wildlife to inventory, assess, and prioritize fish passage
9 barriers associated with city roads and streets in the Puget Sound
10 region. The department of transportation shall submit the results to
11 the office of financial management and the transportation committees of
12 the legislature by December 31, 2013.

13 **TRANSPORTATION AGENCIES--OPERATING**

14 **Sec. 901.** 2012 c 86 s 201 (uncodified) is amended to read as
15 follows:

16 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

17 Highway Safety Account--State Appropriation	((\$2,983,000))
	<u>\$2,982,000</u>
18 Highway Safety Account--Federal Appropriation	((\$42,507,000))
	<u>\$42,497,000</u>
19 Highway Safety Account--Private/Local Appropriation	\$50,000
20 School Zone Safety Account--State Appropriation	((\$3,340,000))
	<u>\$2,340,000</u>
21 TOTAL APPROPRIATION	((\$48,880,000))
	<u>\$47,869,000</u>

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

28 (1) \$1,673,900 of the highway safety account--federal appropriation
29 is provided solely for the conclusion of the target zero trooper pilot
30 program, which the commission has developed and implemented in
31 collaboration with the Washington state patrol. The pilot program must
32 continue to demonstrate the effectiveness of intense, high visibility,
33 driving under the influence enforcement in Washington. The commission
34 shall continue to apply to the national highway traffic safety
35 administration for federal highway safety grants to cover the cost of

1 the pilot program. State funding is provided in section ((207)) 907 of
2 this act for the state patrol to continue the target zero trooper
3 program in fiscal year 2013.

4 ~~(2) ((The commission may oversee pilot projects implementing the
5 use of automated traffic safety cameras to detect speed violations
6 within cities west of the Cascade mountains that have a population over
7 one hundred ninety five thousand. For the purposes of pilot projects
8 in this subsection, no more than one automated traffic safety camera
9 may be used to detect speed violations within any one jurisdiction.~~

10 ~~(a) The commission shall comply with RCW 46.63.170 in administering
11 the pilot projects.~~

12 ~~(b) In order to ensure adequate time in the 2011-2013 fiscal
13 biennium to evaluate the effectiveness of the pilot projects, any
14 projects authorized by the commission must be authorized by December
15 31, 2011.~~

16 ~~(c) By January 1, 2013, the commission shall provide a report to
17 the legislature regarding the use, public acceptance, outcomes, and
18 other relevant issues regarding automated traffic safety cameras
19 demonstrated by the pilot projects.~~

20 ~~(3))~~ \$460,000 of the highway safety account--state appropriation
21 is provided solely for the implementation of chapter ... (Engrossed
22 Second Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
23 accountability). If chapter ... (Engrossed Second Substitute House
24 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
25 amount provided in this subsection lapses.

26 ~~((4))~~ (3) The commission shall conduct a review of the literature
27 on potential safety benefits realized from drivers using their
28 headlights and windshield wipers simultaneously and shall report to the
29 transportation committees of the legislature by December 1, 2011.

30 ~~((5))~~ (4) \$22,000,000 of the highway safety account--federal
31 appropriation is provided solely for federal funds that may be
32 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
33 2011-2013 fiscal biennium.

34 **Sec. 902.** 2012 c 86 s 202 (uncodified) is amended to read as
35 follows:

36 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

37 Rural Arterial Trust Account--State Appropriation ~~((915,000))~~

1		<u>\$907,000</u>
2	Motor Vehicle Account--State Appropriation	((\$2,088,000))
3		<u>\$2,086,000</u>
4	County Arterial Preservation Account--State	
5	Appropriation	((\$1,428,000))
6		<u>\$1,413,000</u>
7	TOTAL APPROPRIATION	((\$4,431,000))
8		<u>\$4,406,000</u>

9 The appropriations in this section are subject to the following
10 conditions and limitations: The county road administration board shall
11 submit a report to the transportation committees of the legislature by
12 December 1, 2011, on the implementation of the recommendations that
13 resulted from the evaluation of efficiencies in the delivery of
14 transportation funding and services to local governments that was
15 required under section 204(8), chapter 247, Laws of 2010. The report
16 must include a description of how recommendations were implemented,
17 what efficiencies were achieved, and an explanation of any
18 recommendations that were not implemented.

19 **Sec. 903.** 2012 c 86 s 203 (uncodified) is amended to read as
20 follows:

21 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

22	Transportation Improvement Account--State	
23	Appropriation	((\$3,625,000))
24		<u>\$3,611,000</u>

25 The appropriation in this section is subject to the following
26 conditions and limitations: The transportation improvement board shall
27 submit a report to the transportation committees of the legislature by
28 December 1, 2011, on the implementation of the recommendations that
29 resulted from the evaluation of efficiencies in the delivery of
30 transportation funding and services to local governments that was
31 required under section 204(8), chapter 247, Laws of 2010. The report
32 must include a description of how recommendations were implemented,
33 what efficiencies were achieved, and an explanation of any
34 recommendations that were not implemented.

35 **Sec. 904.** 2012 c 86 s 205 (uncodified) is amended to read as
36 follows:

1 **FOR THE TRANSPORTATION COMMISSION**

2	Motor Vehicle Account--State Appropriation	((\$3,028,000))
3		<u>\$2,930,000</u>
4	Multimodal Transportation Account--State Appropriation	\$112,000
5	TOTAL APPROPRIATION	((\$3,140,000))
6		<u>\$3,042,000</u>

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

9 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
10 during the 2011-2013 fiscal biennium, the legislature authorizes the
11 transportation commission to periodically review and, if necessary,
12 adjust the schedule of fares for the Washington state ferry system only
13 in amounts not greater than those sufficient to generate the amount of
14 revenue required by the biennial transportation budget. When adjusting
15 ferry fares, the commission must consider input from affected ferry
16 users by public hearing and by review with the affected ferry advisory
17 committees, in addition to the data gathered from the current ferry
18 user survey.

19 (2) Consistent with RCW 43.135.055 and 47.46.100, during the
20 2011-2013 fiscal biennium, the legislature authorizes the
21 transportation commission to periodically review and, if necessary,
22 adjust the schedule of toll charges applicable to the Tacoma Narrows
23 bridge only in amounts not greater than those sufficient to support (a)
24 any required costs for operating and maintaining the toll bridge,
25 including the cost of insurance, (b) any amount required by law to meet
26 the redemption of bonds and applicable interest payments, and (c)
27 repayment of the motor vehicle fund.

28 (3) Consistent with its authority in RCW 47.56.840, the
29 transportation commission shall consider the need for a citizen
30 advisory group that provides oversight on new tolled facilities.

31 (4) \$775,000 of the motor vehicle account--state appropriation is
32 provided solely to determine the feasibility of transitioning from the
33 gas tax to a road user assessment system of paying for transportation.

34 (a) The transportation commission, with direction from the steering
35 committee created in (b) of this subsection, must: Review relevant
36 reports and data related to models of road user assessments and methods
37 of transitioning to a road user assessment system; analyze the research
38 to identify issues for policy decisions in Washington; make

1 recommendations for the design of systemwide trials; develop a plan to
2 assess public perspectives and educate the public on the current
3 transportation funding system and options for a new system; and perform
4 other tasks as deemed necessary by the steering committee.

5 (b) The transportation commission must convene a steering committee
6 to provide direction to and guide the transportation commission's work.
7 Membership of the steering committee must include, but is not limited
8 to, members representing the following interests: The trucking
9 industry; business; cities and counties; public transportation;
10 environmental; user fee technology; auto and light truck manufacturers;
11 and the motoring public. In addition, a member from each of the two
12 largest caucuses of the senate, appointed by the president of the
13 senate, and a member from each of the two largest caucuses of the house
14 of representatives, appointed by the speaker of the house of
15 representatives, must serve on the steering committee.

16 (c) The transportation commission must update the governor and the
17 legislature on this work by January 1, 2013. In addition, this update
18 must include a plan and budget request for work to be completed during
19 the 2013-2015 fiscal biennium.

20 (5) \$160,000 of the motor vehicle account--state appropriation is
21 provided solely for the transportation commission to establish a
22 statewide transportation survey panel and conduct two surveys on
23 transportation funding and policy issues during the 2011-2013 fiscal
24 biennium. At a minimum, the results of the first survey must be
25 submitted to the legislature by January 2013.

26 **Sec. 905.** 2012 c 86 s 206 (uncodified) is amended to read as
27 follows:

28 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**
29 Motor Vehicle Account--State Appropriation ((~~\$781,000~~))
30 \$780,000

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

33 (1) \$100,000 of the motor vehicle account--state appropriation is
34 provided solely for an additional staff person for the freight mobility
35 strategic investment board.

36 (2) The freight mobility strategic investment board shall submit a
37 report to the transportation committees of the legislature by December

1 1, 2011, on the implementation of the recommendations that resulted
2 from the evaluation of efficiencies in the delivery of transportation
3 funding and services to local governments that was required under
4 section 204(8), chapter 247, Laws of 2010. The report must include a
5 description of how recommendations were implemented, what efficiencies
6 were achieved, and an explanation of any recommendations that were not
7 implemented.

8 **Sec. 906.** 2012 c 86 s 207 (uncodified) is amended to read as
9 follows:

10 **FOR THE WASHINGTON STATE PATROL**

11	Multimodal Transportation Account--State Appropriation	\$132,000
12	(Ignition Interlock Device Revolving Account--	
13	State Appropriation	\$212,000)
14	State Patrol Highway Account--State	
15	Appropriation	(\$350,605,000)
16		<u>\$348,619,000</u>
17	State Patrol Highway Account--Federal	
18	Appropriation	\$10,903,000
19	State Patrol Highway Account--Private/Local	
20	Appropriation	(\$3,494,000)
21		<u>\$3,674,000</u>
22	Highway Safety Account--State Appropriation	(\$432,000)
23		<u>\$5,984,000</u>
24	TOTAL APPROPRIATION	(\$365,778,000)
25		<u>\$369,312,000</u>

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

28 (1) Washington state patrol officers engaged in off-duty uniformed
29 employment providing traffic control services to the department of
30 transportation or other state agencies may use state patrol vehicles
31 for the purpose of that employment, subject to guidelines adopted by
32 the chief of the Washington state patrol. The Washington state patrol
33 must be reimbursed for the use of the vehicle at the prevailing state
34 employee rate for mileage and hours of usage, subject to guidelines
35 developed by the chief of the Washington state patrol. Cessna pilots
36 funded from the state patrol highway account who are certified to fly
37 the King Airs may pilot those aircraft for general fund purposes with

1 the general fund reimbursing the state patrol highway account an hourly
2 rate to cover the costs incurred during the flights since the aviation
3 section is no longer part of the Washington state patrol cost
4 allocation system as of July 1, 2009.

5 (2) The Washington state patrol shall continue to collaborate with
6 the Washington traffic safety commission on the target zero trooper
7 pilot program referenced in section ~~((201))~~ 901(1) of this act.

8 (3) \$370,000 of the state patrol highway account--state
9 appropriation is provided solely for costs associated with the pilot
10 program described under section 216(5) ~~((of this act))~~, chapter 86,
11 Laws of 2012. The Washington state patrol may incur costs related only
12 to the assignment of cadets and necessary computer equipment and to the
13 reimbursement of the Washington state department of transportation for
14 contract costs. The appropriation in this subsection must be funded
15 from the portion of the automated traffic safety camera fines deposited
16 into the state patrol highway account; however, if the fines deposited
17 into the state patrol highway account from automated traffic safety
18 camera infractions do not reach three hundred seventy thousand dollars,
19 the department of transportation shall remit funds necessary to the
20 Washington state patrol to ensure the completion of the pilot program.
21 The Washington state patrol may not incur overtime as a result of this
22 pilot program. The Washington state patrol shall not assign troopers
23 to operate or deploy the pilot program equipment used in the roadway
24 construction zones.

25 (4) ~~((\$12,160,000))~~ \$12,244,000 of the total appropriation is
26 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
27 The Washington state patrol shall analyze their fuel consumption and
28 submit a report to the legislative transportation committees by
29 December 31, 2011, on fuel conservation methods that could be used to
30 minimize costs and ensure that the Washington state patrol is managing
31 fuel consumption effectively.

32 (5) ~~((\$7,672,000))~~ \$8,312,000 of the total appropriation is
33 provided solely for the purchase of pursuit vehicles.

34 (6) ~~((\$6,686,000))~~ \$6,806,000 of the total appropriation is
35 provided solely for vehicle repair and maintenance costs of vehicles
36 used for highway purposes.

37 (7) ~~((\$1,724,000))~~ \$1,856,000 of the total appropriation is

1 provided solely for the purchase of mission vehicles used for highway
2 purposes in the commercial vehicle and traffic investigation sections
3 of the Washington state patrol.

4 (8) \$1,200,000 of the total appropriation is provided solely for
5 outfitting officers. The Washington state patrol shall prepare a cost-
6 benefit analysis of the standard trooper uniform as compared to a
7 battle dress uniform and uniforms used by other states and
8 jurisdictions. The Washington state patrol shall report the results of
9 the analysis to the transportation committees of the legislature by
10 December 1, 2011.

11 (9) The Washington state patrol shall not account for or record
12 locally provided DUI cost reimbursement payments as expenditure credits
13 to the state patrol highway account. The patrol shall report the
14 amount of expected locally provided DUI cost reimbursements to the
15 office of financial management and transportation committees of the
16 legislature by September 30th of each year.

17 (10) During the 2011-2013 fiscal biennium, the Washington state
18 patrol shall continue to perform traffic accident investigations on
19 Thurston county roads, and shall work with Thurston county to
20 transition the traffic accident investigations on Thurston county roads
21 to Thurston county by July 1, 2013.

22 (11) \$2,187,000 of the state patrol highway account--state
23 appropriation is provided solely for mobile office platforms.

24 (12) \$2,731,000 of the state patrol highway account--state
25 appropriation is provided solely for the continuation of the target
26 zero trooper program.

27 (13) \$432,000 of the highway safety account--state appropriation is
28 provided solely for the implementation of chapter . . . (Second
29 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If
30 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
31 not enacted by June 30, 2012, the amount provided in this subsection
32 lapses. Additionally, the total highway safety account--state
33 appropriation in this section assumes the revenue generated by the fees
34 that the Washington state patrol is authorized to charge manufacturers,
35 technicians, and other providers under Second Substitute House Bill No.
36 2443. Within the amounts provided in this subsection is funding for
37 three additional troopers to provide oversight of the ignition
38 interlock industry.

1 (14) \$212,000 of the ignition interlock device revolving account--
2 state appropriation is provided solely for two additional troopers to
3 provide oversight of the ignition interlock industry. If chapter . . .
4 (Second Substitute House Bill No. 2443), Laws of 2012 is enacted by
5 June 30, 2012, the amount provided in this subsection lapses.

6 (15) \$132,000 of the multimodal transportation account--state
7 appropriation is provided solely for the implementation of chapter
8 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue
9 alert system). If chapter . . . (Engrossed Substitute House Bill No.
10 1820), Laws of 2012 is not enacted by June 30, 2012, the amount
11 provided in this subsection lapses.

12 (16) \$1,642,000 of the state patrol highway account--state
13 appropriation is provided solely for the auto theft investigation units
14 in King county, the city of Spokane, and the city of Tacoma.

15 (17) \$4,552,000 of the highway safety account--state appropriation
16 is provided solely to train an additional trooper cadet class in the
17 current fiscal biennium.

18 **Sec. 907.** 2012 c 86 s 208 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF LICENSING**

21 Marine Fuel Tax Refund Account--State Appropriation	\$32,000
22 Motorcycle Safety Education Account--State	
23 Appropriation	((\$4,367,000))
24	<u>\$4,364,000</u>
25 Wildlife Account--State Appropriation	((\$826,000))
26	<u>\$824,000</u>
27 Highway Safety Account--State Appropriation	((\$148,666,000))
28	<u>\$146,578,000</u>
29 Highway Safety Account--Federal Appropriation	\$4,299,000
30 Highway Safety Account--Private/Local Appropriation	\$200,000
31 Motor Vehicle Account--State Appropriation	((\$76,511,000))
32	<u>\$74,457,000</u>
33 Motor Vehicle Account--Private/Local Appropriation	\$1,714,000
34 Motor Vehicle Account--Federal Appropriation	\$380,000
35 Department of Licensing Services Account--State	
36 Appropriation	\$6,095,000
37 Ignition Interlock Device Revolving Account--State	

1	Appropriation	\$1,971,000
2	TOTAL APPROPRIATION	(\$245,061,000)
3		<u>\$240,914,000</u>

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

6 (1) \$231,000 of the motor vehicle account--state appropriation is
7 provided solely for the implementation of chapter ... (Substitute
8 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter
9 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by
10 June 30, 2011, the amount provided in this subsection lapses.

11 (2) \$193,000 of the department of licensing services account--state
12 appropriation is provided solely for a phased implementation of chapter
13 ... (Substitute House Bill No. 1046), Laws of 2011 (vehicle and vessel
14 quick titles). Funding is contingent upon revenues associated with the
15 vehicle and vessel quick title program paying all direct and indirect
16 expenditures associated with the department's implementation of this
17 subsection. If chapter ... (Substitute House Bill No. 1046), Laws of
18 2011 is not enacted by June 30, 2011, the amount provided in this
19 subsection lapses.

20 (3) \$4,299,000 of the highway safety account--federal appropriation
21 is for federal funds that may be received during the 2011-2013 fiscal
22 biennium. Upon receipt of the funds, the department shall provide a
23 report on the use of the funds to the transportation committees of the
24 legislature and the office of financial management.

25 (4) By December 31, 2011, the department shall submit to the office
26 of financial management and the transportation committees of the
27 legislature draft legislation that rewrites the tow truck statutes
28 (chapter 46.55 RCW) in plain language and is revenue and policy
29 neutral.

30 (5) \$128,000 of the highway safety account--state appropriation is
31 provided solely for the implementation of chapter ... (Engrossed
32 Substitute House Bill No. 1635), Laws of 2011 (driver's license exams).
33 If chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011
34 is not enacted by June 30, 2011, the amount provided in this subsection
35 lapses.

36 (6) \$68,000 of the highway safety account--state appropriation is
37 provided solely for the implementation of chapter ... (Engrossed Second
38 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI

1 accountability). If chapter ... (Engrossed Second Substitute House
2 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
3 amount provided in this subsection lapses.

4 (7) \$63,000 of the highway safety account--state appropriation is
5 provided solely for the implementation of chapter ... (Substitute House
6 Bill No. 1237), Laws of 2011 (selective service system). If chapter
7 ... (Substitute House Bill No. 1237), Laws of 2011 is not enacted by
8 June 30, 2011, the amount provided in this subsection lapses.

9 (8) \$340,000 of the motor vehicle account--private/local
10 appropriation is provided solely for the implementation of chapter ...
11 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
12 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
13 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
14 provided in this subsection lapses.

15 (9) \$1,738,000 of the department of licensing services account--
16 state appropriation is provided solely for purchasing equipment for
17 field licensing service offices and subagent offices.

18 (10) (~~(\$2,500,000)~~) \$1,500,000 of the highway safety account--state
19 appropriation is provided solely for information technology field
20 system modernization.

21 (11) \$963,000 of the highway safety account--state appropriation is
22 provided solely for implementation of chapter 374, Laws of 2011
23 (limousine carriers) and chapter 298, Laws of 2011 (master license
24 service program).

25 (12) \$99,000 of the motor vehicle account--state appropriation is
26 provided solely for the implementation of chapter . . . (Substitute
27 House Bill No. 2299), Laws of 2012 (special license plates). If
28 chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not
29 enacted by June 30, 2012, the amount provided in this subsection
30 lapses.

31 (13) \$174,000 of the highway safety account--state appropriation is
32 provided solely for the implementation of chapter . . . (Substitute
33 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
34 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
35 enacted by June 30, 2012, the amount provided in this subsection
36 lapses. Additionally, the total appropriation in this section assumes
37 the revenue generated by the fee established in Substitute Senate Bill
38 No. 6075. Within the amounts provided in this subsection, the

1 department must improve on the information that the department makes
2 publicly available to victims of domestic violence and sexual assault
3 on how to better protect their personal information, especially their
4 residential addresses. Specifically, the department must provide a
5 link to the secretary of state's address confidentiality program web
6 site. The department also must provide information regarding a
7 person's ability to provide a mailing address in addition to the
8 person's residential address when registering a vehicle with the
9 department.

10 (14) \$289,000 of the highway safety account--state appropriation is
11 provided solely for the implementation of chapter . . . (Engrossed
12 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
13 matching system). If chapter . . . (Engrossed Substitute Senate Bill
14 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
15 provided in this subsection lapses.

16 (15) \$397,000 of the highway safety account--state appropriation is
17 provided solely for the implementation of chapter . . . (Engrossed
18 Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic
19 infractions). If chapter . . . (Engrossed Substitute Senate Bill No.
20 6284), Laws of 2012 is not enacted by June 30, 2012, the amount
21 provided in this subsection lapses. Additionally, the total highway
22 safety account--state appropriation in this section assumes the revenue
23 generated by the policy changes in chapter . . . (Engrossed Substitute
24 Senate Bill No. 6284), Laws of 2012.

25 (16) \$222,000 of the motor vehicle account--state appropriation and
26 \$36,000 of the highway safety account--state appropriation are provided
27 solely for the implementation of chapter . . . (Engrossed Substitute
28 Senate Bill No. 6455), Laws of 2012 (transportation revenue). If
29 chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012
30 is not enacted by June 30, 2012, the amount provided in this subsection
31 lapses.

32 (17) \$274,000 of the motor vehicle account--state appropriation is
33 provided solely for the implementation of chapter . . . (Engrossed
34 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
35 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
36 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
37 provided in this subsection lapses.

1 (18) Within the amounts provided in this section, the department
2 must develop a transition plan for moving to a paperless renewal notice
3 for drivers' licenses and vehicle registrations. The plan must
4 consider people that do not have access to the internet and must
5 include an opportunity for people to opt-in to a paper renewal notice.
6 Prior to the implementation of a paperless renewal system, the
7 department must consult with the joint transportation committee.

8 (19) Within existing resources, the department shall develop a plan
9 to transition to a ten-year license plate replacement cycle. At a
10 minimum, the plan must include the following provisions: (a) A ten-
11 year replacement cycle for license plates only on vehicles that are
12 subject to annual vehicle registration renewal; (b) a requirement that
13 new license plates and registration, including all fees and taxes due
14 upon annual registration, are required when a vehicle changes
15 ownership, except when a vehicle is sold to a vehicle dealer for
16 resale, in which case they are due only when the dealer sells the
17 vehicle; (c) an original issue license plate fee that is equal to the
18 current license plate replacement fee; and (d) an estimate of the
19 plan's costs to implement and revenues generated. The department shall
20 submit the plan with draft legislation implementing the plan to the
21 transportation committees of the legislature by December 31, 2012.

22 (20) Consistent with RCW 43.135.055 and 43.24.086, during the
23 2011-2013 fiscal biennium, the legislature authorizes the department to
24 adjust the business and vehicle fees for the for hire licensing program
25 in amounts sufficient to recover the costs of administering the for
26 hire licensing program.

27 (21) The legislature intends to establish a veteran designation for
28 drivers' licenses and identicards issued under chapter 46.20 RCW, as
29 proposed under House Bill No. 2378, during the 2013 legislative
30 session. The designation would serve to establish a person's service
31 in the armed forces and be granted to a person who provides a United
32 States department of defense discharge document, DD Form 214, that
33 shows a discharge status of "honorable" or "general under honorable
34 conditions." The department shall report to the transportation
35 committees of the legislature by December 1, 2012, with a plan to
36 implement the designation. The plan must include the most cost-
37 effective options for implementation, a proposed fee amount to cover

1 the costs of the designation, and any other recommendations on the
2 implementation of the designation.

3 (22) \$59,000 of the motor vehicle account--state appropriation is
4 provided solely for the implementation of chapter . . . (Substitute
5 House Bill No. 2312), Laws of 2012 (military service award emblems).
6 If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not
7 enacted by June 30, 2012, the amount provided in this subsection
8 lapses.

9 (23) \$656,000 of the ignition interlock device revolving account--
10 state appropriation is provided solely for the implementation of
11 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012
12 (DUI accountability). If chapter . . . (Second Substitute House Bill
13 No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount
14 provided in this subsection lapses.

15 (24) \$134,000 of the highway safety account--state appropriation
16 and \$134,000 of the motor vehicle account--state appropriation are
17 provided solely for the implementation of chapter . . . (Engrossed
18 Second Substitute House Bill No. 2373), Laws of 2012 (state
19 recreational resources). If chapter . . . (Engrossed Second Substitute
20 House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the
21 amount provided in this subsection lapses.

22 **Sec. 908.** 2012 c 86 s 209 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
25 **MAINTENANCE--PROGRAM B**

26	High Occupancy Toll Lanes Operations Account--State	
27	Appropriation	((\$1,276,000))
28		<u>\$1,569,000</u>
29	Motor Vehicle Account--State Appropriation	((\$538,000))
30		<u>\$537,000</u>
31	Tacoma Narrows Toll Bridge Account--State	
32	Appropriation	((\$23,365,000))
33		<u>\$23,361,000</u>
34	State Route Number 520 Corridor Account--State	
35	Appropriation	((\$27,295,000))
36		<u>\$27,120,000</u>
37	State Route Number 520 Civil Penalties	

1	Account--State Appropriation	\$3,622,000
2	TOTAL APPROPRIATION	(\$56,096,000)
3		<u>\$56,209,000</u>

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

6 (1) The department shall make detailed quarterly expenditure
7 reports available to the transportation commission and to the public on
8 the department's web site using current department resources. The
9 reports must include a summary of toll revenue by facility on all
10 operating toll facilities and high occupancy toll lane systems, and an
11 itemized depiction of the use of that revenue.

12 (2) \$3,622,000 of the state route number 520 civil penalties
13 account--state appropriation and \$1,458,000 of the Tacoma Narrows toll
14 bridge account--state appropriation are provided solely for
15 expenditures related to the toll adjudication process. All costs
16 associated with the toll adjudication process are anticipated to be
17 covered by revenue collected from the toll adjudication process. The
18 department shall report quarterly on the civil penalty process to the
19 office of financial management and the house of representatives and
20 senate transportation committees beginning September 30, 2011. The
21 reports must include a summary table for each toll facility that
22 includes: The number of notices of civil penalty issued; the number of
23 recipients who pay before the notice becomes a penalty; the number of
24 recipients who request a hearing and the number who do not respond;
25 workload costs related to hearings; the cost and effectiveness of debt
26 collection activities; and revenues generated from notices of civil
27 penalty.

28 (3) It is the intent of the legislature that transitioning to a
29 statewide tolling operations center and preparing for all-electronic
30 tolling on certain toll facilities will have no adverse revenue or
31 expenditure impact on the Tacoma Narrows toll bridge account. Any
32 increased costs related to this transition shall not be allocated to
33 the Tacoma Narrows toll bridge account. All costs associated with the
34 toll adjudication process are anticipated to be covered by revenue
35 collected from the toll adjudication process.

36 (4) The department shall ensure that, at no cost to the Tacoma
37 Narrows toll bridge account, new electronic tolling tag readers are

1 installed on the Tacoma Narrows bridge as soon as practicable that are
2 able to read existing and new electronic tolling tags.

3 (5) (~~(\$17,786,000)~~) \$15,238,000 of the state route number 520
4 corridor account--state appropriation is provided solely for nonvendor
5 costs associated with tolling the state route number 520 bridge. Funds
6 from the state route number 520 corridor account--state appropriation
7 shall not be used to pay for items prohibited by Executive Order No.
8 1057, including subscriptions to technical publications, employee
9 educational expenses, professional membership dues and fees, employee
10 recognition and safety awards, meeting meals and light refreshments,
11 commute trip reduction incentives, and employee travel.

12 **Sec. 909.** 2012 c 86 s 210 (uncodified) is amended to read as
13 follows:

14 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
15 **C**

16 Motor Vehicle Account--State Appropriation	((\$67,398,000))
17	<u>\$65,667,000</u>
18 Transportation Partnership Account--State	
19 Appropriation	\$1,460,000
20 Multimodal Transportation Account--State	
21 Appropriation	\$363,000
22 Transportation 2003 Account (Nickel Account)--State	
23 Appropriation	\$1,460,000
24 TOTAL APPROPRIATION	((\$70,681,000))
25	<u>\$68,950,000</u>

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

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

35 (2) \$1,460,000 of the transportation partnership account--state
36 appropriation and \$1,460,000 of the transportation 2003 account (nickel

1 account)--state appropriation are provided solely for maintaining the
2 department's project management reporting system.

3 (3) \$210,000 of the motor vehicle account--state appropriation is
4 provided solely for the department's compliance with its national
5 pollution discharge elimination system permit.

6 (4) \$502,000 of the motor vehicle account--state appropriation is
7 provided solely to provide support for the transportation executive
8 information system.

9 **Sec. 910.** 2012 c 86 s 211 (uncodified) is amended to read as
10 follows:

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

13 Motor Vehicle Account--State Appropriation (~~(\$25,466,000)~~)
14 \$25,440,000

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

17 (1) The department shall submit a predesign proposal for a new
18 traffic management center to the office of financial management
19 consistent with the process followed by nontransportation capital
20 construction projects. The department shall not award a contract for
21 construction of a new traffic management center until the predesign
22 proposal has been submitted and the office of financial management has
23 completed a budget evaluation study that indicates a new building is
24 the recommended option for accommodating additional traffic management
25 operations.

26 (2) \$850,000 of the motor vehicle account--state appropriation is
27 provided solely for the department's compliance with its national
28 pollution discharge elimination system permit.

29 **Sec. 911.** 2012 c 86 s 212 (uncodified) is amended to read as
30 follows:

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

32 Aeronautics Account--State Appropriation (~~(\$6,002,000)~~)
33 \$5,999,000

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

35 TOTAL APPROPRIATION (~~(\$8,152,000)~~)
36 \$8,149,000

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

3 ((+1)) \$200,000 of the aeronautics account--state appropriation is
4 a reappropriation provided solely to complete runway preservation
5 projects.

6 **Sec. 912.** 2012 c 86 s 213 (uncodified) is amended to read as
7 follows:

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

10	Motor Vehicle Account--State Appropriation	((\$45,796,000))
11		<u>\$45,725,000</u>
12	Motor Vehicle Account--Federal Appropriation	\$500,000
13	Multimodal Transportation Account--State	
14	Appropriation	\$250,000
15	TOTAL APPROPRIATION	((\$46,546,000))
16		<u>\$46,475,000</u>

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

19 (1) \$3,754,000 of the motor vehicle account--state appropriation is
20 provided solely for the department's compliance with its national
21 pollution discharge elimination system permit.

22 (2) It is the intent of the legislature that the real estate
23 services division of the department will recover the cost of its
24 efforts from future sale proceeds.

25 (3) The legislature recognizes that the Dryden pit site (WSDOT
26 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
27 property under the jurisdiction of the department of transportation,
28 and that the public would benefit significantly from the complete
29 enjoyment of the natural scenic beauty and recreational opportunities
30 available at the site. Therefore, pursuant to RCW 47.12.080, the
31 legislature declares that transferring the property to the department
32 of fish and wildlife for recreational use and fish and wildlife
33 restoration efforts is consistent with the public interest in order to
34 preserve the area for the use of the public and the betterment of the
35 natural environment. The department of transportation shall work with
36 the department of fish and wildlife, and shall transfer and convey the
37 Dryden pit site to the department of fish and wildlife as is for an

1 adjusted fair market value reflecting site conditions, the proceeds of
 2 which must be deposited in the motor vehicle fund. The department of
 3 transportation is not responsible for any costs associated with the
 4 cleanup or transfer of this property. By July 1, 2011, and annually
 5 thereafter until the entire Dryden pit property has been transferred,
 6 the department shall submit a status report regarding the transaction
 7 to the chairs of the legislative transportation committees.

8 (4) The legislature recognizes that the trail known as the Apple
 9 Capital Loop, and its extensions, serve to separate motor vehicle
 10 traffic from pedestrians and bicyclists, increasing motor vehicle
 11 safety on existing state route number 28. Consistent with chapter
 12 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
 13 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
 14 and 2-09-04569 to Douglas county and the city of East Wenatchee is
 15 consistent with the public interest. The legislature directs the
 16 department to transfer the property to Douglas county and the city of
 17 East Wenatchee. The department must be paid fair market value for any
 18 portions of the transferred real property that is later abandoned,
 19 vacated, or ceases to be publicly maintained for trail purposes.
 20 Douglas county and the city of East Wenatchee must agree to accept
 21 responsibility for trail segments within their respective jurisdictions
 22 and sign an agreement with the state that the transfer of these parcels
 23 to their respective jurisdictions extinguishes any state obligations to
 24 improve, maintain, or be in any way responsible for these assets. The
 25 department shall report to the transportation committees of the
 26 legislature by June 30, 2013, and annually thereafter, on the status of
 27 the transfer until complete.

28 **Sec. 913.** 2012 c 86 s 214 (uncodified) is amended to read as
 29 follows:

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

32 Motor Vehicle Account--State Appropriation	(\$827,000)
33	<u>\$826,000</u>
34 Multimodal Transportation Account--State Appropriation	\$110,000
35 TOTAL APPROPRIATION	(\$937,000)
36	<u>\$936,000</u>

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

3 (1)(a) \$225,000 of the motor vehicle account--state appropriation
4 is provided solely to carry out work related to assessing the
5 operational feasibility of a road user assessment, including
6 technology, agency administration, multistate and federal standards,
7 and other necessary elements. This work must be carried out under the
8 guidance of the steering committee and in coordination with the
9 transportation commission's policy assessment and public outreach
10 planning authorized in section 205(4) (~~of this act~~) chapter 86, Laws
11 of 2012.

12 (b) If subsequent appropriations are provided, the department may
13 conduct a limited scope pilot project to test the feasibility of a road
14 user assessment system to be applied to electric vehicles. The pilot
15 project must be carried out under the guidance of the steering
16 committee described under section 205(4) (~~of this act~~) chapter 86,
17 Laws of 2012 and in coordination with the transportation commission.

18 (2) The department shall conduct a study on the potential to
19 generate revenue from off-premise outdoor advertising signs that are
20 erected or maintained adjacent and visible to the interstate system
21 highways, primary system highways, or scenic system highways. The
22 study must provide an evaluation of the market for outdoor advertising
23 signs, including an evaluation of the number of potential advertisers
24 and the amount charged by other jurisdictions for sign permits, and
25 must provide a recommendation for a revised fee structure that
26 recognizes the market value for off-premise signs and considers
27 charging differential fees based on the size, type, and location of the
28 sign.

29 (3) The public-private partnerships office must explore retail
30 partnerships at state-owned park-and-ride facilities, as authorized in
31 RCW 47.04.295, and if feasible, solicit proposals to implement a retail
32 partnership pilot project at one park-and-ride facility by June 30,
33 2013.

34 **Sec. 914.** 2012 c 86 s 215 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**
37 Motor Vehicle Account--State Appropriation (~~(\$373,709,000)~~)

1		<u>\$376,259,000</u>
2	Motor Vehicle Account--Federal Appropriation	\$7,000,000
3	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
4	TOTAL APPROPRIATION	((\$380,709,000))
5		<u>\$386,759,000</u>

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

8 (1) The department shall request an unanticipated receipt for any
9 federal moneys received for emergency snow and ice removal (~~and shall~~
10 ~~place an equal amount of the motor vehicle account state appropriation~~
11 ~~into unallotted status. This exchange shall not affect the amount of~~
12 ~~funding available for snow and ice removal~~)).

13 (2) (~~(\$7,000,000)~~) \$7,850,000 of the motor vehicle account--state
14 appropriation is provided solely for third-party damages to the highway
15 system where the responsible party is known and reimbursement is
16 anticipated. The department shall request additional appropriation
17 authority for any funds received for reimbursements of third-party
18 damages that are in excess of this appropriation.

19 (3) \$7,000,000 of the motor vehicle account--federal appropriation
20 is for unanticipated federal funds that may be received during the
21 2011-2013 fiscal biennium. Upon receipt of the funds, the department
22 shall provide a report on the use of the funds to the transportation
23 committees of the legislature and the office of financial management.

24 (4) 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 (5) \$4,530,000 of the motor vehicle account--state appropriation is
28 provided solely for the department's compliance with its national
29 pollution discharge elimination system permit.

30 (6) The department shall continue to report maintenance
31 accountability process (MAP) targets and achievements on an annual
32 basis. The department shall use available funding to target and
33 deliver a minimum MAP grade of C for the activity of roadway striping.

34 (7) \$6,884,000 of the motor vehicle account--state appropriation is
35 provided solely for the high priority maintenance backlog. Addressing
36 the maintenance backlog must result in increased levels of service. If
37 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011

1 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
2 appropriation provided in this subsection lapses.

3 (8) The department shall track the costs associated with active
4 traffic management systems on a corridor basis and report to the
5 transportation committees of the legislature on the costs and benefits
6 of the systems by December 1, 2012.

7 (9) \$3,500,000 of the highway safety account--state appropriation
8 is provided solely to further reduce the highway maintenance backlog in
9 order to maintain or increase levels of service.

10 **Sec. 915.** 2012 c 86 s 216 (uncodified) is amended to read as
11 follows:

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

14	Motor Vehicle Account--State Appropriation	((\$48,818,000))
15		<u>\$48,741,000</u>
16	Motor Vehicle Account--Federal Appropriation	\$2,050,000
17	Motor Vehicle Account--Private/Local Appropriation	\$250,000
18	TOTAL APPROPRIATION	((\$51,118,000))
19		<u>\$51,041,000</u>

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

22 (1) \$6,000,000 of the motor vehicle account--state appropriation is
23 provided solely for low-cost enhancements. Of this amount, \$10,000 of
24 the motor vehicle account--state appropriation is provided solely for
25 the department to install additional farm machinery signs to promote
26 safety in agricultural areas along state highways. The department
27 shall give priority to low-cost enhancement projects that improve
28 safety or provide congestion relief. The department shall prioritize
29 low-cost enhancement projects on a statewide rather than regional
30 basis. By September 1st of each even-numbered year, the department
31 shall provide a report to the legislature listing all low-cost
32 enhancement projects prioritized on a statewide rather than regional
33 basis completed in the prior year.

34 (2) \$145,000 of the motor vehicle account--state appropriation is
35 provided solely for the department to continue a pilot tow truck
36 incentive program and to expand the program to other areas of the

1 state. The department may provide incentive payments to towing
2 companies that meet clearance goals on accidents that involve heavy
3 trucks.

4 (3) During the 2011-2013 fiscal biennium, the department shall
5 implement a pilot program that expands private transportation
6 providers' access to high occupancy vehicle lanes. Under the pilot
7 program, when the department reserves a portion of a highway based on
8 the number of passengers in a vehicle, the following vehicles must be
9 authorized to use the reserved portion of the highway if the vehicle
10 has the capacity to carry eight or more passengers, regardless of the
11 number of passengers in the vehicle: (a) Auto transportation company
12 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
13 carrier vehicles regulated under chapter 81.70 RCW, except marked or
14 unmarked stretch limousines and stretch sport utility vehicles as
15 defined under department of licensing rules; (c) private nonprofit
16 transportation provider vehicles regulated under chapter 81.66 RCW; and
17 (d) private employer transportation service vehicles. For purposes of
18 this subsection, "private employer transportation service" means
19 regularly scheduled, fixed-route transportation service that is offered
20 by an employer for the benefit of its employees. By June 30, 2013, the
21 department shall report to the transportation committees of the
22 legislature on whether private transportation provider use of high
23 occupancy vehicle lanes under the pilot program reduces the speeds of
24 high occupancy vehicle lanes. Nothing in this subsection is intended
25 to authorize the conversion of public infrastructure to private, for-
26 profit purposes or to otherwise create an entitlement or other claim by
27 private users to public infrastructure. If chapter ... (Substitute
28 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
29 subsection is null and void.

30 (4) \$9,000,000 of the motor vehicle account--state appropriation is
31 provided solely for the department's incident response program.

32 (5) The department, in consultation with the Washington state
33 patrol, must continue a pilot program for the patrol to issue
34 infractions based on information from automated traffic safety cameras
35 in roadway construction zones on state highways. The department must
36 report to the joint transportation committee by January 1, 2012, and
37 January 1, 2013, on the status of this pilot program. For the purpose
38 of this pilot program, during the 2011-2013 fiscal biennium, a roadway

1 construction zone includes areas where public employees or private
2 contractors may be present or where a driving condition exists that
3 would make it unsafe to drive at higher speeds, such as, when the
4 department is redirecting or realigning lanes on any public roadway
5 pursuant to ongoing construction. The department shall use the
6 following guidelines to administer the program:

7 (a) Automated traffic safety cameras may only take pictures of the
8 vehicle and vehicle license plate and only while an infraction is
9 occurring. The picture must not reveal the face of the driver or of
10 passengers in the vehicle;

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

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

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

24 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
25 infractions detected through the use of automated traffic safety
26 cameras are not part of the registered owner's driving record under RCW
27 46.52.101 and 46.52.120. Additionally, infractions generated by the
28 use of automated traffic safety cameras must be processed in the same
29 manner as parking infractions for the purposes of RCW 3.50.100,
30 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
31 fine issued under this subsection (5) for an infraction generated
32 through the use of an automated traffic safety camera is one hundred
33 thirty-seven dollars. The court shall remit thirty-two dollars of the
34 fine to the state treasurer for deposit into the state patrol highway
35 account; and

36 (f) If a notice of infraction is sent to the registered owner and
37 the registered owner is a rental car business, the infraction must be
38 dismissed against the business if it mails to the patrol, within

1 fourteen days of receiving the notice, a declaration under penalty of
2 perjury of the name and known mailing address of the individual driving
3 or renting the vehicle when the infraction occurred. If the business
4 is unable to determine who was driving or renting the vehicle at the
5 time the infraction occurred, the business must sign a declaration
6 under penalty of perjury to this effect. The declaration must be
7 mailed to the patrol within fourteen days of receiving the notice of
8 traffic infraction. Timely mailing of this declaration to the issuing
9 agency relieves a rental car business of any liability under this
10 section for the notice of infraction. A declaration form suitable for
11 this purpose must be included with each automated traffic infraction
12 notice issued, along with instructions for its completion and use.

13 (6) The department shall track the costs associated with active
14 traffic management systems on a corridor basis and report to the
15 transportation committees of the legislature on the cost and benefits
16 of the systems by December 1, 2011.

17 **Sec. 916.** 2012 c 86 s 217 (uncodified) is amended to read as
18 follows:

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

21	Motor Vehicle Account--State Appropriation	((\$27,389,000))
22		<u>\$27,335,000</u>
23	Motor Vehicle Account--Federal Appropriation	\$30,000
24	Multimodal Transportation Account--State	
25	Appropriation	\$973,000
26	TOTAL APPROPRIATION	((\$28,392,000))
27		<u>\$28,338,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations: The department shall utilize existing
30 resources and customer service staff to develop and implement new
31 policies and procedures to ensure compliance with new federal passenger
32 vessel Americans with disabilities act requirements.

33 **Sec. 917.** 2012 c 86 s 218 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**

1	AND RESEARCH--PROGRAM T	
2	Motor Vehicle Account--State Appropriation	((\$22,304,000))
3		<u>\$22,245,000</u>
4	Motor Vehicle Account--Federal Appropriation	\$21,885,000
5	Multimodal Transportation Account--State	
6	Appropriation	\$662,000
7	Multimodal Transportation Account--Federal	
8	Appropriation	\$3,559,000
9	Multimodal Transportation Account--Private/Local	
10	Appropriation	\$100,000
11	TOTAL APPROPRIATION	((\$48,510,000))
12		<u>\$48,451,000</u>

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

15 (1) \$70,000 of the motor vehicle account--state appropriation is a
16 reappropriation provided solely for a corridor study of state route
17 number 516 from the eastern border of Maple Valley to state route
18 number 167 to determine whether improvements are needed and the costs
19 of any needed improvements.

20 (2) \$200,000 of the motor vehicle account--state appropriation is
21 provided solely for extending the freight database pilot project that
22 began in 2009. Global positioning system (GPS) data is intended to
23 help guide freight investment decisions and track highway project
24 effectiveness as it relates to freight traffic.

25 (3) Within available resources, the department must collaborate
26 with the affected metropolitan planning organizations, regional
27 transportation planning organizations, transit agencies, and private
28 transportation providers to develop a plan to reduce vehicle demand,
29 increase public transportation options, and reduce vehicle miles
30 traveled on corridors affected by growth at Joint Base Lewis-McChord.

31 (4) As part of their ongoing regional transportation planning, the
32 regional transportation planning organizations across the state shall
33 work together to provide a comprehensive framework for sources and uses
34 of next-stage investments in transportation needed to improve
35 structural conditions and ongoing operations and lay the groundwork for
36 the transportation systems to support the long-term economic vitality
37 of the state. This planning must include all forms of transportation
38 to reflect the state's interests, including: Highways, streets, and

1 roads; ferries; public transportation; systems for freight; and walking
2 and biking systems. The department shall support this planning by
3 providing information on potential state transportation uses and an
4 analysis of potential sources of revenue to implement investments. In
5 carrying out this planning, regional transportation planning
6 organizations must be broadly inclusive of business, civic, labor,
7 governmental, and environmental interests in regional communities
8 across the state.

9 (5) \$190,000 of the motor vehicle account--state appropriation is
10 provided solely for the regional transportation planning organizations
11 across the state to implement the comprehensive transportation planning
12 and data framework. The framework must provide regional transportation
13 planning organizations with the ability to identify the spatial and
14 temporal status of current and future high priority projects, and the
15 next stage investment necessary to implement those projects. The
16 framework must be accessible to the public and provide transparency and
17 accountability to the regional transportation planning process.

18 (6) Within existing resources, the department shall work with the
19 department of archaeology and historic preservation to develop a
20 statewide policy regarding the curation of artifacts and the use of
21 museums and information centers as potential mitigation under the
22 national environmental policy act. This policy must address the
23 following issues: How to minimize costs associated with information
24 centers and museums; when to use existing facilities to preserve and
25 display artifacts; how to minimize the time that stand-alone facilities
26 are needed; and how to transfer artifacts and other items to facilities
27 that are not owned or rented by the department. A report regarding
28 this policy must be submitted to the joint transportation committee by
29 September 1, 2012.

30 **Sec. 918.** 2012 c 86 s 219 (uncodified) is amended to read as
31 follows:

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

34	Motor Vehicle Account--State Appropriation	((\$74,734,000))
35		<u>\$71,530,000</u>
36	Motor Vehicle Account--Federal Appropriation	\$400,000
37	Multimodal Transportation Account--State	

1	Appropriation	\$1,798,000
2	TOTAL APPROPRIATION	(\$76,932,000)
3		<u>\$73,728,000</u>

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

6 (1) The department of enterprise services must provide a detailed
7 accounting of the revenues and expenditures of the self-insurance fund
8 to the transportation committees of the legislature on December 31st
9 and June 30th of each year.

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

12 (a) TO THE SECRETARY OF STATE--ARCHIVES AND
13 RECORDS MANAGEMENT \$512,000

14 (b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR
15 SERVICES \$488,000

16 (c) TO THE OFFICE OF THE ATTORNEY
17 GENERAL--ATTORNEY GENERAL SERVICES \$7,127,000

18 (d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR
19 RELATIONS SERVICES \$266,000

20 (e) TO THE OFFICE OF FINANCIAL
21 MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER \$473,000

22 (f) TO THE OFFICE OF MINORITY AND WOMEN'S
23 BUSINESS ENTERPRISES \$840,000

24 (g) TO CONSOLIDATED TECHNICAL SERVICES \$182,000

25 (h) TO THE DEPARTMENT OF ENTERPRISE
26 SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM \$3,495,000

27 (i) TO THE DEPARTMENT OF ENTERPRISE
28 SERVICES--PRODUCTION SUPPORT \$974,000

29 (j) TO THE DEPARTMENT OF ENTERPRISE
30 SERVICES--REAL ESTATE SERVICES \$108,000

31 (k) TO THE DEPARTMENT OF ENTERPRISE
32 SERVICES--PUBLICATIONS AND HISTORICAL SERVICES \$691,000

33 (l) TO THE DEPARTMENT OF ENTERPRISE
34 SERVICES--CAMPUS RENT \$3,293,000

35 (m) TO THE DEPARTMENT OF ENTERPRISE
36 SERVICES--CAPITAL PROJECT SURCHARGE \$879,000

37 (n) TO THE DEPARTMENT OF ENTERPRISE
38 SERVICES--PERSONAL SERVICE CONTRACTS \$100,000

1 (o) TO THE DEPARTMENT OF ENTERPRISE
 2 SERVICES--SECURE FILE TRANSFER SERVICES \$39,000
 3 (p) TO THE DEPARTMENT OF ENTERPRISE
 4 SERVICES--ACCESS SERVICES \$179,000
 5 (q) TO THE DEPARTMENT OF ENTERPRISE
 6 SERVICES--RISK MANAGEMENT SERVICES \$1,290,000
 7 (r) TO THE DEPARTMENT OF ENTERPRISE
 8 SERVICES--INFORMATION TECHNOLOGY SERVICES \$1,557,000

9 **Sec. 919.** 2012 c 86 s 220 (uncodified) is amended to read as
 10 follows:

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

13 Motor Vehicle Account--Federal Appropriation \$160,000
 14 State Vehicle Parking Account--State Appropriation \$452,000
 15 Regional Mobility Grant Program Account--State
 16 Appropriation ((~~\$48,942,000~~))
 17 \$40,255,000
 18 Multimodal Transportation Account--State
 19 Appropriation ((~~\$42,939,000~~))
 20 \$42,930,000
 21 Multimodal Transportation Account--Federal
 22 Appropriation \$2,582,000
 23 Multimodal Transportation Account--Private/Local
 24 Appropriation \$1,027,000
 25 Rural Mobility Grant Program Account--State
 26 Appropriation \$17,000,000
 27 TOTAL APPROPRIATION ((~~\$113,102,000~~))
 28 \$104,406,000

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

31 (1) \$25,000,000 of the multimodal transportation account--state
 32 appropriation is provided solely for a grant program for special needs
 33 transportation provided by transit agencies and nonprofit providers of
 34 transportation.

35 (a) \$5,500,000 of the multimodal transportation account--state
 36 appropriation is provided solely for grants to nonprofit providers of
 37 special needs transportation. Grants for nonprofit providers must be

1 based on need, including the availability of other providers of service
2 in the area, efforts to coordinate trips among providers and riders,
3 and the cost effectiveness of trips provided.

4 (b) \$19,500,000 of the multimodal transportation account--state
5 appropriation is provided solely for grants to transit agencies to
6 transport persons with special transportation needs. To receive a
7 grant, the transit agency must have a maintenance of effort for special
8 needs transportation that is no less than the previous year's
9 maintenance of effort for special needs transportation. Grants for
10 transit agencies must be prorated based on the amount expended for
11 demand response service and route deviated service in calendar year
12 2009 as reported in the "Summary of Public Transportation - 2009"
13 published by the department of transportation. No transit agency may
14 receive more than thirty percent of these distributions.

15 (2) Funds are provided for the rural mobility grant program as
16 follows:

17 (a) \$8,500,000 of the rural mobility grant program account--state
18 appropriation is provided solely for grants for those transit systems
19 serving small cities and rural areas as identified in the "Summary of
20 Public Transportation - 2009" published by the department of
21 transportation. Noncompetitive grants must be distributed to the
22 transit systems serving small cities and rural areas in a manner
23 similar to past disparity equalization programs. If the funding
24 provided in this subsection (2)(a) exceeds the amount required for
25 recipient counties to reach eighty percent of the average per capita
26 sales tax, funds in excess of that amount may be used for the
27 competitive grant process established in (b) of this subsection.

28 (b) \$8,500,000 of the rural mobility grant program account--state
29 appropriation is provided solely to providers of rural mobility service
30 in areas not served or underserved by transit agencies through a
31 competitive grant process.

32 (3)(a) \$6,000,000 of the multimodal transportation account--state
33 appropriation is provided solely for a vanpool grant program for: (a)
34 Public transit agencies to add vanpools or replace vans; and (b)
35 incentives for employers to increase employee vanpool use. The grant
36 program for public transit agencies will cover capital costs only;
37 operating costs for public transit agencies are not eligible for
38 funding under this grant program. Additional employees may not be

1 hired from the funds provided in this section for the vanpool grant
2 program, and supplanting of transit funds currently funding vanpools is
3 not allowed. The department shall encourage grant applicants and
4 recipients to leverage funds other than state funds.

5 (b) At least \$1,600,000 of the amount provided in this subsection
6 must be used for vanpool grants in congested corridors.

7 (c) \$520,000 of the amount provided in this subsection is provided
8 solely for the purchase of additional vans for use by vanpools serving
9 soldiers and civilian employees at Joint Base Lewis-McChord.

10 (4) (~~(\$8,942,000)~~) \$6,453,000 of the regional mobility grant
11 program account--state appropriation is reappropriated and provided
12 solely for the regional mobility grant projects identified in LEAP
13 Transportation Document 2012-1 ALL PROJECTS - Public Transportation -
14 Program (V) as developed March 8, 2012. The department shall continue
15 to review all projects receiving grant awards under this program at
16 least semiannually to determine whether the projects are making
17 satisfactory progress. The department shall promptly close out grants
18 when projects have been completed, and any remaining funds must be used
19 only to fund projects identified in the LEAP Transportation Document
20 referenced in this subsection. It is the intent of the legislature to
21 appropriate funds through the regional mobility grant program only for
22 projects that will be completed on schedule and that all funds in the
23 regional mobility grant program be used as soon as practicable to
24 advance eligible projects.

25 (5)(a) (~~(\$40,000,000)~~) \$33,802,000 of the regional mobility grant
26 program account--state appropriation is provided solely for the
27 regional mobility grant projects identified in LEAP Transportation
28 Document 2012-1 ALL PROJECTS - Public Transportation - Program (V) as
29 developed March 8, 2012. The department shall review all projects
30 receiving grant awards under this program at least semiannually to
31 determine whether the projects are making satisfactory progress. Any
32 project that has been awarded funds, but does not report activity on
33 the project within one year of the grant award, must be reviewed by the
34 department to determine whether the grant should be terminated. The
35 department shall promptly close out grants when projects have been
36 completed, and any remaining funds must be used only to fund projects
37 identified in the LEAP Transportation Document referenced in this
38 subsection. The department shall provide annual status reports on

1 December 15, 2011, and December 15, 2012, to the office of financial
2 management and the transportation committees of the legislature
3 regarding the projects receiving the grants. It is the intent of the
4 legislature to appropriate funds through the regional mobility grant
5 program only for projects that will be completed on schedule.

6 (b) In order to be eligible to receive a grant under (a) of this
7 subsection during the 2011-2013 fiscal biennium, a transit agency must
8 establish a process for private transportation providers to apply for
9 the use of park and ride facilities. For purposes of this subsection,

10 (i) "private transportation provider" means: An auto transportation
11 company regulated under chapter 81.68 RCW; a passenger charter carrier
12 regulated under chapter 81.70 RCW, except marked or unmarked stretch
13 limousines and stretch sport utility vehicles as defined under
14 department of licensing rules; a private nonprofit transportation
15 provider regulated under chapter 81.66 RCW; or a private employer
16 transportation service provider; and (ii) "private employer
17 transportation service" means regularly scheduled, fixed-route
18 transportation service that is offered by an employer for the benefit
19 of its employees.

20 (6) \$2,309,000 of the multimodal transportation account--state
21 appropriation is provided solely for the tri-county connection service
22 for Island, Skagit, and Whatcom transit agencies.

23 (7) \$200,000 of the multimodal transportation account--state
24 appropriation is contingent on the timely development of an annual
25 report summarizing the status of public transportation systems as
26 identified under RCW 35.58.2796.

27 (8) Funds provided for the commute trip reduction program may also
28 be used for the growth and transportation efficiency center program.

29 (9) An affected urban growth area that has not previously
30 implemented a commute trip reduction program is exempt from the
31 requirements in RCW 70.94.527 if a solution to address the state
32 highway deficiency that exceeds the person hours of delay threshold has
33 been funded and is in progress during the 2011-2013 fiscal biennium.

34 (10) \$300,000 of the multimodal transportation account--state
35 appropriation is provided solely for the continuation of state support
36 for the Whatcom smart trips commute trip reduction program.

37 (11) \$818,000 of the multimodal transportation account--state

1 appropriation is provided solely for state support of the Everett
2 connector bus service.

3 (12) The department shall contact all transit agencies with a
4 nonvoting member recommended by a labor organization and request
5 information regarding the participation of board members, both voting
6 and nonvoting, for all transit agency meetings in 2012 and the three
7 previous calendar years. The department shall provide a report to the
8 transportation committees of the legislature regarding the findings of
9 this survey, which must include the transit agencies, if any, that
10 refuse to respond either in whole or in part, by January 15, 2013.

11 (13) \$250,000 of the multimodal transportation account--state
12 appropriation is provided solely for the Clark county public
13 transportation benefit area to comply with the requirements of RCW
14 81.104.110 regarding the formation of an expert review panel to provide
15 an independent technical review of any plan that relies on any voter-
16 approved local funding options.

17 (14) \$100,000 of the multimodal transportation account--state
18 appropriation is provided solely for community transit to conduct a
19 federally mandated alternatives analysis study to allow a second swift
20 line to be funded through the federal transit administration's new
21 starts or small starts process.

22 (15) \$160,000 of the motor vehicle account--federal appropriation
23 is provided solely for King county metro to study demand potential for
24 a state route number 18 and Interstate 90 park-and-ride location, to
25 size the facilities appropriately, to perform site analysis, and to
26 develop preliminary design concepts.

27 **Sec. 920.** 2012 c 86 s 221 (uncodified) is amended to read as
28 follows:

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

30 Puget Sound Ferry Operations Account--State

31	Appropriation	((\$468,135,000))
32		<u>\$459,016,000</u>
33	<u>Highway Safety Account--State Appropriation</u>	<u>\$7,000,000</u>
34	<u>TOTAL APPROPRIATION</u>	<u>\$466,016,000</u>

35 The appropriations in this section ((is)) are subject to the
36 following conditions and limitations:

1 (1) The office of financial management budget instructions require
2 agencies to recast enacted budgets into activities. The Washington
3 state ferries shall include a greater level of detail in its 2011-2013
4 supplemental and 2013-2015 omnibus transportation appropriations act
5 requests, as determined jointly by the office of financial management,
6 the Washington state ferries, and the transportation committees of the
7 legislature. This level of detail must include the administrative
8 functions in the operating as well as capital programs.

9 (2) When purchasing uniforms that are required by collective
10 bargaining agreements, the department shall contract with the lowest
11 cost provider.

12 (3) Until a reservation system is operational on the San Juan
13 islands inner-island route, the department shall provide the same
14 priority loading benefits on the San Juan islands inner-island route to
15 home health care workers as are currently provided to patients
16 traveling for purposes of receiving medical treatment.

17 (4) The department shall request from the United States coast guard
18 variable minimum staffing levels on all of its vessels by December 31,
19 2011.

20 (5) The department shall continue to provide service to Sidney,
21 British Columbia and shall explore the option of purchasing a foreign
22 built vehicle and passenger ferry vessel either with safety of life at
23 sea (SOLAS) certification or the ability to be retrofitted for SOLAS
24 certification to operate solely on the Anacortes to Sidney, British
25 Columbia route currently served by vessels of the Washington state
26 ferries fleet. The vessel should have the capability of carrying at
27 least one hundred standard vehicles and approximately four hundred to
28 five hundred passengers. Further, the department shall explore the
29 possibilities of contracting a commercial company to operate the vessel
30 exclusively on this route so long as the contractor's employees
31 assigned to the vessel are represented by the same employee
32 organizations as the Washington state ferries. The department shall
33 report back to the transportation committees of the legislature
34 regarding: The availability of a vessel; the cost of the vessel,
35 including transport to the Puget Sound region; and the need for any
36 statutory changes for the operation of the Sydney, British Columbia
37 service by a private company.

1 (6) For the 2011-2013 fiscal biennium, the department of
2 transportation may enter into a distributor controlled fuel hedging
3 program and other methods of hedging approved by the fuel hedging
4 committee.

5 (7) (~~(\$136,648,000)~~) \$120,748,000 of the Puget Sound ferry
6 operations account--state appropriation is provided solely for auto
7 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The
8 amount provided in this appropriation represents the fuel budget for
9 the purposes of calculating any ferry fare fuel surcharge.

10 (8) \$150,000 of the Puget Sound ferry operations account--state
11 appropriation is provided solely for the department to increase
12 recreation and tourist ridership by entering into agreements for
13 marketing and outreach strategies with local economic development
14 agencies. The department shall identify the number of tourist and
15 recreation riders on the applicable ferry routes both before and after
16 implementation of marketing and outreach strategies developed through
17 the agreements. The department shall report results of the marketing
18 and outreach strategies to the transportation committees of the
19 legislature by October 15, 2012.

20 (9) The Washington state ferries shall participate in the
21 facilities plan included in section 604 (~~(of this act)~~), chapter 367,
22 Laws of 2011 and shall include an investigation and identification of
23 less costly relocation options for the Seattle headquarters office.
24 The department shall include relocation options for the Washington
25 state ferries Seattle headquarters office in the facilities plan.
26 Until September 1, 2012, the department may not enter into a lease
27 renewal for the Seattle headquarters office.

28 (10) The department, office of financial management, and
29 transportation committees of the legislature shall make recommendations
30 regarding an appropriate budget structure for the Washington state
31 ferries. The recommendation may include a potential restructuring of
32 the Washington state ferries budget. The recommendation must
33 facilitate transparency in reporting and budgeting as well as provide
34 the opportunity to link revenue sources with expenditures. Findings
35 and recommendations must be reported to the office of financial
36 management and the joint transportation committee by September 1, 2011.

37 (11) Two Kwa-di-tabil class ferry vessels must be placed on the
38 Port Townsend/Coupeville (Keystone) route to provide service at the

1 same levels provided when the steel electric vessels were in service.
2 After the vessels as funded under section 308 (5) (~~of this act~~),
3 chapter 86, Laws of 2012 are in service, the two most appropriate of
4 these vessels for the Port Townsend/Coupeville (Keystone) route must be
5 placed on the route. \$100,000 of the Puget Sound ferry operations
6 account--state appropriation is provided solely for the additional
7 staffing required to maintain a reservation system at this route when
8 the second vessel is in service.

9 (12) \$706,000 of the Puget Sound ferry operations account--state
10 appropriation is provided solely for terminal operations to implement
11 new federal passenger vessel Americans with disabilities act
12 requirements.

13 (13) \$152,000 of the Puget Sound ferry operations account--state
14 appropriation is provided solely for the department's compliance with
15 its national pollution discharge elimination system permit.

16 (14) \$7,000,000 of the highway safety account--state appropriation
17 is provided solely for the purchase of fuel for marine operations.

18 **Sec. 921.** 2012 c 86 s 222 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

21 Multimodal Transportation Account--State	
22 Appropriation	((\$33,642,000))
23	<u>\$33,639,000</u>
24 Multimodal Transportation Account--Federal	
25 Appropriation	\$400,000
26 TOTAL APPROPRIATION	((\$34,042,000))
27	<u>\$34,039,000</u>

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

30 (1) \$27,816,000 of the multimodal transportation account--state
31 appropriation is provided solely for the Amtrak service contract and
32 Talgo maintenance contract associated with providing and maintaining
33 state-supported passenger rail service. The department is directed to
34 continue to pursue efforts to reduce costs, increase ridership, and
35 review fares or fare schedules. Within thirty days of each annual
36 cost/revenue reconciliation under the Amtrak service contract, the
37 department shall report annual credits to the office of financial

1 management and the legislative transportation committees. Annual
2 credits from Amtrak to the department including, but not limited to,
3 credits for increased revenue due to higher ridership, and fare or fare
4 schedule adjustments, must be used to offset corresponding amounts of
5 the multimodal transportation account--state appropriation, which must
6 be placed in reserve. Upon completion of the rail platform project in
7 the city of Stanwood, the department shall continue to provide daily
8 Amtrak Cascades service to the city.

9 (2) Amtrak Cascade runs may not be eliminated.

10 (3) The department shall plan for a third roundtrip Cascades train
11 between Seattle and Vancouver, B.C.

12 (4) The department shall conduct a pilot program by partnering with
13 the travel industry on the Amtrak Cascades service between Vancouver,
14 British Columbia, and Seattle to test opportunities for increasing
15 ridership, maximizing farebox recovery, and stimulating private
16 investment. The pilot program must run from July 1, 2011, to June 30,
17 2012. The department shall report on the results of the pilot program
18 to the office of financial management and the legislature by September
19 30, 2012.

20 (5) \$300,000 of the multimodal transportation account--state
21 appropriation is provided solely for the department to conduct a study
22 to examine the interconnectivity benefits of, and potential for, a
23 future Amtrak Cascades stop in the vicinity of the city of Auburn. As
24 part of its consideration, the department shall conduct a thorough
25 market analysis of the potential for adding or changing stops on the
26 Amtrak Cascades route.

27 **Sec. 922.** 2012 c 86 s 223 (uncodified) is amended to read as
28 follows:

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

31 Motor Vehicle Account--State Appropriation	(((\$8,518,000)))
	<u>\$8,505,000</u>
32 Motor Vehicle Account--Federal Appropriation	\$2,567,000
33 TOTAL APPROPRIATION	(((\$11,085,000)))
	<u>\$11,072,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations: The department shall submit a report to
36
37

1 the transportation committees of the legislature by December 1, 2011,
2 on the implementation of the recommendations that resulted from the
3 evaluation of efficiencies in the delivery of transportation funding
4 and services to local governments that was required under section
5 204(8), chapter 247, Laws of 2010. The report must include a
6 description of how recommendations were implemented, what efficiencies
7 were achieved, and an explanation of any recommendations that were not
8 implemented.

9 **TRANSPORTATION AGENCIES--CAPITAL**

10 **Sec. 1001.** 2012 c 86 s 302 (uncodified) is amended to read as
11 follows:

12 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

13	Motor Vehicle Account--State Appropriation	\$874,000
14	Rural Arterial Trust Account--State Appropriation	(\$62,510,000)
15		<u>\$61,510,000</u>
16	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
17	County Arterial Preservation Account--State	
18	Appropriation	\$29,360,000
19	TOTAL APPROPRIATION	(\$92,744,000)
20		<u>\$95,244,000</u>

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

23 (1) \$874,000 of the motor vehicle account--state appropriation may
24 be used for county ferry projects as developed pursuant to RCW
25 47.56.725(4).

26 (2) \$62,510,000 of the rural arterial trust account--state
27 appropriation is provided solely for county road preservation grant
28 projects as approved by the county road administration board. These
29 funds may be used to assist counties recovering from federally declared
30 emergencies by providing capitalization advances and local match for
31 federal emergency funding, and may only be made using existing fund
32 balances. It is the intent of the legislature that the rural arterial
33 trust account be managed based on cash flow. The county road
34 administration board shall specifically identify any of the selected

1 projects and shall include information concerning the selected projects
2 in its next annual report to the legislature.

3 (3) \$3,500,000 of the highway safety account--state appropriation
4 is provided solely for the county arterial preservation program to help
5 counties meet urgent preservation needs.

6 **Sec. 1002.** 2012 c 86 s 303 (uncodified) is amended to read as
7 follows:

8 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

9 Small City Pavement and Sidewalk Account--State

10 Appropriation \$5,270,000

11 Transportation Improvement Account--State

12 Appropriation ((~~\$237,545,000~~))

13 \$214,545,000

14 Highway Safety Account--State Appropriation \$3,500,000

15 TOTAL APPROPRIATION ((~~\$242,815,000~~))

16 \$223,315,000

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

19 (1) The transportation improvement account--state appropriation
20 includes up to \$22,143,000 in proceeds from the sale of bonds
21 authorized in RCW 47.26.500.

22 (2) \$3,150,000 of the highway safety account--state appropriation
23 is provided solely for the urban arterial program to help cities meet
24 urgent preservation and storm water needs.

25 (3) \$350,000 of the highway safety account--state appropriation is
26 provided solely for the small city pavement program to help cities meet
27 urgent preservation and storm water needs.

28 **Sec. 1003.** 2012 c 86 s 305 (uncodified) is amended to read as
29 follows:

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

31 Transportation Partnership Account--State

32 Appropriation ((~~\$1,636,316,000~~))

33 \$1,148,812,000

34 Motor Vehicle Account--State Appropriation ((~~\$103,889,000~~))

35 \$63,747,000

36 Motor Vehicle Account--Federal Appropriation ((~~\$790,703,000~~))

1		<u>\$811,882,000</u>
2	Motor Vehicle Account--Private/Local	
3	Appropriation	((\$124,917,000))
4		<u>\$84,823,000</u>
5	Transportation 2003 Account (Nickel Account)--State	
6	Appropriation	((\$416,125,000))
7		<u>\$346,873,000</u>
8	State Route Number 520 Corridor Account--State	
9	Appropriation	((\$1,752,138,000))
10		<u>\$902,101,000</u>
11	((Special Category C Account--State Appropriation \$124,000	
12	Tacoma Narrows Toll Bridge Account--State	
13	 Appropriation \$5,791,000))	
14	<u>Multimodal Transportation Account--State Appropriation</u>	<u>\$303,000</u>
15	TOTAL APPROPRIATION	((\$4,830,003,000))
16		<u>\$3,358,541,000</u>

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

19 (1) Except as provided otherwise in this section, the entire
20 transportation 2003 account (nickel account) appropriation and the
21 entire transportation partnership account appropriation are provided
22 solely for the projects and activities as listed by ~~((fund,))~~
23 ~~project((, and amount))~~ in LEAP Transportation Document ~~((2012-2))~~
24 2013-1 as developed ~~((March 8, 2012))~~ April 3, 2013, Program - Highway
25 Improvement Program (I). ~~((However, limited transfers of specific~~
26 ~~line item project appropriations may occur between projects for those~~
27 ~~amounts listed subject to the conditions and limitations in section 603~~
28 ~~of this act.))~~

29 (2) Within the motor vehicle account--state appropriation and
30 motor vehicle account--federal appropriation, the department may
31 transfer funds between programs I and P, except for funds that are
32 otherwise restricted in this act.

33 (3) The department shall apply for surface transportation program
34 enhancement funds to be expended in lieu of or in addition to state
35 funds for eligible costs of projects in programs I and P including, but
36 not limited to, the state route number 518, state route number 520,
37 Columbia river crossing, and Alaskan Way viaduct projects.

1 (4) The department shall apply for the competitive portion of
2 federal transit administration funds for eligible transit-related costs
3 of the state route number 520 bridge replacement and HOV project and
4 the Columbia river crossing project. The federal funds described in
5 this subsection must not include those federal transit administration
6 funds distributed by formula. The department shall provide a report
7 regarding this effort to the legislature by October 1, 2011.

8 (5) The department shall work with the department of archaeology
9 and historic preservation to ensure that the cultural resources
10 investigation is properly conducted on all mega-highway projects and
11 large ferry terminal projects. These projects must be conducted with
12 active archaeological management. Additionally, the department shall
13 establish a scientific peer review of independent archaeologists that
14 are knowledgeable about the region and its cultural resources.

15 (6) For highway construction projects where the department
16 considers agricultural lands of long-term commercial significance, as
17 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
18 environmental mitigation requirements under the national environmental
19 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
20 policy act (chapter 43.21C RCW), the department shall, to the greatest
21 extent possible, consider using public land first. If public lands are
22 not available that meet the required environmental mitigation needs,
23 the department may use other sites while making every effort to avoid
24 any net loss of agricultural lands that have a designation of long-term
25 commercial significance.

26 (7) \$561,000 of the transportation partnership account--state
27 appropriation and \$1,176,000 of the transportation 2003 account (nickel
28 account)--state appropriation are provided solely for project OBI4ENV,
29 Environmental Mitigation Reserve - Nickel/TPA project, as indicated in
30 the LEAP transportation document referenced in subsection (1) of this
31 section. Funds may be used only for environmental mitigation work that
32 is required by permits that were issued for projects funded by the
33 transportation partnership account or transportation 2003 account
34 (nickel account).

35 (8) The transportation 2003 account (nickel account)--state
36 appropriation includes up to (~~(\$339,608,000)~~) \$308,996,000 in proceeds
37 from the sale of bonds authorized by RCW 47.10.861.

1 (9) The transportation partnership account--state appropriation
2 includes up to (~~(\$972,392,000)~~) \$734,097,000 in proceeds from the sale
3 of bonds authorized in RCW 47.10.873.

4 (10) The motor vehicle account--state appropriation includes up to
5 (~~(\$55,870,000)~~) \$5,000,000 in proceeds from the sale of bonds
6 authorized in RCW 47.10.843.

7 (11) The state route number 520 corridor account--state
8 appropriation includes up to (~~(\$1,779,000,000)~~) \$913,297,000 in
9 proceeds from the sale of bonds authorized in RCW 47.10.879.

10 (12) (~~(\$767,000)~~) \$692,000 of the motor vehicle account--state
11 appropriation and (~~(\$3,736,000)~~) \$3,002,000 of the motor vehicle
12 account--federal appropriation are provided solely for the US 2 High
13 Priority Safety project (100224I). Expenditure of these funds is for
14 safety projects on state route number 2 between Monroe and Gold Bar,
15 which may include median rumble strips, traffic cameras, and electronic
16 message signs.

17 (13) (~~(\$820,000)~~) \$819,900 of the motor vehicle account--federal
18 appropriation, (~~(\$16,308,000)~~) \$6,226,000 of the motor vehicle
19 account--private/local appropriation, and (~~(\$48,000)~~) \$344,000 of the
20 motor vehicle account--state appropriation are provided solely for the
21 US 2/Bickford Avenue - Intersection Safety Improvements project
22 (100210E).

23 (14) \$1,025,000 of the motor vehicle account--state appropriation
24 is provided solely for environmental work on the Belfair Bypass project
25 (300344C).

26 (15) (~~(\$372,000)~~) \$360,000 of the motor vehicle account--federal
27 appropriation and (~~(\$9,000)~~) \$49,000 of the motor vehicle account--
28 state appropriation are provided solely for the I-5/Vicinity of Joint
29 Base Lewis-McChord - Install Ramp Meters project (300596M).

30 (16) (~~(\$202,863,000)~~) \$102,588,000 of the transportation
31 partnership account--state appropriation (~~(and — \$51,138,000)~~),
32 \$43,847,000 of the transportation 2003 account (nickel account)--state
33 appropriation, \$12,000 of the motor vehicle account--federal
34 appropriation, and \$68,000 of the motor vehicle account--private/local
35 appropriation are provided solely for the I-5/Tacoma HOV Improvements
36 (Nickel/TPA) project (300504A). The use of funds in this subsection to
37 renovate any buildings is subject to the requirements of section 604

1 (~~of this act~~), chapter 367, Laws of 2011. The department shall
2 report to the legislature and the office of financial management on any
3 costs associated with building renovations funded in this subsection.

4 (17)(a) \$7,423,000 of the transportation partnership account--state
5 appropriation (~~and~~), \$54,461,000 of the motor vehicle account--
6 federal appropriation, \$30,388,000 of the motor vehicle account--
7 private/local appropriation, \$303,000 of the multimodal transportation
8 account--state appropriation, and \$527,000 of the motor vehicle
9 account--state appropriation are provided solely for the I-5/Columbia
10 River Crossing project (400506A). (~~Of the amounts appropriated in~~
11 ~~this subsection, \$15,000,000 of the motor vehicle account federal~~
12 ~~appropriation must be put into unallotted status and is subject to the~~
13 ~~review of the office of financial management. This funding may only be~~
14 ~~allotted once the state of Oregon's total contribution of shared~~
15 ~~expenses on the project are within five million dollars of the state of~~
16 ~~Washington's shared expenses.))~~

17 (b) It is the intent of the legislature that Washington and Oregon
18 have equal funding commitments and equal total expenditures to date on
19 the shared components of the Columbia river crossing project. The
20 department shall provide a quarterly report on this project beginning
21 March 31, 2012. This report must include:

22 (i) An update on preliminary engineering and right-of-way
23 acquisition for the previous quarter;

24 (ii) Planned objectives for right-of-way and preliminary
25 engineering for the ensuing quarter;

26 (iii) An updated comparison of the total appropriation authority
27 for the project by state;

28 (iv) An updated comparison of the total expenditures to date on the
29 project by state; and

30 (v) The committed funding provided by the state of Oregon to right-
31 of-way acquisition.

32 (c) \$200,000 of the transportation partnership account--state
33 appropriation in this subsection is provided solely for the department
34 to work with the department of archaeology and historic preservation to
35 ensure that the cultural resources investigation is properly conducted
36 on the Columbia river crossing project. This project must be conducted
37 with active archaeological management and result in one report that
38 spans the single cultural area in Oregon and Washington. Additionally,

1 the department shall establish a scientific peer review of independent
2 archaeologists that are knowledgeable about the region and its cultural
3 resources.

4 (d) Consistent with the draft environmental impact statement and
5 the Columbia river crossing project's independent review panel report,
6 the Columbia river crossing project's financial plan must include
7 recognition of state transportation funding contributions from both
8 Washington and Oregon, federal transportation funding, and a funding
9 contribution from toll bond proceeds. Following the refinement of the
10 finance plan as recommended by the independent review panel, the
11 department may seek authorization from the legislature to collect tolls
12 on the existing Columbia river crossing or on a replacement crossing
13 over Interstate 5.

14 (e) The Washington state department of transportation budget
15 includes resources to continue work on solutions that advance the
16 Columbia river crossing project to completion of the required
17 environmental impact statement. The department must report to the
18 Columbia river crossing legislative oversight subcommittee of the joint
19 transportation committee, established in section 204(7) (~~of this~~
20 ~~act~~), chapter 86, Laws of 2012, on the progress made on the Columbia
21 river crossing project at each meeting of the oversight subcommittee.
22 Reporting must include updated information on cost estimates, rights-
23 of-way purchases and procurement schedules, and financing plans for the
24 Columbia river crossing project, including projected traffic volumes,
25 fuel and gas price assumptions, toll rates, costs of toll collections,
26 as well as potential need for general transportation funding. By
27 January 1, 2013, the department shall provide to the oversight
28 subcommittee of the joint transportation committee a phased master plan
29 for the Columbia river crossing project.

30 (18) Within the amounts provided for the Columbia river crossing
31 project (400506A), the department shall conduct a traffic and revenue
32 analysis for the Columbia river crossing project that will lay the
33 foundation for investment grade traffic and revenue analysis. While
34 conducting the analysis, the department must coordinate with the Oregon
35 department of transportation, the Washington state transportation
36 commission, and the Washington state legislative oversight committee.

37 (a) The department's analysis must include the assessment and
38 review of the following variables within the project:

1 (i) Exemptions from tolls for vehicles with two or more occupants;
2 (ii) A variable toll where the tolls vary by time of day and day of
3 the week; and
4 (iii) A frequency-based toll rate for the facility.
5 (b) The analysis must also assess the following:
6 (i) The impact that light rail service in the corridor will have on
7 estimated toll revenues;
8 (ii) The level of diversion from the Interstate 5 corridor and the
9 impact on estimated toll revenues; and
10 (iii) The estimated toll revenues from vehicle trips originating
11 within the region and outside the region by vehicle type.
12 (c) The department must submit a report of findings to the
13 transportation committees of the legislature by July 1, 2013.
14 (19) (~~(\$309,000)~~) \$91,000 of the motor vehicle account--federal
15 appropriation and (~~(\$78,000)~~) \$24,000 of the motor vehicle account--
16 state appropriation are provided solely for the SR 9/SR 204
17 Intersection Improvement project (L2000040).
18 (20) (~~(\$3,385,000)~~) \$980,000 of the motor vehicle account--federal
19 appropriation and (~~(\$50,000)~~) \$51,000 of the motor vehicle account--
20 state appropriation are provided solely for the US 12/Nine Mile Hill to
21 Woodward Canyon Vic - Build New Highway project (501210T).
22 (21) \$5,791,000 of the Tacoma Narrows toll bridge account--state
23 appropriation is provided solely for deferred sales tax expenses on the
24 construction of the new Tacoma Narrows bridge. However, if chapter
25 . . . (Senate Bill No. 6073), Laws of 2012 (sales tax exemption on SR
26 16 projects) is enacted by June 30, 2012, the amount provided in this
27 subsection lapses.
28 (22) (~~(\$391,000)~~) \$226,000 of the motor vehicle account--federal
29 appropriation and (~~(\$16,000)~~) \$19,000 of the motor vehicle account--
30 state appropriation are provided solely for the SR 16/Rosedale Street
31 NW Vicinity - Frontage Road project (301639C). The frontage road must
32 be built for driving speeds of no more than thirty-five miles per hour.
33 (23) (~~(\$621,000)~~) \$663,000 of the motor vehicle account--federal
34 appropriation (~~(is)~~) and \$12,000 of the motor vehicle account--state
35 appropriation are provided solely for the SR 20/Race Road to Jacob's
36 Road safety project (L2200042).
37 (24) (~~(\$32,162,000)~~) \$15,746,000 of the transportation partnership

1 account--state appropriation (~~(is)~~) and \$122,000 of the motor vehicle
2 account--private/local appropriation are provided solely for the SR 28/
3 US 2 and US 97 Eastmont Avenue Extension project (202800D).

4 (25) (~~(\$1,227,000)~~) \$705,000 of the motor vehicle account--federal
5 appropriation and (~~(\$38,000)~~) \$165,000 of the motor vehicle account--
6 state appropriation are provided solely for design and right-of-way
7 work on the I-82/Red Mountain Vicinity project (508208M). The
8 department shall continue to work with the local partners in developing
9 transportation solutions necessary for the economic growth in the Red
10 Mountain American viticulture area of Benton county.

11 (26) (~~(\$1,500,000)~~) \$3,000,000 of the motor vehicle account--
12 federal appropriation (~~(is)~~) and \$120,000 of the motor vehicle
13 account--state appropriation are provided solely for the I-90
14 Comprehensive Tolling Study and Environmental Review project (100067T).
15 The department shall undertake a comprehensive environmental review of
16 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
17 purposes of both managing traffic and providing funding for
18 construction of the unfunded state route number 520 from Interstate 5
19 to Medina project. The environmental review must include significant
20 outreach to potentially affected communities. The department may
21 consider traffic management options that extend as far east as
22 Issaquah.

23 (27) \$12,149,000 of the motor vehicle account--federal
24 appropriation (~~(and)~~) \$362,000 of the motor vehicle account--state
25 appropriation, and \$50,000 of the motor vehicle account--private/local
26 appropriation are provided solely for the I-90/Sullivan Road to Barker
27 Road - Additional Lanes project (609049N).

28 (28) Up to \$8,000,000 in savings realized on the I-90/Snoqualmie
29 Pass East - Hyak to Keechelus Dam - Corridor project (509009B) may be
30 used for design work on the next two-mile segment of the corridor. Any
31 additional savings on this project must remain on the corridor.
32 Project funds may not be used to build or improve buildings until the
33 plan described in section 604 (~~(of this act)~~), chapter 367, Laws of
34 2011 is complete.

35 (29) (~~(\$657,000)~~) \$637,000 of the motor vehicle account--federal
36 appropriation (~~(is)~~) and \$15,000 of the motor vehicle account--state
37 appropriation are provided solely for the US 97A/North of Wenatchee -
38 Wildlife Fence project (209790B).

1 (30) The department shall reconvene an expert review panel of no
2 more than three members as described under RCW 47.01.400 for the
3 purpose of updating the work that was previously completed by the panel
4 on the Alaskan Way viaduct replacement project and to ensure that an
5 appropriate and viable financial plan is created and regularly
6 reviewed. The expert review panel must be selected cooperatively by
7 the chairs of the senate and house of representatives transportation
8 committees, the secretary of transportation, and the governor. The
9 expert review panel must report findings and recommendations to the
10 transportation committees of the legislature, the governor's Alaskan
11 Way viaduct project oversight committee, and the transportation
12 commission by October 2011, and annually thereafter until the project
13 is operationally complete.

14 (31) It is important that the public and policymakers have accurate
15 and timely access to information related to the Alaskan Way viaduct
16 replacement project as it proceeds to, and during, the construction of
17 all aspects of the project including, but not limited to, information
18 regarding costs, schedules, contracts, project status, and neighborhood
19 impacts. Therefore, it is the intent of the legislature that the
20 state, city, and county departments of transportation establish a
21 single source of accountability for integration, coordination,
22 tracking, and information of all requisite components of the
23 replacement project, which must include, at a minimum:

24 (a) A master schedule of all subprojects included in the full
25 replacement project or program; and

26 (b) A single point of contact for the public, media, stakeholders,
27 and other interested parties.

28 (32) Within the amounts provided in this section, (~~(\$20,000)~~)
29 \$42,000 of the motor vehicle account--state appropriation and
30 (~~(\$980,000)~~) \$958,000 of the motor vehicle account--federal
31 appropriation are provided solely for the department to continue work
32 on a comprehensive tolling study of the state route number 167 corridor
33 (project 316718S). As funding allows, the department shall also
34 continue work on a comprehensive tolling study of the state route
35 number 509 corridor.

36 (33)(a) (~~(\$137,022,000)~~) \$70,663,000 of the transportation
37 partnership account--state appropriation (~~and — \$50,623,000~~)
38 \$38,613,000 of the transportation 2003 account (nickel account)--state

1 appropriation and \$309,000 of the motor vehicle account--private/local
2 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
3 2 - Widening project (8BI1002). This project must be completed as soon
4 as practicable as a design-build project and must be constructed with
5 a footprint that would accommodate potential future express toll lanes.

6 (b) As part of the project, the department shall conduct a traffic
7 and revenue analysis and complete a financial plan to provide
8 additional information on the revenues, expenditures, and financing
9 options available for active traffic management and congestion relief
10 in the Interstate 405 and state route number 167 corridors. A report
11 must be provided to the transportation committees of the legislature
12 and the office of financial management by January 2012. However, this
13 subsection (33)(b) is null and void if chapter . . . (Engrossed House
14 Bill No. 1382), Laws of 2011 (I-405 express toll lanes) is enacted by
15 June 30, 2011.

16 (c) Of the amount appropriated in (a) of this subsection,
17 \$15,000,000 of the transportation partnership account--state
18 appropriation is provided solely for the preliminary design and
19 purchase of rights-of-way on the state route number 167 direct
20 connector. It is the intent of the legislature to fund an additional
21 \$25,000,000 of the transportation partnership account--state
22 appropriation for the preliminary design and purchase of rights-of-way
23 on the state route number 167 direct connector during the 2013-2015
24 biennium.

25 (d) Within the amounts provided for this project, funding is
26 provided solely for tolling equipment, such as gantries, barriers, or
27 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.
28 The department shall place amounts for tolling equipment into
29 unallotted status until the traffic and revenue analysis required in
30 RCW 47.56.886 is submitted to the governor and the legislature. Once
31 the report has been submitted, the office of financial management may
32 approve the allotment of funds for tolling equipment only after
33 consultation with the joint transportation committee.

34 (34) Funding for a signal at state route number 507 and Yew Street
35 is included in the appropriation for intersection and spot improvements
36 (0BI2002).

37 (35) (~~(\$224,592,000)~~) \$52,078,000 of the transportation partnership
38 account--state appropriation (~~(and \$898,286,000)~~), \$902,101,000 of the

1 state route number 520 corridor account--state appropriation,
2 \$17,155,000 of the motor vehicle account--federal appropriation, and
3 \$1,303,000 of the motor vehicle account--private/local appropriation
4 are provided solely for the state route number 520 bridge replacement
5 and HOV program (8BI1003). When developing the financial plan for the
6 program, the department shall assume that all maintenance and operation
7 costs for the new facility are to be covered by tolls collected on the
8 toll facility, and not by the motor vehicle account.

9 (36) \$500,000 of the motor vehicle account--state appropriation is
10 provided solely for a multimodal corridor plan on state route number
11 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

12 (37) \$300,000 of the motor vehicle account--federal appropriation
13 ~~((is))~~ and \$13,000 of the motor vehicle account--state appropriation
14 are provided solely for the SR 523 Corridor study (L1000059).

15 (38) The department shall consider using the city of Mukilteo's
16 off-site mitigation program in the event any projects on state route
17 number 525 or 526 require environmental mitigation.

18 (39) Any savings on projects on the state route number 532 corridor
19 must be used within the corridor to begin work on flood prevention and
20 raising portions of the highway above flood and storm influences.

21 (40) The total appropriation provided in this section assumes
22 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),
23 Laws of 2012 (design-build procedures) and reflects efficiencies and
24 cost savings generated by this innovative design and contracting tool.

25 (41) Construction of a new traffic management center may not
26 commence until the budget evaluation study in section 102(1) ~~((of this~~
27 ~~act))~~, chapter 86, Laws of 2012 is complete and the office of financial
28 management has determined that a new traffic management center is the
29 preferred option and has approved this project.

30 (42) The department shall itemize all future requests for the
31 construction of new buildings on a project list. Each building
32 construction project must be listed in the project list along with all
33 other highway construction projects and submitted by the department as
34 part of its budget submittal. It is the intent of the legislature that
35 new facility construction must be transparent and not appropriated
36 within larger highway construction projects.

37 (43) ~~((\$250,000))~~ \$240,000 of the motor vehicle account--federal
38 appropriation ((is)) and \$10,000 of the motor vehicle account--state

1 appropriation are provided solely for planning a proposed off-ramp
2 eastbound from state route number 518 to Des Moines Memorial Drive in
3 Burien (L1100045).

4 (44) (~~(\$1,100,000)~~) \$425,000 of the motor vehicle account--federal
5 appropriation (~~(is)~~) and \$18,000 of the motor vehicle account--state
6 appropriation are provided solely for preliminary engineering on the I-
7 5/Marvin Road Interchange study (L2200087).

8 (45) (~~(\$400,000)~~) \$389,000 of the motor vehicle account--federal
9 appropriation (~~(is)~~) and \$22,000 of the motor vehicle account--state
10 appropriation are provided solely for the SR 150/No-See-Um Road
11 Intersection - Realignment project (L2200092).

12 (46) \$750,000 of the motor vehicle account--federal appropriation
13 (~~(is)~~) and \$31,000 of the motor vehicle account--state appropriation
14 are provided solely for (~~(preliminary engineering on)~~) the SR
15 305/Suquamish Way Intersection Improvements project (L2200093).

16 (47) (~~(\$700,000)~~) \$658,000 of the motor vehicle account--federal
17 appropriation (~~(is)~~) and \$16,000 of the motor vehicle account--state
18 appropriation are provided solely for the US 395/Lind Road Intersection
19 project (L2200086).

20 (48) \$8,303,000 of the motor vehicle account--state appropriation
21 is provided solely to advance the design, preliminary engineering, and
22 rights-of-way acquisition for the priority projects identified in LEAP
23 Transportation Document 2012-3 as developed March 8, 2012. Funds must
24 be used to advance the emergent, initial development of these projects
25 for the purpose of expediting delivery of the associated major
26 investments when funding for such investments becomes available.
27 Funding may be reallocated between projects to maximize the
28 accomplishment of design and preliminary engineering work and rights-
29 of-way acquisition, provided that all projects are addressed. It is
30 the intent of the legislature that, while seeking to maximize the
31 outcomes in this section, the department shall provide for continuity
32 of both the state and consulting engineer workforce, while
33 strategically utilizing private sector involvement to ensure
34 consistency with the department's business plan for staffing in the
35 highway construction program in the current and next fiscal biennium.

36 **Sec. 1004.** 2012 c 86 s 306 (uncodified) is amended to read as
37 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P	
2	Transportation Partnership Account--State	
3	Appropriation	((\$44,463,000))
4		<u>\$23,754,000</u>
5	Motor Vehicle Account--State Appropriation	((\$81,741,000))
6		<u>\$78,113,000</u>
7	Motor Vehicle Account--Federal Appropriation	((\$540,306,000))
8		<u>\$510,909,000</u>
9	Motor Vehicle Account--Private/Local	
10	Appropriation	((\$21,585,000))
11		<u>\$18,894,000</u>
12	Tacoma Narrows Toll Bridge Account--State	
13	Appropriation	((\$259,000))
14		<u>\$518,000</u>
15	((Transportation 2003 Account (Nickel Account)--State	
16	 Appropriation	\$23,000))
17	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
18	TOTAL APPROPRIATION	((\$691,877,000))
19		<u>\$635,688,000</u>

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

22 (1) Except as provided otherwise in this section, the entire
23 transportation 2003 account (nickel account) appropriation and the
24 entire transportation partnership account appropriation are provided
25 solely for the projects and activities as listed by ~~((fund,))~~
26 ~~project((,--and--amount))~~ in LEAP Transportation Document ~~((2012-2))~~
27 2013-1 as developed ~~((March 8, 2012))~~ April 3, 2013, Program - Highway
28 Preservation Program (P). ~~((However,--limited--transfers--of--specific~~
29 ~~line-item-project-appropriations-may-occur-between-projects-for-those~~
30 ~~amounts-listed-subject-to-the-conditions-and-limitations-in-section-603~~
31 ~~of-this-act.))~~

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

1 (3) Within the motor vehicle account--state appropriation and motor
2 vehicle account--federal appropriation, the department may transfer
3 funds between programs I and P, except for funds that are otherwise
4 restricted in this act.

5 (4) The department shall apply for surface transportation program
6 enhancement funds to be expended in lieu of or in addition to state
7 funds for eligible costs of projects in programs I and P.

8 ~~((The motor vehicle account--state appropriation includes up to
9 \$17,652,000 in proceeds from the sale of bonds authorized in RCW
10 47.10.843.~~

11 ~~(6))~~ The department must work with cities and counties to develop
12 a comparison of direct and indirect labor costs, overhead rates, and
13 other costs for high-cost bridge inspections charged by the state,
14 counties, and other entities. The comparison is due to the
15 transportation committees of the legislature on September 1, 2011.

16 ~~((7) \$789,000))~~ (6) \$739,000 of the motor vehicle account--federal
17 appropriation and ~~((6) \$6,000))~~ \$56,000 of the motor vehicle account--
18 state appropriation are provided solely for the environmental impact
19 statement and preliminary planning for the replacement of the state
20 route number 9 Snohomish river bridge (project L2000018).

21 ~~((8) \$10,843,000))~~ (7) \$9,096,000 of the motor vehicle account--
22 federal appropriation, ~~((1) \$1,992,000))~~ \$1,794,000 of the motor vehicle
23 account--private/local appropriation, and ~~((3) \$390,000))~~ \$340,000 of the
24 motor vehicle account--state appropriation are provided solely for the
25 SR 21/Keller Ferry - Replace Boat project (602110J).

26 ~~((9) \$165,000))~~ (8) \$227,000 of the motor vehicle account--federal
27 appropriation ~~((is))~~ and \$13,000 of the motor vehicle account--state
28 appropriation are provided solely for the I-90/Ritzville to Tokio -
29 Paving of Outside Lanes project (609041G).

30 ~~((10) \$5,565,000))~~ (9) \$1,566,000 of the motor vehicle account--
31 federal appropriation and ~~((2) \$232,000))~~ \$124,000 of the motor vehicle
32 account--state appropriation are provided solely for the SR
33 167/Puyallup River Bridge Replacement project (316725A). This project
34 must be completed as a design-build project. The department must work
35 with local jurisdictions and the community during the environmental
36 review process to develop appropriate esthetic design elements, at no
37 additional cost to the department, and traffic management plans

1 pertaining to this project. The department must report to the
2 transportation committees of the legislature on estimated cost and/or
3 time savings realized as a result of using the design-build process.

4 ~~((11)-\$507,000))~~ (10) \$649,000 of the motor vehicle account--
5 federal appropriation and ~~((13,000))~~ \$15,000 of the motor vehicle
6 account--state appropriation are provided solely for the SR
7 906/Travelers Rest - Building Renovation project (090600A).

8 ~~((12))~~ (11) The department shall submit a renewal and
9 rehabilitation plan for the new state route number 16 Tacoma Narrows
10 bridge as a decision package as part of its 2013-2015 biennial budget
11 submittal.

12 (12) \$3,500,000 of the highway safety account--state appropriation
13 is provided solely for urgent preservation needs on the state highway
14 system.

15 **Sec. 1005.** 2012 c 86 s 307 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
18 **CAPITAL**

19	Motor Vehicle Account--State Appropriation	((8,779,000))
20		<u>\$8,801,000</u>
21	Motor Vehicle Account--Federal Appropriation	((7,283,000))
22		<u>\$7,184,000</u>
23	TOTAL APPROPRIATION	((16,062,000))
24		<u>\$15,985,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations: \$1,000,000 of the motor vehicle account--
27 state appropriation for project 000005Q is provided solely for state
28 matching funds for federally selected competitive grants or
29 congressional earmark projects. These moneys must be placed into
30 reserve status until such time as federal funds are secured that
31 require a state match.

32 **Sec. 1006.** 2012 c 86 s 308 (uncodified) is amended to read as
33 follows:

34 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
35 **CONSTRUCTION--PROGRAM W**

36 Puget Sound Capital Construction Account--State

1	Appropriation	((\$61,965,000))
2		<u>\$62,332,000</u>
3	Puget Sound Capital Construction Account--Federal	
4	Appropriation	((\$61,736,000))
5		<u>\$56,634,000</u>
6	Puget Sound Capital Construction Account--Private/Local	
7	Appropriation	((\$200,000))
8		<u>\$356,000</u>
9	Transportation 2003 Account (Nickel Account)--State	
10	Appropriation	((\$119,928,000))
11		<u>\$150,215,000</u>
12	Transportation Partnership Account--State	
13	Appropriation	((\$12,838,000))
14		<u>\$12,892,000</u>
15	Multimodal Transportation Account--State	
16	Appropriation	\$27,527,000
17	TOTAL APPROPRIATION	((\$284,194,000))
18		<u>\$309,956,000</u>

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

21 (1) Except as provided otherwise in this section, the entire
22 appropriations in this section are provided solely for the projects and
23 activities as listed in LEAP Transportation Document ((~~2012-1~~)) 2013-2
24 ALL PROJECTS as developed ((~~March 8, 2012~~)) April 3, 2013, Program -
25 Washington State Ferries Capital Program (W).

26 (2) The department shall work with the department of archaeology
27 and historic preservation to ensure that the cultural resources
28 investigation is properly conducted on all large ferry terminal
29 projects. These projects must be conducted with active archaeological
30 management.

31 (3) The multimodal transportation account--state appropriation
32 includes up to \$27,527,000 in proceeds from the sale of bonds
33 authorized in RCW 47.10.867.

34 (4) The Puget Sound capital construction account--state
35 appropriation includes up to \$45,000,000 in proceeds from the sale of
36 bonds authorized in RCW 47.10.843.

37 (5) ((~~\$17,970,000~~)) \$17,370,000 of the transportation 2003 account

1 (nickel account)--state appropriation is provided solely for the
2 acquisition of new Kwa-di-tabil class ferry vessels (project 944470A)
3 subject to the conditions of RCW 47.56.780.

4 (6) \$25,404,000 of the multimodal transportation account--state
5 appropriation, \$1,000,000 of the Puget Sound capital construction
6 account--federal appropriation, \$11,500,000 of the transportation
7 partnership account--state appropriation, and ~~(((\$85,924,000))~~
8 \$76,917,000 of the transportation 2003 account (nickel account)--state
9 appropriation are provided solely for the acquisition of one 144-car
10 vessel (project L2200038). The department shall use as much already
11 procured equipment as practicable on the 144-car vessel. The vendor
12 must present to the joint transportation committee and the office of
13 financial management, by August 15, 2011, a list of options that will
14 result in significant cost savings changes in terms of construction or
15 the long-term maintenance and operations of the vessel. The vendor
16 must allow for exercising the options without a penalty. If neither
17 chapter ... (Engrossed Substitute Senate Bill No. 5742), Laws of 2011
18 nor chapter ... (House Bill No. 2083), Laws of 2011 is enacted by June
19 30, 2011, \$75,000,000 of the transportation 2003 account (nickel
20 account)--state appropriation in this subsection lapses.

21 (7) \$39,894,000 of the transportation 2003 account (nickel
22 account)--state appropriation and \$2,500,000 of the Puget Sound capital
23 construction account--federal appropriation are provided solely for the
24 purposes of constructing a ferry boat vessel with a carrying capacity
25 of at least one hundred forty-four cars (project L2200039).

26 (8) \$5,749,000 of the total appropriation is provided solely for
27 continued permitting work on the Mukilteo ferry terminal (project
28 952515P). The department shall seek additional federal funding for
29 this project. Prior to beginning terminal improvements, the department
30 shall report to the legislature on the final environmental impact
31 statement by December 31, 2012. The report must include an overview of
32 the costs and benefits of each of the alternatives considered, as well
33 as an identification of costs and a funding plan for the preferred
34 alternative.

35 ~~((+8))~~ (9) The department shall review all terminal project cost
36 estimates to identify projects where similar design requirements could
37 result in reduced preliminary engineering or miscellaneous items costs.
38 The department shall report to the legislature by September 1, 2011.

1 The report must use programmatic design and include estimated cost
2 savings by reducing repetitive design costs or miscellaneous costs, or
3 both, applied to projects.

4 ~~((9) - \$3,000,000)~~ (10) \$6,000,000 of the Puget Sound capital
5 construction account--state appropriation is provided solely for
6 emergency capital repair costs (project 999910K). Funds may be spent
7 only after approval from the office of financial management.

8 ~~((10))~~ (11) \$4,851,000 of the Puget Sound capital construction
9 account--state appropriation is provided solely for the reservation and
10 communications system projects (L200041 & L200042).

11 ~~((11))~~ (12) \$1,000,000 of the Puget Sound capital construction
12 account--state appropriation is provided solely for security and
13 operational planning as a first step in introducing liquid natural gas
14 (LNG) to the Washington ferry fleet, including the issuance of a
15 request for proposals (RFP). \$750,000 is provided solely for the
16 department to work with appropriate agencies of the state and federal
17 government to amend the state's current alternative security plan to
18 account for the use of LNG as a propulsion fuel in the ferry fleet, and
19 to begin public outreach efforts. \$250,000 is provided solely to issue
20 an RFP for a design-build contract to fully convert the existing diesel
21 powered Issaquah class fleet to be solely powered by LNG. The
22 successful bidder must be awarded the \$250,000 appropriation and must
23 be able to offer detailed design services, attain coast guard approval
24 regarding vessel safety and any other requirements pertaining to
25 design, acquire engines with LNG as a sole fuel source, provide public
26 outreach and education regarding the conversion of ferry vessels to
27 LNG, perform all conversion work, and supply dependable and suitable
28 quantities of LNG. The RFP must include incentives for proposals that
29 include alternative financing arrangements, such as a delayed payment
30 plan based on fuel savings. To the extent allowable under current law,
31 the bidder awarded the design-build contract for converting the
32 Issaquah fleet to LNG under this subsection must be given bidding
33 preferences in any future LNG-related ferry proposals or projects. The
34 RFP referenced in this subsection must be issued by the department by
35 August 1, 2012. The department must provide a report to the joint
36 transportation committee on the development of the RFP in July 2012 and
37 an update report again in September 2012.

1 ((~~(12)~~-\$500,000)) (13) \$1,200,000 of the Puget Sound capital
2 construction account--state appropriation is provided solely for the
3 ADA visual paging project (L2200083). If any new federal grants are
4 received by the department that may supplant the state funds in this
5 appropriation, the state funds in this appropriation must be placed in
6 unallotted status.

7 ((~~(13)~~)) (14) Consistent with RCW 47.60.662, which requires the
8 Washington state ferry system to collaborate with passenger-only ferry
9 and transit providers to provide service at existing terminals, the
10 department shall ensure that multimodal access, including for
11 passenger-only ferries and transit service providers, is not precluded
12 by any future modifications at the terminal.

13 (15) The appropriation in this section includes up to \$47,759,000
14 in proceeds from the sale of bonds authorized in RCW 47.10.861.

15 **Sec. 1007.** 2012 c 86 s 309 (uncodified) is amended to read as
16 follows:

17	FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL	
18	Essential Rail Assistance Account--State	
19	Appropriation	\$1,565,000
20	Transportation Infrastructure Account--State	
21	Appropriation	(((\$5,693,000))
22		<u>\$5,268,000</u>
23	Multimodal Transportation Account--State	
24	Appropriation	(((\$58,220,000))
25		<u>\$32,917,000</u>
26	Multimodal Transportation Account--Federal	
27	Appropriation	(((\$236,597,000))
28		<u>\$110,272,000</u>
29	Multimodal Transportation Account--Private/Local	
30	Appropriation	(((\$1,010,000))
31		<u>\$1,096,000</u>
32	TOTAL APPROPRIATION	(((\$303,085,000))
33		<u>\$151,118,000</u>

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

36 (1)(a) Except as provided otherwise in this section, the entire
37 appropriations in this section are provided solely for the projects and

1 activities as listed by project (~~(and amount)~~) in LEAP Transportation
2 Document (~~(2012-1)~~) 2013-2 ALL PROJECTS as developed (~~(March 8, 2012)~~)
3 April 3, 2013, Program-Rail Capital Program (Y).

4 (b) Within the amounts provided in this section, \$4,757,000 of the
5 transportation infrastructure account--state appropriation is for low-
6 interest loans through the freight rail investment bank program for
7 specific projects listed as recipients of these loans in the LEAP
8 transportation document identified in (a) of this subsection. The
9 department shall issue freight rail investment bank program loans with
10 a repayment period of no more than ten years, and only so much interest
11 as is necessary to recoup the department's costs to administer the
12 loans.

13 (c) Within the amounts provided in this section, (~~(\$2,047,000)~~)
14 \$1,754,000 of the multimodal transportation account--state
15 appropriation(~~(, \$10,000 of the multimodal transportation account--~~
16 ~~private/local appropriation,)~~) and \$1,000,000 of the essential rail
17 assistance account--state appropriation are for statewide emergent
18 freight rail assistance projects identified in the LEAP transportation
19 document identified in (a) of this subsection.

20 (2)(a) The department shall issue a call for projects for the
21 freight rail investment bank (FRIB) loan program and the emergent
22 freight rail assistance program (FRAP) grants, and shall evaluate the
23 applications according to the cost-benefit methodology developed during
24 the 2008 interim using the legislative priorities specified in (c) of
25 this subsection. Unsuccessful FRAP grant applicants should be
26 encouraged to apply to the FRIB loan program, if eligible. By November
27 1, 2012, the department shall submit a prioritized list of recommended
28 projects to the office of financial management and the transportation
29 committees of the legislature.

30 (b) When the department identifies a prospective rail project that
31 may have strategic significance for the state, or at the request of a
32 proponent of a prospective rail project or a member of the legislature,
33 the department shall evaluate the prospective project according to the
34 cost-benefit methodology developed during the 2008 interim using the
35 legislative priorities specified in (c) of this subsection. The
36 department shall report its cost-benefit evaluation of the prospective
37 rail project, as well as the department's best estimate of an

1 appropriate construction schedule and total project costs, to the
2 office of financial management and the transportation committees of the
3 legislature.

4 (c) The legislative priorities to be used in the cost-benefit
5 methodology are, in order of relative importance:

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

8 (ii) Self-sustaining economic development that creates family-wage
9 jobs;

10 (iii) Preservation of transportation corridors that would otherwise
11 be lost;

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

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

16 (vi) Mitigation of impacts of increased rail traffic on
17 communities.

18 (3) The department is directed to expend unallocated federal rail
19 crossing funds in lieu of or in addition to state funds for eligible
20 costs of projects in program Y.

21 (4) The department shall provide quarterly reports to the office of
22 financial management and the transportation committees of the
23 legislature regarding applications that the department submits for
24 federal funds and the status of such applications.

25 (5) The multimodal transportation account--state appropriation
26 includes up to \$12,103,000 in proceeds from the sale of bonds
27 authorized in RCW 47.10.867.

28 (6) The Burlington Northern Santa Fe Skagit river bridge is an
29 integral part of the rail system. Constructed in 1916, the bridge does
30 not meet current design standards and is at risk during flood events
31 that occur on the Skagit river. The department shall work with
32 Burlington Northern Santa Fe and local jurisdictions to secure federal
33 funding for the Skagit river bridge and to develop an appropriate
34 replacement plan and schedule.

35 (7) (~~(\$218,341,000)~~) \$84,563,000 of the multimodal transportation
36 account--federal appropriation and (~~(\$3,639,000)~~) \$1,465,000 of the
37 multimodal transportation account--state appropriation are provided
38 solely for expenditures related to passenger high-speed rail grants.

1 At one and one-half percent of the total project funds, the multimodal
2 transportation account--state funds are provided solely for
3 expenditures that are not federally reimbursable. Funding in this
4 subsection is the initial portion of multiyear high-speed rail program
5 grants awarded to Washington state for high-speed intercity passenger
6 rail investments. Funding will allow for two additional round trips
7 between Seattle and Portland and other rail improvements.

8 (8) \$750,000 of the multimodal transportation account--state
9 appropriation is provided solely for the Port of Royal Slope
10 rehabilitation project (L1000053). Funding is contingent upon the
11 project completing the rail cost-benefit methodology process developed
12 during the 2008 interim using the legislative priorities outlined in
13 subsection (2)(c) of this section.

14 (9) As allowable under federal rail authority rules and existing
15 competitive bidding practices, when purchasing new train sets, the
16 department shall give preference to bidders that propose train sets
17 with characteristics and maintenance requirements most similar to those
18 currently owned by the department.

19 (10) Funds generated by the grain train program are solely for
20 operating, sustaining, and enhancing the grain train program including,
21 but not limited to, operations, capital investments, inspection,
22 developing business plans for future growth, and fleet management. Any
23 funds deemed by the department, in consultation with relevant port
24 districts, to be in excess of current operating needs or capital
25 reserves of the grain train program may be transferred from the
26 miscellaneous program account to the essential rail assistance account
27 for the purpose of sustaining the grain train program through
28 maintaining the Palouse river and Coulee City railroad line, on which
29 the grain train program operates.

30 (11) \$500,000 of the essential rail assistance account--state
31 appropriation is provided solely for the purpose of rehabilitation and
32 maintenance of the Palouse river and Coulee City railroad line.
33 Expenditures from this appropriation may not exceed the combined total
34 of:

35 (a) The revenues deposited into the essential rail assistance
36 account from leases and sale of property pursuant to RCW 47.76.290; and

37 (b) Revenues transferred from the miscellaneous program account for

1 the purpose of sustaining the grain train program through maintaining
2 the Palouse river and Coulee City railroad line.

3 (12) \$200,000 of the multimodal transportation account--state
4 appropriation is provided solely for the Clark county chelatchie
5 prairie rail road (project L2200085).

6 **Sec. 1008.** 2012 c 86 s 310 (uncodified) is amended to read as
7 follows:

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

10	((Highway Infrastructure Account--State Appropriation	\$207,000
11	Highway Infrastructure Account--Federal	
12	Appropriation	\$1,602,000))
13	Motor Vehicle Account--State Appropriation	((\$4,179,000))
14		<u>\$2,511,000</u>
15	Motor Vehicle Account--Federal Appropriation	((\$37,935,000))
16		<u>\$19,759,000</u>
17	<u>Highway Safety Account--State Appropriation</u>	<u>\$752,000</u>
18	Freight Mobility Investment Account--State	
19	Appropriation	((\$11,278,000))
20		<u>\$5,044,000</u>
21	Transportation Partnership Account--State	
22	Appropriation	((\$7,181,000))
23		<u>\$3,967,000</u>
24	Freight Mobility Multimodal Account--State	
25	Appropriation	((\$15,668,000))
26		<u>\$11,868,000</u>
27	Freight Mobility Multimodal Account--Local	
28	Appropriation	((\$2,834,000))
29		<u>\$960,000</u>
30	Multimodal Transportation Account--State	
31	Appropriation	((\$22,575,000))
32		<u>\$15,413,000</u>
33	Passenger Ferry Account--State Appropriation	\$1,115,000
34	TOTAL APPROPRIATION	((\$104,574,000))
35		<u>\$61,389,000</u>

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

1 (1) \$1,115,000 of the passenger ferry account--state appropriation
2 is provided solely for near and long-term costs of capital improvements
3 and operating expenses that are consistent with the business plan
4 approved by the governor for passenger ferry service.

5 (2) The department shall apply for surface transportation program
6 enhancement funds to be expended in lieu of or in addition to state
7 funds for eligible costs of projects in local programs, program
8 Z--capital.

9 (3) Federal funds may be transferred from program Z to programs I
10 and P and state funds must be transferred from programs I and P to
11 program Z to replace those federal funds in a dollar-for-dollar match.
12 Fund transfers authorized under this subsection shall not affect
13 project prioritization status. Appropriations must initially be
14 allotted as appropriated in this act. The department may not transfer
15 funds as authorized under this subsection without approval of the
16 office of financial management. The department shall submit a report
17 on those projects receiving fund transfers to the office of financial
18 management and the transportation committees of the legislature by
19 December 1, 2011, and December 1, 2012.

20 (4) The city of Winthrop may utilize a design-build process for the
21 Winthrop bike path project.

22 (5) (~~(\$14,813,000)~~) \$10,654,000 of the multimodal transportation
23 account--state appropriation, (~~(\$12,804,000)~~) \$9,554,000 of the motor
24 vehicle account--federal appropriation, (~~and \$6,241,000~~) \$3,417,000
25 of the transportation partnership account--state appropriation, and
26 \$202,000 of the highway safety account--state appropriation are
27 provided solely for the pedestrian and bicycle safety program projects
28 and safe routes to schools program projects identified in: LEAP
29 Transportation Document 2011-A, pedestrian and bicycle safety program
30 projects and safe routes to schools program projects, as developed
31 April 19, 2011; LEAP Transportation Document 2009-A, pedestrian and
32 bicycle safety program projects and safe routes to schools program
33 projects, as developed March 30, 2009; LEAP Transportation Document
34 2007-A, pedestrian and bicycle safety program projects and safe routes
35 to schools program projects, as developed April 20, 2007; and LEAP
36 Transportation Document 2006-B, pedestrian and bicycle safety program
37 projects and safe routes to schools program projects, as developed
38 March 8, 2006. Projects must be allocated funding based on order of

1 priority. The department shall review all projects receiving grant
2 awards under this program at least semiannually to determine whether
3 the projects are making satisfactory progress. Any project that has
4 been awarded funds, but does not report activity on the project within
5 one year of the grant award must be reviewed by the department to
6 determine whether the grant should be terminated. The department shall
7 promptly close out grants when projects have been completed, and
8 identify where unused grant funds remain because actual project costs
9 were lower than estimated in the grant award.

10 (6) Except as provided otherwise in this section, the entire
11 appropriations in this section are provided solely for the projects and
12 activities as listed by project and amount in LEAP Transportation
13 Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed ((~~March 8, 2012~~))
14 April 3, 2013, Program - Local Program (Z).

15 (7) For the 2011-2013 project appropriations, unless otherwise
16 provided in this act, the director of the office of financial
17 management may authorize a transfer of appropriation authority between
18 projects managed by the freight mobility strategic investment board and
19 may also advance projects in future biennia, as identified in LEAP
20 Transportation Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed
21 ((~~March 8, 2012~~)) April 3, 2013, into the current biennium in order for
22 the board to manage project spending and efficiently deliver all
23 projects in the respective program.

24 (8) With each department budget submittal, the department shall
25 provide an update on the status of the repayment of the twenty million
26 dollars of unobligated federal funds authority advanced by the
27 department in September 2010 to the city of Tacoma for the Murray
28 Morgan/11th Street bridge project.

29 (9) If funding is specifically designated in this act for main
30 street projects, the department shall prepare a list of projects that
31 is consistent with chapter 257, Laws of 2011, for approval in the 2013-
32 2015 fiscal biennium.

33 (10) ((~~\$267,000~~)) \$50,000 of the motor vehicle account--state
34 appropriation and ((~~\$2,859,000~~)) \$50,000 of the motor vehicle account--
35 federal appropriation are provided solely for completion of the US 101
36 northeast peninsula safety rest area and associated roadway
37 improvements east of Port Angeles at the Deer Park scenic view point
38 (3LP187A). The department must surplus any right-of-way previously

1 purchased for this project near Sequim. Approval to proceed with
2 construction is contingent on surplus of previously purchased right-of-
3 way.

4 (11) Up to (~~(\$3,702,000)~~) \$2,680,000 of the motor vehicle account--
5 federal appropriation and (~~(\$75,000)~~) \$55,000 of the motor vehicle
6 account--state appropriation are provided solely to reimburse the
7 cities of Kirkland and Redmond for pavement and bridge deck
8 rehabilitation on state route number 908 (1LP611A). These funds may
9 not be expended unless the cities sign an agreement stating that the
10 cities agree to take ownership of state route number 908 in its
11 entirety and agree that the payment of these funds represents the
12 entire state commitment to the cities for state route number 908
13 expenditures.

14 (12) \$225,000 of the multimodal transportation account--state
15 appropriation is provided solely for the Shell Valley emergency road
16 and bicycle/pedestrian path (L1000036).

17 (13) \$188,000 of the motor vehicle account--state appropriation is
18 provided solely for flood reduction solutions on state route number 522
19 caused by the lower McAleer and Lyon creek basins (L1000041).

20 (14) (~~(\$896,000)~~) \$293,000 of the multimodal transportation
21 account--state appropriation is provided solely for realignment of
22 Parker Road and construction of secondary access off of state route
23 number 20 (L2200040).

24 (~~(15) ((An additional \$2,500,000 of the motor vehicle account--
25 federal appropriation is provided solely for the Strander Blvd/SW 27th
26 St Connection project (1LP902F), which amount is reflected in the LEAP
27 transportation document identified in subsection (6) of this section.
28 These funds may only be committed if needed, may not be used to
29 supplant any other committed project partnership funding, and must be
30 the last funds expended.~~

31 (~~(16) (\$500,000)~~) \$30,000 of the motor vehicle account--federal
32 appropriation is provided solely for safety improvements at the
33 intersection of South Wapato and McDonald Road (L1000052).

34 (~~(17) (\$2,000,000)~~) (16) \$850,000 of the multimodal transportation
35 account--state appropriation is provided solely for the state route
36 number 432 rail realignment and highway improvements project
37 (L1000056).

1 ~~((+18+))~~ (17) \$100,000 of the motor vehicle account--federal
2 appropriation is provided solely for state route number 164 and Auburn
3 Way South pedestrian improvements (L1000057).

4 ~~((+19+))~~ (18) \$115,000 of the motor vehicle account--federal
5 appropriation is provided solely for median street lighting on state
6 route number 410 (L1000058).

7 ~~((+20+))~~ (19) \$60,000 of the multimodal transportation account--
8 state appropriation is provided solely for a cross docking study for
9 the port of Douglas county (L1000060).

10 ~~((+21+))~~ (20) \$100,000 of the motor vehicle account--federal
11 appropriation is provided solely for city of Auburn - 8th and R Street
12 NE intersection improvements (L2200043).

13 ~~((+22+))~~ (21) \$65,000 of the multimodal transportation account--
14 state appropriation is provided solely for the Puget Sound regional
15 council to further the implementation of multimodal concurrency
16 practice through a transit service overlay zone implemented at the
17 local level (L1000061). This approach will improve the linkage of land
18 use and transportation investment decisions, improve the efficiency of
19 transit service by encouraging transit-supportive development, provide
20 incentives for developers, and support integrated regional growth,
21 economic development, and transportation plans. In carrying out this
22 work, the council shall involve representatives from cities and
23 counties, developers, transit agencies, and other interested
24 stakeholders, and shall consult with other regional transportation
25 planning organizations across the state. The council shall report the
26 results of their work and recommendations to the joint transportation
27 committee by December 2011, with a final report to the transportation
28 committees of the legislature by January 31, 2012.

29 ~~((+23) \$1,750,000)~~ (22) \$650,000 of the motor vehicle account--
30 federal appropriation is provided solely for the SR 522
31 Improvements/61st Avenue NE and NE 181st Street project (L1000055).

32 ~~((+24+))~~ (23) The department shall implement a call for projects
33 eligible for the bicycle and pedestrian grant program similar to the
34 call for projects conducted in 2010, although the department may adjust
35 the criteria to include mobility and connectivity. The department
36 shall include a list of prioritized bicycle and pedestrian grant
37 projects for approval in the 2013-2015 biennial transportation budget.

1 ~~((25))~~ (24) \$100,000 of the multimodal transportation account--
2 state appropriation is provided solely for the design of a stand-alone
3 ADA accessible bicycle/pedestrian bridge across the Sultan river in the
4 city of Sultan (L1100044).

5 ~~((26)-\$445,000)~~ (25) \$30,000 of the motor vehicle account--
6 federal appropriation is provided solely for pedestrian lighting on the
7 main span of the Chehalis river bridge in Aberdeen (L1100046).

8 ~~((27)-\$500,000)~~ (26) \$80,000 of the motor vehicle account--
9 federal appropriation is provided solely for resurfacing Alder Avenue
10 in the city of Sultan (L1100047).

11 ~~((28)-\$800,000)~~ (27) \$550,000 of the motor vehicle account--
12 federal appropriation is provided solely for rights-of-way acquisition
13 on state route number 516 from Jenkins creek to 185th (L2000017).

14 ~~((29) - \$1,100,000 - of - the - motor - vehicle - account - federal~~
15 ~~appropriation is provided solely for traffic analysis, right of way,~~
16 ~~and design work on the 31st Avenue Southwest overpass on Puyallup's~~
17 ~~South Hill (L1100048).~~

18 ~~(30)-\$2,000,000)~~ (28) \$250,000 of the motor vehicle account--
19 federal appropriation is provided solely for environmental
20 documentation and preliminary engineering for the Scott Avenue
21 Reconnection Project in the city of Woodland (L1100049).

22 ~~((31) \$350,000 of the motor vehicle account - federal appropriation~~
23 ~~is provided solely for preliminary engineering and rights of way on the~~
24 ~~Slater Road Bridge project (L2200089).~~

25 ~~(32) \$380,000)~~ (29) \$40,000 of the motor vehicle account--federal
26 appropriation is provided solely for rehabilitation work for
27 156th/160th Avenue in the city of Covington (L2200088).

28 ~~((33))~~ (30) \$380,000 of the motor vehicle account--federal
29 appropriation is provided solely for improvements to Penney Avenue in
30 the town of Naches (L2200090).

31 ~~((34))~~ (31) \$450,000 of the motor vehicle account--federal
32 appropriation is provided solely for preliminary engineering on NW
33 Friberg Street and Goodwin Road in the city of Camas (L2200091).

34 (32) \$550,000 of the highway safety account--state appropriation is
35 provided to the freight mobility strategic investment board solely for
36 grants to meet urgent freight corridor improvement and preservation
37 needs.

1 **IMPLEMENTING PROVISIONS**

2 **Sec. 1101.** 2011 c 367 s 601 (uncodified) is amended to read as
3 follows:

4 **ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS**

5 (1) The following agencies may enter into financial contracts, paid
6 from any funds of an agency, appropriated or nonappropriated, for the
7 purposes indicated and in not more than the principal amounts
8 indicated, plus financing expenses and required reserves pursuant to
9 chapter 39.94 RCW. When securing properties under this section,
10 agencies shall use the most economical financial contract option
11 available, including long-term leases, lease-purchase agreements,
12 lease-development with option to purchase agreements, or financial
13 contracts using certificates of participation. Expenditures made by an
14 agency for one of the indicated purposes before the issue date of the
15 authorized financial contract and any certificates of participation
16 therein are intended to be reimbursed from proceeds of the financial
17 contract and any certificates of participation therein to the extent
18 provided in the agency's financing plan approved by the state finance
19 committee.

20 (2) State agencies may enter into agreements with the department of
21 general administration and the state treasurer's office to develop
22 requests to the legislature for the acquisition of properties and
23 facilities through financial contracts. The agreements may include
24 charges for services rendered.

25 ~~((a) Department of transportation: Enter into a financing~~
26 ~~contract for up to \$10,824,000 plus financing expenses and required~~
27 ~~reserves pursuant to chapter 39.94 RCW for the acquisition and~~
28 ~~implementation of a time, leave, and labor distribution system that is~~
29 ~~integrated with the state's accounting and human resource management~~
30 ~~systems.~~

31 ~~(b) Department of licensing: Enter into a financing contract for~~
32 ~~up to \$7,414,000 plus financing expenses and required reserves pursuant~~
33 ~~to chapter 39.94 RCW for the purchase of a prorated and fuel tax system.~~

34 ~~(c))~~ Washington state patrol: ~~((i))~~ (a) Enter into a financing
35 contract for up to \$8,241,000 plus financing expenses and required
36 reserves pursuant to chapter 39.94 RCW to purchase and install mobile
37 office platforms in state patrol and pursuit vehicles.

1 ((~~ii~~)) (b) Enter into a financing contract for up to
2 (~~\$40,100,000~~) \$39,100,000 plus financing expenses and required
3 reserves pursuant to chapter 39.94 RCW to purchase equipment and
4 engineering services to convert to a narrowband digital system.

5 **TRANSFERS AND DISTRIBUTIONS**

6 **Sec. 1201.** 2012 c 86 s 401 (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 BOND SALES DISCOUNTS AND**
10 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
11 **REVENUE**

12	Highway Bond Retirement Account--State	
13	Appropriation	((\$879,501,000))
14		<u>\$862,130,000</u>
15	Ferry Bond Retirement Account--State	
16	Appropriation	((\$31,801,000))
17		<u>\$31,807,000</u>
18	State Route Number 520 Corridor Account--State	
19	Appropriation	((\$3,818,000))
20		<u>\$4,766,000</u>
21	Transportation Improvement Board Bond Retirement	
22	Account--State Appropriation	((\$16,482,000))
23		<u>\$17,174,000</u>
24	Nondebt-Limit Reimbursable Account Appropriation	((\$22,476,000))
25		<u>\$21,877,000</u>
26	Transportation Partnership Account--State	
27	Appropriation	((\$3,654,000))
28		<u>\$2,570,000</u>
29	Motor Vehicle Account--State Appropriation	((\$382,000))
30		<u>\$270,000</u>
31	Transportation 2003 Account (Nickel Account)--State	
32	Appropriation	((\$1,305,000))
33		<u>\$1,411,000</u>
34	(Transportation Improvement Account--State	
35	Appropriation	\$29,000))

1	Multimodal Transportation Account--State	
2	Appropriation	((\$158,000))
3		<u>\$181,000</u>
4	Toll Facility Bond Retirement Account--State	
5	Appropriation	((\$48,807,000))
6		<u>\$41,279,000</u>
7	Toll Facility Bond Retirement Account--Federal	
8	Appropriation	((\$7,500,000))
9		<u>\$18,283,000</u>
10	TOTAL APPROPRIATION	((\$1,015,913,000))
11		<u>\$1,001,748,000</u>

12 **Sec. 1202.** 2012 c 86 s 402 (uncodified) is amended to read as
13 follows:

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

17	State Route Number 520 Corridor Account--State	
18	Appropriation	((\$960,000))
19		<u>\$1,826,000</u>
20	Transportation Partnership Account--State	
21	Appropriation	((\$587,000))
22		<u>\$352,000</u>
23	Motor Vehicle Account--State Appropriation	((\$58,000))
24		<u>\$28,000</u>
25	Transportation 2003 Account (Nickel Account)--State	
26	Appropriation	((\$255,000))
27		<u>\$152,000</u>
28	((Transportation Improvement Account--State Appropriation	\$5,000))
29	Multimodal Transportation Account--State	
30	Appropriation	((\$23,000))
31		<u>\$14,000</u>
32	TOTAL APPROPRIATION	((\$1,888,000))
33		<u>\$2,372,000</u>

34 **Sec. 1203.** 2012 c 86 s 404 (uncodified) is amended to read as
35 follows:

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

2 Motor Vehicle Account--State Appropriation for motor
3 vehicle fuel tax distributions to cities and
4 counties ((\$470,701,000))
5 \$465,681,000

6 Public Transportation Grant Program Account--State
7 Appropriation \$9,000,000
8 TOTAL APPROPRIATION \$474,681,000

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

12 (1) The public transportation grant program account--state
13 appropriation must be distributed statewide to transit authorities
14 according to the distribution formula in subsection (2) of this
15 section. Funding must be used for operations.

16 (2) Of the public transportation grant program account amounts
17 appropriated in this section:

18 (a) One-third must be distributed based on vehicle miles of service
19 provided;

20 (b) One-third must be distributed based on the number of vehicle
21 hours of service provided; and

22 (c) One-third must be distributed based on the number of passenger
23 trips.

24 (3) For the purposes of this section:

25 (a) "Transit authorities" has the same meaning as in RCW
26 9.91.025(2)(c).

27 (b) "Vehicle miles of service," "vehicle hours of service," and
28 "passenger trips" are transit service metrics as reported by the public
29 transportation program of the department of transportation in the
30 annual report required in RCW 35.58.2796 for calendar year 2010.

31 **Sec. 1204.** 2012 c 86 s 405 (uncodified) is amended to read as
32 follows:

33 **FOR THE STATE TREASURER--TRANSFERS**

34 Motor Vehicle Account--State Appropriation: For
35 motor vehicle fuel tax refunds and statutory
36 transfers ((\$1,227,005,000))
37 \$1,213,253,000

1 **Sec. 1205.** 2012 c 86 s 406 (uncodified) is amended to read as
2 follows:

3 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

4 Motor Vehicle Account--State Appropriation: For
5 motor vehicle fuel tax refunds and transfers . . . (~~(\$151,870,000)~~)
6 \$147,557,000

7 **Sec. 1206.** 2012 c 86 s 407 (uncodified) is amended to read as
8 follows:

9 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**

10 (1) Motor Vehicle Account--State Appropriation:
11 For transfer to the Puget Sound Ferry Operations
12 Account--State \$45,500,000

13 (2) Recreational Vehicle Account--State
14 Appropriation: For transfer to the Motor Vehicle
15 Account--State \$1,150,000

16 (3) License Plate Technology Account--State
17 Appropriation: For transfer to the Highway Safety
18 Account--State \$3,000,000

19 (4) Multimodal Transportation Account--State
20 Appropriation: For transfer to the Puget Sound
21 Ferry Operations Account--State \$42,000,000

22 (5) Highway Safety Account--State Appropriation:
23 For transfer to the Motor Vehicle Account--State \$23,000,000

24 (6) Advanced Right-of-Way Revolving Fund: For
25 transfer to the Motor Vehicle Account--State \$5,000,000

26 (7) Rural Mobility Grant Program Account--State
27 Appropriation: For transfer to the Multimodal
28 Transportation Account--State \$3,000,000

29 (8) Motor Vehicle Account--State
30 Appropriation: For transfer to the State Patrol
31 Highway Account--State \$16,000,000

32 (9) State Route Number 520 Corridor
33 Account--State Appropriation: For transfer to the
34 Motor Vehicle Account--State \$58,000

35 (10) Motor Vehicle Account--State
36 Appropriation: For transfer to the Special Category C
37 Account--State \$2,500,000

1 (11) Regional Mobility Grant Program
 2 Account--State Appropriation: For transfer to the
 3 Multimodal Transportation Account--State \$1,000,000
 4 (12) State Patrol Highway Account--State
 5 Appropriation: For transfer to the Vehicle
 6 Licensing Fraud Account--State \$100,000
 7 (13) Capital Vessel Replacement Account--State
 8 Appropriation: For transfer to the Transportation 2003
 9 Account (Nickel Account)--State ((~~\$6,367,000~~))
 10 \$6,221,000

11 (14) Multimodal Transportation Account--State
 12 Appropriation: For transfer to the Public Transportation
 13 Grant Program Account--State for the purposes of
 14 distributions of \$3,000,000 on each of the last
 15 working days of December, March, and June in fiscal
 16 year 2013 \$9,000,000

17 (15) Motor Vehicle Account--State Appropriation:
 18 For transfer to the Puget Sound Capital Construction
 19 Account--State \$45,000,000

20 (16) The transfers identified in this section are subject to the
 21 following conditions and limitations:

22 (a) The transfer in subsection (9) of this section represents the
 23 repayment of an amount equal to subprogram B5 expenditures that
 24 occurred in the motor vehicle account in the 2009-2011 fiscal biennium.

25 (b) The amount transferred in subsection (2) of this section shall
 26 not exceed the expenditures incurred from the motor vehicle account--
 27 state for the recreational vehicle sanitary disposal systems program.

28 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

29 **Sec. 1301.** 2012 c 86 s 701 (uncodified) is amended to read as
 30 follows:

31 It is the intent of the legislature that the appropriations in
 32 (~~sections 702 through 713 of this act be~~) chapter 86, Laws of 2012
 33 that were supported by the legislative changes in chapter 80, Laws of
 34 2012 and chapter 74, Laws of 2012 were an initial commitment to the
 35 programs and activities funded and that the commitment continue through

1 the 2013-2015 fiscal biennium. To that end, it is the intent of the
2 legislature that the spending plan for the 2013-2015 fiscal biennium
3 reflect the programmatic areas and amounts described in LEAP
4 Transportation Document 2012-4, as developed March 8, 2012.

5 **MISCELLANEOUS 2011-2013 FISCAL BIENNIUM**

6 NEW SECTION. **Sec. 1401.** The appropriations to the department of
7 transportation in chapter 86, Laws of 2012 and this act must be
8 expended for the programs and in the amounts specified in this act.
9 However, after May 1, 2013, unless specifically prohibited, the
10 department may transfer state appropriations for the 2011-2013 fiscal
11 biennium among programs after approval by the director of the office of
12 financial management. However, the department shall not transfer state
13 moneys that are provided solely for a specific purpose. The department
14 shall not transfer funds, and the director of the office of financial
15 management shall not approve the transfer, unless the transfer is
16 consistent with the objective of conserving, to the maximum extent
17 possible, the expenditure of state funds and not federal funds. The
18 director of the office of financial management shall notify the
19 appropriate transportation committees of the legislature prior to
20 approving any allotment modifications or transfers under this section.
21 The written notification must include a narrative explanation and
22 justification of the changes, along with expenditures and allotments by
23 program and appropriation, both before and after any allotment
24 modifications or transfers.

25 NEW SECTION. **Sec. 1402.** The following acts or parts of acts are
26 each repealed:

- 27 (1) 2012 c 86 s 702 (uncodified);
- 28 (2) 2012 c 86 s 703 (uncodified);
- 29 (3) 2012 c 86 s 704 (uncodified);
- 30 (4) 2012 c 86 s 705 (uncodified);
- 31 (5) 2012 c 86 s 706 (uncodified);
- 32 (6) 2012 c 86 s 707 (uncodified);
- 33 (7) 2012 c 86 s 708 (uncodified);
- 34 (8) 2012 c 86 s 709 (uncodified);

- 1 (9) 2012 c 86 s 710 (uncodified);
- 2 (10) 2012 c 86 s 711 (uncodified);
- 3 (11) 2012 c 86 s 712 (uncodified);
- 4 (12) 2012 c 86 s 713 (uncodified);
- 5 (13) 2012 c 86 s 714 (uncodified);
- 6 (14) 2012 c 86 s 715 (uncodified); and
- 7 (15) 2012 c 86 s 716 (uncodified).

8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 1501.** 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. 1502.** Except for sections 702 and 709 of this
14 act, this act is necessary for the immediate preservation of the public
15 peace, health, or safety, or support of the state government and its
16 existing public institutions, and takes effect immediately.

17 NEW SECTION. **Sec. 1503.** Section 702 of this act is necessary for
18 the immediate preservation of the public peace, health, or safety, or
19 support of the state government and its existing public institutions,
20 and takes effect July 1, 2013.

21 NEW SECTION. **Sec. 1504.** Section 709 of this act takes effect if
22 chapter . . . (Substitute House Bill No. 1745), Laws of 2013 is not
23 enacted before June 30, 2013.

(End of Bill)

INDEX	PAGE #
ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS	70, 165
COLLECTIVE BARGAINING AGREEMENTS	56
COLLECTIVE BARGAINING AGREEMENTS NOT IMPAIRED	56
COLLECTIVE BARGAINING AGREEMENTS	
PTE LOCAL 17	59
WSP LIEUTENANTS ASSOCIATION	60
WSP TROOPERS ASSOCIATION	60
COMPENSATION	
NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS	62
NONREPRESENTED EMPLOYEES--SALARIES AND WAGES	63
REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE BENEFITS	61
REPRESENTED EMPLOYEES--SUPER COALITION--INSURANCE BENEFITS	60
REVISE PENSION CONTRIBUTION RATES	74
COUNTY ROAD ADMINISTRATION BOARD	5, 31, 100, 136
DEPARTMENT OF AGRICULTURE	4
DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION	2
DEPARTMENT OF ENTERPRISE SERVICES	4
DEPARTMENT OF LICENSING	12, 107
TRANSFERS	53, 169
DEPARTMENT OF TRANSPORTATION	72, 73
DEPARTMENT OF TRANSPORTATION MARINE DIVISION COLLECTIVE BARGAINING AGREEMENTS	
CARPENTERS	57
FASPAA	57
IBU	59
MEBA-L	58
MEBA-UL	58
METAL TRADES	57
MM&P MASTERS	59
MM&P MATES	58
MM&P WATCH SUPERVISORS	59
OPEIU	56
SEIU LOCAL 6	57
DEPARTMENT OF TRANSPORTATION	
AVIATION--PROGRAM F	17, 115
CHARGES FROM OTHER AGENCIES--PROGRAM U	24, 125
ECONOMIC PARTNERSHIPS--PROGRAM K	17, 117

FACILITIES--PROGRAM D--CAPITAL	32
FACILITIES--PROGRAM D--OPERATING	16, 115
HIGHWAY MAINTENANCE--PROGRAM M	18, 118
IMPROVEMENTS--PROGRAM I	33, 137
INFORMATION TECHNOLOGY--PROGRAM C	16, 114
LOCAL PROGRAMS--PROGRAM Z--CAPITAL	48, 159
LOCAL PROGRAMS--PROGRAM Z--OPERATING	30, 135
MARINE--PROGRAM X	28, 131
PRESERVATION--PROGRAM P	43, 149
PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H	17, 116
PUBLIC TRANSPORTATION--PROGRAM V	24, 127
RAIL--PROGRAM Y--OPERATING	29, 134
RAIL--PROGRAM Y--CAPITAL	45, 155
TOLL OPERATIONS AND MAINTENANCE--PROGRAM B	13, 112
TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL	44, 151
TRAFFIC OPERATIONS--PROGRAM Q--OPERATING	19, 120
TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S	22, 123
TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T	22, 123
WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W	44, 151
FEDERAL FUNDS RECEIVED FOR CAPITAL PROJECT EXPENDITURES	52
FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD	10, 30, 103
FUND TRANSFERS	68
JOINT TRANSPORTATION COMMITTEE	6
LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE	5
MEGA-PROJECT REPORTING	71
OFFICE OF FINANCIAL MANAGEMENT	3, 96
REPORTING REQUIREMENTS FOR CAPITAL PROGRAM	50
STAFFING LEVELS	68
STATE PARKS AND RECREATION COMMISSION	4
STATE TREASURER	
ADMINISTRATIVE TRANSFERS	53, 169
BOND RETIREMENT AND INTEREST	52, 53, 166, 167
STATE REVENUES FOR DISTRIBUTION	53, 168
TRANSFERS	53, 168
STATE TREASURER: FOR DISTRIBUTION TO TRANSIT ENTITIES	55
STATUTORY APPROPRIATIONS	55
TRANSPORTATION COMMISSION	7, 102
TRANSPORTATION IMPROVEMENT BOARD	6, 32, 101, 137
UTILITIES AND TRANSPORTATION COMMISSION	3

VOLUNTARY RETIREMENT AND SEPARATION INCENTIVES 74
WASHINGTON STATE PATROL 10, 31, 104
WASHINGTON TRAFFIC SAFETY COMMISSION 5, 99

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