
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-2134.8/13 8th draft

ATTY/TYPIST: BP:seg

BRIEF DESCRIPTION: Making transportation appropriations for the
2011-2013 and 2013-2015 fiscal biennia.

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 47.64.170, 47.64.270, 43.19.642, 46.68.170, 46.68.320,
3 46.68.325, 46.68.370, 47.12.244, 47.12.340, 47.56.876, 42.56.270,
4 46.12.630, and 46.63.180; amending 2012 c 86 ss 201, 202, 203, 205,
5 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219,
6 220, 221, 222, 223, 301, 302, 303, 305, 306, 307, 308, 309, 310, 401,
7 402, 404, 405, 406, and 407 (uncodified); reenacting and amending RCW
8 70.105D.070 and 46.63.170; creating new sections; repealing 2012 c 86
9 ss 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713,
10 714, 715, and 716 (uncodified); making appropriations and authorizing
11 expenditures for capital improvements; providing expiration dates; and
12 declaring an emergency.

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

14 **2013-2015 FISCAL BIENNIUM**

15 NEW SECTION. **Sec. 1.** (1) The transportation budget of the state
16 is hereby adopted and, subject to the provisions set forth, the several
17 amounts specified, or as much thereof as may be necessary to accomplish
18 the purposes designated, are hereby appropriated from the several

1 accounts and funds named to the designated state agencies and offices
2 for employee compensation and other expenses, for capital projects, and
3 for other specified purposes, including the payment of any final
4 judgments arising out of such activities, for the period ending June
5 30, 2015.

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

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

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

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

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

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

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

23 (g) "LEAP" means the legislative evaluation and accountability
24 program committee.

25 **2013-2015 FISCAL BIENNIUM**

26 **GENERAL GOVERNMENT AGENCIES--OPERATING**

27 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF ARCHAEOLOGY AND**
28 **HISTORIC PRESERVATION**

29 Motor Vehicle Account--State Appropriation \$433,000

30 The appropriation in this section is subject to the following
31 conditions and limitations: The entire appropriation is provided
32 solely for staffing costs to be dedicated to state transportation
33 activities. Staff hired to support transportation activities must have
34 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 \$1,641,000

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

8 TOTAL APPROPRIATION \$1,817,000

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

11 (1) \$70,000 of the Puget Sound ferry operations account--state
12 appropriation is provided solely for the state's share of the marine
13 salary survey.

14 (2) \$932,000 of the motor vehicle account--state appropriation is
15 comprised of funds set aside out of statewide fuel taxes distributed to
16 counties according to RCW 46.68.120(3) and is provided solely for the
17 office of financial management to contract with the Washington state
18 association of counties to identify, analyze, evaluate, and implement
19 county transportation performance measures associated with
20 transportation system policy goals outlined in RCW 47.04.280. In
21 cooperation with state agencies, the Washington state association of
22 counties must: Identify, analyze, and report on transportation system
23 preservation; identify, evaluate, and report on opportunities to
24 streamline reporting requirements; and evaluate project management
25 tools to help improve project delivery.

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

27 Motor Vehicle Account--State Appropriation \$502,000

28 NEW SECTION. **Sec. 105. FOR THE STATE PARKS AND RECREATION**
29 **COMMISSION**

30 Motor Vehicle Account--State Appropriation \$986,000

31 The appropriation in this section is subject to the following
32 conditions and limitations: The entire appropriation in this section
33 is provided solely for road maintenance purposes.

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

2 Motor Vehicle Account--State Appropriation \$1,207,000

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

5 (1) \$351,000 of the motor vehicle account--state appropriation is
6 provided solely for costs associated with the motor fuel quality
7 program.

8 (2) \$856,000 of the motor vehicle account--state appropriation is
9 provided solely to test the quality of biofuel. The department must
10 test fuel quality at the biofuel manufacturer, distributor, and
11 retailer.

12 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
13 **ACCOUNTABILITY PROGRAM COMMITTEE**

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

15 NEW SECTION. **Sec. 108. FOR THE DEPARTMENT OF FISH AND WILDLIFE**

16 Motor Vehicle Account--State Appropriation \$200,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: \$200,000 of the motor vehicle account--
19 state appropriation is from the cities statewide fuel tax distributions
20 under RCW 46.68.110(2) and is provided solely for the department to
21 inventory, prioritize, and study fish passage barriers associated with
22 city roads and streets in the Puget Sound region. The department shall
23 submit the results to the department of transportation and to
24 organizations representing cities by June 30, 2015.

25 NEW SECTION. **Sec. 109. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
26 **COMMITTEE**

27 Motor Vehicle Account--State Appropriation \$243,000

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

30 (1) The appropriation in this section is for the joint legislative
31 audit and review committee to conduct a review of the methods and
32 systems used by the department of transportation to develop asset
33 condition and maintenance service level needs and subsequent funding
34 requests for highway preservation and maintenance programs. The review

1 must examine whether the methods and systems used by the department of
2 transportation for estimating preservation and maintenance needs and
3 costs are consistent with industry practices and other appropriate
4 standards. The review must include an analysis of a selection of
5 preservation and maintenance requests and address issues such as:

6 (a) Was a systematic, documented process used to develop the
7 estimate of need?

8 (b) Are practices in place to minimize life-cycle preservation and
9 maintenance costs?

10 (c) Was each stage in the cost estimating process fully documented?

11 (d) If appropriate, how were risks to the cost estimate quantified?

12 (e) What steps are in place to ensure that requests are not unduly
13 impacted by outside pressures?

14 Expert engineering or cost estimating consultants may be used to
15 review methods, systems, and individual estimates for accuracy. A
16 briefing report, focusing on an overview of the methods and processes,
17 must be completed by December 1, 2013. A report containing any
18 findings and recommendations must be completed by December 1, 2014.

19 (2) The joint legislative audit and review committee must conduct
20 a forensic audit of the Interstate 5/Columbia River Crossing project
21 (400506A) to investigate fraud, malfeasance, and misuse of public
22 funds. The joint legislative audit and review committee may contract
23 with the state auditor's office for fraud-related investigation
24 services.

25 **TRANSPORTATION AGENCIES--OPERATING**

26 NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**
27 **COMMISSION**

28 Highway Safety Account--State Appropriation	\$3,017,000
29 Highway Safety Account--Federal Appropriation	\$40,698,000
30 Highway Safety Account--Private/Local Appropriation	\$50,000
31 School Zone Safety Account--State Appropriation	\$1,900,000
32 TOTAL APPROPRIATION	\$45,665,000

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

1 (1) The commission shall develop and implement, in collaboration
2 with the Washington state patrol, a target zero team pilot program in
3 Yakima and Spokane counties. The pilot program must demonstrate the
4 effectiveness of intense, high visibility driving under the influence
5 enforcement in Washington state. The commission shall apply to the
6 national highway traffic safety administration for federal highway
7 safety grants to cover the cost of the pilot program.

8 (2) Of the amounts provided in this section, any amounts that are
9 granted by the commission for the traffic safety resource prosecutor
10 program must be directed to the Washington association of prosecuting
11 attorneys.

12 (3) \$20,000,000 of the highway safety account--federal
13 appropriation is provided solely for federal funds that may be
14 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
15 2013-2015 fiscal biennium.

16 (4) The commission may continue to oversee pilot projects
17 implementing the use of automated traffic safety cameras to detect
18 speed violations within cities west of the Cascade mountains that have
19 a population over one hundred ninety-five thousand. For the purposes
20 of pilot projects in this subsection, no more than one automated
21 traffic safety camera may be used to detect speed violations within any
22 one jurisdiction.

23 (a) The commission shall comply with RCW 46.63.170 in administering
24 the pilot projects.

25 (b) By January 1, 2015, any local authority that is operating an
26 automated traffic safety camera to detect speed violations must provide
27 a summary to the transportation committees of the legislature
28 concerning the use of the cameras and data regarding infractions,
29 revenues, and costs.

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

31 Rural Arterial Trust Account--State Appropriation	\$944,000
32 Motor Vehicle Account--State Appropriation	\$2,185,000
33 County Arterial Preservation Account--State	
34 Appropriation	\$1,454,000
35 TOTAL APPROPRIATION	\$4,583,000

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 \$1,155,000

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

8 (1) The joint transportation committee shall continue to convene a
9 subcommittee for legislative oversight of the I-5/Columbia river
10 crossing bridge replacement project. The Columbia river crossing
11 legislative oversight subcommittee must be made up of six members: Two
12 appointed by the cochairs of the senate transportation committee, two
13 appointed by the chair and ranking member of the house of
14 representatives transportation committee, one designee of the governor,
15 and one citizen jointly appointed by the four members of the joint
16 transportation executive committee. The citizen appointee must be a
17 Washington state resident of the area served by the bridge. At least
18 two of the legislative members must be from the legislative districts
19 served by the bridge. In addition to reviewing project and financing
20 information, the subcommittee must also coordinate with the Oregon
21 legislative oversight committee for the Columbia river crossing bridge.

22 (2) \$150,000 of the motor vehicle account--state appropriation is
23 for a study of the costs and benefits of outsourcing audit functions to
24 provide independent audit oversight of the department of transportation
25 tolling division. The study must include a staff work group, including
26 staff from the office of financial management, the transportation
27 commission, the department of transportation, and the legislative
28 transportation committees.

29 (3) The joint transportation committee shall study and review the
30 use of surplus property proceeds to fund facility replacement projects,
31 and the possibility of using the north central region as a pilot
32 region.

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

34 Motor Vehicle Account--State Appropriation \$2,373,000

35 Multimodal Transportation Account--State

36 Appropriation \$112,000

1 TOTAL APPROPRIATION \$2,485,000

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

4 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
5 during the 2013-2015 fiscal biennium, the legislature authorizes the
6 transportation commission to periodically review and, if necessary,
7 adjust the schedule of fares for the Washington state ferry system only
8 in amounts not greater than those sufficient to generate the amount of
9 revenue required by the biennial transportation budget. However, the
10 transportation commission may not increase the schedule of fares
11 greater than five percent per biennium without first consulting with
12 the joint transportation committee. When adjusting ferry fares, the
13 commission must consider input from affected ferry users by public
14 hearing and by review with the affected ferry advisory committees, in
15 addition to the data gathered from the current ferry 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. However, the transportation commission may
25 not increase the schedule of toll charges greater than five percent per
26 biennium without first consulting with the joint transportation
27 committee.

28 (3) \$250,000 of the motor vehicle account--state appropriation is
29 provided solely for updating the Washington transportation plan, as
30 required under RCW 47.01.071(4).

31 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
32 **INVESTMENT BOARD**

33 Motor Vehicle Account--State Appropriation \$929,000

34 The appropriation in this section is subject to the following
35 conditions and limitations: \$25,000 of the motor vehicle
36 account--state appropriation is provided solely for activities related

1 to the development of a freight plan identified under the federal
2 moving forward for progress in the 21st century (MAP-21) act of 2012.

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

4	State Patrol Highway Account--State	
5	Appropriation	\$370,915,000
6	State Patrol Highway Account--Federal	
7	Appropriation	\$11,135,000
8	State Patrol Highway Account--Private/Local	
9	Appropriation	\$3,590,000
10	Highway Safety Account--State Appropriation	\$19,429,000
11	Multimodal Transportation Account--State	
12	Appropriation	\$273,000
13	TOTAL APPROPRIATION	\$405,342,000

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

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

19 (2) During the 2013-2015 fiscal biennium, the Washington state
20 patrol shall relocate its data center to the state data center in
21 Olympia. The Washington state patrol shall work with the department of
22 enterprise services to negotiate the lease termination agreement for
23 the current data center site.

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

32 **NEW SECTION. Sec. 208. FOR THE DEPARTMENT OF LICENSING**

33	Marine Fuel Tax Refund Account--State	
34	Appropriation	\$34,000
35	Motorcycle Safety Education Account--State	
36	Appropriation	\$4,408,000

1	State Wildlife Account--State Appropriation	\$885,000
2	Highway Safety Account--State Appropriation	\$157,327,000
3	Highway Safety Account--Federal Appropriation	\$4,392,000
4	Motor Vehicle Account--State Appropriation	\$77,284,000
5	Motor Vehicle Account--Federal Appropriation	\$467,000
6	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
7	Ignition Interlock Device Revolving Account--State	
8	Appropriation	\$2,656,000
9	Department of Licensing Services Account--State	
10	Appropriation	\$5,958,000
11	TOTAL APPROPRIATION	\$254,955,000

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

14 (1) \$1,235,000 of the highway safety account--state appropriation
15 is provided solely for the implementation of chapter . . . (Substitute
16 House Bill No. 1752), Laws of 2013 (requirements for the operation of
17 commercial motor vehicles in compliance with federal regulations). If
18 chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not
19 enacted by June 30, 2013, the amount provided in this subsection
20 lapses.

21 (2) \$201,000 of the motor vehicle account--state appropriation is
22 provided solely for the implementation of chapter . . . (Substitute
23 Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license
24 plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of
25 2013 is not enacted by June 30, 2013, the amount provided in this
26 subsection lapses.

27 (3) \$425,000 of the highway safety account--state appropriation is
28 provided solely for the implementation of chapter . . . (Substitute
29 Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If
30 chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not
31 enacted by June 30, 2013, the amount provided in this subsection
32 lapses.

33 (4) \$172,000 of the highway safety account--state appropriation is
34 provided solely for the implementation of chapter . . . (Senate Bill
35 No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . .
36 (Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013,
37 the amount provided in this subsection lapses.

1 (5) \$652,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of chapter . . . (Substitute
3 Senate Bill No. 5785), Laws of 2013 (license plates). If chapter . . .
4 (Substitute Senate Bill No. 5785), Laws of 2013 is not enacted by June
5 30, 2013, the amount provided in this subsection lapses.

6 (6) \$78,000 of the motor vehicle account--state appropriation and
7 \$3,707,000 of the highway safety account--state appropriation are
8 provided solely for the implementation of chapter . . . (Substitute
9 Senate Bill No. 5857), Laws of 2013 (vehicle-related fees). If chapter
10 . . . (Substitute Senate Bill No. 5857), Laws of 2013 is not enacted by
11 June 30, 2013, the amount provided in this subsection lapses.

12 (7) \$1,000,000 of the highway safety account--state appropriation
13 is provided solely for information technology field system
14 modernization.

15 (8) \$3,082,000 of the highway safety account--state appropriation
16 is provided solely for exam and licensing activities, including the
17 workload associated with providing driver record abstracts, and is
18 subject to the following additional conditions and limitations:

19 (a) The department may furnish driving record abstracts only to
20 those persons or entities expressly authorized to receive the abstracts
21 under Title 46 RCW;

22 (b) The department may furnish driving record abstracts only for an
23 amount that does not exceed the specified fee amounts in RCW 46.52.130
24 (2)(e)(v) and (4); and

25 (c) The department may not enter into a contract, or otherwise
26 participate in any arrangement, with a third party or other state
27 agency for any service that results in an additional cost, in excess of
28 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
29 statutorily authorized persons or entities purchasing a driving record
30 abstract.

31 (9)(a) The department of licensing must convene a work group to
32 examine the use of parking placards and special license plates for
33 persons with disabilities and develop a strategic plan for ending any
34 abuse. In developing this plan, the department must work with the
35 department of health, disabled citizen advocacy groups, and
36 representatives from local government.

37 (b) The work group must be composed of no more than two

1 representatives from each of the entities listed in (a) of this
2 subsection. The work group may, when appropriate, consult with any
3 other public or private entity in order to complete the strategic plan.

4 (c) The strategic plan must include:

5 (i) Oversight measures to ensure that parking placards and special
6 license plates for persons with disabilities are being properly issued,
7 including: (A) The entity responsible for coordinating a randomized
8 review of applications for special parking privileges; (B) a volunteer
9 panel of medical professionals to conduct such reviews; (C) a means to
10 protect the anonymity of both the medical professional conducting a
11 review and the medical professional under review; (D) a means to
12 protect the privacy of applicants by removing any personally
13 identifiable information; and (E) possible sanctions against a medical
14 professional for repeated improper issuances of parking placards or
15 special license plates for persons with disabilities, including those
16 sanctions listed in chapter 18.130 RCW; and

17 (ii) The creation of a publicly accessible system in which the
18 validity of parking placards and special license plates for persons
19 with disabilities may be verified. This system must not allow the
20 public to access any personally identifiable information or protected
21 health information of a person who has been issued a parking placard or
22 special license plate.

23 (d) The work group must convene by July 1, 2013, and terminate by
24 December 1, 2013.

25 (e) By December 1, 2013, the work group must deliver to the
26 legislature and the appropriate legislative committees the strategic
27 plan required under this subsection, together with its findings,
28 recommendations, and any necessary draft legislation in order to
29 implement the strategic plan.

30 (10) The appropriation in this section reflects the department
31 charging an amount sufficient to cover the full cost of providing the
32 data requested under RCW 46.12.630(2).

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

35	Motor Vehicle Account--State Appropriation	\$888,000
36	State Route Number 520 Corridor Account--State	
37	Appropriation	\$32,801,000

1	State Route Number 520 Civil Penalties Account--State	
2	Appropriation	\$4,168,000
3	Tacoma Narrows Toll Bridge Account--State	
4	Appropriation	\$23,259,000
5	Puget Sound Ferry Operations Account--State	
6	Appropriation	\$250,000
7	TOTAL APPROPRIATION	\$61,366,000

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

10 (1) The department shall make detailed quarterly expenditure
11 reports available to the transportation commission and to the public on
12 the department's web site using current department resources. The
13 reports must include a summary of toll revenue by facility on all
14 operating toll facilities and an itemized depiction of the use of that
15 revenue.

16 (2) \$4,168,000 of the state route number 520 civil penalties
17 account--state appropriation and \$676,000 of the Tacoma Narrows toll
18 bridge account--state appropriation are provided solely for
19 expenditures related to the toll adjudication process. All costs
20 associated with the toll adjudication process are anticipated to be
21 covered by revenue collected from the toll adjudication process. The
22 department shall report quarterly on the toll adjudication process to
23 the office of financial management and the house of representatives and
24 senate transportation committees. The reports must include a summary
25 table for each toll facility that includes: The number of notices of
26 civil penalty issued; the number of recipients who pay before the
27 notice becomes a penalty; the number of recipients who request a
28 hearing and the number who do not respond; workload costs related to
29 hearings; the cost and effectiveness of debt collection activities; and
30 revenues generated from notices of civil penalty.

31 (3) \$6,000,000 of the state route number 520 corridor account--
32 state appropriation is provided solely for an operating and maintenance
33 reserve subaccount as required in the state route 520 "Master
34 Resolution" (State Finance Committee Resolution 1117, adopted September
35 29, 2011). The funds must be held in unallotted status and may only be
36 allotted in the event that the director of the office of financial
37 management determines that available toll revenues are insufficient to
38 pay operating and maintenance expenses and other obligations when due.

1 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
2 appropriation is provided solely to cover forty-five days of lost
3 operations as a contingency. The funds must be held in unallotted
4 status and may only be allotted in the event that the director of the
5 office of financial management determines that available toll revenues
6 are insufficient to pay operating and maintenance expenses and other
7 obligations when due.

8 (5) The department shall make detailed quarterly reports to the
9 governor and the transportation committees of the legislature on the
10 use of consultants in the tolling program. The reports must include
11 the name of the contractor, the scope of work, the type of contract,
12 timelines, deliverables, any new task orders, and any extensions to
13 existing consulting contracts.

14 (6)(a) \$250,000 of the Puget Sound ferry operations account--state
15 appropriation is provided solely for the development of a plan to
16 integrate and transition customer service, reservation, and payment
17 systems currently provided by the marine division to ferry users into
18 the statewide tolling customer service center.

19 (b)(i) The department shall develop a plan that addresses:

20 (A) A phased implementation approach, beginning with "Good To Go"
21 as a payment option for ferry users;

22 (B) The feasibility, schedule, and cost of creating a single
23 account-based system for toll road and ferry users;

24 (C) Transitioning customer service currently provided by the marine
25 division to the statewide tolling customer service center; and

26 (D) Transitioning existing and planned ferry reservation system
27 support from the marine division to the statewide tolling customer
28 service center.

29 (ii) The plan must be provided to the office of financial
30 management and the transportation committees of the legislature by
31 November 29, 2013.

32 (7) \$21,283,000 of the Tacoma Narrows toll bridge account--state
33 appropriation is provided solely to operate and maintain the eastbound
34 Tacoma Narrows bridge. This appropriation reflects a twenty percent
35 reduction in management costs.

36 (8) \$350,000 of the motor vehicle account--state appropriation is
37 provided solely for an investment grade traffic and revenue study to
38 support the transportation commission in future toll rate setting and

1 in order to evaluate internal refinance opportunities for the Tacoma
2 Narrows bridge. The department shall involve the office of the state
3 treasurer with the study.

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

6	Transportation Partnership Account--State	
7	Appropriation	\$1,460,000
8	Motor Vehicle Account--State Appropriation	\$68,436,000
9	Multimodal Transportation Account--State	
10	Appropriation	\$363,000
11	Transportation 2003 Account (Nickel Account)--State	
12	Appropriation	\$1,460,000
13	State Toxics Control Account--State Appropriation	\$201,000
14	TOTAL APPROPRIATION	\$71,920,000

15 The appropriations in this section are subject to the following
16 conditions and limitations: \$201,000 of the state toxics control
17 account--state appropriation is provided solely for the department's
18 compliance with its national pollution discharge elimination system
19 permit.

20 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION--**
21 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION--PROGRAM D--**
22 **OPERATING**

23	Motor Vehicle Account--State Appropriation	\$25,415,000
24	State Toxics Control Account--State Appropriation	\$850,000
25	TOTAL APPROPRIATION	\$26,265,000

26 The appropriations in this section are subject to the following
27 conditions and limitations: \$850,000 of the state toxics control
28 account--state appropriation is provided solely for the department's
29 compliance with its national pollution discharge elimination system
30 permit.

31 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **AVIATION--PROGRAM F**

33	Aeronautics Account--State Appropriation	\$7,358,000
34	Aeronautics Account--Federal Appropriation	\$2,150,000
35	TOTAL APPROPRIATION	\$9,508,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: \$3,500,000 of the aeronautics account--
3 state appropriation is provided solely for the airport aid grant
4 program, which provides competitive grants to public airports for
5 pavement, safety, planning, and security.

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

8	Motor Vehicle Account--State Appropriation	\$44,040,000
9	Motor Vehicle Account--Federal Appropriation	\$500,000
10	Multimodal Transportation Account--State	
11	Appropriation	\$250,000
12	State Toxics Control Account--State Appropriation	\$3,543,000
13	TOTAL APPROPRIATION	\$48,333,000

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

16 (1) \$3,543,000 of the state toxics control account--state
17 appropriation is provided solely for the department's compliance with
18 its national pollution discharge elimination system permit.

19 (2) The real estate services division of the department must
20 recover the cost of its efforts from sale proceeds and fund additional
21 future sales from those proceeds.

22 (3) The legislature recognizes that the Dryden pit site (WSDOT
23 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
24 property under the jurisdiction of the department, and that the public
25 would benefit significantly from the complete enjoyment of the natural
26 scenic beauty and recreational opportunities available at the site.
27 Therefore, pursuant to RCW 47.12.080, the legislature declares that
28 transferring the property to the department of fish and wildlife for
29 recreational use and fish and wildlife restoration efforts is
30 consistent with the public interest in order to preserve the area for
31 the use of the public and the betterment of the natural environment.
32 The department shall work with the department of fish and wildlife and
33 transfer and convey the Dryden pit site to the department of fish and
34 wildlife as-is for an adjusted fair market value reflecting site
35 conditions, the proceeds of which must be deposited in the motor
36 vehicle fund. The department is not responsible for any costs

1 associated with the cleanup or transfer of this property. This
2 subsection expires June 30, 2014.

3 (4) The legislature recognizes that the trail known as the Apple
4 Capital Loop, and its extensions, serve to separate motor vehicle
5 traffic from pedestrians and bicyclists, increasing motor vehicle
6 safety on existing state route number 28. Consistent with chapter
7 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
8 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
9 and 2-09-04569 to Douglas county and the city of East Wenatchee is
10 consistent with the public interest. The legislature directs the
11 department to transfer the property to Douglas county and the city of
12 East Wenatchee. The department must be paid fair market value for any
13 portions of the transferred real property that is later abandoned,
14 vacated, or ceases to be publicly maintained for trail purposes.
15 Douglas county and the city of East Wenatchee must agree to accept
16 responsibility for trail segments within their respective jurisdictions
17 and sign an agreement with the state that the transfer of these parcels
18 to their respective jurisdictions extinguishes any state obligations to
19 improve, maintain, or be in any way responsible for these assets. This
20 subsection expires June 30, 2014.

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

23 Motor Vehicle Account--State Appropriation \$570,000

24 The appropriation in this section is subject to the following
25 conditions and limitations: The department shall continue monitoring
26 the work of other states and countries currently exploring or piloting
27 road user charges as a way of transitioning from the gas tax to a road
28 user assessment system of paying for transportation. The department
29 must provide an update regarding its findings by December 1, 2013, and
30 December 1, 2014, and at any other time the department deems pertinent.

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

33 Highway Safety Account--State Appropriation \$10,000,000
34 Motor Vehicle Account--State Appropriation \$380,101,000
35 Motor Vehicle Account--Federal Appropriation \$7,000,000
36 State Toxics Control Account--State Appropriation \$9,755,000

1 TOTAL APPROPRIATION \$406,856,000

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

4 (1) \$377,779,000 of the motor vehicle account--state appropriation
5 and \$10,000,000 of the highway safety account--state appropriation are
6 provided solely for the maintenance program to achieve specific levels
7 of service on the thirty maintenance targets listed by statewide
8 priority in LEAP Transportation Document 2013-4 as developed April 2,
9 2013. Beginning in February 2014, the department shall report to the
10 legislature annually on its updated maintenance accountability process
11 targets and whether or not the department was able to achieve its
12 targets.

13 (2) \$8,450,000 of the state toxics control account--state
14 appropriation is provided solely for the department's compliance with
15 its national pollution discharge elimination system permit.

16 (3) \$1,305,000 of the state toxics control account--state
17 appropriation is provided solely for utility fees assessed by local
18 governments as authorized under RCW 90.03.525 for the mitigation of
19 storm water runoff from state highways.

20 (4) \$2,277,000 of the motor vehicle account--state appropriation is
21 provided solely to replace or rehabilitate critical equipment needed to
22 perform snow and ice removal activities and roadway maintenance. These
23 funds may not be used to purchase passenger cars as defined in RCW
24 46.04.382.

25 (5) \$50,000 of the motor vehicle account--state appropriation is
26 provided solely for clearing and pruning dangerous trees along state
27 route number 542 between mile markers 43 and 48 to prevent safety
28 hazards and delays.

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

31	Motor Vehicle Account--State Appropriation	\$50,475,000
32	Motor Vehicle Account--Federal Appropriation	\$2,050,000
33	Motor Vehicle Account--Private/Local Appropriation	\$250,000
34	TOTAL APPROPRIATION	\$52,775,000

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

1 (1) \$6,000,000 of the motor vehicle account--state appropriation is
 2 provided solely for low-cost enhancements. The department shall give
 3 priority to low-cost enhancement projects that improve safety or
 4 provide congestion relief. The department shall prioritize low-cost
 5 enhancement projects on a statewide rather than regional basis. By
 6 September 1st of each even-numbered year, the department shall provide
 7 a report to the legislature listing all low-cost enhancement projects
 8 prioritized on a statewide rather than regional basis completed in the
 9 prior year.

10 (2) \$9,000,000 of the motor vehicle account--state appropriation is
 11 provided solely for the department's incident response program.

12 (3) \$102,000 of the motor vehicle account--state appropriation is
 13 provided solely to replace or rehabilitate critical equipment needed to
 14 perform traffic control. These funds may not be used to purchase
 15 passenger cars as defined in RCW 46.04.382.

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

18	Motor Vehicle Account--State Appropriation	\$27,268,000
19	Motor Vehicle Account--Federal Appropriation	\$30,000
20	Multimodal Transportation Account--State	
21	Appropriation	\$973,000
22	TOTAL APPROPRIATION	\$28,271,000

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

25	Motor Vehicle Account--State Appropriation	\$20,092,000
26	Motor Vehicle Account--Federal Appropriation	\$24,885,000
27	Multimodal Transportation Account--State	
28	Appropriation	\$662,000
29	Multimodal Transportation Account--Federal	
30	Appropriation	\$2,809,000
31	Multimodal Transportation Account--Private/Local	
32	Appropriation	\$100,000
33	TOTAL APPROPRIATION	\$48,548,000

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

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

2	Motor Vehicle Account--State Appropriation	\$81,628,000
3	Motor Vehicle Account--Federal Appropriation	\$400,000
4	Multimodal Transportation Account--State Appropriation	\$40,000
5	TOTAL APPROPRIATION	\$82,068,000

6 The appropriations in this section are subject to the following
7 conditions and limitations: The department of enterprise services must
8 provide a detailed accounting of the revenues and expenditures of the
9 self-insurance fund to the transportation committees of the legislature
10 on December 31st and June 30th of each year.

11 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
12 **PUBLIC TRANSPORTATION--PROGRAM V**

13	State Vehicle Parking Account--State Appropriation	\$452,000
14	Regional Mobility Grant Program Account--State	
15	Appropriation	\$40,000,000
16	Rural Mobility Grant Program Account--State	
17	Appropriation	\$17,000,000
18	Multimodal Transportation Account--State	
19	Appropriation	\$41,145,000
20	Multimodal Transportation Account--Federal	
21	Appropriation	\$2,582,000
22	Multimodal Transportation Account--Private/Local	
23	Appropriation	\$1,027,000
24	TOTAL APPROPRIATION	\$102,206,000

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

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

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

36 (b) \$19,500,000 is provided solely for formula-based grants to
37 transit agencies to transport persons with special transportation

1 needs. To receive a grant, the transit agency must, to the greatest
2 extent practicable, have a maintenance of effort for special needs
3 transportation that is no less than the previous year's maintenance of
4 effort for special needs transportation. Grants for transit agencies
5 must be prorated based on the amount expended for demand response
6 service and route deviated service in calendar year 2011 as reported in
7 the "Summary of Public Transportation - 2011" published by the
8 department. A transit agency may not receive more than thirty percent
9 of these distributions.

10 (2) \$17,000,000 of the rural mobility grant program account--state
11 appropriation is provided solely for grants to aid small cities and
12 rural areas as prescribed in RCW 47.66.100.

13 (3) \$6,000,000 of the multimodal transportation account--state
14 appropriation is provided solely for a vanpool grant program for: (a)
15 Public transit agencies to add vanpools or replace vans; and (b)
16 incentives for employers to increase employee vanpool use. Operating
17 costs for public transit agencies are not eligible for funding under
18 this grant program. Additional employees may not be hired from the
19 funds provided in this section for the vanpool grant program, and
20 supplanting of transit funds currently funding vanpools is not allowed.
21 The department shall encourage grant applicants and recipients to
22 leverage nonstate funds.

23 (4) \$40,000,000 of the regional mobility grant program account--
24 state appropriation is provided solely for the regional mobility grant
25 projects, including reappropriations, identified in LEAP Transportation
26 Document 2013-2 ALL PROJECTS - Public Transportation - Program (V) as
27 developed April 2, 2013. The department shall review all projects
28 receiving grant awards under this program at least semiannually to
29 determine whether the projects are making satisfactory progress or
30 should be terminated. The department shall promptly close out grants
31 when projects have been completed, and any remaining funds must be used
32 only to fund contingency projects identified in the LEAP transportation
33 document referenced in this subsection. The department shall not
34 approve any increase or changes to the scope of a project for the
35 purpose of a grantee expending remaining funds on an awarded grant. A
36 grantee may not receive more than twenty-five percent of the amount
37 appropriated in this subsection.

1 (5) \$200,000 of the multimodal transportation account--state
2 appropriation is contingent on the timely development of an annual
3 report summarizing the status of public transportation systems as
4 identified under RCW 35.58.2796.

5 (6) \$6,122,000 of the total appropriation in this section is for
6 commute trip reduction (CTR) grants and activities. Of this amount:

7 (a) \$3,900,000 of the multimodal transportation account--state
8 appropriation is provided solely for grants to local jurisdictions,
9 selected by the CTR board, for the purpose of assisting employers to
10 meet CTR goals.

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

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

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

22 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**
23 **MARINE--PROGRAM X**

24 Puget Sound Ferry Operations Account--State

25	Appropriation	\$443,693,000
26	Highway Safety Account--State Appropriation	\$42,000,000
27	Puget Sound Ferry Operations Account--Private/Local	
28	Appropriation	\$121,000
29	TOTAL APPROPRIATION	\$485,811,000

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

32 (1) When purchasing uniforms that are required by collective
33 bargaining agreements, the department shall contract with the lowest
34 cost provider.

35 (2) Until a reservation system is operational on the San Juan
36 islands inter-island route, the department shall provide the same

1 priority loading benefits on the San Juan islands inter-island route to
2 home health care workers as are currently provided to patients
3 traveling for purposes of receiving medical treatment.

4 (3) The department may enter into a distributor controlled fuel
5 hedging program and other methods of hedging approved by the fuel
6 hedging committee.

7 (4) \$70,342,000 of the Puget Sound ferry operations account--state
8 appropriation and \$42,000,000 of the highway safety account--state
9 appropriation are provided solely for auto ferry vessel operating fuel
10 in the 2013-2015 fiscal biennium, which reflect cost savings from a
11 reduced biodiesel fuel requirement and therefore are contingent upon
12 the enactment of section 701 of this act. The amount provided in this
13 appropriation represents the fuel budget for the purposes of
14 calculating any ferry fare fuel surcharge. The department shall
15 develop a fuel reduction plan to be submitted as part of their 2014
16 supplemental budget proposal. The plan must include fuel saving
17 proposals, such as vessel modifications, and vessel speed reductions
18 and changes to operating procedures, along with anticipated fuel saving
19 estimates.

20 (5) \$3,049,000 of the Puget Sound ferry operations account--state
21 appropriation is provided solely for the operating program share of the
22 \$7,259,000 in lease payments for the ferry division's headquarters
23 building. Consistent with the 2012 facilities oversight plan, the
24 department shall strive to consolidate office space in downtown Seattle
25 by the end of 2015. The department shall consider renewing the lease
26 for the ferry division's current headquarters building only if the
27 lease rate is reduced at least fifty percent and analysis shows that
28 this is the least cost and risk option for the department.
29 Consolidation with other divisions or state agencies, or a reduction in
30 leased space, must also be considered as part of any headquarters lease
31 renewal analysis.

32 (6) \$5,000,000 of the Puget Sound ferry operations account--state
33 appropriation is provided solely for the purchase of a 2013-2015 marine
34 insurance policy. Within this appropriation, the department is
35 expected to purchase a policy with the lowest deductible possible,
36 while maintaining at least existing coverage levels for ferry vessels,
37 and providing coverage for all terminals.

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

3 Multimodal Transportation Account--State
4 Appropriation \$33,934,000

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

7 (1) \$28,331,000 of the multimodal transportation account--state
8 appropriation is provided solely for the Amtrak service contract and
9 Talgo maintenance contract associated with providing and maintaining
10 state-supported passenger rail service. In recognition of the
11 increased costs the state is expected to absorb due to changes in
12 federal law, the department is directed to analyze the Amtrak contract
13 proposal and find cost saving alternatives. The department shall
14 report to the transportation committees of the legislature before the
15 2014 regular legislative session on its revisions to the Amtrak
16 contract, including a review of the appropriate costs within the
17 contract for concession services, policing, host railroad incentives,
18 and station services and staffing needs. Within thirty days of each
19 annual cost/revenue reconciliation under the Amtrak service contract,
20 the department shall report any changes that would affect the state
21 subsidy amount appropriated in this subsection.

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

23 (3) The department shall continue a pilot program partnering with
24 the travel industry on the Amtrak Cascades service between Vancouver,
25 British Columbia, and Seattle to test opportunities for increasing
26 ridership, maximizing farebox recovery, and stimulating private
27 investment. The pilot program must run from December 31, 2013, to
28 December 31, 2014. The department shall report on the results of the
29 pilot program to the office of financial management and the
30 transportation committees of the legislature by January 31, 2015.

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

33 Motor Vehicle Account--State Appropriation \$8,728,000
34 Motor Vehicle Account--Federal Appropriation \$2,567,000
35 TOTAL APPROPRIATION \$11,295,000

1 **TRANSPORTATION AGENCIES--CAPITAL**

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

3 State Patrol Highway Account--State Appropriation \$3,576,000

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

6 (1) The Washington state patrol, in cooperation with the Washington
7 state department of transportation, must study the federal funding
8 options available for weigh station construction and improvements on
9 the national highway system. A study report must be provided by July
10 1, 2014, to the office of financial management and the transportation
11 committees of the legislature with recommendations on utilizing federal
12 funds for weigh station projects.

13 (2) \$1,076,000 of the state patrol highway account--state
14 appropriation is provided solely for the following minor works
15 projects: \$200,000 for emergency infrastructure repairs, \$426,000 for
16 roof repairs and replacements, and \$450,000 for weigh station
17 rehabilitations.

18 (3) \$2,500,000 of the state patrol highway account--state
19 appropriation is provided solely for the design and reconstruction of
20 the Everett weigh station and detachment office.

21 **NEW SECTION. Sec. 302. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

22 Rural Arterial Trust Account--State
23 Appropriation \$35,894,000
24 Highway Safety Account--State Appropriation \$10,000,000
25 Motor Vehicle Account--State Appropriation \$706,000
26 County Arterial Preservation Account--State
27 Appropriation \$30,000,000
28 TOTAL APPROPRIATION \$76,600,000

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

30 Small City Pavement and Sidewalk Account--State
31 Appropriation \$3,500,000
32 Highway Safety Account--State Appropriation \$10,000,000
33 Transportation Improvement Account--State
34 Appropriation \$174,225,000
35 TOTAL APPROPRIATION \$187,725,000

1 The appropriations in this section are subject to the following
2 conditions and limitations: The highway safety account--state
3 appropriation is provided solely for: (1) The arterial preservation
4 program to help low tax-based, medium-sized cities preserve arterial
5 pavements; (2) the small city pavement program to help cities meet
6 urgent preservation needs; and (3) the small city low-energy street
7 light retrofit demonstration program.

8 NEW SECTION. **Sec. 304. FOR THE DEPARTMENT OF TRANSPORTATION--**
9 **FACILITIES--PROGRAM D--(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--**
10 **CAPITAL**

11 Transportation Partnership Account--State

12 Appropriation \$13,425,000

13 Motor Vehicle Account--State Appropriation \$8,280,000

14 State Toxics Control Account--State Appropriation \$1,400,000

15 TOTAL APPROPRIATION \$23,105,000

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

18 (1) \$1,395,000 of the motor vehicle account--state appropriation is
19 provided solely for the Olympic region site acquisition debt service
20 payments and statewide administrative support costs (projects D300701
21 and D399301).

22 (2) \$4,016,000 of the motor vehicle account--state appropriation is
23 provided solely for high priority safety projects that are directly
24 linked to employee safety, environmental risk, or minor works that
25 prevent facility deterioration (project D309701).

26 (3) \$1,400,000 of the state toxics control account--state
27 appropriation is provided solely for the department's compliance with
28 its national pollution discharge elimination system permit (projects
29 D311701 and D398136).

30 (4) \$13,425,000 of the transportation partnership account--state
31 appropriation is provided solely for the construction of a new traffic
32 management and emergency operations center on property owned by the
33 department on Dayton Avenue in Shoreline (project 100010T). Consistent
34 with the office of financial management's 2012 study, the construction
35 costs may not exceed \$15,000,000. The department shall report to the
36 transportation committees of the legislature and the office of
37 financial management by June 30, 2014, on the progress of the

1 construction of the traffic management and emergency operations center,
2 including a schedule for terminating the current lease of the Goldsmith
3 building in Seattle.

4 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--**
5 **IMPROVEMENTS--PROGRAM I**

6	Multimodal Transportation Account--State	
7	Appropriation	\$1,000,000
8	Transportation Partnership Account--State	
9	Appropriation	\$1,534,996,000
10	Motor Vehicle Account--State Appropriation	\$59,178,000
11	Motor Vehicle Account--Federal Appropriation	\$477,429,000
12	Motor Vehicle Account--Private/Local Appropriation	\$208,452,000
13	Transportation 2003 Account (Nickel Account)--State	
14	Appropriation	\$242,253,000
15	State Route Number 520 Corridor Account--State	
16	Appropriation	\$737,205,000
17	State Route Number 520 Corridor Account--Federal	
18	Appropriation	\$300,000,000
19	Special Category C Account--State Appropriation	\$124,000
20	State Toxics Control Account--State Appropriation	\$3,953,000
21	TOTAL APPROPRIATION	\$3,564,590,000

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

24 (1) Except as provided otherwise in this section, the entire
25 transportation 2003 account (nickel account)--state appropriation and
26 the entire transportation partnership account--state appropriation are
27 provided solely for the projects and activities as listed by fund,
28 project, and amount in LEAP Transportation Document 2013-1 as developed
29 April 2, 2013, Program - Highway Improvement Program (I). However,
30 limited transfers of specific line-item project appropriations may
31 occur between projects for those amounts listed subject to the
32 conditions and limitations in section 603 of this act.

33 (2) Except as provided otherwise in this section, \$59,178,000 of
34 the motor vehicle account--state appropriation and \$477,429,000 of the
35 motor vehicle account--federal appropriation are provided solely for
36 the projects and activities as listed by fund, project, and amount in
37 LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 2,

1 2013, Program - Highway Improvement Program (I), and any redistributed
2 federal funds and any savings in federal funds on improvement projects
3 must first be applied towards the projects identified in the LEAP
4 transportation document as "Contingency (Unfunded) Highway Preservation
5 Projects." If the department is unable to use these excess federal
6 funds described in this subsection on any of the projects identified as
7 "Contingency (Unfunded) Highway Preservation Projects" in the LEAP
8 transportation document, the department shall, as soon as practicable,
9 incorporate the projects into the current statewide transportation
10 improvement program (STIP) in order to make the projects eligible for
11 federal funds, as these contingency projects are to be considered among
12 the state's highest priority preservation projects.

13 (3) Within the motor vehicle account--federal appropriation, the
14 department may transfer funds from program I to program P, except for
15 funds that are otherwise restricted in this act. However, funds may
16 not be transferred from program P to program I.

17 (4) The transportation 2003 account (nickel account)--state
18 appropriation includes up to \$218,671,000 in proceeds from the sale of
19 bonds authorized in RCW 47.10.861.

20 (5) The transportation partnership account--state appropriation
21 includes up to \$1,153,133,000 in proceeds from the sale of bonds
22 authorized in RCW 47.10.873.

23 (6) The motor vehicle account--state appropriation includes up to
24 \$36,000,000 in proceeds from the sale of bonds authorized in RCW
25 47.10.843.

26 (7)(a) \$1,334,000 of the transportation partnership account--state
27 appropriation, \$48,433,500 of the motor vehicle account--private/local
28 appropriation, and \$31,020,000 of the motor vehicle account--federal
29 appropriation are provided solely for the I-5/Columbia River Crossing
30 project (400506A). The federal funds appropriated in this subsection
31 reflect the maximum amount of federal funds that may be allocated to
32 this project. Section 603 of this act does not apply to the I-
33 5/Columbia River Crossing project (400506A) and, therefore, funds shall
34 not be transferred to this project. Of the amounts appropriated in
35 this subsection, \$1,254,000 of the transportation partnership account--
36 state appropriation, \$30,099,000 of the motor vehicle account--federal
37 appropriation, and \$45,528,000 of the motor vehicle account--
38 private/local appropriation in this subsection are held in unallotted

1 status and are contingent upon the United States coast guard approving
2 the I-5/Columbia river crossing project's permit. If the permit is
3 approved, then the director of the office of financial management may
4 allot the funds. If the permit is not approved, then the
5 appropriations in this subsection must be put into allotted status by
6 the director of the office of financial management and may be used only
7 for the development of a new supplemental environmental impact
8 statement to redesign the I-5 bridge between Washington and Oregon in
9 accordance with the requirements of the United States coast guard. The
10 department shall not submit the supplemental environmental impact
11 statement to the appropriate federal agencies for approval until July
12 1, 2014.

13 (b) It is the intent of the legislature that Washington and Oregon
14 have equal funding commitments and equal total expenditures to date on
15 the shared components of the Columbia river crossing project. The
16 department shall provide a quarterly report on this project beginning
17 September 30, 2013. The report must include:

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

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

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

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

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

28 (8) Within the amounts provided for the I-5/Columbia River Crossing
29 project (400506A), the department shall conduct a traffic and revenue
30 analysis for the Columbia river crossing project that will lay the
31 foundation for investment grade traffic and revenue analysis. While
32 conducting the analysis, the department must coordinate with the Oregon
33 state department of transportation, the Washington state transportation
34 commission, and the Washington state legislative oversight committee.

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

37 (i) Exemptions from tolls for vehicles with two or more occupants;

1 (ii) A variable toll where the tolls vary by time of day and day of
2 the week; and

3 (iii) A frequency-based toll rate for the facility.

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

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

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

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

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

13 (9)(a) \$200,000 of the motor vehicle account--state appropriation
14 is provided solely for the I-90 Comprehensive Tolling Study and
15 Environmental Review project (100067T) and must be used in conjunction
16 with the federal funding identified in the LEAP transportation document
17 referenced under subsection (2) of this section, which reflects the
18 maximum amount of federal funds that may be allocated to this project.
19 The department shall prepare a detailed environmental impact statement
20 that complies with the national environmental policy act regarding
21 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
22 purposes of both managing traffic and providing funding for the
23 construction of the unfunded state route number 520 from Interstate 5
24 to Medina project. As part of the preparation of the statement, the
25 department must review any impacts to the network of highways and roads
26 surrounding Lake Washington. In developing this statement, the
27 department must provide significant outreach to potential affected
28 communities. The department may consider traffic management options
29 that extend as far east as Issaquah.

30 (b)(i) As part of the project in this subsection (9), the
31 department shall perform a study of all funding alternatives to tolling
32 Interstate 90 to provide funding for construction of the unfunded state
33 route number 520 and explore and evaluate options to mitigate the
34 effect of tolling on affected residents and all other users of the
35 network of highways and roads surrounding Lake Washington including,
36 but not limited to:

37 (A) Allowing all Washington residents to traverse a portion of the
38 tolled section of Interstate 90 without paying a toll. Residents may

1 choose either (I) the portion of Interstate 90 between the easternmost
2 landing west of Mercer Island and the westernmost landing on Mercer
3 Island, or (II) the portion of Interstate 90 between the westernmost
4 landing east of Mercer Island and the easternmost landing on Mercer
5 Island;

6 (B) Assessing a toll only when a driver traverses, in either
7 direction, the entire portion of Interstate 90 between the easternmost
8 landing west of Mercer Island and the westernmost landing east of
9 Mercer Island; and

10 (C) Allowing affected residents to choose one portion of the tolled
11 section of Interstate 90 upon which they may travel without paying a
12 toll. Residents may choose either (I) the portion of Interstate 90
13 between the easternmost landing west of Mercer Island and the
14 westernmost landing on Mercer Island, or (II) the portion of Interstate
15 90 between the westernmost landing east of Mercer Island and the
16 easternmost landing on Mercer Island.

17 (ii) The department may also consider any alternative mitigation
18 options that conform to the purpose of this subsection (9).

19 (iii) For the purposes of this subsection (9), "affected resident"
20 means anyone who must use a portion of Interstate 90 west of Interstate
21 405 upon which tolling is considered in order to access necessary
22 medical services, such as a hospital.

23 (10)(a) \$541,902,000 of the transportation partnership account--
24 state appropriation, and \$78,005,000 of the transportation 2003 account
25 (nickel account)--state appropriation are provided solely for the SR
26 99/Alaskan Way Viaduct - Replacement project (809936Z), and must be
27 used in conjunction with the federal funding identified in the LEAP
28 transportation document referenced under subsection (2) of this
29 section, which reflects the maximum amount of federal funds that may be
30 allocated to this project.

31 (b) The priority of the legislature is to fund capital construction
32 of the Alaskan Way viaduct replacement project with toll revenue to the
33 greatest extent practicable. Therefore, the department's financial
34 plan for the project must reflect at least \$200,000,000 in total
35 contributions from the Alaskan Way viaduct replacement project account
36 created under RCW 47.56.864 over the course of construction.

37 (11) The department shall continue to fund the Alaskan Way viaduct
38 expert review panel out of the SR 99/Alaskan Way Viaduct - Replacement

1 project (809936Z) appropriation for the purpose of updating the work
2 that was previously completed by the panel to ensure that an
3 appropriate and viable financial plan is created and regularly
4 reviewed. The expert review panel must report its findings and
5 recommendations related to funding the cost of capital construction, as
6 well as operating and maintaining the deep bore tunnel once the project
7 has been completed, to the transportation committees of the
8 legislature, the governor's Alaskan Way viaduct project oversight
9 committee, and the transportation commission every six months until the
10 project is operationally complete.

11 (12) \$7,048,000 of the transportation partnership account--state
12 appropriation, \$14,594,000 of the transportation 2003 account (nickel
13 account)--state appropriation, \$3,730,000 of the motor vehicle
14 account--state appropriation, and \$1,000,000 of the multimodal
15 transportation account--state appropriation are provided solely for the
16 US 395/North Spokane Corridor project (600010A) and must be used in
17 conjunction with the federal funding identified in the LEAP
18 transportation document referenced under subsection (2) of this
19 section, which reflects the maximum amount of federal funds that may be
20 allocated to this project.

21 (13) \$114,369,000 of the transportation partnership account--state
22 appropriation and \$53,755,000 of the transportation 2003 account
23 (nickel account)--state appropriation are provided solely for the I-
24 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
25 project must be completed as soon as practicable as a design-build
26 project. Any future savings on this project or any other Interstate
27 405 corridor projects must stay on the Interstate 405 corridor and be
28 made available to either the I-405/SR 167 Interchange - Direct
29 Connector project (140504C) or the I-405 Renton to Bellevue project.

30 (14)(a) The SR 520 Bridge Replacement and HOV project (BI1003) is
31 supported over time from multiple sources, including a \$300,000,000
32 TIFIA loan, \$819,524,625 in Garvee bonds, toll revenues, state bonds,
33 interest earnings, and other miscellaneous sources.

34 (b) The state route number 520 corridor account--state
35 appropriation includes up to \$668,142,000 in proceeds from the sale of
36 bonds authorized in RCW 47.10.879 and 47.10.886.

37 (c) The state route number 520 corridor account--federal

1 appropriation includes up to \$300,000,000 in proceeds from the sale of
2 bonds authorized in RCW 47.10.879 and 47.10.886.

3 (d) \$153,124,000 of the transportation partnership account--state
4 appropriation, \$300,000,000 of the state route number 520 corridor
5 account--federal appropriation, and \$737,205,000 of the state route
6 number 520 corridor account--state appropriation are provided solely
7 for the SR 520 Bridge Replacement and HOV project (BI1003) and must be
8 used in conjunction with the federal funding identified in the LEAP
9 transportation document referenced under subsection (2) of this
10 section, which reflects the maximum amount of federal funds that may be
11 allocated to this project. Of the amounts appropriated in this
12 subsection (14)(d), \$105,085,000 of the state route number 520 corridor
13 account--federal appropriation and \$227,415,000 of the state route
14 number 520 corridor account--state appropriation must be put into
15 unallotted status and are subject to review by the office of financial
16 management. The director of the office of financial management shall
17 consult with the joint transportation committee prior to making a
18 decision to allot these funds.

19 (e) When developing the financial plan for the project, the
20 department shall assume that all maintenance and operation costs for
21 the new facility are to be covered by tolls collected on the toll
22 facility and not by the motor vehicle account.

23 (15) The department shall itemize all future requests for the
24 construction of buildings on a project list and submit them through the
25 transportation executive information system as part of the department's
26 2014 budget submittal. It is the intent of the legislature that new
27 facility construction must be transparent and not appropriated within
28 larger highway construction projects.

29 (16) \$28,963,000 of the motor vehicle account--state appropriation
30 is provided solely for improvement program support activities
31 (095901X). \$18,000,000 of this amount must be held in unallotted
32 status until the office of financial management certifies that the
33 department's 2014 supplemental budget request conforms to the terms of
34 subsection (15) of this section.

35 (17) \$24,452,181 of the motor vehicle account--state appropriation
36 is provided solely to advance the design, preliminary engineering, and
37 rights-of-way acquisition for the projects identified in LEAP
38 Transportation Document 2013-3 as developed April 2, 2013. Funds must

1 be used to advance the emergent, initial development of these projects
2 for the purpose of expediting delivery of the associated major
3 investments when funding for such investments becomes available.
4 Funding may be reallocated between projects to maximize the
5 accomplishment of design and preliminary engineering work and rights-
6 of-way acquisition, provided that all projects are addressed. It is
7 the intent of the legislature that, while seeking to maximize the
8 outcomes in this section, the department shall provide for continuity
9 of both the state and consulting engineer workforce, while
10 strategically utilizing private sector involvement to ensure
11 consistency with the department's business plan for staffing in the
12 highway construction program during the 2013-2015 fiscal biennium.

13 (18) The department shall consult with the chairs of the senate
14 transportation committee and the house of representatives
15 transportation committee whenever the department is in negotiations to
16 provide a public or private entity mitigation for one million dollars
17 or more.

18 (19) Any new advisory group that the department convenes during the
19 2013-2015 fiscal biennium must be representative of the interests of
20 the entire state of Washington.

21 (20) \$3,953,000 of the state toxics control account--state
22 appropriation is provided solely for storm water and mitigation site
23 improvements (0B14003).

24 NEW SECTION. **Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **PRESERVATION--PROGRAM P**

26 Transportation Partnership Account--State

27	Appropriation	\$36,480,000
28	Highway Safety Account--State Appropriation	\$10,000,000
29	Motor Vehicle Account--State Appropriation	\$54,064,000
30	Motor Vehicle Account--Federal Appropriation	\$624,779,000
31	Motor Vehicle Account--Private/Local Appropriation	\$11,260,000
32	Transportation 2003 Account (Nickel Account)--State	
33	Appropriation	\$2,285,000
34	TOTAL APPROPRIATION	\$738,868,000

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

1 (1) Except as provided otherwise in this section, the entire
2 transportation 2003 account (nickel account)--state appropriation and
3 the entire transportation partnership account--state appropriation are
4 provided solely for the projects and activities as listed by fund,
5 project, and amount in LEAP Transportation Document 2013-1 as developed
6 April 2, 2013, Program - Highway Preservation Program (P). However,
7 limited transfers of specific line-item project appropriations may
8 occur between projects for those amounts listed subject to the
9 conditions and limitations in section 603 of this act.

10 (2) Except as provided otherwise in this section, \$54,064,000 of
11 the motor vehicle account--state appropriation and \$624,779,000 of the
12 motor vehicle account--federal appropriation are provided solely for
13 the projects and activities as listed by fund, project, and amount in
14 LEAP Transportation Document 2013-2 ALL PROJECTS as developed April 2,
15 2013, Program - Highway Preservation Program (P), and any redistributed
16 federal funds for state projects and any savings in federal funds on
17 preservation projects must first be applied towards the projects
18 identified in the LEAP transportation document as "Contingency
19 (Unfunded) Highway Preservation Projects." If the department is unable
20 to use these excess federal funds described in this subsection on any
21 of the projects identified as "Contingency (Unfunded) Highway
22 Preservation Projects" in the LEAP transportation document, the
23 department shall, as soon as practicable, incorporate the projects into
24 the current statewide transportation improvement program (STIP) in
25 order to make the projects eligible for federal funds, as these
26 contingency projects are to be considered among the state's highest
27 priority preservation projects.

28 (3) The motor vehicle account--state appropriation includes up to
29 \$14,000,000 in proceeds from the sale of bonds authorized in RCW
30 47.10.843.

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

37 (5) The department shall apply for surface transportation program

1 enhancement funds to be expended in lieu of or in addition to state
2 funds for eligible costs of projects in programs I and P.

3 (6) \$27,278,000 of the motor vehicle account--federal appropriation
4 and \$1,141,000 of the motor vehicle account--state appropriation are
5 provided solely for the SR 167/Puyallup River Bridge Replacement
6 project (316725A). This project must be completed as a design-build
7 project. The department must work with local jurisdictions and the
8 community during the environmental review process to develop
9 appropriate esthetic design elements, at no additional cost to the
10 department, and traffic management plans pertaining to this project.
11 The department must report to the transportation committees of the
12 legislature on estimated cost and/or time savings realized as a result
13 of using the design-build process.

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

16	Motor Vehicle Account--State Appropriation	\$3,194,000
17	Motor Vehicle Account--Federal Appropriation	\$7,959,000
18	TOTAL APPROPRIATION	\$11,153,000

19 The appropriations in this section are subject to the following
20 conditions and limitations: \$694,000 of the motor vehicle account--
21 state appropriation is provided solely for project 000005Q as state
22 matching funds for federally selected competitive grants or
23 congressional earmark projects. These moneys must be placed into
24 reserve status until such time as federal funds are secured that
25 require a state match.

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

28	Puget Sound Capital Construction Account--State	
29	Appropriation	\$45,301,000
30	Puget Sound Capital Construction Account--Federal	
31	Appropriation	\$94,981,000
32	Puget Sound Capital Construction Account--Private/Local	
33	Appropriation	\$1,145,000
34	Multimodal Transportation Account--State Appropriation	\$313,000
35	Transportation 2003 Account (Nickel Account)--State	
36	Appropriation	\$109,557,000

1 TOTAL APPROPRIATION \$251,297,000

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

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

9 (2) \$4,000,000 of the Puget Sound capital construction account--
10 state appropriation is provided solely for emergency capital repair
11 costs (project 999910K). Funds may be spent only after approval from
12 the office of financial management.

13 (3) \$23,085,000 of the transportation 2003 account (nickel
14 account)--state appropriation is provided solely for completion of the
15 first 144-car olympic class vessel.

16 (4) \$84,053,000 of the transportation 2003 account (nickel
17 account)--state appropriation is provided solely for completion of the
18 second 144-car olympic class vessel.

19 (5) \$13,738,000 of the total appropriation is for continued work on
20 the Mukilteo ferry terminal (project 952515P). To the greatest extent
21 practicable, the department shall secure additional federal funding for
22 this project.

23 (6) \$4,210,000 of the Puget Sound capital construction account--
24 state appropriation is provided solely for the capital program share of
25 \$7,259,000 in lease payments for the ferry division's headquarters
26 building. Consistent with the 2012 facilities oversight plan, the
27 department shall strive to consolidate office space in downtown Seattle
28 by the end of 2015. The department shall consider renewing the lease
29 for the ferry division's current headquarters building only if the
30 lease rate is reduced at least fifty percent and analysis shows that
31 this is the least cost and risk option for the department.
32 Consolidation with other divisions or state agencies, or a reduction in
33 leased space, must also be considered as part of any headquarters lease
34 renewal analysis.

35 (7) \$21,950,000 of the total appropriation is for preservation work
36 on the Hyak super class vessel (project 944431D), including
37 installation of a power management system and more efficient propulsion
38 systems, that in combination are anticipated to save up to twenty

1 percent in fuel and reduce maintenance costs. Upon completion of this
2 project, the department shall provide a report to the transportation
3 committees of the legislature on the fuel and maintenance savings
4 achieved for this vessel and the potential to save additional funds
5 through other vessel conversions.

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

8	Essential Rail Assistance Account--State	
9	Appropriation	\$861,000
10	Transportation Infrastructure Account--State	
11	Appropriation	\$8,582,000
12	Multimodal Transportation Account--State	
13	Appropriation	\$31,568,000
14	Multimodal Transportation Account--Federal	
15	Appropriation	\$318,960,000
16	TOTAL APPROPRIATION	\$359,971,000

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

19 (1)(a) Except as provided otherwise in this section, the entire
20 appropriations in this section are provided solely for the projects and
21 activities as listed by project and amount in LEAP Transportation
22 Document 2013-2 ALL PROJECTS as developed April 2, 2013, Program - Rail
23 Capital Program (Y).

24 (b) Within the amounts provided in this section, \$7,332,000 of the
25 transportation infrastructure account--state appropriation is for low-
26 interest loans through the freight rail investment bank program for
27 specific projects listed as recipients of these loans in the LEAP
28 transportation document identified in (a) of this subsection. Of the
29 amount identified in this subsection (1)(b), \$900,000 in the rail bank
30 (project F01000A) is for a low-interest loan to the Port of Everett.
31 Of the amount identified in this subsection (1)(b), \$400,000 in the
32 rail bank (project F01000A) is for a low-interest loan to the city of
33 Richland for a passing track. The department shall issue freight rail
34 investment bank program loans with a repayment period of no more than
35 ten years, and only so much interest as is necessary to recoup the
36 department's costs to administer the loans.

1 (c) Within the amounts provided in this section, \$2,439,000 of the
2 multimodal transportation account--state appropriation, \$1,250,000 of
3 the transportation infrastructure account--state appropriation, and
4 \$311,000 of the essential rail assistance account--state appropriation
5 are for statewide freight rail assistance program grants identified in
6 the LEAP transportation document identified in (a) of this subsection.

7 (2)(a) Unsuccessful 2012 freight rail assistance program grant
8 applicants may be awarded freight rail investment bank program loans,
9 if eligible. If any funds remain in the freight rail investment bank
10 or freight rail assistance program reserves (projects F01001A and
11 F01000A), or any approved grants or loans are terminated, the
12 department shall issue a call for projects for the freight rail
13 investment bank loan program and the freight rail assistance grant
14 program, and shall evaluate the applications in a manner consistent
15 with past practices as specified in section 309, chapter 367, Laws of
16 2011. By November 1, 2013, the department shall submit a prioritized
17 list of recommended projects to the office of financial management and
18 the transportation committees of the legislature.

19 (3) The department shall provide quarterly reports to the office of
20 financial management and the transportation committees of the
21 legislature regarding applications that the department submits for
22 federal funds and the status of such applications.

23 (4) \$314,647,000 of the multimodal transportation account--federal
24 appropriation and \$4,867,000 of the multimodal transportation account--
25 state appropriation are provided solely for expenditures related to
26 passenger high-speed rail grants. The multimodal transportation
27 account--state appropriation funds reflect one and one-half percent of
28 the total project funds, and are provided solely for expenditures that
29 are not eligible for federal reimbursement.

30 (5) \$550,000 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) Revenues deposited into the essential rail assistance account
36 from leases and sale of property pursuant to RCW 47.76.290; and

37 (b) Revenues transferred from the miscellaneous program account to

1 the essential rail assistance account, pursuant to RCW 47.76.360, for
2 the purpose of sustaining the grain train program by maintaining the
3 Palouse river and Coulee City railroad line.

4 (6) The Burlington Northern Santa Fe Skagit river bridge is an
5 integral part of the rail system. Constructed in 1916, the bridge does
6 not meet current design standards and is at risk during flood events
7 that occur on the Skagit river. The department shall work with
8 Burlington Northern Santa Fe and local jurisdictions to secure federal
9 funding for the Skagit river bridge and to develop an appropriate
10 replacement plan and schedule.

11 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
12 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

13	Highway Infrastructure Account--State Appropriation	\$207,000
14	Highway Infrastructure Account--Federal	
15	Appropriation	\$1,602,000
16	Freight Mobility Investment Account--State	
17	Appropriation	\$11,794,000
18	Transportation Partnership Account--State	
19	Appropriation	\$7,214,000
20	Highway Safety Account--State Appropriation	\$11,305,000
21	Motor Vehicle Account--State Appropriation	\$2,168,000
22	Motor Vehicle Account--Federal Appropriation	\$29,513,000
23	Freight Mobility Multimodal Account--State	
24	Appropriation	\$10,236,000
25	Freight Mobility Multimodal Account--Private/Local	
26	Appropriation	\$1,320,000
27	Multimodal Transportation Account--State	
28	Appropriation	\$13,913,000
29	TOTAL APPROPRIATION	\$89,272,000

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

32 (1) Except as provided otherwise in this section, the entire
33 appropriations in this section are provided solely for the projects and
34 activities as listed by project and amount in LEAP Transportation
35 Document 2013-2 ALL PROJECTS as developed April 2, 2013, Program -
36 Local Program (Z).

1 (2) With each department budget submittal, the department shall
2 provide an update on the status of the repayment of the twenty million
3 dollars of unobligated federal funds authority advanced by the
4 department in September 2010 to the city of Tacoma for the Murray
5 Morgan/11th Street bridge project.

6 (3) Consistent with federal funding levels from the 2011-2013
7 omnibus transportation appropriations act and the intent of the fee
8 increases in chapter 74, Laws of 2012 and chapter 80, Laws of 2012,
9 \$23,955,000 of the appropriation in this section is provided solely for
10 the safe routes to school grant program as identified in the LEAP
11 transportation document referenced under subsection (1) of this
12 section. Of this amount, \$11,700,000 of the motor vehicle account--
13 federal appropriation and \$6,800,000 of the highway safety account--
14 state appropriation are provided for newly selected projects and
15 \$3,400,000 of the motor vehicle account--federal appropriation and
16 \$2,055,000 of the highway safety account--state appropriation are
17 reappropriated for projects selected in previous biennia.

18 (4) The department shall submit a report to the transportation
19 committees of the legislature by December 1, 2013, and December 1,
20 2014, on the status of projects funded as part of the pedestrian
21 safety/safe routes to school grant program (OLP600P). The report must
22 include, but is not limited to, a list of projects selected and a brief
23 description of each project's status.

24 (5) \$584,000 of the motor vehicle account--state appropriation,
25 \$3,250,000 of the motor vehicle account--federal appropriation,
26 \$2,450,000 of the highway safety account--state appropriation,
27 \$11,794,000 of the freight mobility investment account--state
28 appropriation, \$10,236,000 of the freight mobility multimodal account--
29 state appropriation, and \$1,320,000 of the freight mobility multimodal
30 account--private/local appropriation are provided solely for grant
31 projects selected by the freight mobility strategic investment board,
32 as identified in the LEAP transportation document referenced under
33 subsection (1) of this section. The highway safety account--state
34 appropriation in this subsection is for the freight mobility strategic
35 investment board for grants to meet urgent freight corridor improvement
36 and preservation needs.

37 NEW SECTION. **Sec. 311. QUARTERLY REPORTING REQUIREMENTS FOR**

1 **CAPITAL PROGRAM**

2 On a quarterly basis, the department of transportation shall
3 provide to the office of financial management and the legislative
4 transportation committees the following reports for all capital
5 programs:

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

7 (a) A TEIS version containing actual capital expenditures for all
8 projects consistent with the structure of the most recently enacted
9 budget;

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

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

16 (d) Projected costs and schedule for individual projects that are
17 funded at a programmatic level for projects relating to bridge rail,
18 guard rail, fish passage barrier removal, roadside safety projects, and
19 seismic bridges. Projects within this programmatic level funding must
20 be completed on a priority basis and scoped to be completed within the
21 current programmatic budget;

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

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

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

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

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

31 (a) Compare the costs and operationally complete date for projects
32 with budgets of twenty million dollars that are funded with preexisting
33 funds to the original project cost estimates and schedule; and

34 (b) Provide a list of nickel and TPA projects charging to the
35 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount
36 each project is charging.

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

1 (a) Identify the estimated advertisement date for all projects
2 consistent with the structure of the most recently enacted
3 transportation budget that are going to advertisement during the
4 current fiscal biennium;

5 (b) Identify the anticipated operationally complete date for all
6 projects consistent with the structure of the most recently enacted
7 transportation budget that are going to advertisement during the
8 current fiscal biennium; and

9 (c) Identify the estimated cost of completion for all projects
10 consistent with the structure of the most recently enacted
11 transportation budget that are going to advertisement during the
12 current fiscal biennium.

13 (4) The department shall provide a list of change orders executed
14 for each fiscal quarter beginning September 30, 2013. The report must
15 include the name of the contractor, the dollar value of the change
16 order, and a brief explanation for why there needs to be a change
17 order.

18 (5) The department shall provide a quarterly report, beginning
19 September 30, 2013, on project mitigation costs. The report must show:

20 (a) All mitigation payments made during the current fiscal
21 biennium;

22 (b) The party with whom the mitigation was negotiated; and

23 (c) The parties with whom the department are in on-going
24 negotiations.

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

27 (1) As part of its budget submittal for the 2014 supplemental
28 budget, the department shall provide an update to the report provided
29 to the legislature in 2013 that: (a) Compares the original project
30 cost estimates approved in the 2003 and 2005 project lists to the
31 completed cost of the project, or the most recent legislatively
32 approved budget and total project costs for projects not yet completed;
33 (b) identifies highway projects that may be reduced in scope and still
34 achieve a functional benefit; (c) identifies highway projects that have
35 experienced scope increases and that can be reduced in scope; (d)
36 identifies highway projects that have lost significant local or

1 regional contributions that were essential to completing the project;
2 and (e) identifies contingency amounts allocated to projects.

3 (2) As part of its budget submittal for the 2014 supplemental
4 budget, the department shall provide an annual report on the number of
5 toll credits the department has accumulated and how the department has
6 used the toll credits.

7 NEW SECTION. **Sec. 313. FEDERAL FUNDS RECEIVED FOR CAPITAL**
8 **PROJECT EXPENDITURES**

9 To the greatest extent practicable, the department of
10 transportation shall expend federal funds received for capital project
11 expenditures before state funds.

12 **TRANSFERS AND DISTRIBUTIONS**

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

17	Transportation Partnership Account--State	
18	Appropriation	\$10,378,000
19	Highway Bond Retirement Account--State	
20	Appropriation	\$1,074,487,000
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	Toll Facility Bond Retirement Account--Federal	
29	Appropriation	\$64,982,000
30	Transportation 2003 Account (Nickel Account)--State	
31	Appropriation	\$1,968,000
32	Motor Vehicle Account--State Appropriation	\$450,000
33	State Route Number 520 Corridor Account--State	
34	Appropriation	\$1,900,000

1 TOTAL APPROPRIATION \$1,280,131,000

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

5 Transportation Partnership Account--State
6 Appropriation \$1,153,000
7 State Route Number 520 Corridor Account--State
8 Appropriation \$923,000
9 Transportation 2003 Account (Nickel Account)--State
10 Appropriation \$218,000
11 Motor Vehicle Account--State Appropriation \$50,000
12 TOTAL APPROPRIATION \$2,344,000

13 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--STATE REVENUES**
14 **FOR DISTRIBUTION**

15 Motor Vehicle Account--State Appropriation: For
16 motor vehicle fuel tax distributions to cities
17 and counties \$474,610,000

18 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER--TRANSFERS**

19 Motor Vehicle Account--State Appropriation: For
20 motor vehicle fuel tax refunds and statutory
21 transfers \$1,235,491,000

22 NEW SECTION. **Sec. 405. FOR THE DEPARTMENT OF LICENSING--**
23 **TRANSFERS**

24 Motor Vehicle Account--State Appropriation: For motor
25 vehicle fuel tax refunds and transfers \$138,627,000

26 NEW SECTION. **Sec. 406. FOR THE STATE TREASURER--ADMINISTRATIVE**
27 **TRANSFERS**

28 (1) Recreational Vehicle Account--State
29 Appropriation: For transfer to the Motor Vehicle
30 Account--State \$1,300,000
31 (2) License Plate Technology Account--State
32 Appropriation: For transfer to the Highway Safety
33 Account--State \$3,000,000

1 (3) Multimodal Transportation Account--State
 2 Appropriation: For transfer to the Puget Sound
 3 Ferry Operations Account--State \$28,000,000
 4 (4) Rural Mobility Grant Program Account--State
 5 Appropriation: For transfer to the Multimodal
 6 Transportation Account--State \$3,000,000
 7 (5) Motor Vehicle Account--State
 8 Appropriation: For transfer to the Special Category C
 9 Account--State \$2,000,000
 10 (6) Capital Vessel Replacement Account--State
 11 Appropriation: For transfer to the Transportation 2003
 12 Account (Nickel Account)--State \$7,702,000
 13 (7) Motor Vehicle Account--State Appropriation:
 14 For transfer to the State Patrol Highway
 15 Account--State \$22,250,000
 16 (8) Advanced Environmental Mitigation Revolving
 17 Account---State Appropriation: For transfer to the
 18 Motor Vehicle Account--State \$2,000,000
 19 (9) Advanced Right-of-Way Revolving Fund--State
 20 Appropriation: For transfer to the Motor Vehicle
 21 Account--State \$6,000,000
 22 (10) Multimodal Transportation Account--State
 23 Appropriation: For transfer to the Public Transportation
 24 Grant Program Account--State \$26,000,000
 25 (11) Motor Vehicle Account--State Appropriation:
 26 For transfer to the Puget Sound Ferry Operations
 27 Account--State \$28,000,000
 28 (12) Motor Vehicle Account--State Appropriation:
 29 For transfer to the Puget Sound Capital Construction
 30 Account--State \$42,500,000
 31 (13) State Route Number 520 Civil Penalties
 32 Account--State Appropriation: For transfer to the
 33 State Route Number 520 Corridor Account--State \$975,000
 34 (14) Regional Mobility Grant Program Account--State
 35 Appropriation: For transfer to the Multimodal
 36 Transportation Account--State \$10,000,000

1 NEW SECTION. **Sec. 407. 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. 408. 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. 409.** 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.

16 (3) In order to successfully deliver the highway construction
17 program as funded, the department of transportation may continue to
18 contract out engineering and technical services. In addition, the
19 department may continue the incentive program for retirements and
20 employee separations.

21 **NEW SECTION. Sec. 602. FOR THE DEPARTMENT OF TRANSPORTATION**

22 The department shall begin to transition from owning a fleet of
23 passenger vehicles in Thurston county to using the state motor pool.
24 The funding appropriated in this act may not be used by programs
25 headquartered in Thurston county to purchase passenger cars as defined
26 in RCW 46.04.382.

27 **NEW SECTION. Sec. 603. FUND TRANSFERS**

28 (1) The transportation 2003 projects or improvements and the 2005
29 transportation partnership projects or improvements are listed in LEAP
30 Transportation Document 2013-1 as developed April 2, 2013, which
31 consists of a list of specific projects by fund source and amount over
32 a ten-year period. Current fiscal biennium funding for each project is
33 a line-item appropriation, while the outer year funding allocations
34 represent a ten-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

1 2003 account (nickel account) projects on the LEAP transportation
2 documents referenced in this act. However, this section does not apply
3 to the I-5/Columbia River Crossing project (400506A). For the 2011-
4 2013 and 2013-2015 project appropriations, unless otherwise provided in
5 this act, the director of the office of financial management may
6 authorize a transfer of appropriation authority between projects funded
7 with transportation 2003 account (nickel account) appropriations, or
8 transportation partnership account appropriations, in order to manage
9 project spending and efficiently deliver all projects in the respective
10 program under the following conditions and limitations:

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

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

16 (c) Each transfer between projects may only occur if the director
17 of financial management finds that any resulting change will not hinder
18 the completion of the projects as approved by the legislature. Until
19 the legislature reconvenes to consider the 2014 supplemental omnibus
20 transportation appropriations act, any unexpended 2011-2013
21 appropriation balance as approved by the office of financial
22 management, in consultation with the legislative staff of the house of
23 representatives and senate transportation committees, may be considered
24 when transferring funds between projects;

25 (d) Transfers from a project may be made if the funds appropriated
26 to the project are in excess of the amount needed to complete the
27 project;

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

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

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

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

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

7 (4) The office of financial management shall document approved
8 transfers and schedule changes in the transportation executive
9 information system, compare changes to the legislative baseline funding
10 and schedules identified by project identification number identified in
11 the LEAP transportation documents referenced in this act, and transmit
12 revised project lists to chairs of the transportation committees of the
13 legislature on a quarterly basis.

14 NEW SECTION. **Sec. 604. ACQUISITION OF PROPERTIES AND FACILITIES**
15 **THROUGH FINANCIAL CONTRACTS**

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

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

36 Washington state patrol: Enter into a financing contract for up to

1 \$3,867,000 plus financing expenses and required reserves pursuant to
2 chapter 39.94 RCW to purchase and install mobile office platforms in
3 state patrol and pursuit vehicles.

4 NEW SECTION. **Sec. 605.** (1) The department of transportation shall
5 prepare an updated plan to improve the oversight of real estate
6 procurement and management practices across all departmental programs
7 and regions, including the Washington state ferries. The updated plan
8 must be submitted to the governor and the joint transportation
9 committee by September 1, 2014. The plan must include:

10 (a) An inventory of all currently owned and leased office space,
11 tunnel and bridge operations and maintenance facilities, and traffic
12 management centers;

13 (b) A list of all facilities that will be needed for tunnel and
14 bridge operations or maintenance in the next ten years and the funding
15 source that is assumed for these facilities;

16 (c) A prioritized list of all buildings that are planned to be
17 constructed, renovated, or remodeled in the next ten years and the
18 funding source that is assumed for these facility improvements;

19 (d) A list of options for consolidating staff, equipment, and
20 operations activities to reduce costs. This list must include an
21 evaluation of the costs and benefits of owning properties as compared
22 to leasing them using a life-cycle cost analysis; and

23 (e) A process and plan for regularly evaluating needs for office
24 space, tunnel and bridge operations and maintenance facilities, and
25 traffic management.

26 (2) Except as provided otherwise in the act, the department of
27 transportation may not enter into new leases, equal value exchanges, or
28 property acquisitions for office needs without first consulting with
29 the office of financial management.

30 NEW SECTION. **Sec. 606. VOLUNTARY RETIREMENT AND SEPARATION**
31 **INCENTIVES**

32 As a management tool to reduce costs and make more effective use of
33 resources, while improving employee productivity and morale, agencies
34 may implement a voluntary retirement and/or separation program that is
35 cost neutral or results in cost savings, including costs to the state
36 pension systems, over a two-year period following the commencement of

1 the program, provided that the program is approved by the director of
2 financial management. Agencies participating in this authorization may
3 offer voluntary retirement and/or separation incentives and options
4 according to procedures and guidelines established by the office of
5 financial management, in consultation with the office of the state
6 human resources director and the department of retirement systems. The
7 options may include, but are not limited to, financial incentives for
8 voluntary separation or retirement. An employee does not have any
9 contractual right to a financial incentive offered pursuant to this
10 section. Offers must be reviewed and monitored jointly by the office
11 of the state human resources director and the department of retirement
12 systems. Agencies must submit a report by June 30, 2015, to the
13 legislature and the office of financial management on the outcome of
14 their approved incentive program. The report should include
15 information on the details of the program, including the incentive
16 payment amount for each participant, the total cost to the state, and
17 the projected or actual net dollar savings over the two-year period.

18 The department of retirement systems may collect from employers the
19 actuarial cost of any incentive provided under this program, or any
20 other incentive to retire provided by employers to members of the
21 state's pension systems, for deposit in the appropriate pension
22 account.

23 NEW SECTION. **Sec. 607. WEB SITE REPORTING REQUIREMENTS FOR THE**
24 **DEPARTMENT OF TRANSPORTATION**

25 (1) The department of transportation shall post on its web site
26 every report that is due from the department to the legislature during
27 the 2013-2015 fiscal biennium on one web page. The department must
28 post both completed reports and planned reports on a single web page.

29 (2) The department shall provide a web link for each change order
30 that is more than five hundred thousand dollars on the affected project
31 web page.

32 NEW SECTION. **Sec. 608.** The department of transportation may
33 provide up to \$3,000,000 in toll credits to Kitsap Transit for its role
34 in passenger-only ferry service and ferry corridor-related projects.
35 The number of toll credits provided must be equal to, but no more than,

1 the number sufficient to meet federal match requirements for grant
2 funding for passenger-only ferry service, but must not exceed the
3 amount authorized in this section.

4 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

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

7 (1) Effective June 1, 2006, for agencies complying with the ultra-
8 low sulfur diesel mandate of the United States environmental protection
9 agency for on-highway diesel fuel, agencies shall use biodiesel as an
10 additive to ultra-low sulfur diesel for lubricity, provided that the
11 use of a lubricity additive is warranted and that the use of biodiesel
12 is comparable in performance and cost with other available lubricity
13 additives. The amount of biodiesel added to the ultra-low sulfur
14 diesel fuel shall be not less than two percent.

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

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

24 (4) By December 1, 2009, the department of enterprise services
25 shall:

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

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

31 (5) During the 2011-2013 and 2013-2015 fiscal (~~biennium~~) biennia,
32 the Washington state ferries is required to use a minimum of five
33 percent biodiesel as compared to total volume of all diesel
34 (~~purchased~~) purchases made by the Washington state ferries for the

1 operation of the Washington state ferries diesel-powered vessels, as
2 long as the price of a B5 biodiesel blend does not exceed the price of
3 conventional diesel fuel by five percent or more.

4 **Sec. 702.** RCW 46.68.170 and 2011 c 367 s 715 are each amended to
5 read as follows:

6 There is hereby created in the motor vehicle fund the RV account.
7 All moneys hereafter deposited in said account shall be used by the
8 department of transportation for the construction, maintenance, and
9 operation of recreational vehicle sanitary disposal systems at safety
10 rest areas in accordance with the department's highway system plan as
11 prescribed in chapter 47.06 RCW. During the ((2009-2011 and)) 2011-
12 2013 and 2013-2015 fiscal biennia, the legislature may transfer from
13 the RV account to the motor vehicle fund such amounts as reflect the
14 excess fund balance of the RV account to accomplish the purposes
15 identified in this section.

16 **Sec. 703.** RCW 46.68.320 and 2010 c 247 s 702 are each amended to
17 read as follows:

18 (1) The regional mobility grant program account is hereby created
19 in the state treasury. Moneys in the account may be spent only after
20 appropriation. Expenditures from the account may be used only for the
21 grants provided under RCW 47.66.030.

22 (2) Beginning with September 2007, by the last day of September,
23 December, March, and June of each year, the state treasurer shall
24 transfer from the multimodal transportation account to the regional
25 mobility grant program account five million dollars.

26 (3) Beginning with September 2015, by the last day of September,
27 December, March, and June of each year, the state treasurer shall
28 transfer from the multimodal transportation account to the regional
29 mobility grant program account six million two hundred fifty thousand
30 dollars.

31 (4) During the ((2009-2011 fiscal biennium)) 2011-2013 and 2013-
32 2015 fiscal biennia, the legislature may transfer from the regional
33 mobility grant program account to the multimodal transportation account
34 such amounts as reflect the excess fund balance of the regional
35 mobility grant program account.

1 **Sec. 704.** RCW 46.68.325 and 2011 c 367 s 721 are each amended to
2 read as follows:

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

7 (2) Beginning September 2011, by the last day of September,
8 December, March, and June of each year, the state treasurer shall
9 transfer from the multimodal transportation account to the rural
10 mobility grant program account two million five hundred thousand
11 dollars.

12 (3) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
13 the legislature may transfer from the rural mobility grant program
14 account to the multimodal transportation account such amounts as
15 reflect the excess fund balance of the rural mobility grant program
16 account.

17 **Sec. 705.** RCW 46.68.370 and 2011 c 367 s 716 are each amended to
18 read as follows:

19 The license plate technology account is created in the state
20 treasury. All receipts collected under RCW 46.17.015 must be deposited
21 into this account. Expenditures from this account must support current
22 and future license plate technology and systems integration upgrades
23 for both the department and correctional industries. Moneys in the
24 account may be spent only after appropriation. Additionally, the
25 moneys in this account may be used to reimburse the motor vehicle
26 account for any appropriation made to implement the digital license
27 plate system. During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~)
28 biennia, the legislature may transfer from the license plate technology
29 account to the highway safety account [fund] such amounts as reflect
30 the excess fund balance of the license plate technology account.

31 **Sec. 706.** RCW 47.12.244 and 2011 c 367 s 717 are each amended to
32 read as follows:

33 There is created the "advance right-of-way revolving fund" in the
34 custody of the treasurer, into which the department is authorized to
35 deposit directly and expend without appropriation:

1 (1) An initial deposit of ten million dollars from the motor
2 vehicle fund included in the department of transportation's 1991-93
3 budget;

4 (2) All moneys received by the department as rental income from
5 real properties that are not subject to federal aid reimbursement,
6 except moneys received from rental of capital facilities properties as
7 defined in chapter 47.13 RCW; and

8 (3) Any federal moneys available for acquisition of right-of-way
9 for future construction under the provisions of section 108 of Title
10 23, United States Code.

11 During the ((2009-2011 and)) 2011-2013 and 2013-2015 fiscal
12 biennia, the legislature may transfer from the advance right-of-way
13 revolving fund to the motor vehicle account amounts as reflect the
14 excess fund balance of the advance right-of-way revolving fund.

15 **Sec. 707.** RCW 47.12.340 and 2010 c 247 s 703 are each amended to
16 read as follows:

17 The advanced environmental mitigation revolving account is created
18 in the custody of the treasurer, into which the department shall
19 deposit directly and may expend without appropriation:

20 (1) An initial appropriation included in the department of
21 transportation's 1997-99 budget, and deposits from other identified
22 sources;

23 (2) All moneys received by the department from internal and
24 external sources for the purposes of conducting advanced environmental
25 mitigation; and

26 (3) Interest gained from the management of the advanced
27 environmental mitigation revolving account.

28 (4) During the ((2009-2011 fiscal biennium)) 2011-2013 and 2013-
29 2015 fiscal biennia, the legislature may transfer from the advanced
30 environmental mitigation revolving account to the motor vehicle account
31 such amounts as reflect the excess fund balance of the advanced
32 environmental mitigation revolving account.

33 **Sec. 708.** RCW 47.56.876 and 2011 c 367 s 720 are each amended to
34 read as follows:

35 ((+1)) A special account to be known as the state route number 520
36 civil penalties account is created in the state treasury. All state

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

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

19 **Sec. 709.** RCW 70.105D.070 and 2012 2nd sp.s. c 7 s 920 and 2012
20 2nd sp.s. c 2 s 6005 are each reenacted and amended to read as follows:

21 (1) The state toxics control account and the local toxics control
22 account are hereby created in the state treasury.

23 (2) The following moneys shall be deposited into the state toxics
24 control account: (a) Those revenues which are raised by the tax
25 imposed under RCW 82.21.030 and which are attributable to that portion
26 of the rate equal to thirty-three one-hundredths of one percent; (b)
27 the costs of remedial actions recovered under this chapter or chapter
28 70.105A RCW; (c) penalties collected or recovered under this chapter;
29 and (d) any other money appropriated or transferred to the account by
30 the legislature. Moneys in the account may be used only to carry out
31 the purposes of this chapter, including but not limited to the
32 following activities:

33 (i) The state's responsibility for hazardous waste planning,
34 management, regulation, enforcement, technical assistance, and public
35 education required under chapter 70.105 RCW;

36 (ii) The state's responsibility for solid waste planning,

1 management, regulation, enforcement, technical assistance, and public
2 education required under chapter 70.95 RCW;

3 (iii) The hazardous waste cleanup program required under this
4 chapter;

5 (iv) State matching funds required under the federal cleanup law;

6 (v) Financial assistance for local programs in accordance with
7 chapters 70.95, 70.95C, 70.95I, and 70.105 RCW;

8 (vi) State government programs for the safe reduction, recycling,
9 or disposal of hazardous wastes from households, small businesses, and
10 agriculture;

11 (vii) Hazardous materials emergency response training;

12 (viii) Water and environmental health protection and monitoring
13 programs;

14 (ix) Programs authorized under chapter 70.146 RCW;

15 (x) A public participation program, including regional citizen
16 advisory committees;

17 (xi) Public funding to assist potentially liable persons to pay for
18 the costs of remedial action in compliance with cleanup standards under
19 RCW 70.105D.030(2)(e) but only when the amount and terms of such
20 funding are established under a settlement agreement under RCW
21 70.105D.040(4) and when the director has found that the funding will
22 achieve both (A) a substantially more expeditious or enhanced cleanup
23 than would otherwise occur, and (B) the prevention or mitigation of
24 unfair economic hardship;

25 (xii) Development and demonstration of alternative management
26 technologies designed to carry out the hazardous waste management
27 priorities of RCW 70.105.150;

28 (xiii) During the 2009-2011 and 2011-2013 fiscal biennia, shoreline
29 update technical assistance;

30 (xiv) During the 2009-2011 fiscal biennium, multijurisdictional
31 permitting teams;

32 (xv) During the 2011-2013 fiscal biennium, actions for reducing
33 public exposure to toxic air pollution, and actions taken through the
34 family forest fish passage program to correct barriers to fish passage
35 on privately owned small forest lands; ((and))

36 (xvi) During the 2011-2013 fiscal biennium, the department of
37 ecology's water quality, shorelands and environmental assessment,

1 hazardous waste, waste to resources, nuclear waste, and air quality
2 programs; and

3 (xvii) During the 2013-2015 fiscal biennium, storm water permit
4 compliance activities at the department of transportation.

5 (3) The following moneys shall be deposited into the local toxics
6 control account: Those revenues which are raised by the tax imposed
7 under RCW 82.21.030 and which are attributable to that portion of the
8 rate equal to thirty-seven one-hundredths of one percent.

9 (a) Moneys deposited in the local toxics control account shall be
10 used by the department for grants or loans to local governments for the
11 following purposes in descending order of priority:

- 12 (i) Remedial actions;
- 13 (ii) Hazardous waste plans and programs under chapter 70.105 RCW;
- 14 (iii) Solid waste plans and programs under chapters 70.95, 70.95C,
15 70.95I, and 70.105 RCW;
- 16 (iv) Funds for a program to assist in the assessment and cleanup of
17 sites of methamphetamine production, but not to be used for the initial
18 containment of such sites, consistent with the responsibilities and
19 intent of RCW 69.50.511; and

20 (v) Cleanup and disposal of hazardous substances from abandoned or
21 derelict vessels, defined for the purposes of this section as vessels
22 that have little or no value and either have no identified owner or
23 have an identified owner lacking financial resources to clean up and
24 dispose of the vessel, that pose a threat to human health or the
25 environment.

26 (b) Funds for plans and programs shall be allocated consistent with
27 the priorities and matching requirements established in chapters
28 70.105, 70.95C, 70.95I, and 70.95 RCW, except that any applicant that
29 is a Puget Sound partner, as defined in RCW 90.71.010, along with any
30 project that is referenced in the action agenda developed by the Puget
31 Sound partnership under RCW 90.71.310, shall, except as conditioned by
32 RCW 70.105D.120, receive priority for any available funding for any
33 grant or funding programs or sources that use a competitive bidding
34 process. During the 2007-2009 fiscal biennium, moneys in the account
35 may also be used for grants to local governments to retrofit public
36 sector diesel equipment and for storm water planning and implementation
37 activities.

1 (c) To expedite cleanups throughout the state, the department shall
2 partner with local communities and liable parties for cleanups. The
3 department is authorized to use the following additional strategies in
4 order to ensure a healthful environment for future generations:

5 (i) The director may alter grant-matching requirements to create
6 incentives for local governments to expedite cleanups when one of the
7 following conditions exists:

8 (A) Funding would prevent or mitigate unfair economic hardship
9 imposed by the clean-up liability;

10 (B) Funding would create new substantial economic development,
11 public recreational, or habitat restoration opportunities that would
12 not otherwise occur; or

13 (C) Funding would create an opportunity for acquisition and
14 redevelopment of vacant, orphaned, or abandoned property under RCW
15 70.105D.040(5) that would not otherwise occur;

16 (ii) The use of outside contracts to conduct necessary studies;

17 (iii) The purchase of remedial action cost-cap insurance, when
18 necessary to expedite multiparty clean-up efforts.

19 (d) To facilitate and expedite cleanups using funds from the local
20 toxics control account, during the 2009-2011 fiscal biennium the
21 director may establish grant-funded accounts to hold and disperse local
22 toxics control account funds and funds from local governments to be
23 used for remedial actions.

24 (4) Except for unanticipated receipts under RCW 43.79.260 through
25 43.79.282, moneys in the state and local toxics control accounts may be
26 spent only after appropriation by statute.

27 (5) Except during the 2011-2013 fiscal biennium, one percent of the
28 moneys deposited into the state and local toxics control accounts shall
29 be allocated only for public participation grants to persons who may be
30 adversely affected by a release or threatened release of a hazardous
31 substance and to not-for-profit public interest organizations. The
32 primary purpose of these grants is to facilitate the participation by
33 persons and organizations in the investigation and remedying of
34 releases or threatened releases of hazardous substances and to
35 implement the state's solid and hazardous waste management priorities.
36 No grant may exceed sixty thousand dollars. Grants may be renewed
37 annually. Moneys appropriated for public participation from either

1 account which are not expended at the close of any biennium shall
2 revert to the state toxics control account.

3 (6) No moneys deposited into either the state or local toxics
4 control account may be used for solid waste incinerator feasibility
5 studies, construction, maintenance, or operation, or, after January 1,
6 2010, for projects designed to address the restoration of Puget Sound,
7 funded in a competitive grant process, that are in conflict with the
8 action agenda developed by the Puget Sound partnership under RCW
9 90.71.310.

10 (7) The department shall adopt rules for grant or loan issuance and
11 performance.

12 (8) During the 2011-2013 fiscal biennium, the legislature may
13 transfer from the local toxics control account to the state toxics
14 control account such amounts as reflect excess fund balance in the
15 account.

16 (9) During the 2011-2013 fiscal biennium, the local toxics control
17 account may also be used for local government shoreline update grants
18 and actions for reducing public exposure to toxic air pollution;
19 funding to local governments for flood levee improvements; and grants
20 to local governments for brownfield redevelopment.

21 **Sec. 710.** RCW 42.56.270 and 2011 1st sp.s. c 14 s 15 are each
22 amended to read as follows:

23 The following financial, commercial, and proprietary information is
24 exempt from disclosure under this chapter:

25 (1) Valuable formulae, designs, drawings, computer source code or
26 object code, and research data obtained by any agency within five years
27 of the request for disclosure when disclosure would produce private
28 gain and public loss;

29 (2) Financial information supplied by or on behalf of a person,
30 firm, or corporation for the purpose of qualifying to submit a bid or
31 proposal for (a) a ferry system construction or repair contract as
32 required by RCW 47.60.680 through 47.60.750 or (b) highway construction
33 or improvement as required by RCW 47.28.070;

34 (3) Financial and commercial information and records supplied by
35 private persons pertaining to export services provided under chapters
36 43.163 and 53.31 RCW, and by persons pertaining to export projects
37 under RCW 43.23.035;

1 (4) Financial and commercial information and records supplied by
2 businesses or individuals during application for loans or program
3 services provided by chapters 43.325, 43.163, 43.160, 43.330, and
4 43.168 RCW, or during application for economic development loans or
5 program services provided by any local agency;

6 (5) Financial information, business plans, examination reports, and
7 any information produced or obtained in evaluating or examining a
8 business and industrial development corporation organized or seeking
9 certification under chapter 31.24 RCW;

10 (6) Financial and commercial information supplied to the state
11 investment board by any person when the information relates to the
12 investment of public trust or retirement funds and when disclosure
13 would result in loss to such funds or in private loss to the providers
14 of this information;

15 (7) Financial and valuable trade information under RCW 51.36.120;

16 (8) Financial, commercial, operations, and technical and research
17 information and data submitted to or obtained by the clean Washington
18 center in applications for, or delivery of, program services under
19 chapter 70.95H RCW;

20 (9) Financial and commercial information requested by the public
21 stadium authority from any person or organization that leases or uses
22 the stadium and exhibition center as defined in RCW 36.102.010;

23 (10)(a) Financial information, including but not limited to account
24 numbers and values, and other identification numbers supplied by or on
25 behalf of a person, firm, corporation, limited liability company,
26 partnership, or other entity related to an application for a horse
27 racing license submitted pursuant to RCW 67.16.260(1)(b), liquor
28 license, gambling license, or lottery retail license;

29 (b) Internal control documents, independent auditors' reports and
30 financial statements, and supporting documents: (i) Of house-banked
31 social card game licensees required by the gambling commission pursuant
32 to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes
33 with an approved tribal/state compact for class III gaming;

34 (11) Proprietary data, trade secrets, or other information that
35 relates to: (a) A vendor's unique methods of conducting business; (b)
36 data unique to the product or services of the vendor; or (c)
37 determining prices or rates to be charged for services, submitted by

1 any vendor to the department of social and health services for purposes
2 of the development, acquisition, or implementation of state purchased
3 health care as defined in RCW 41.05.011;

4 (12)(a) When supplied to and in the records of the department of
5 commerce:

6 (i) Financial and proprietary information collected from any person
7 and provided to the department of commerce pursuant to RCW
8 43.330.050(8); and

9 (ii) Financial or proprietary information collected from any person
10 and provided to the department of commerce or the office of the
11 governor in connection with the siting, recruitment, expansion,
12 retention, or relocation of that person's business and until a siting
13 decision is made, identifying information of any person supplying
14 information under this subsection and the locations being considered
15 for siting, relocation, or expansion of a business;

16 (b) When developed by the department of commerce based on
17 information as described in (a)(i) of this subsection, any work product
18 is not exempt from disclosure;

19 (c) For the purposes of this subsection, "siting decision" means
20 the decision to acquire or not to acquire a site;

21 (d) If there is no written contact for a period of sixty days to
22 the department of commerce from a person connected with siting,
23 recruitment, expansion, retention, or relocation of that person's
24 business, information described in (a)(ii) of this subsection will be
25 available to the public under this chapter;

26 (13) Financial and proprietary information submitted to or obtained
27 by the department of ecology or the authority created under chapter
28 70.95N RCW to implement chapter 70.95N RCW;

29 (14) Financial, commercial, operations, and technical and research
30 information and data submitted to or obtained by the life sciences
31 discovery fund authority in applications for, or delivery of, grants
32 under chapter 43.350 RCW, to the extent that such information, if
33 revealed, would reasonably be expected to result in private loss to the
34 providers of this information;

35 (15) Financial and commercial information provided as evidence to
36 the department of licensing as required by RCW 19.112.110 or
37 19.112.120, except information disclosed in aggregate form that does

1 not permit the identification of information related to individual fuel
2 licensees;

3 (16) Any production records, mineral assessments, and trade secrets
4 submitted by a permit holder, mine operator, or landowner to the
5 department of natural resources under RCW 78.44.085;

6 (17)(a) Farm plans developed by conservation districts, unless
7 permission to release the farm plan is granted by the landowner or
8 operator who requested the plan, or the farm plan is used for the
9 application or issuance of a permit;

10 (b) Farm plans developed under chapter 90.48 RCW and not under the
11 federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to
12 RCW 42.56.610 and 90.64.190;

13 (18) Financial, commercial, operations, and technical and research
14 information and data submitted to or obtained by a health sciences and
15 services authority in applications for, or delivery of, grants under
16 RCW 35.104.010 through 35.104.060, to the extent that such information,
17 if revealed, would reasonably be expected to result in private loss to
18 providers of this information;

19 (19) Information gathered under chapter 19.85 RCW or RCW 34.05.328
20 that can be identified to a particular business;

21 (20) Financial and commercial information submitted to or obtained
22 by the University of Washington, other than information the university
23 is required to disclose under RCW 28B.20.150, when the information
24 relates to investments in private funds, to the extent that such
25 information, if revealed, would reasonably be expected to result in
26 loss to the University of Washington consolidated endowment fund or to
27 result in private loss to the providers of this information; and

28 (21) Financial, commercial, operations, and technical and research
29 information and data submitted to or obtained by innovate Washington in
30 applications for, or delivery of, grants and loans under chapter 43.333
31 RCW, to the extent that such information, if revealed, would reasonably
32 be expected to result in private loss to the providers of this
33 information.

34 (22) During the 2013-2015 fiscal biennium, this section does not
35 apply to financial, commercial, and proprietary information related to
36 an audit of a publicly funded transportation project.

1 **Sec. 711.** RCW 46.12.630 and 2012 c 86 s 803 are each amended to
2 read as follows:

3 In addition to any other authority which it may have, the
4 department of licensing may furnish lists of registered and legal
5 owners of motor vehicles only for the purposes specified in this
6 section to:

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

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

13 (b) During the 2011-2013 fiscal biennium, in research activities,
14 and in producing statistical reports, as long as the personal
15 information is not published, redisclosed, or used to contact
16 individuals;

17 (2) During fiscal year 2014, an entity that is an authorized agent
18 of a motor vehicle manufacturer for purposes of using lists of
19 registered and legal owner information to conduct research activities
20 and produce statistical reports, as long as the entity does not allow
21 personal information received under this section to be published,
22 redisclosed, or used to contact individuals. The department must
23 charge an amount sufficient to cover the full cost of providing the
24 data requested under this subsection. Full cost of providing the data
25 includes the information technology, administrative, and contract
26 oversight costs.

27 (3) Any governmental agency of the United States or Canada, or
28 political subdivisions thereof, to be used by it or by its authorized
29 commercial agents or contractors only in connection with the
30 enforcement of motor vehicle or traffic laws by, or programs related to
31 traffic safety of, that government agency. Only such parts of the list
32 as are required for completion of the work required of the agent or
33 contractor shall be provided to such agent or contractor;

34 (~~(3)~~) (4) A commercial parking company requiring the names and
35 addresses of registered owners to notify them of outstanding parking
36 violations. Subject to the disclosure agreement provisions of RCW
37 46.12.635 and the requirements of Executive Order 97-01, the department

1 may provide only the parts of the list that are required for completion
2 of the work required of the company;

3 ((+4)) (5) An authorized agent or contractor of the department, to
4 be used only in connection with providing motor vehicle excise tax,
5 licensing, title, and registration information to motor vehicle
6 dealers;

7 ((+5)) (6) Any business regularly making loans to other persons to
8 finance the purchase of motor vehicles, to be used to assist the person
9 requesting the list to determine ownership of specific vehicles for the
10 purpose of determining whether or not to provide such financing; or

11 ((+6)) (7) A company or its agents operating a toll facility under
12 chapter 47.46 RCW or other applicable authority requiring the names,
13 addresses, and vehicle information of motor vehicle registered owners
14 to identify toll violators.

15 Where both a mailing address and residence address are recorded on
16 the vehicle record and are different, only the mailing address will be
17 disclosed. Both addresses will be disclosed in response to requests
18 for disclosure from courts, law enforcement agencies, or government
19 entities with enforcement, investigative, or taxing authority and only
20 for use in the normal course of conducting their business.

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

28 **Sec. 712.** RCW 46.63.170 and 2012 c 85 s 3 and 2012 c 83 s 7 are
29 each reenacted and amended to read as follows:

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

32 (a) The appropriate local legislative authority must prepare an
33 analysis of the locations within the jurisdiction where automated
34 traffic safety cameras are proposed to be located: (i) Before enacting
35 an ordinance allowing for the initial use of automated traffic safety
36 cameras; and (ii) before adding additional cameras or relocating any
37 existing camera to a new location within the jurisdiction. Automated

1 traffic safety cameras may be used to detect one or more of the
2 following: Stoplight, railroad crossing, or school speed zone
3 violations. At a minimum, the local ordinance must contain the
4 restrictions described in this section and provisions for public notice
5 and signage. Cities and counties using automated traffic safety
6 cameras before July 24, 2005, are subject to the restrictions described
7 in this section, but are not required to enact an authorizing
8 ordinance. Beginning one year after June 7, 2012, cities and counties
9 using automated traffic safety cameras must post an annual report of
10 the number of traffic accidents that occurred at each location where an
11 automated traffic safety camera is located as well as the number of
12 notices of infraction issued for each camera and any other relevant
13 information about the automated traffic safety cameras that the city or
14 county deems appropriate on the city's or county's web site.

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

21 (c) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
22 automated traffic safety cameras may be used to detect speed violations
23 for the purposes of section 201(2), chapter 367, Laws of 2011 and
24 section 201(4) of this act if the local legislative authority first
25 enacts an ordinance authorizing the use of cameras to detect speed
26 violations.

27 (d) Automated traffic safety cameras may only take pictures of the
28 vehicle and vehicle license plate and only while an infraction is
29 occurring. The picture must not reveal the face of the driver or of
30 passengers in the vehicle. The primary purpose of camera placement is
31 to take pictures of the vehicle and vehicle license plate when an
32 infraction is occurring. Cities and counties shall consider installing
33 cameras in a manner that minimizes the impact of camera flash on
34 drivers.

35 (e) A notice of infraction must be mailed to the registered owner
36 of the vehicle within fourteen days of the violation, or to the renter
37 of a vehicle within fourteen days of establishing the renter's name and
38 address under subsection (3)(a) of this section. The law enforcement

1 officer issuing the notice of infraction shall include with it a
2 certificate or facsimile thereof, based upon inspection of photographs,
3 microphotographs, or electronic images produced by an automated traffic
4 safety camera, stating the facts supporting the notice of infraction.
5 This certificate or facsimile is prima facie evidence of the facts
6 contained in it and is admissible in a proceeding charging a violation
7 under this chapter. The photographs, microphotographs, or electronic
8 images evidencing the violation must be available for inspection and
9 admission into evidence in a proceeding to adjudicate the liability for
10 the infraction. A person receiving a notice of infraction based on
11 evidence detected by an automated traffic safety camera may respond to
12 the notice by mail.

13 (f) The registered owner of a vehicle is responsible for an
14 infraction under RCW 46.63.030(1)(d) unless the registered owner
15 overcomes the presumption in RCW 46.63.075, or, in the case of a rental
16 car business, satisfies the conditions under subsection (3) of this
17 section. If appropriate under the circumstances, a renter identified
18 under subsection (3)(a) of this section is responsible for an
19 infraction.

20 (g) Notwithstanding any other provision of law, all photographs,
21 microphotographs, or electronic images prepared under this section are
22 for the exclusive use of law enforcement in the discharge of duties
23 under this section and are not open to the public and may not be used
24 in a court in a pending action or proceeding unless the action or
25 proceeding relates to a violation under this section. No photograph,
26 microphotograph, or electronic image may be used for any purpose other
27 than enforcement of violations under this section nor retained longer
28 than necessary to enforce this section.

29 (h) All locations where an automated traffic safety camera is used
30 must be clearly marked at least thirty days prior to activation of the
31 camera by placing signs in locations that clearly indicate to a driver
32 that he or she is entering a zone where traffic laws are enforced by an
33 automated traffic safety camera. Signs placed in automated traffic
34 safety camera locations after June 7, 2012, must follow the
35 specifications and guidelines under the manual of uniform traffic
36 control devices for streets and highways as adopted by the department
37 of transportation under chapter 47.36 RCW.

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

7 (2) Infractions detected through the use of automated traffic
8 safety cameras are not part of the registered owner's driving record
9 under RCW 46.52.101 and 46.52.120. Additionally, infractions generated
10 by the use of automated traffic safety cameras under this section shall
11 be processed in the same manner as parking infractions, including for
12 the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3).
13 The amount of the fine issued for an infraction generated through the
14 use of an automated traffic safety camera shall not exceed the amount
15 of a fine issued for other parking infractions within the jurisdiction.
16 However, the amount of the fine issued for a traffic control signal
17 violation detected through the use of an automated traffic safety
18 camera shall not exceed the monetary penalty for a violation of RCW
19 46.61.050 as provided under RCW 46.63.110, including all applicable
20 statutory assessments.

21 (3) If the registered owner of the vehicle is a rental car
22 business, the law enforcement agency shall, before a notice of
23 infraction being issued under this section, provide a written notice to
24 the rental car business that a notice of infraction may be issued to
25 the rental car business if the rental car business does not, within
26 eighteen days of receiving the written notice, provide to the issuing
27 agency by return mail:

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

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

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

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

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

8 (5) For the purposes of this section, "automated traffic safety
9 camera" means a device that uses a vehicle sensor installed to work in
10 conjunction with an intersection traffic control system, a railroad
11 grade crossing control system, or a speed measuring device, and a
12 camera synchronized to automatically record one or more sequenced
13 photographs, microphotographs, or electronic images of the rear of a
14 motor vehicle at the time the vehicle fails to stop when facing a
15 steady red traffic control signal or an activated railroad grade
16 crossing control signal, or exceeds a speed limit in a school speed
17 zone as detected by a speed measuring device. During the 2011-2013 and
18 2013-2015 fiscal (~~(biennium)~~) biennia, an automated traffic safety
19 camera includes a camera used to detect speed violations for the
20 purposes of section 201(2), chapter 367, Laws of 2011 and section
21 201(4) of this act.

22 (6) During the 2011-2013 fiscal biennium, this section does not
23 apply to automated traffic safety cameras for the purposes of section
24 216(5), chapter 367, Laws of 2011.

25 **Sec. 713.** RCW 46.63.180 and 2011 c 375 s 2 are each amended to
26 read as follows:

27 (1) School districts may install and operate automated school bus
28 safety cameras on school buses to be used for the detection of
29 violations of RCW 46.61.370(1) if the use of the cameras is approved by
30 a vote of the school district board of directors. School districts are
31 not required to take school buses out of service if the buses are not
32 equipped with automated school bus safety cameras or functional
33 automated safety cameras. Further, school districts shall be held
34 harmless from and not liable for any criminal or civil liability
35 arising under the provisions of this section.

36 (a) Automated school bus safety cameras may only take pictures of

1 the vehicle and vehicle license plate and only while an infraction is
2 occurring. The picture must not reveal the face of the driver or of
3 passengers in the vehicle.

4 (b) A notice of infraction must be mailed to the registered owner
5 of the vehicle within fourteen days of the violation, or to the renter
6 of a vehicle within fourteen days of establishing the renter's name and
7 address under subsection (2)(a)(i) of this section. The law
8 enforcement officer issuing the notice of infraction shall include a
9 certificate or facsimile of the notice, based upon inspection of
10 photographs, microphotographs, or electronic images produced by an
11 automated school bus safety camera, stating the facts supporting the
12 notice of infraction. This certificate or facsimile is prima facie
13 evidence of the facts contained in it and is admissible in a proceeding
14 charging a violation under this chapter. The photographs,
15 microphotographs, or electronic images evidencing the violation must be
16 available for inspection and admission into evidence in a proceeding to
17 adjudicate the liability for the infraction. A person receiving a
18 notice of infraction based on evidence detected by an automated school
19 bus safety camera may respond to the notice by mail.

20 (c) The registered owner of a vehicle is responsible for an
21 infraction under RCW 46.63.030(1)(e) unless the registered owner
22 overcomes the presumption in RCW 46.63.075, or, in the case of a rental
23 car business, satisfies the conditions under subsection (2) of this
24 section. If appropriate under the circumstances, a renter identified
25 under subsection (2)(a)(i) of this section is responsible for an
26 infraction.

27 (d) Notwithstanding any other provision of law, all photographs,
28 microphotographs, or electronic images prepared under this section are
29 for the exclusive use of law enforcement in the discharge of duties
30 under this section and are not open to the public and may not be used
31 in a court in a pending action or proceeding unless the action or
32 proceeding relates to a violation under this section. No photograph,
33 microphotograph, or electronic image may be used for any purpose other
34 than enforcement of violations under this section nor retained longer
35 than necessary to enforce this section.

36 (e) If a school district installs and operates an automated school
37 bus safety camera under this section, the compensation paid to the
38 manufacturer or vendor of the equipment used must be based only upon

1 the value of the equipment and services provided or rendered in support
2 of the system, and may not be based upon a portion of the fine or civil
3 penalty imposed or the revenue generated by the equipment. Further,
4 any repair, replacement, or administrative work costs related to
5 installing or repairing automated school bus safety cameras must be
6 solely paid for by the manufacturer or vender of the cameras. Before
7 entering into a contract with the manufacturer or vendor of the
8 equipment used under this subsection (1)(e), the school district must
9 follow the competitive bid process as outlined in RCW 28A.335.190(1).

10 (f) Any revenue collected from infractions detected through the use
11 of automated school bus safety cameras, less the administration and
12 operating costs of the cameras, must be remitted to school districts
13 for school zone safety projects as determined by the school district
14 using the automated school bus safety cameras. The administration and
15 operating costs of the cameras includes infraction enforcement and
16 processing costs that are incurred by local law enforcement or local
17 courts. During the 2013-2015 biennium, the infraction revenue may also
18 be used for school bus safety projects by those school districts
19 eligible to apply for funding from the school zone safety account
20 appropriation in section 201 of this act.

21 (2)(a) If the registered owner of the vehicle is a rental car
22 business, the law enforcement agency shall, before a notice of
23 infraction is issued under this section, provide a written notice to
24 the rental car business that a notice of infraction may be issued to
25 the rental car business if the rental car business does not, within
26 eighteen days of receiving the written notice, provide to the issuing
27 agency by return mail:

28 (i) A statement under oath stating the name and known mailing
29 address of the individual driving or renting the vehicle when the
30 infraction occurred;

31 (ii) A statement under oath that the business is unable to
32 determine who was driving or renting the vehicle at the time the
33 infraction occurred because the vehicle was stolen at the time of the
34 infraction. A statement provided under this subsection (2)(a)(ii) must
35 be accompanied by a copy of a filed police report regarding the vehicle
36 theft; or

37 (iii) In lieu of identifying the vehicle operator, the rental car
38 business may pay the applicable penalty.

1 (b) Timely mailing of a statement under this subsection to the
2 issuing law enforcement agency relieves a rental car business of any
3 liability under this chapter for the notice of infraction.

4 (3) For purposes of this section, "automated school bus safety
5 camera" means a device that is affixed to a school bus that is
6 synchronized to automatically record one or more sequenced photographs,
7 microphotographs, or electronic images of the rear of a vehicle at the
8 time the vehicle is detected for an infraction identified in RCW
9 46.61.370(1).

10 **2011-2013 FISCAL BIENNIUM**
11 **TRANSPORTATION AGENCIES--OPERATING**

12 **Sec. 801.** 2012 c 86 s 201 (uncodified) is amended to read as
13 follows:

14 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

15 Highway Safety Account--State Appropriation	((\$2,983,000))
	<u>\$2,982,000</u>
16 Highway Safety Account--Federal Appropriation	((\$42,507,000))
	<u>\$35,497,000</u>
17 Highway Safety Account--Private/Local Appropriation	\$50,000
18 School Zone Safety Account--State Appropriation	((\$3,340,000))
	<u>\$2,340,000</u>
19 TOTAL APPROPRIATION	((\$48,880,000))
	<u>\$40,869,000</u>

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

26 (1) \$1,673,900 of the highway safety account--federal appropriation
27 is provided solely for the conclusion of the target zero trooper pilot
28 program, which the commission has developed and implemented in
29 collaboration with the Washington state patrol. The pilot program must
30 continue to demonstrate the effectiveness of intense, high visibility,
31 driving under the influence enforcement in Washington. The commission
32 shall continue to apply to the national highway traffic safety
33 administration for federal highway safety grants to cover the cost of
34 the pilot program. State funding is provided in section ((207)) 807 of

1 this act for the state patrol to continue the target zero trooper
2 program in fiscal year 2013.

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

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

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

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

19 (3) \$460,000 of the highway safety account--state appropriation is
20 provided solely for the implementation of chapter ... (Engrossed Second
21 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
22 accountability). If chapter ... (Engrossed Second Substitute House
23 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
24 amount provided in this subsection lapses.

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

29 (5) (~~(\$22,000,000)~~) \$15,000,000 of the highway safety account--
30 federal appropriation is provided solely for federal funds that may be
31 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
32 2011-2013 fiscal biennium.

33 **Sec. 802.** 2012 c 86 s 202 (uncodified) is amended to read as
34 follows:

35 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**
36 Rural Arterial Trust Account--State Appropriation (~~(\$915,000)~~)
37 \$907,000

1 **FOR THE TRANSPORTATION COMMISSION**

2	Motor Vehicle Account--State Appropriation	((\$3,028,000))
3		<u>\$3,025,000</u>
4	Multimodal Transportation Account--State Appropriation	\$112,000
5	TOTAL APPROPRIATION	((\$3,140,000))
6		<u>\$3,137,000</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. 805.** 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 \$830,000

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 (3) \$50,000 of the motor vehicle account--state appropriation is
 9 provided solely for activities related to the development of a freight
 10 plan identified under the federal moving forward for progress in the
 11 21st century (MAP-21) act of 2012.

12 **Sec. 806.** 2012 c 86 s 207 (uncodified) is amended to read as
 13 follows:

14 **FOR THE WASHINGTON STATE PATROL**

15	Multimodal Transportation Account--State Appropriation	\$132,000
16	((Ignition Interlock Device Revolving Account--	
17	State Appropriation	\$212,000))
18	State Patrol Highway Account--State	
19	Appropriation	((\$350,605,000))
20		<u>\$348,619,000</u>
21	State Patrol Highway Account--Federal	
22	Appropriation	\$10,903,000
23	State Patrol Highway Account--Private/Local	
24	Appropriation	((\$3,494,000))
25		<u>\$3,674,000</u>
26	Highway Safety Account--State Appropriation	((\$432,000))
27		<u>\$5,984,000</u>
28	TOTAL APPROPRIATION	((\$365,778,000))
29		<u>\$369,312,000</u>

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

32 (1) Washington state patrol officers engaged in off-duty uniformed
 33 employment providing traffic control services to the department of
 34 transportation or other state agencies may use state patrol vehicles
 35 for the purpose of that employment, subject to guidelines adopted by
 36 the chief of the Washington state patrol. The Washington state patrol
 37 must be reimbursed for the use of the vehicle at the prevailing state

1 employee rate for mileage and hours of usage, subject to guidelines
2 developed by the chief of the Washington state patrol. Cessna pilots
3 funded from the state patrol highway account who are certified to fly
4 the King Airs may pilot those aircraft for general fund purposes with
5 the general fund reimbursing the state patrol highway account an hourly
6 rate to cover the costs incurred during the flights since the aviation
7 section is no longer part of the Washington state patrol cost
8 allocation system as of July 1, 2009.

9 (2) The Washington state patrol shall continue to collaborate with
10 the Washington traffic safety commission on the target zero trooper
11 pilot program referenced in section ((201)) 801(1) of this act.

12 (3) \$370,000 of the state patrol highway account--state
13 appropriation is provided solely for costs associated with the pilot
14 program described under section 216(5) ((of this act)), chapter 86,
15 Laws of 2012. The Washington state patrol may incur costs related only
16 to the assignment of cadets and necessary computer equipment and to the
17 reimbursement of the Washington state department of transportation for
18 contract costs. The appropriation in this subsection must be funded
19 from the portion of the automated traffic safety camera fines deposited
20 into the state patrol highway account; however, if the fines deposited
21 into the state patrol highway account from automated traffic safety
22 camera infractions do not reach three hundred seventy thousand dollars,
23 the department of transportation shall remit funds necessary to the
24 Washington state patrol to ensure the completion of the pilot program.
25 The Washington state patrol may not incur overtime as a result of this
26 pilot program. The Washington state patrol shall not assign troopers
27 to operate or deploy the pilot program equipment used in the roadway
28 construction zones.

29 (4) ((~~\$12,160,000~~)) \$12,244,000 of the total appropriation is
30 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
31 The Washington state patrol shall analyze their fuel consumption and
32 submit a report to the legislative transportation committees by
33 December 31, 2011, on fuel conservation methods that could be used to
34 minimize costs and ensure that the Washington state patrol is managing
35 fuel consumption effectively.

36 (5) ((~~\$7,672,000~~)) \$8,312,000 of the total appropriation is
37 provided solely for the purchase of pursuit vehicles.

1 (6) (~~(\$6,686,000)~~) \$6,806,000 of the total appropriation is
2 provided solely for vehicle repair and maintenance costs of vehicles
3 used for highway purposes.

4 (7) (~~(\$1,724,000)~~) \$1,856,000 of the total appropriation is
5 provided solely for the purchase of mission vehicles used for highway
6 purposes in the commercial vehicle and traffic investigation sections
7 of the Washington state patrol.

8 (8) \$1,200,000 of the total appropriation is provided solely for
9 outfitting officers. The Washington state patrol shall prepare a cost-
10 benefit analysis of the standard trooper uniform as compared to a
11 battle dress uniform and uniforms used by other states and
12 jurisdictions. The Washington state patrol shall report the results of
13 the analysis to the transportation committees of the legislature by
14 December 1, 2011.

15 (9) The Washington state patrol shall not account for or record
16 locally provided DUI cost reimbursement payments as expenditure credits
17 to the state patrol highway account. The patrol shall report the
18 amount of expected locally provided DUI cost reimbursements to the
19 office of financial management and transportation committees of the
20 legislature by September 30th of each year.

21 (10) During the 2011-2013 fiscal biennium, the Washington state
22 patrol shall continue to perform traffic accident investigations on
23 Thurston county roads, and shall work with Thurston county to
24 transition the traffic accident investigations on Thurston county roads
25 to Thurston county by July 1, 2013.

26 (11) \$2,187,000 of the state patrol highway account--state
27 appropriation is provided solely for mobile office platforms.

28 (12) \$2,731,000 of the state patrol highway account--state
29 appropriation is provided solely for the continuation of the target
30 zero trooper program.

31 (13) \$432,000 of the highway safety account--state appropriation is
32 provided solely for the implementation of chapter . . . (Second
33 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If
34 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
35 not enacted by June 30, 2012, the amount provided in this subsection
36 lapses. Additionally, the total highway safety account--state
37 appropriation in this section assumes the revenue generated by the fees
38 that the Washington state patrol is authorized to charge manufacturers,

1 technicians, and other providers under Second Substitute House Bill No.
2 2443. Within the amounts provided in this subsection is funding for
3 three additional troopers to provide oversight of the ignition
4 interlock industry.

5 (14) \$212,000 of the ignition interlock device revolving account--
6 state appropriation is provided solely for two additional troopers to
7 provide oversight of the ignition interlock industry. If chapter . . .
8 (Second Substitute House Bill No. 2443), Laws of 2012 is enacted by
9 June 30, 2012, the amount provided in this subsection lapses.

10 (15) \$132,000 of the multimodal transportation account--state
11 appropriation is provided solely for the implementation of chapter
12 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue
13 alert system). If chapter . . . (Engrossed Substitute House Bill No.
14 1820), Laws of 2012 is not enacted by June 30, 2012, the amount
15 provided in this subsection lapses.

16 **Sec. 807.** 2012 c 86 s 208 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF LICENSING**

19	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
20	Motorcycle Safety Education Account--State	
21	Appropriation	(\$4,367,000)
22		<u>\$4,364,000</u>
23	Wildlife Account--State Appropriation	(\$826,000)
24		<u>\$824,000</u>
25	Highway Safety Account--State Appropriation	(\$148,666,000)
26		<u>\$146,578,000</u>
27	Highway Safety Account--Federal Appropriation	\$4,299,000
28	Highway Safety Account--Private/Local Appropriation	\$200,000
29	Motor Vehicle Account--State Appropriation	(\$76,511,000)
30		<u>\$74,457,000</u>
31	Motor Vehicle Account--Private/Local Appropriation	\$1,714,000
32	Motor Vehicle Account--Federal Appropriation	\$380,000
33	Department of Licensing Services Account--State	
34	Appropriation	\$6,095,000
35	Ignition Interlock Device Revolving Account--State	
36	Appropriation	\$1,971,000
37	TOTAL APPROPRIATION	(\$245,061,000)

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

(1) \$231,000 of the motor vehicle account--state appropriation is provided solely for the implementation of chapter ... (Substitute Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(2) \$193,000 of the department of licensing services account--state appropriation is provided solely for a phased implementation of chapter ... (Substitute House Bill No. 1046), Laws of 2011 (vehicle and vessel quick titles). Funding is contingent upon revenues associated with the vehicle and vessel quick title program paying all direct and indirect expenditures associated with the department's implementation of this subsection. If chapter ... (Substitute House Bill No. 1046), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(3) \$4,299,000 of the highway safety account--federal appropriation is for federal funds that may be received during the 2011-2013 fiscal biennium. Upon receipt of the funds, the department shall provide a report on the use of the funds to the transportation committees of the legislature and the office of financial management.

(4) By December 31, 2011, the department shall submit to the office of financial management and the transportation committees of the legislature draft legislation that rewrites the tow truck statutes (chapter 46.55 RCW) in plain language and is revenue and policy neutral.

(5) \$128,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011 (driver's license exams). If chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011 is not enacted by June 30, 2011, the amount provided in this subsection lapses.

(6) \$68,000 of the highway safety account--state appropriation is provided solely for the implementation of chapter ... (Engrossed Second Substitute House Bill No. 1789), Laws of 2011 (addressing DUI accountability). If chapter ... (Engrossed Second Substitute House

1 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
2 amount provided in this subsection lapses.

3 (7) \$63,000 of the highway safety account--state appropriation is
4 provided solely for the implementation of chapter ... (Substitute House
5 Bill No. 1237), Laws of 2011 (selective service system). If chapter
6 ... (Substitute House Bill No. 1237), Laws of 2011 is not enacted by
7 June 30, 2011, the amount provided in this subsection lapses.

8 (8) \$340,000 of the motor vehicle account--private/local
9 appropriation is provided solely for the implementation of chapter ...
10 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
11 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
12 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
13 provided in this subsection lapses.

14 (9) \$1,738,000 of the department of licensing services account--
15 state appropriation is provided solely for purchasing equipment for
16 field licensing service offices and subagent offices.

17 (10) (~~(\$2,500,000)~~) \$1,500,000 of the highway safety account--state
18 appropriation is provided solely for information technology field
19 system modernization.

20 (11) \$963,000 of the highway safety account--state appropriation is
21 provided solely for implementation of chapter 374, Laws of 2011
22 (limousine carriers) and chapter 298, Laws of 2011 (master license
23 service program).

24 (12) \$99,000 of the motor vehicle account--state appropriation is
25 provided solely for the implementation of chapter . . . (Substitute
26 House Bill No. 2299), Laws of 2012 (special license plates). If
27 chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not
28 enacted by June 30, 2012, the amount provided in this subsection
29 lapses.

30 (13) \$174,000 of the highway safety account--state appropriation is
31 provided solely for the implementation of chapter . . . (Substitute
32 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
33 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
34 enacted by June 30, 2012, the amount provided in this subsection
35 lapses. Additionally, the total appropriation in this section assumes
36 the revenue generated by the fee established in Substitute Senate Bill
37 No. 6075. Within the amounts provided in this subsection, the
38 department must improve on the information that the department makes

1 publicly available to victims of domestic violence and sexual assault
2 on how to better protect their personal information, especially their
3 residential addresses. Specifically, the department must provide a
4 link to the secretary of state's address confidentiality program web
5 site. The department also must provide information regarding a
6 person's ability to provide a mailing address in addition to the
7 person's residential address when registering a vehicle with the
8 department.

9 (14) \$289,000 of the highway safety account--state appropriation is
10 provided solely for the implementation of chapter . . . (Engrossed
11 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
12 matching system). If chapter . . . (Engrossed Substitute Senate Bill
13 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
14 provided in this subsection lapses.

15 (15) \$397,000 of the highway safety account--state appropriation is
16 provided solely for the implementation of chapter . . . (Engrossed
17 Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic
18 infractions). If chapter . . . (Engrossed Substitute Senate Bill No.
19 6284), Laws of 2012 is not enacted by June 30, 2012, the amount
20 provided in this subsection lapses. Additionally, the total highway
21 safety account--state appropriation in this section assumes the revenue
22 generated by the policy changes in chapter . . . (Engrossed Substitute
23 Senate Bill No. 6284), Laws of 2012.

24 (16) \$222,000 of the motor vehicle account--state appropriation and
25 \$36,000 of the highway safety account--state appropriation are provided
26 solely for the implementation of chapter . . . (Engrossed Substitute
27 Senate Bill No. 6455), Laws of 2012 (transportation revenue). If
28 chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012
29 is not enacted by June 30, 2012, the amount provided in this subsection
30 lapses.

31 (17) \$274,000 of the motor vehicle account--state appropriation is
32 provided solely for the implementation of chapter . . . (Engrossed
33 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
34 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
35 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
36 provided in this subsection lapses.

37 (18) Within the amounts provided in this section, the department
38 must develop a transition plan for moving to a paperless renewal notice

1 for drivers' licenses and vehicle registrations. The plan must
2 consider people that do not have access to the internet and must
3 include an opportunity for people to opt-in to a paper renewal notice.
4 Prior to the implementation of a paperless renewal system, the
5 department must consult with the joint transportation committee.

6 (19) Within existing resources, the department shall develop a plan
7 to transition to a ten-year license plate replacement cycle. At a
8 minimum, the plan must include the following provisions: (a) A ten-
9 year replacement cycle for license plates only on vehicles that are
10 subject to annual vehicle registration renewal; (b) a requirement that
11 new license plates and registration, including all fees and taxes due
12 upon annual registration, are required when a vehicle changes
13 ownership, except when a vehicle is sold to a vehicle dealer for
14 resale, in which case they are due only when the dealer sells the
15 vehicle; (c) an original issue license plate fee that is equal to the
16 current license plate replacement fee; and (d) an estimate of the
17 plan's costs to implement and revenues generated. The department shall
18 submit the plan with draft legislation implementing the plan to the
19 transportation committees of the legislature by December 31, 2012.

20 (20) Consistent with RCW 43.135.055 and 43.24.086, during the
21 2011-2013 fiscal biennium, the legislature authorizes the department to
22 adjust the business and vehicle fees for the for hire licensing program
23 in amounts sufficient to recover the costs of administering the for
24 hire licensing program.

25 (21) The legislature intends to establish a veteran designation for
26 drivers' licenses and identicards issued under chapter 46.20 RCW, as
27 proposed under House Bill No. 2378, during the 2013 legislative
28 session. The designation would serve to establish a person's service
29 in the armed forces and be granted to a person who provides a United
30 States department of defense discharge document, DD Form 214, that
31 shows a discharge status of "honorable" or "general under honorable
32 conditions." The department shall report to the transportation
33 committees of the legislature by December 1, 2012, with a plan to
34 implement the designation. The plan must include the most cost-
35 effective options for implementation, a proposed fee amount to cover
36 the costs of the designation, and any other recommendations on the
37 implementation of the designation.

1 (22) \$59,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of chapter . . . (Substitute
3 House Bill No. 2312), Laws of 2012 (military service award emblems).
4 If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not
5 enacted by June 30, 2012, the amount provided in this subsection
6 lapses.

7 (23) \$656,000 of the ignition interlock device revolving account--
8 state appropriation is provided solely for the implementation of
9 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012
10 (DUI accountability). If chapter . . . (Second Substitute House Bill
11 No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount
12 provided in this subsection lapses.

13 (24) \$134,000 of the highway safety account--state appropriation
14 and \$134,000 of the motor vehicle account--state appropriation are
15 provided solely for the implementation of chapter . . . (Engrossed
16 Second Substitute House Bill No. 2373), Laws of 2012 (state
17 recreational resources). If chapter . . . (Engrossed Second Substitute
18 House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the
19 amount provided in this subsection lapses.

20 (25) \$3,082,000 of the highway safety account--state appropriation
21 is provided solely for exam and licensing activities, including the
22 workload associated with providing driver record abstracts, and is
23 subject to the following additional conditions and limitations:

24 (a) The department may furnish driving record abstracts only to
25 those persons or entities expressly authorized to receive the abstracts
26 under Title 46 RCW;

27 (b) The department may furnish driving record abstracts only for an
28 amount that does not exceed the specified fee amounts in RCW 46.52.130
29 (2)(e)(v) and (4); and

30 (c) The department may not enter into a contract, or otherwise
31 participate in any arrangement, with a third party or other state
32 agency for any service that results in an additional cost, in excess of
33 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
34 statutorily authorized persons or entities purchasing a driving record
35 abstract.

36 **Sec. 808.** 2012 c 86 s 209 (uncodified) is amended to read as
37 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
 2 **MAINTENANCE--PROGRAM B**

3	High Occupancy Toll Lanes Operations Account--State	
4	Appropriation	((\$1,276,000))
5		<u>\$1,569,000</u>
6	Motor Vehicle Account--State Appropriation	((\$538,000))
7		<u>\$537,000</u>
8	Tacoma Narrows Toll Bridge Account--State	
9	Appropriation	((\$23,365,000))
10		<u>\$23,361,000</u>
11	State Route Number 520 Corridor Account--State	
12	Appropriation	((\$27,295,000))
13		<u>\$25,103,000</u>
14	State Route Number 520 Civil Penalties	
15	Account--State Appropriation	((\$3,622,000))
16		<u>\$2,564,000</u>
17	TOTAL APPROPRIATION	((\$56,096,000))
18		<u>\$53,134,000</u>

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

21 (1) The department shall make detailed quarterly expenditure
 22 reports available to the transportation commission and to the public on
 23 the department's web site using current department resources. The
 24 reports must include a summary of toll revenue by facility on all
 25 operating toll facilities and high occupancy toll lane systems, and an
 26 itemized depiction of the use of that revenue.

27 (2) ((~~\$3,622,000~~)) \$2,564,000 of the state route number 520 civil
 28 penalties account--state appropriation and \$1,458,000 of the Tacoma
 29 Narrows toll bridge account--state appropriation are provided solely
 30 for expenditures related to the toll adjudication process. All costs
 31 associated with the toll adjudication process are anticipated to be
 32 covered by revenue collected from the toll adjudication process. The
 33 department shall report quarterly on the civil penalty process to the
 34 office of financial management and the house of representatives and
 35 senate transportation committees beginning September 30, 2011. The
 36 reports must include a summary table for each toll facility that
 37 includes: The number of notices of civil penalty issued; the number of
 38 recipients who pay before the notice becomes a penalty; the number of

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

5 (3) It is the intent of the legislature that transitioning to a
6 statewide tolling operations center and preparing for all-electronic
7 tolling on certain toll facilities will have no adverse revenue or
8 expenditure impact on the Tacoma Narrows toll bridge account. Any
9 increased costs related to this transition shall not be allocated to
10 the Tacoma Narrows toll bridge account. All costs associated with the
11 toll adjudication process are anticipated to be covered by revenue
12 collected from the toll adjudication process.

13 (4) The department shall ensure that, at no cost to the Tacoma
14 Narrows toll bridge account, new electronic tolling tag readers are
15 installed on the Tacoma Narrows bridge as soon as practicable that are
16 able to read existing and new electronic tolling tags.

17 (5) (~~(\$17,786,000)~~) \$15,238,000 of the state route number 520
18 corridor account-- state appropriation is provided solely for nonvendor
19 costs associated with tolling the state route number 520 bridge. Funds
20 from the state route number 520 corridor account--state appropriation
21 shall not be used to pay for items prohibited by Executive Order No.
22 1057, including subscriptions to technical publications, employee
23 educational expenses, professional membership dues and fees, employee
24 recognition and safety awards, meeting meals and light refreshments,
25 commute trip reduction incentives, and employee travel.

26 **Sec. 809.** 2012 c 86 s 210 (uncodified) is amended to read as
27 follows:

28 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
29 **C**

30 Motor Vehicle Account--State Appropriation	((\$67,398,000))
	<u>\$65,667,000</u>
32 Transportation Partnership Account--State	
33 Appropriation	\$1,460,000
34 Multimodal Transportation Account--State	
35 Appropriation	\$363,000
36 Transportation 2003 Account (Nickel Account)--State	
37 Appropriation	\$1,460,000

1 TOTAL APPROPRIATION ((~~\$70,681,000~~))
2 \$68,950,000

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

5 (1) The department shall consult with the office of financial
6 management and the department of enterprise services to: (a) Ensure
7 that the department's current and future system development is
8 consistent with the overall direction of other key state systems; and
9 (b) when possible, use or develop common statewide information systems
10 to encourage coordination and integration of information used by the
11 department and other state agencies and to avoid duplication.

12 (2) \$1,460,000 of the transportation partnership account--state
13 appropriation and \$1,460,000 of the transportation 2003 account (nickel
14 account)--state appropriation are provided solely for maintaining the
15 department's project management reporting system.

16 (3) \$210,000 of the motor vehicle account--state appropriation is
17 provided solely for the department's compliance with its national
18 pollution discharge elimination system permit.

19 (4) \$502,000 of the motor vehicle account--state appropriation is
20 provided solely to provide support for the transportation executive
21 information system.

22 **Sec. 810.** 2012 c 86 s 211 (uncodified) is amended to read as
23 follows:

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

26 Motor Vehicle Account--State Appropriation ((~~\$25,466,000~~))
27 \$25,440,000

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

30 (1) The department shall submit a predesign proposal for a new
31 traffic management center to the office of financial management
32 consistent with the process followed by nontransportation capital
33 construction projects. The department shall not award a contract for
34 construction of a new traffic management center until the predesign
35 proposal has been submitted and the office of financial management has
36 completed a budget evaluation study that indicates a new building is

1 the recommended option for accommodating additional traffic management
2 operations.

3 (2) \$850,000 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 **Sec. 811.** 2012 c 86 s 212 (uncodified) is amended to read as
7 follows:

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

9 Aeronautics Account--State Appropriation	((\$6,002,000))
	<u>\$5,999,000</u>
10 Aeronautics Account--Federal Appropriation	\$2,150,000
11 TOTAL APPROPRIATION	((\$8,152,000))
	<u>\$8,149,000</u>

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

16 ((+1)) \$200,000 of the aeronautics account--state appropriation is
17 a reappropriation provided solely to complete runway preservation
18 projects.

19 **Sec. 812.** 2012 c 86 s 213 (uncodified) is amended to read as
20 follows:

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

23 Motor Vehicle Account--State Appropriation	((\$45,796,000))
	<u>\$45,725,000</u>
24 Motor Vehicle Account--Federal Appropriation	\$500,000
25 Multimodal Transportation Account--State	
26 Appropriation	\$250,000
27 TOTAL APPROPRIATION	((\$46,546,000))
	<u>\$46,475,000</u>

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

32 (1) \$3,754,000 of the motor vehicle account--state appropriation is
33 provided solely for the department's compliance with its national
34 pollution discharge elimination system permit.

35 (2) It is the intent of the legislature that the real estate

1 services division of the department will recover the cost of its
2 efforts from future sale proceeds.

3 (3) The legislature recognizes that the Dryden pit site (WSDOT
4 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
5 property under the jurisdiction of the department of transportation,
6 and that the public would benefit significantly from the complete
7 enjoyment of the natural scenic beauty and recreational opportunities
8 available at the site. Therefore, pursuant to RCW 47.12.080, the
9 legislature declares that transferring the property to the department
10 of fish and wildlife for recreational use and fish and wildlife
11 restoration efforts is consistent with the public interest in order to
12 preserve the area for the use of the public and the betterment of the
13 natural environment. The department of transportation shall work with
14 the department of fish and wildlife, and shall transfer and convey the
15 Dryden pit site to the department of fish and wildlife as is for an
16 adjusted fair market value reflecting site conditions, the proceeds of
17 which must be deposited in the motor vehicle fund. The department of
18 transportation is not responsible for any costs associated with the
19 cleanup or transfer of this property. By July 1, 2011, and annually
20 thereafter until the entire Dryden pit property has been transferred,
21 the department shall submit a status report regarding the transaction
22 to the chairs of the legislative transportation committees.

23 (4) The legislature recognizes that the trail known as the Apple
24 Capital Loop, and its extensions, serve to separate motor vehicle
25 traffic from pedestrians and bicyclists, increasing motor vehicle
26 safety on existing state route number 28. Consistent with chapter
27 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
28 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
29 and 2-09-04569 to Douglas county and the city of East Wenatchee is
30 consistent with the public interest. The legislature directs the
31 department to transfer the property to Douglas county and the city of
32 East Wenatchee. The department must be paid fair market value for any
33 portions of the transferred real property that is later abandoned,
34 vacated, or ceases to be publicly maintained for trail purposes.
35 Douglas county and the city of East Wenatchee must agree to accept
36 responsibility for trail segments within their respective jurisdictions
37 and sign an agreement with the state that the transfer of these parcels
38 to their respective jurisdictions extinguishes any state obligations to

1 improve, maintain, or be in any way responsible for these assets. The
2 department shall report to the transportation committees of the
3 legislature by June 30, 2013, and annually thereafter, on the status of
4 the transfer until complete.

5 **Sec. 813.** 2012 c 86 s 214 (uncodified) is amended to read as
6 follows:

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

9 Motor Vehicle Account--State Appropriation	(\$827,000)
10	<u>\$826,000</u>
11 Multimodal Transportation Account--State Appropriation	\$110,000
12 TOTAL APPROPRIATION	(\$937,000)
13	<u>\$936,000</u>

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

16 (1)(a) \$225,000 of the motor vehicle account--state appropriation
17 is provided solely to carry out work related to assessing the
18 operational feasibility of a road user assessment, including
19 technology, agency administration, multistate and federal standards,
20 and other necessary elements. This work must be carried out under the
21 guidance of the steering committee and in coordination with the
22 transportation commission's policy assessment and public outreach
23 planning authorized in section 205(4) (~~of this act~~) chapter 86, Laws
24 of 2012.

25 (b) If subsequent appropriations are provided, the department may
26 conduct a limited scope pilot project to test the feasibility of a road
27 user assessment system to be applied to electric vehicles. The pilot
28 project must be carried out under the guidance of the steering
29 committee described under section 205(4) (~~of this act~~) chapter 86,
30 Laws of 2012 and in coordination with the transportation commission.

31 (2) The department shall conduct a study on the potential to
32 generate revenue from off-premise outdoor advertising signs that are
33 erected or maintained adjacent and visible to the interstate system
34 highways, primary system highways, or scenic system highways. The
35 study must provide an evaluation of the market for outdoor advertising
36 signs, including an evaluation of the number of potential advertisers
37 and the amount charged by other jurisdictions for sign permits, and

1 must provide a recommendation for a revised fee structure that
2 recognizes the market value for off-premise signs and considers
3 charging differential fees based on the size, type, and location of the
4 sign.

5 (3) The public-private partnerships office must explore retail
6 partnerships at state-owned park-and-ride facilities, as authorized in
7 RCW 47.04.295, and if feasible, solicit proposals to implement a retail
8 partnership pilot project at one park-and-ride facility by June 30,
9 2013.

10 **Sec. 814.** 2012 c 86 s 215 (uncodified) is amended to read as
11 follows:

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

13 Motor Vehicle Account--State Appropriation	(((\$373,709,000))
14	<u>\$375,409,000</u>
15 Motor Vehicle Account--Federal Appropriation	\$7,000,000
16 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
17 TOTAL APPROPRIATION	(((\$380,709,000))
18	<u>\$385,909,000</u>

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

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

26 (2) \$7,000,000 of the motor vehicle account--state appropriation is
27 provided solely for third-party damages to the highway system where the
28 responsible party is known and reimbursement is anticipated. The
29 department shall request additional appropriation authority for any
30 funds received for reimbursements of third-party damages that are in
31 excess of this appropriation.

32 (3) \$7,000,000 of the motor vehicle account--federal appropriation
33 is for unanticipated federal funds that may be received during the
34 2011-2013 fiscal biennium. Upon receipt of the funds, the department
35 shall provide a report on the use of the funds to the transportation
36 committees of the legislature and the office of financial management.

1 (4) The department may work with the department of corrections to
2 utilize corrections crews for the purposes of litter pickup on state
3 highways.

4 (5) \$4,530,000 of the motor vehicle account--state appropriation is
5 provided solely for the department's compliance with its national
6 pollution discharge elimination system permit.

7 (6) The department shall continue to report maintenance
8 accountability process (MAP) targets and achievements on an annual
9 basis. The department shall use available funding to target and
10 deliver a minimum MAP grade of C for the activity of roadway striping.

11 (7) \$6,884,000 of the motor vehicle account--state appropriation is
12 provided solely for the high priority maintenance backlog. Addressing
13 the maintenance backlog must result in increased levels of service. If
14 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
15 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
16 appropriation provided in this subsection lapses.

17 (8) The department shall track the costs associated with active
18 traffic management systems on a corridor basis and report to the
19 transportation committees of the legislature on the costs and benefits
20 of the systems by December 1, 2012.

21 **Sec. 815.** 2012 c 86 s 216 (uncodified) is amended to read as
22 follows:

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

25	Motor Vehicle Account--State Appropriation	((\$48,818,000))
26		<u>\$48,741,000</u>
27	Motor Vehicle Account--Federal Appropriation	\$2,050,000
28	Motor Vehicle Account--Private/Local Appropriation	\$250,000
29	TOTAL APPROPRIATION	((\$51,118,000))
30		<u>\$51,041,000</u>

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

33 (1) \$6,000,000 of the motor vehicle account--state appropriation is
34 provided solely for low-cost enhancements. Of this amount, \$10,000 of
35 the motor vehicle account--state appropriation is provided solely for
36 the department to install additional farm machinery signs to promote
37 safety in agricultural areas along state highways. The department

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

8 (2) \$145,000 of the motor vehicle account--state appropriation is
9 provided solely for the department to continue a pilot tow truck
10 incentive program and to expand the program to other areas of the
11 state. The department may provide incentive payments to towing
12 companies that meet clearance goals on accidents that involve heavy
13 trucks.

14 (3) During the 2011-2013 fiscal biennium, the department shall
15 implement a pilot program that expands private transportation
16 providers' access to high occupancy vehicle lanes. Under the pilot
17 program, when the department reserves a portion of a highway based on
18 the number of passengers in a vehicle, the following vehicles must be
19 authorized to use the reserved portion of the highway if the vehicle
20 has the capacity to carry eight or more passengers, regardless of the
21 number of passengers in the vehicle: (a) Auto transportation company
22 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
23 carrier vehicles regulated under chapter 81.70 RCW, except marked or
24 unmarked stretch limousines and stretch sport utility vehicles as
25 defined under department of licensing rules; (c) private nonprofit
26 transportation provider vehicles regulated under chapter 81.66 RCW; and
27 (d) private employer transportation service vehicles. For purposes of
28 this subsection, "private employer transportation service" means
29 regularly scheduled, fixed-route transportation service that is offered
30 by an employer for the benefit of its employees. By June 30, 2013, the
31 department shall report to the transportation committees of the
32 legislature on whether private transportation provider use of high
33 occupancy vehicle lanes under the pilot program reduces the speeds of
34 high occupancy vehicle lanes. Nothing in this subsection is intended
35 to authorize the conversion of public infrastructure to private, for-
36 profit purposes or to otherwise create an entitlement or other claim by
37 private users to public infrastructure. If chapter ... (Substitute

1 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
2 subsection is null and void.

3 (4) \$9,000,000 of the motor vehicle account--state appropriation is
4 provided solely for the department's incident response program.

5 (5) The department, in consultation with the Washington state
6 patrol, must continue a pilot program for the patrol to issue
7 infractions based on information from automated traffic safety cameras
8 in roadway construction zones on state highways. The department must
9 report to the joint transportation committee by January 1, 2012, and
10 January 1, 2013, on the status of this pilot program. For the purpose
11 of this pilot program, during the 2011-2013 fiscal biennium, a roadway
12 construction zone includes areas where public employees or private
13 contractors may be present or where a driving condition exists that
14 would make it unsafe to drive at higher speeds, such as, when the
15 department is redirecting or realigning lanes on any public roadway
16 pursuant to ongoing construction. The department shall use the
17 following guidelines to administer the program:

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

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

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

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

35 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
36 infractions detected through the use of automated traffic safety
37 cameras are not part of the registered owner's driving record under RCW
38 46.52.101 and 46.52.120. Additionally, infractions generated by the

1 use of automated traffic safety cameras must be processed in the same
2 manner as parking infractions for the purposes of RCW 3.50.100,
3 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
4 fine issued under this subsection (5) for an infraction generated
5 through the use of an automated traffic safety camera is one hundred
6 thirty-seven dollars. The court shall remit thirty-two dollars of the
7 fine to the state treasurer for deposit into the state patrol highway
8 account; and

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

24 (6) The department shall track the costs associated with active
25 traffic management systems on a corridor basis and report to the
26 transportation committees of the legislature on the cost and benefits
27 of the systems by December 1, 2011.

28 **Sec. 816.** 2012 c 86 s 217 (uncodified) is amended to read as
29 follows:

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

32	Motor Vehicle Account--State Appropriation	((\$27,389,000))
33		<u>\$27,335,000</u>
34	Motor Vehicle Account--Federal Appropriation	\$30,000
35	Multimodal Transportation Account--State	
36	Appropriation	\$973,000
37	TOTAL APPROPRIATION	((\$28,392,000))

1 \$28,338,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: The department shall utilize existing
4 resources and customer service staff to develop and implement new
5 policies and procedures to ensure compliance with new federal passenger
6 vessel Americans with disabilities act requirements.

7 **Sec. 817.** 2012 c 86 s 218 (uncodified) is amended to read as
8 follows:

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

11	Motor Vehicle Account--State Appropriation	((\$22,304,000))
12		<u>\$22,245,000</u>
13	Motor Vehicle Account--Federal Appropriation	\$21,885,000
14	Multimodal Transportation Account--State	
15	Appropriation	\$662,000
16	Multimodal Transportation Account--Federal	
17	Appropriation	\$3,559,000
18	Multimodal Transportation Account--Private/Local	
19	Appropriation	\$100,000
20	TOTAL APPROPRIATION	((\$48,510,000))
21		<u>\$48,451,000</u>

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

24 (1) \$70,000 of the motor vehicle account--state appropriation is a
25 reappropriation provided solely for a corridor study of state route
26 number 516 from the eastern border of Maple Valley to state route
27 number 167 to determine whether improvements are needed and the costs
28 of any needed improvements.

29 (2) \$200,000 of the motor vehicle account--state appropriation is
30 provided solely for extending the freight database pilot project that
31 began in 2009. Global positioning system (GPS) data is intended to
32 help guide freight investment decisions and track highway project
33 effectiveness as it relates to freight traffic.

34 (3) Within available resources, the department must collaborate
35 with the affected metropolitan planning organizations, regional
36 transportation planning organizations, transit agencies, and private

1 transportation providers to develop a plan to reduce vehicle demand,
2 increase public transportation options, and reduce vehicle miles
3 traveled on corridors affected by growth at Joint Base Lewis-McChord.

4 (4) As part of their ongoing regional transportation planning, the
5 regional transportation planning organizations across the state shall
6 work together to provide a comprehensive framework for sources and uses
7 of next-stage investments in transportation needed to improve
8 structural conditions and ongoing operations and lay the groundwork for
9 the transportation systems to support the long-term economic vitality
10 of the state. This planning must include all forms of transportation
11 to reflect the state's interests, including: Highways, streets, and
12 roads; ferries; public transportation; systems for freight; and walking
13 and biking systems. The department shall support this planning by
14 providing information on potential state transportation uses and an
15 analysis of potential sources of revenue to implement investments. In
16 carrying out this planning, regional transportation planning
17 organizations must be broadly inclusive of business, civic, labor,
18 governmental, and environmental interests in regional communities
19 across the state.

20 (5) \$190,000 of the motor vehicle account--state appropriation is
21 provided solely for the regional transportation planning organizations
22 across the state to implement the comprehensive transportation planning
23 and data framework. The framework must provide regional transportation
24 planning organizations with the ability to identify the spatial and
25 temporal status of current and future high priority projects, and the
26 next stage investment necessary to implement those projects. The
27 framework must be accessible to the public and provide transparency and
28 accountability to the regional transportation planning process.

29 (6) Within existing resources, the department shall work with the
30 department of archaeology and historic preservation to develop a
31 statewide policy regarding the curation of artifacts and the use of
32 museums and information centers as potential mitigation under the
33 national environmental policy act. This policy must address the
34 following issues: How to minimize costs associated with information
35 centers and museums; when to use existing facilities to preserve and
36 display artifacts; how to minimize the time that stand-alone facilities
37 are needed; and how to transfer artifacts and other items to facilities

1 that are not owned or rented by the department. A report regarding
2 this policy must be submitted to the joint transportation committee by
3 September 1, 2012.

4 **Sec. 818.** 2012 c 86 s 219 (uncodified) is amended to read as
5 follows:

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

8	Motor Vehicle Account--State Appropriation	((\$74,734,000))
9		<u>\$71,530,000</u>
10	Motor Vehicle Account--Federal Appropriation	\$400,000
11	Multimodal Transportation Account--State	
12	Appropriation	\$1,798,000
13	TOTAL APPROPRIATION	((\$76,932,000))
14		<u>\$73,728,000</u>

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

17 (1) The department of enterprise services must provide a detailed
18 accounting of the revenues and expenditures of the self-insurance fund
19 to the transportation committees of the legislature on December 31st
20 and June 30th of each year.

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

23 (a) TO THE SECRETARY OF STATE--ARCHIVES AND
24 RECORDS MANAGEMENT \$512,000

25 (b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR
26 SERVICES \$488,000

27 (c) TO THE OFFICE OF THE ATTORNEY
28 GENERAL--ATTORNEY GENERAL SERVICES \$7,127,000

29 (d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR
30 RELATIONS SERVICES \$266,000

31 (e) TO THE OFFICE OF FINANCIAL
32 MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER \$473,000

33 (f) TO THE OFFICE OF MINORITY AND WOMEN'S
34 BUSINESS ENTERPRISES \$840,000

35 (g) TO CONSOLIDATED TECHNICAL SERVICES \$182,000

36 (h) TO THE DEPARTMENT OF ENTERPRISE
37 SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM \$3,495,000

1	(i) TO THE DEPARTMENT OF ENTERPRISE	
2	SERVICES--PRODUCTION SUPPORT	\$974,000
3	(j) TO THE DEPARTMENT OF ENTERPRISE	
4	SERVICES--REAL ESTATE SERVICES	\$108,000
5	(k) TO THE DEPARTMENT OF ENTERPRISE	
6	SERVICES--PUBLICATIONS AND HISTORICAL SERVICES	\$691,000
7	(l) TO THE DEPARTMENT OF ENTERPRISE	
8	SERVICES--CAMPUS RENT	\$3,293,000
9	(m) TO THE DEPARTMENT OF ENTERPRISE	
10	SERVICES--CAPITAL PROJECT SURCHARGE	\$879,000
11	(n) TO THE DEPARTMENT OF ENTERPRISE	
12	SERVICES--PERSONAL SERVICE CONTRACTS	\$100,000
13	(o) TO THE DEPARTMENT OF ENTERPRISE	
14	SERVICES--SECURE FILE TRANSFER SERVICES	\$39,000
15	(p) TO THE DEPARTMENT OF ENTERPRISE	
16	SERVICES--ACCESS SERVICES	\$179,000
17	(q) TO THE DEPARTMENT OF ENTERPRISE	
18	SERVICES--RISK MANAGEMENT SERVICES	\$1,290,000
19	(r) TO THE DEPARTMENT OF ENTERPRISE	
20	SERVICES--INFORMATION TECHNOLOGY SERVICES	\$1,557,000

21 **Sec. 819.** 2012 c 86 s 220 (uncodified) is amended to read as
22 follows:

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

25	Motor Vehicle Account--Federal Appropriation	\$160,000
26	State Vehicle Parking Account--State Appropriation	\$452,000
27	Regional Mobility Grant Program Account--State	
28	Appropriation	((\$48,942,000))
29		<u>\$40,492,000</u>
30	Multimodal Transportation Account--State	
31	Appropriation	((\$42,939,000))
32		<u>\$42,930,000</u>
33	Multimodal Transportation Account--Federal	
34	Appropriation	\$2,582,000
35	Multimodal Transportation Account--Private/Local	
36	Appropriation	\$1,027,000
37	Rural Mobility Grant Program Account--State	

1	Appropriation	\$17,000,000
2	TOTAL APPROPRIATION	((\$113,102,000))
3		<u>\$104,643,000</u>

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

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

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

16 (b) \$19,500,000 of the multimodal transportation account--state
17 appropriation is provided solely for grants to transit agencies to
18 transport persons with special transportation needs. To receive a
19 grant, the transit agency must have a maintenance of effort for special
20 needs transportation that is no less than the previous year's
21 maintenance of effort for special needs transportation. Grants for
22 transit agencies must be prorated based on the amount expended for
23 demand response service and route deviated service in calendar year
24 2009 as reported in the "Summary of Public Transportation - 2009"
25 published by the department of transportation. No transit agency may
26 receive more than thirty percent of these distributions.

27 (2) Funds are provided for the rural mobility grant program as
28 follows:

29 (a) \$8,500,000 of the rural mobility grant program account--state
30 appropriation is provided solely for grants for those transit systems
31 serving small cities and rural areas as identified in the "Summary of
32 Public Transportation - 2009" published by the department of
33 transportation. Noncompetitive grants must be distributed to the
34 transit systems serving small cities and rural areas in a manner
35 similar to past disparity equalization programs. If the funding
36 provided in this subsection (2)(a) exceeds the amount required for
37 recipient counties to reach eighty percent of the average per capita

1 sales tax, funds in excess of that amount may be used for the
2 competitive grant process established in (b) of this subsection.

3 (b) \$8,500,000 of the rural mobility grant program account--state
4 appropriation is provided solely to providers of rural mobility service
5 in areas not served or underserved by transit agencies through a
6 competitive grant process.

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) \$8,942,000 of the regional mobility grant program account--
24 state appropriation is reappropriated and provided solely for the
25 regional mobility grant projects identified in LEAP Transportation
26 Document ((~~2012-1~~)) 2013-2 ALL PROJECTS - Public Transportation -
27 Program (V) as developed ((~~March 8, 2012~~)) April 2, 2013. The
28 department shall continue to review all projects receiving grant awards
29 under this program at least semiannually to determine whether the
30 projects are making satisfactory progress. The department shall
31 promptly close out grants when projects have been completed, and any
32 remaining funds must be used only to fund projects identified in the
33 LEAP transportation document referenced in this subsection. It is the
34 intent of the legislature to appropriate funds through the regional
35 mobility grant program only for projects that will be completed on
36 schedule and that all funds in the regional mobility grant program be
37 used as soon as practicable to advance eligible projects.

1 (5)(a) (~~(\$40,000,000)~~) \$31,550,000 of the regional mobility grant
2 program account--state appropriation is provided solely for the
3 regional mobility grant projects identified in LEAP Transportation
4 Document (~~(2012-1)~~) 2013-2 ALL PROJECTS - Public Transportation -
5 Program (V) as developed (~~(March 8, 2012)~~) April 2, 2013. The
6 department shall review all projects receiving grant awards under this
7 program at least semiannually to determine whether the projects are
8 making satisfactory progress. Any project that has been awarded funds,
9 but does not report activity on the project within one year of the
10 grant award, must be reviewed by the department to determine whether
11 the grant should be terminated. The department shall promptly close
12 out grants when projects have been completed, and any remaining funds
13 must be used only to fund projects identified in the LEAP
14 transportation document referenced in this subsection. The department
15 shall provide annual status reports on December 15, 2011, and December
16 15, 2012, to the office of financial management and the transportation
17 committees of the legislature regarding the projects receiving the
18 grants. It is the intent of the legislature to appropriate funds
19 through the regional mobility grant program only for projects that will
20 be completed on schedule.

21 (b) In order to be eligible to receive a grant under (a) of this
22 subsection during the 2011-2013 fiscal biennium, a transit agency must
23 establish a process for private transportation providers to apply for
24 the use of park and ride facilities. For purposes of this subsection,
25 (i) "private transportation provider" means: An auto transportation
26 company regulated under chapter 81.68 RCW; a passenger charter carrier
27 regulated under chapter 81.70 RCW, except marked or unmarked stretch
28 limousines and stretch sport utility vehicles as defined under
29 department of licensing rules; a private nonprofit transportation
30 provider regulated under chapter 81.66 RCW; or a private employer
31 transportation service provider; and (ii) "private employer
32 transportation service" means regularly scheduled, fixed-route
33 transportation service that is offered by an employer for the benefit
34 of its employees.

35 (6) \$2,309,000 of the multimodal transportation account--state
36 appropriation is provided solely for the tri-county connection service
37 for Island, Skagit, and Whatcom transit agencies.

1 (7) \$200,000 of the multimodal transportation account--state
2 appropriation is contingent on the timely development of an annual
3 report summarizing the status of public transportation systems as
4 identified under RCW 35.58.2796.

5 (8) Funds provided for the commute trip reduction program may also
6 be used for the growth and transportation efficiency center program.

7 (9) An affected urban growth area that has not previously
8 implemented a commute trip reduction program is exempt from the
9 requirements in RCW 70.94.527 if a solution to address the state
10 highway deficiency that exceeds the person hours of delay threshold has
11 been funded and is in progress during the 2011-2013 fiscal biennium.

12 (10) \$300,000 of the multimodal transportation account--state
13 appropriation is provided solely for the continuation of state support
14 for the Whatcom smart trips commute trip reduction program.

15 (11) \$818,000 of the multimodal transportation account--state
16 appropriation is provided solely for state support of the Everett
17 connector bus service.

18 (12) The department shall contact all transit agencies with a
19 nonvoting member recommended by a labor organization and request
20 information regarding the participation of board members, both voting
21 and nonvoting, for all transit agency meetings in 2012 and the three
22 previous calendar years. The department shall provide a report to the
23 transportation committees of the legislature regarding the findings of
24 this survey, which must include the transit agencies, if any, that
25 refuse to respond either in whole or in part, by January 15, 2013.

26 (13) \$250,000 of the multimodal transportation account--state
27 appropriation is provided solely for the Clark county public
28 transportation benefit area to comply with the requirements of RCW
29 81.104.110 regarding the formation of an expert review panel to provide
30 an independent technical review of any plan that relies on any voter-
31 approved local funding options.

32 (14) \$100,000 of the multimodal transportation account--state
33 appropriation is provided solely for community transit to conduct a
34 federally mandated alternatives analysis study to allow a second swift
35 line to be funded through the federal transit administration's new
36 starts or small starts process.

37 (15) \$160,000 of the motor vehicle account--federal appropriation
38 is provided solely for King county metro to study demand potential for

1 a state route number 18 and Interstate 90 park-and-ride location, to
2 size the facilities appropriately, to perform site analysis, and to
3 develop preliminary design concepts.

4 **Sec. 820.** 2012 c 86 s 221 (uncodified) is amended to read as
5 follows:

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

7 Puget Sound Ferry Operations Account--State
8 Appropriation ((~~\$468,135,000~~))
9 \$465,085,000

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

12 (1) The office of financial management budget instructions require
13 agencies to recast enacted budgets into activities. The Washington
14 state ferries shall include a greater level of detail in its 2011-2013
15 supplemental and 2013-2015 omnibus transportation appropriations act
16 requests, as determined jointly by the office of financial management,
17 the Washington state ferries, and the transportation committees of the
18 legislature. This level of detail must include the administrative
19 functions in the operating as well as capital programs.

20 (2) When purchasing uniforms that are required by collective
21 bargaining agreements, the department shall contract with the lowest
22 cost provider.

23 (3) Until a reservation system is operational on the San Juan
24 islands inner-island route, the department shall provide the same
25 priority loading benefits on the San Juan islands inner-island route to
26 home health care workers as are currently provided to patients
27 traveling for purposes of receiving medical treatment.

28 (4) The department shall request from the United States coast guard
29 variable minimum staffing levels on all of its vessels by December 31,
30 2011.

31 (5) The department shall continue to provide service to Sidney,
32 British Columbia and shall explore the option of purchasing a foreign
33 built vehicle and passenger ferry vessel either with safety of life at
34 sea (SOLAS) certification or the ability to be retrofitted for SOLAS
35 certification to operate solely on the Anacortes to Sidney, British
36 Columbia route currently served by vessels of the Washington state
37 ferries fleet. The vessel should have the capability of carrying at

1 least one hundred standard vehicles and approximately four hundred to
2 five hundred passengers. Further, the department shall explore the
3 possibilities of contracting a commercial company to operate the vessel
4 exclusively on this route so long as the contractor's employees
5 assigned to the vessel are represented by the same employee
6 organizations as the Washington state ferries. The department shall
7 report back to the transportation committees of the legislature
8 regarding: The availability of a vessel; the cost of the vessel,
9 including transport to the Puget Sound region; and the need for any
10 statutory changes for the operation of the Sydney, British Columbia
11 service by a private company.

12 (6) For the 2011-2013 fiscal biennium, the department of
13 transportation may enter into a distributor controlled fuel hedging
14 program and other methods of hedging approved by the fuel hedging
15 committee.

16 (7) (~~(\$136,648,000)~~) \$127,748,000 of the Puget Sound ferry
17 operations account--state appropriation is provided solely for auto
18 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The
19 amount provided in this appropriation represents the fuel budget for
20 the purposes of calculating any ferry fare fuel surcharge.

21 (8) \$150,000 of the Puget Sound ferry operations account--state
22 appropriation is provided solely for the department to increase
23 recreation and tourist ridership by entering into agreements for
24 marketing and outreach strategies with local economic development
25 agencies. The department shall identify the number of tourist and
26 recreation riders on the applicable ferry routes both before and after
27 implementation of marketing and outreach strategies developed through
28 the agreements. The department shall report results of the marketing
29 and outreach strategies to the transportation committees of the
30 legislature by October 15, 2012.

31 (9) The Washington state ferries shall participate in the
32 facilities plan included in section 604 (~~(of this act)~~), chapter 367,
33 Laws of 2011 and shall include an investigation and identification of
34 less costly relocation options for the Seattle headquarters office.
35 The department shall include relocation options for the Washington
36 state ferries Seattle headquarters office in the facilities plan.
37 Until September 1, 2012, the department may not enter into a lease
38 renewal for the Seattle headquarters office.

1 (10) The department, office of financial management, and
 2 transportation committees of the legislature shall make recommendations
 3 regarding an appropriate budget structure for the Washington state
 4 ferries. The recommendation may include a potential restructuring of
 5 the Washington state ferries budget. The recommendation must
 6 facilitate transparency in reporting and budgeting as well as provide
 7 the opportunity to link revenue sources with expenditures. Findings
 8 and recommendations must be reported to the office of financial
 9 management and the joint transportation committee by September 1, 2011.

10 (11) Two Kwa-di-tabil class ferry vessels must be placed on the
 11 Port Townsend/Coupeville (Keystone) route to provide service at the
 12 same levels provided when the steel electric vessels were in service.
 13 After the vessels as funded under section 308(5) (~~of this act~~),
 14 chapter 86, Laws of 2012 are in service, the two most appropriate of
 15 these vessels for the Port Townsend/Coupeville (Keystone) route must be
 16 placed on the route. \$100,000 of the Puget Sound ferry operations
 17 account--state appropriation is provided solely for the additional
 18 staffing required to maintain a reservation system at this route when
 19 the second vessel is in service.

20 (12) \$706,000 of the Puget Sound ferry operations account--state
 21 appropriation is provided solely for terminal operations to implement
 22 new federal passenger vessel Americans with disabilities act
 23 requirements.

24 (13) \$152,000 of the Puget Sound ferry operations account--state
 25 appropriation is provided solely for the department's compliance with
 26 its national pollution discharge elimination system permit.

27 **Sec. 821.** 2012 c 86 s 222 (uncodified) is amended to read as
 28 follows:

29 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**

30 Multimodal Transportation Account--State

31	Appropriation	((\$33,642,000))
32		<u>\$33,639,000</u>
33	Multimodal Transportation Account--Federal	
34	Appropriation	\$400,000
35	TOTAL APPROPRIATION	((\$34,042,000))
36		<u>\$34,039,000</u>

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

3 (1) \$27,816,000 of the multimodal transportation account--state
4 appropriation is provided solely for the Amtrak service contract and
5 Talgo maintenance contract associated with providing and maintaining
6 state-supported passenger rail service. The department is directed to
7 continue to pursue efforts to reduce costs, increase ridership, and
8 review fares or fare schedules. Within thirty days of each annual
9 cost/revenue reconciliation under the Amtrak service contract, the
10 department shall report annual credits to the office of financial
11 management and the legislative transportation committees. Annual
12 credits from Amtrak to the department including, but not limited to,
13 credits for increased revenue due to higher ridership, and fare or fare
14 schedule adjustments, must be used to offset corresponding amounts of
15 the multimodal transportation account--state appropriation, which must
16 be placed in reserve. Upon completion of the rail platform project in
17 the city of Stanwood, the department shall continue to provide daily
18 Amtrak Cascades service to the city.

19 (2) Amtrak Cascade runs may not be eliminated.

20 (3) The department shall plan for a third roundtrip Cascades train
21 between Seattle and Vancouver, B.C.

22 (4) The department shall conduct a pilot program by partnering with
23 the travel industry on the Amtrak Cascades service between Vancouver,
24 British Columbia, and Seattle to test opportunities for increasing
25 ridership, maximizing farebox recovery, and stimulating private
26 investment. The pilot program must run from July 1, 2011, to June 30,
27 2012. The department shall report on the results of the pilot program
28 to the office of financial management and the legislature by September
29 30, 2012.

30 (5) \$300,000 of the multimodal transportation account--state
31 appropriation is provided solely for the department to conduct a study
32 to examine the interconnectivity benefits of, and potential for, a
33 future Amtrak Cascades stop in the vicinity of the city of Auburn. As
34 part of its consideration, the department shall conduct a thorough
35 market analysis of the potential for adding or changing stops on the
36 Amtrak Cascades route.

1 Washington state patrol for the new waste water treatment lines, waste
 2 water plants, water lines, and water systems. Of the amount provided
 3 in this subsection, \$1,758,000 is for the Washington state patrol's
 4 portion of the costs associated with constructing a water line to the
 5 Shelton academy and \$2,047,000 is for the department of corrections'
 6 portion to construct the water line as far as the Washington state
 7 patrol's Shelton academy. If funding is provided in the 2012
 8 supplemental omnibus capital appropriations act for any portion of the
 9 project to construct a water line to the Washington state patrol's
 10 Shelton academy, that portion of the funds included in this subsection
 11 lapses.

12 (3) \$421,000 of the state patrol highway account--state
 13 appropriation is provided solely for the reappropriation of the Shelton
 14 regional water project.

15 (4) It is the intent of the legislature that the omnibus operating
 16 appropriations act provide funding for the portion of any applicable
 17 debt service payments, resulting from financial contracts identified
 18 under section 601 (~~of this act~~), chapter 367, Laws of 2011, that are
 19 attributable to the general fund as identified in the Washington state
 20 patrol's cost allocation model.

21 **Sec. 902.** 2012 c 86 s 302 (uncodified) is amended to read as
 22 follows:

23 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

24 Motor Vehicle Account--State Appropriation	\$874,000
25 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
26 Rural Arterial Trust Account--State Appropriation	(\$62,510,000)
27	<u>\$61,470,000</u>
28 County Arterial Preservation Account--State	
29 Appropriation	\$29,360,000
30 TOTAL APPROPRIATION	(\$92,744,000)
31	<u>\$95,204,000</u>

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

34 (1) \$874,000 of the motor vehicle account--state appropriation may
 35 be used for county ferry projects as developed pursuant to RCW
 36 47.56.725(4).

1 (2) (~~(\$62,510,000)~~) \$61,470,000 of the rural arterial trust
2 account--state appropriation is provided solely for county road
3 preservation grant projects as approved by the county road
4 administration board. These funds may be used to assist counties
5 recovering from federally declared emergencies by providing
6 capitalization advances and local match for federal emergency funding,
7 and may only be made using existing fund balances. It is the intent of
8 the legislature that the rural arterial trust account be managed based
9 on cash flow. The county road administration board shall specifically
10 identify any of the selected projects and shall include information
11 concerning the selected projects in its next annual report to the
12 legislature.

13 (3) The highway safety account--state appropriation is provided
14 solely for the county arterial preservation program to help counties
15 meet urgent preservation needs.

16 **Sec. 903.** 2012 c 86 s 303 (uncodified) is amended to read as
17 follows:

18 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

19 Small City Pavement and Sidewalk Account--State	
20 Appropriation	\$5,270,000
21 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
22 Transportation Improvement Account--State	
23 Appropriation	((\$237,545,000))
24	<u>\$235,295,000</u>
25 TOTAL APPROPRIATION	((\$242,815,000))
26	<u>\$244,065,000</u>

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

29 (1) The transportation improvement account--state appropriation
30 includes up to \$22,143,000 in proceeds from the sale of bonds
31 authorized in RCW 47.26.500.

32 (2) \$3,150,000 of the highway safety account--state appropriation
33 is provided solely for the urban arterial program to help cities meet
34 urgent preservation and storm water needs.

35 (3) \$350,000 of the highway safety account--state appropriation is
36 provided solely for the small city pavement program to help cities meet
37 urgent preservation and storm water needs.

1 **Sec. 904.** 2012 c 86 s 305 (uncodified) is amended to read as
 2 follows:

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

4 Transportation Partnership Account--State

5 Appropriation ((~~\$1,636,316,000~~))

6 \$1,149,062,000

7 Motor Vehicle Account--State Appropriation ((~~\$103,889,000~~))

8 \$63,912,000

9 Motor Vehicle Account--Federal Appropriation ((~~\$790,703,000~~))

10 \$806,907,000

11 Motor Vehicle Account--Private/Local

12 Appropriation ((~~\$124,917,000~~))

13 \$84,830,000

14 Transportation 2003 Account (Nickel Account)--State

15 Appropriation ((~~\$416,125,000~~))

16 \$346,873,000

17 State Route Number 520 Corridor Account--State

18 Appropriation ((~~\$1,752,138,000~~))

19 \$995,741,000

20 (~~Special Category C Account--State Appropriation \$124,000~~)

21 ~~Tacoma Narrows Toll Bridge Account--State~~

22 ~~Appropriation \$5,791,000))~~

23 State Route Number 520 Corridor Account--Federal

24 Appropriation \$300,000,000

25 Multimodal Transportation Account--State Appropriation \$303,000

26 TOTAL APPROPRIATION ((~~\$4,830,003,000~~))

27 \$3,747,628,000

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

30 (1) Except as provided otherwise in this section, the entire
 31 transportation 2003 account (nickel account) appropriation and the
 32 entire transportation partnership account appropriation are provided
 33 solely for the projects and activities as listed by fund, project, and
 34 amount in LEAP Transportation Document ((~~2012-2~~)) 2013-1 as developed
 35 ((~~March 8, 2012~~)) April 2, 2013, Program - Highway Improvement Program
 36 (I). However, limited transfers of specific line-item project
 37 appropriations may occur between projects for those amounts listed

1 subject to the conditions and limitations in section 603, chapter
2 . . . , Laws of 2013 (section 603 of this act).

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

7 (3) The department shall apply for surface transportation program
8 enhancement funds to be expended in lieu of or in addition to state
9 funds for eligible costs of projects in programs I and P including, but
10 not limited to, the state route number 518, state route number 520,
11 Columbia river crossing, and Alaskan Way viaduct projects.

12 (4) The department shall apply for the competitive portion of
13 federal transit administration funds for eligible transit-related costs
14 of the state route number 520 bridge replacement and HOV project and
15 the Columbia river crossing project. The federal funds described in
16 this subsection must not include those federal transit administration
17 funds distributed by formula. The department shall provide a report
18 regarding this effort to the legislature by October 1, 2011.

19 (5) The department shall work with the department of archaeology
20 and historic preservation to ensure that the cultural resources
21 investigation is properly conducted on all mega-highway projects and
22 large ferry terminal projects. These projects must be conducted with
23 active archaeological management. Additionally, the department shall
24 establish a scientific peer review of independent archaeologists that
25 are knowledgeable about the region and its cultural resources.

26 (6) For highway construction projects where the department
27 considers agricultural lands of long-term commercial significance, as
28 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
29 environmental mitigation requirements under the national environmental
30 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
31 policy act (chapter 43.21C RCW), the department shall, to the greatest
32 extent possible, consider using public land first. If public lands are
33 not available that meet the required environmental mitigation needs,
34 the department may use other sites while making every effort to avoid
35 any net loss of agricultural lands that have a designation of long-term
36 commercial significance.

37 (7) (~~(\$561,000)~~) \$665,000 of the transportation partnership
38 account--state appropriation and (~~(\$1,176,000)~~) \$954,000 of the

1 transportation 2003 account (nickel account)--state appropriation are
2 provided solely for project OBI4ENV, Environmental Mitigation Reserve -
3 Nickel/TPA project, as indicated in the LEAP transportation document
4 referenced in subsection (1) of this section. Funds may be used only
5 for environmental mitigation work that is required by permits that were
6 issued for projects funded by the transportation partnership account or
7 transportation 2003 account (nickel account).

8 (8) The transportation 2003 account (nickel account)--state
9 appropriation includes up to (~~(\$339,608,000)~~) \$308,996,000 in proceeds
10 from the sale of bonds authorized by RCW 47.10.861.

11 (9) The transportation partnership account--state appropriation
12 includes up to (~~(\$972,392,000)~~) \$734,097,000 in proceeds from the sale
13 of bonds authorized in RCW 47.10.873.

14 (10) The motor vehicle account--state appropriation includes up to
15 (~~(\$55,870,000)~~) \$5,000,000 in proceeds from the sale of bonds
16 authorized in RCW 47.10.843.

17 (11) The state route number 520 corridor account--state
18 appropriation includes up to (~~(\$1,779,000,000)~~) \$990,801,000 and the
19 state route number 520 corridor account--federal appropriation includes
20 up to \$300,000,000 in proceeds from the sale of bonds authorized in RCW
21 47.10.879. Of the amounts appropriated in this subsection,
22 \$300,000,000 of the state route number 520 corridor account--federal
23 appropriation must be put into unallotted status and is subject to
24 review by the office of financial management. The director of
25 financial management shall consult with the joint transportation
26 committee prior to making a decision to allot these funds.

27 (12) (~~(\$767,000)~~) \$692,000 of the motor vehicle account--state
28 appropriation and (~~(\$3,736,000)~~) \$3,002,000 of the motor vehicle
29 account--federal appropriation are provided solely for the US 2 High
30 Priority Safety project (100224I). Expenditure of these funds is for
31 safety projects on state route number 2 between Monroe and Gold Bar,
32 which may include median rumble strips, traffic cameras, and electronic
33 message signs.

34 (13) \$820,000 of the motor vehicle account--federal appropriation,
35 (~~(\$16,308,000)~~) \$6,226,000 of the motor vehicle account--private/local
36 appropriation, and (~~(\$48,000)~~) \$344,000 of the motor vehicle account--
37 state appropriation are provided solely for the US 2/Bickford Avenue -
38 Intersection Safety Improvements project (100210E).

1 (14) \$1,025,000 of the motor vehicle account--state appropriation
2 is provided solely for environmental work on the Belfair Bypass project
3 (300344C).

4 (15) (~~(\$372,000)~~) \$360,000 of the motor vehicle account--federal
5 appropriation and (~~(\$9,000)~~) \$49,000 of the motor vehicle account--
6 state appropriation are provided solely for the I-5/Vicinity of Joint
7 Base Lewis-McChord - Install Ramp Meters project (300596M).

8 (16) (~~(\$202,863,000)~~) \$102,588,000 of the transportation
9 partnership account--state appropriation and (~~(\$51,138,000)~~)
10 \$43,847,000 of the transportation 2003 account (nickel account)--state
11 appropriation, \$12,000 of the motor vehicle account--federal
12 appropriation, and \$68,000 of the motor vehicle account--private/local
13 appropriation are provided solely for the I-5/Tacoma HOV Improvements
14 (Nickel/TPA) project (300504A). The use of funds in this subsection to
15 renovate any buildings is subject to the requirements of section 604
16 (~~(of this act)~~), chapter 367, Laws of 2011. The department shall
17 report to the legislature and the office of financial management on any
18 costs associated with building renovations funded in this subsection.

19 (17)(a) \$7,423,000 of the transportation partnership account--state
20 appropriation and (~~(\$54,461,000)~~) \$50,332,000 of the motor vehicle
21 account--federal appropriation are provided solely for the I-5/Columbia
22 River Crossing project (400506A). (~~(Of the amounts appropriated in~~
23 ~~this subsection, \$15,000,000 of the motor vehicle account federal~~
24 ~~appropriation must be put into unallotted status and is subject to the~~
25 ~~review of the office of financial management. This funding may only be~~
26 ~~allotted once the state of Oregon's total contribution of shared~~
27 ~~expenses on the project are within five million dollars of the state of~~
28 ~~Washington's shared expenses.))~~)

29 (b) It is the intent of the legislature that Washington and Oregon
30 have equal funding commitments and equal total expenditures to date on
31 the shared components of the Columbia river crossing project. The
32 department shall provide a quarterly report on this project beginning
33 March 31, 2012. This report must include:

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

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

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

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

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

7 (c) \$200,000 of the transportation partnership account--state
8 appropriation in this subsection is provided solely for the department
9 to work with the department of archaeology and historic preservation to
10 ensure that the cultural resources investigation is properly conducted
11 on the Columbia river crossing project. This project must be conducted
12 with active archaeological management and result in one report that
13 spans the single cultural area in Oregon and Washington. Additionally,
14 the department shall establish a scientific peer review of independent
15 archaeologists that are knowledgeable about the region and its cultural
16 resources.

17 (d) Consistent with the draft environmental impact statement and
18 the Columbia river crossing project's independent review panel report,
19 the Columbia river crossing project's financial plan must include
20 recognition of state transportation funding contributions from both
21 Washington and Oregon, federal transportation funding, and a funding
22 contribution from toll bond proceeds. Following the refinement of the
23 finance plan as recommended by the independent review panel, the
24 department may seek authorization from the legislature to collect tolls
25 on the existing Columbia river crossing or on a replacement crossing
26 over Interstate 5.

27 (e) The Washington state department of transportation budget
28 includes resources to continue work on solutions that advance the
29 Columbia river crossing project to completion of the required
30 environmental impact statement. The department must report to the
31 Columbia river crossing legislative oversight subcommittee of the joint
32 transportation committee, established in section 204(7) (~~of this~~
33 ~~act~~), chapter 86, Laws of 2012, on the progress made on the Columbia
34 river crossing project at each meeting of the oversight subcommittee.
35 Reporting must include updated information on cost estimates, rights-
36 of-way purchases and procurement schedules, and financing plans for the
37 Columbia river crossing project, including projected traffic volumes,
38 fuel and gas price assumptions, toll rates, costs of toll collections,

1 as well as potential need for general transportation funding. By
2 January 1, 2013, the department shall provide to the oversight
3 subcommittee of the joint transportation committee a phased master plan
4 for the Columbia river crossing project.

5 (18) Within the amounts provided for the Columbia river crossing
6 project (400506A), the department shall conduct a traffic and revenue
7 analysis for the Columbia river crossing project that will lay the
8 foundation for investment grade traffic and revenue analysis. While
9 conducting the analysis, the department must coordinate with the Oregon
10 department of transportation, the Washington state transportation
11 commission, and the Washington state legislative oversight committee.

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

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

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

- 19 (i) The impact that light rail service in the corridor will have on
20 estimated toll revenues;
21 (ii) The level of diversion from the Interstate 5 corridor and the
22 impact on estimated toll revenues; and
23 (iii) The estimated toll revenues from vehicle trips originating
24 within the region and outside the region by vehicle type.

25 (c) The department must submit a report of findings to the
26 transportation committees of the legislature by July 1, 2013.

27 (19) (~~(\$309,000)~~) \$91,000 of the motor vehicle account--federal
28 appropriation and (~~(\$78,000)~~) \$24,000 of the motor vehicle account--
29 state appropriation are provided solely for the SR 9/SR 204
30 Intersection Improvement project (L2000040).

31 (20) (~~(\$3,385,000)~~) \$980,000 of the motor vehicle account--federal
32 appropriation and (~~(\$50,000)~~) \$51,000 of the motor vehicle account--
33 state appropriation are provided solely for the US 12/Nine Mile Hill to
34 Woodward Canyon Vic - Build New Highway project (501210T).

35 (21) (~~(\$5,791,000 of the Tacoma Narrows toll bridge account--state~~
36 ~~appropriation is provided solely for deferred sales tax expenses on the~~
37 ~~construction of the new Tacoma Narrows bridge. However, if chapter~~

1 ~~... (Senate Bill No. 6073), Laws of 2012 (sales tax exemption on SR~~
2 ~~16 projects) is enacted by June 30, 2012, the amount provided in this~~
3 ~~subsection lapses.~~

4 ~~(22) \$391,000))~~ \$226,000 of the motor vehicle account--federal
5 appropriation and ~~((\$16,000))~~ \$19,000 of the motor vehicle account--
6 state appropriation are provided solely for the SR 16/Rosedale Street
7 NW Vicinity - Frontage Road project (301639C). The frontage road must
8 be built for driving speeds of no more than thirty-five miles per hour.

9 ~~((23) \$621,000))~~ (22) \$663,000 of the motor vehicle account--
10 federal appropriation is provided solely for the SR 20/Race Road to
11 Jacob's Road safety project (L2200042).

12 ~~((24) \$32,162,000))~~ (23) \$15,746,000 of the transportation
13 partnership account--state appropriation is provided solely for the SR
14 28/ US 2 and US 97 Eastmont Avenue Extension project (202800D).

15 ~~((25) \$1,227,000))~~ (24) \$705,000 of the motor vehicle account--
16 federal appropriation and ~~((\$38,000))~~ \$165,000 of the motor vehicle
17 account--state appropriation are provided solely for design and right-
18 of-way work on the I-82/Red Mountain Vicinity project (508208M). The
19 department shall continue to work with the local partners in developing
20 transportation solutions necessary for the economic growth in the Red
21 Mountain American viticulture area of Benton county.

22 ~~((26) \$1,500,000))~~ (25) \$3,000,000 of the motor vehicle account--
23 federal appropriation ~~((is))~~ and \$120,000 of the motor vehicle
24 account--state appropriation are provided solely for the I-90
25 Comprehensive Tolling Study and Environmental Review project (100067T).
26 The department shall undertake a comprehensive environmental review of
27 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
28 purposes of both managing traffic and providing funding for
29 construction of the unfunded state route number 520 from Interstate 5
30 to Medina project. The environmental review must include significant
31 outreach to potentially affected communities. The department may
32 consider traffic management options that extend as far east as
33 Issaquah.

34 ~~((27))~~ (26) \$12,149,000 of the motor vehicle account--federal
35 appropriation and \$362,000 of the motor vehicle account--state
36 appropriation are provided solely for the I-90/Sullivan Road to Barker
37 Road - Additional Lanes project (609049N).

1 ~~((+28))~~ (27) Up to \$8,000,000 in savings realized on the I-
2 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project
3 (509009B) may be used for design work on the next two-mile segment of
4 the corridor. Any additional savings on this project must remain on
5 the corridor. Project funds may not be used to build or improve
6 buildings until the plan described in section 604 ~~((of this act))~~,
7 chapter 367, Laws of 2011 is complete.

8 ~~((+29) \$657,000)~~ (28) \$637,000 of the motor vehicle account--
9 federal appropriation is provided solely for the US 97A/North of
10 Wenatchee - Wildlife Fence project (209790B).

11 ~~((+30))~~ (29) The department shall reconvene an expert review panel
12 of no more than three members as described under RCW 47.01.400 for the
13 purpose of updating the work that was previously completed by the panel
14 on the Alaskan Way viaduct replacement project and to ensure that an
15 appropriate and viable financial plan is created and regularly
16 reviewed. The expert review panel must be selected cooperatively by
17 the chairs of the senate and house of representatives transportation
18 committees, the secretary of transportation, and the governor. The
19 expert review panel must report findings and recommendations to the
20 transportation committees of the legislature, the governor's Alaskan
21 Way viaduct project oversight committee, and the transportation
22 commission by October 2011, and annually thereafter until the project
23 is operationally complete.

24 ~~((+31))~~ (30) It is important that the public and policymakers have
25 accurate and timely access to information related to the Alaskan Way
26 viaduct replacement project as it proceeds to, and during, the
27 construction of all aspects of the project including, but not limited
28 to, information regarding costs, schedules, contracts, project status,
29 and neighborhood impacts. Therefore, it is the intent of the
30 legislature that the state, city, and county departments of
31 transportation establish a single source of accountability for
32 integration, coordination, tracking, and information of all requisite
33 components of the replacement project, which must include, at a
34 minimum:

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

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

1 ~~((32))~~ (31) Within the amounts provided in this section, \$20,000
2 of the motor vehicle account--state appropriation and \$980,000 of the
3 motor vehicle account--federal appropriation are provided solely for
4 the department to continue work on a comprehensive tolling study of the
5 state route number 167 corridor (project 316718S). As funding allows,
6 the department shall also continue work on a comprehensive tolling
7 study of the state route number 509 corridor.

8 ~~((33))~~ (32)(a) ~~(((\$137,022,000))~~ \$70,663,000 of the transportation
9 partnership account--state appropriation and ~~(((\$50,623,000))~~
10 \$38,613,000 of the transportation 2003 account (nickel account)--state
11 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
12 2 - Widening project (8BI1002). This project must be completed as soon
13 as practicable as a design-build project and must be constructed with
14 a footprint that would accommodate potential future express toll lanes.

15 ~~(b) ((As part of the project, the department shall conduct a~~
16 ~~traffic and revenue analysis and complete a financial plan to provide~~
17 ~~additional information on the revenues, expenditures, and financing~~
18 ~~options available for active traffic management and congestion relief~~
19 ~~in the Interstate 405 and state route number 167 corridors. A report~~
20 ~~must be provided to the transportation committees of the legislature~~
21 ~~and the office of financial management by January 2012. However, this~~
22 ~~subsection(33)(b) is null and void if chapter . . . (Engrossed House~~
23 ~~Bill No. 1382), Laws of 2011 (I-405 express toll lanes) is enacted by~~
24 ~~June 30, 2011.~~

25 ~~(c) Of the amount appropriated in (a) of this subsection,~~
26 ~~\$15,000,000 of the transportation partnership account state~~
27 ~~appropriation is provided solely for the preliminary design and~~
28 ~~purchase of rights of way on the state route number 167 direct~~
29 ~~connector. It is the intent of the legislature to fund an additional~~
30 ~~\$25,000,000 of the transportation partnership account state~~
31 ~~appropriation for the preliminary design and purchase of rights of way~~
32 ~~on the state route number 167 direct connector during the 2013-2015~~
33 ~~biennium.~~

34 ~~(d))~~ Within the amounts provided for this project, funding is
35 provided solely for tolling equipment, such as gantries, barriers, or
36 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.
37 The department shall place amounts for tolling equipment into
38 unallotted status until the traffic and revenue analysis required in

1 RCW 47.56.886 is submitted to the governor and the legislature. Once
2 the report has been submitted, the office of financial management may
3 approve the allotment of funds for tolling equipment only after
4 consultation with the joint transportation committee.

5 ~~((34))~~ (33) \$3,392,000 of the transportation partnership
6 account--state appropriation is provided solely for the preliminary
7 design and purchase of rights-of-way on the state route number 167
8 direct connector (140504C).

9 (34) Funding for a signal at state route number 507 and Yew Street
10 is included in the appropriation for intersection and spot improvements
11 (0BI2002).

12 (35) ~~((224,592,000))~~ \$52,078,000 of the transportation partnership
13 account--state appropriation and ~~((898,286,000))~~ \$902,101,000 of the
14 state route number 520 corridor account--state appropriation are
15 provided solely for the state route number 520 bridge replacement and
16 HOV program (8BI1003). When developing the financial plan for the
17 program, the department shall assume that all maintenance and operation
18 costs for the new facility are to be covered by tolls collected on the
19 toll facility, and not by the motor vehicle account.

20 (36) \$500,000 of the motor vehicle account--state appropriation is
21 provided solely for a multimodal corridor plan on state route number
22 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

23 (37) \$300,000 of the motor vehicle account--federal appropriation
24 is provided solely for the SR 523 Corridor study (L1000059).

25 (38) The department shall consider using the city of Mukilteo's
26 off-site mitigation program in the event any projects on state route
27 number 525 or 526 require environmental mitigation.

28 (39) Any savings on projects on the state route number 532 corridor
29 must be used within the corridor to begin work on flood prevention and
30 raising portions of the highway above flood and storm influences.

31 (40) The total appropriation provided in this section assumes
32 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),
33 Laws of 2012 (design-build procedures) and reflects efficiencies and
34 cost savings generated by this innovative design and contracting tool.

35 (41) Construction of a new traffic management center may not
36 commence until the budget evaluation study in section 102(1) ~~((of this~~
37 ~~act))~~, chapter 86, Laws of 2012 is complete and the office of financial

1 management has determined that a new traffic management center is the
2 preferred option and has approved this project.

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

10 (43) (~~(\$250,000)~~) \$240,000 of the motor vehicle account--federal
11 appropriation is provided solely for planning a proposed off-ramp
12 eastbound from state route number 518 to Des Moines Memorial Drive in
13 Burien (L1100045).

14 (44) (~~(\$1,100,000)~~) \$425,000 of the motor vehicle account--federal
15 appropriation is provided solely for preliminary engineering on the I-
16 5/Marvin Road Interchange study (L2200087).

17 (45) (~~(\$400,000)~~) \$389,000 of the motor vehicle account--federal
18 appropriation is provided solely for the SR 150/No-See-Um Road
19 Intersection - Realignment project (L2200092).

20 (46) \$750,000 of the motor vehicle account--federal appropriation
21 is provided solely for (~~preliminary engineering on~~) the SR
22 305/Suquamish Way Intersection Improvements project (L2200093).

23 (47) (~~(\$700,000)~~) \$660,000 of the motor vehicle account--federal
24 appropriation is provided solely for the US 395/Lind Road Intersection
25 project (L2200086).

26 (48) \$8,048,000 of the motor vehicle account--state appropriation
27 is provided solely to advance the design, preliminary engineering, and
28 rights-of-way acquisition for the projects identified in LEAP
29 Transportation Document 2013-3 as developed April 2, 2013. Funds must
30 be used to advance the emergent, initial development of these projects
31 for the purpose of expediting delivery of the associated major
32 investments when funding for such investments becomes available.
33 Funding may be reallocated between projects to maximize the
34 accomplishment of design and preliminary engineering work and rights-
35 of-way acquisition, provided that all projects are addressed. It is
36 the intent of the legislature that, while seeking to maximize the
37 outcomes in this section, the department shall provide for continuity
38 of both the state and consulting engineer workforce, while

1 strategically utilizing private sector involvement to ensure
2 consistency with the department's business plan for staffing in the
3 highway construction program in the current and next biennium.

4 **Sec. 905.** 2012 c 86 s 306 (uncodified) is amended to read as
5 follows:

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

7	Transportation Partnership Account--State	
8	Appropriation	(((\$44,463,000))
9		<u>\$23,488,000</u>
10	Motor Vehicle Account--State Appropriation	(((\$81,741,000))
11		<u>\$66,003,000</u>
12	Motor Vehicle Account--Federal Appropriation	(((\$540,306,000))
13		<u>\$467,466,000</u>
14	Motor Vehicle Account--Private/Local	
15	Appropriation	(((\$21,585,000))
16		<u>\$18,891,000</u>
17	Tacoma Narrows Toll Bridge Account--State	
18	Appropriation	\$259,000
19	(Transportation 2003 Account (Nickel Account) --State	
20	Appropriation	(\$23,000))
21	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
22	TOTAL APPROPRIATION	(((\$691,877,000))
23		<u>\$579,607,000</u>

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

26 (1) Except as provided otherwise in this section, the entire
27 transportation 2003 account (nickel account) appropriation and the
28 entire transportation partnership account appropriation are provided
29 solely for the projects and activities as listed by fund, project, and
30 amount in LEAP Transportation Document ((2012-2)) 2013-1 as developed
31 ((~~March 8, 2012~~)) April 2, 2013, Program - Highway Preservation Program
32 (P). However, limited transfers of specific line-item project
33 appropriations may occur between projects for those amounts listed
34 subject to the conditions and limitations in section 603, chapter
35 . . . , Laws of 2013 (section 603 of this act).

36 (2) The department of transportation shall continue to implement
37 the lowest life-cycle cost planning approach to pavement management

1 throughout the state to encourage the most effective and efficient use
2 of pavement preservation funds. Emphasis should be placed on
3 increasing the number of roads addressed on time and reducing the
4 number of roads past due.

5 (3) Within the motor vehicle account--state appropriation and motor
6 vehicle account--federal appropriation, the department may transfer
7 funds between programs I and P, except for funds that are otherwise
8 restricted in this act.

9 (4) The department shall apply for surface transportation program
10 enhancement funds to be expended in lieu of or in addition to state
11 funds for eligible costs of projects in programs I and P.

12 ~~((The motor vehicle account--state appropriation includes up to
13 \$17,652,000 in proceeds from the sale of bonds authorized in RCW
14 47.10.843.~~

15 ~~(6))~~ The department must work with cities and counties to develop
16 a comparison of direct and indirect labor costs, overhead rates, and
17 other costs for high-cost bridge inspections charged by the state,
18 counties, and other entities. The comparison is due to the
19 transportation committees of the legislature on September 1, 2011.

20 ~~((7) \$789,000))~~ (6) \$739,000 of the motor vehicle account--federal
21 appropriation and ~~((6) \$6,000))~~ \$56,000 of the motor vehicle account--
22 state appropriation are provided solely for the environmental impact
23 statement and preliminary planning for the replacement of the state
24 route number 9 Snohomish river bridge (project L2000018).

25 ~~((8) \$10,843,000))~~ (7) \$9,096,000 of the motor vehicle account--
26 federal appropriation, ~~((1) \$1,992,000))~~ \$1,794,000 of the motor vehicle
27 account--private/local appropriation, and ~~((3) \$390,000))~~ \$340,000 of the
28 motor vehicle account--state appropriation are provided solely for the
29 SR 21/Keller Ferry - Replace Boat project (602110J).

30 ~~((9) \$165,000))~~ (8) \$227,000 of the motor vehicle account--federal
31 appropriation is provided solely for the I-90/Ritzville to Tokio -
32 Paving of Outside Lanes project (609041G).

33 ~~((10) \$5,565,000))~~ (9) \$1,566,000 of the motor vehicle account--
34 federal appropriation and ~~((2) \$232,000))~~ \$124,000 of the motor vehicle
35 account--state appropriation are provided solely for the SR
36 167/Puyallup River Bridge Replacement project (316725A). This project
37 must be completed as a design-build project. The department must work
38 with local jurisdictions and the community during the environmental

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

6 ~~((11) \$507,000))~~ (10) \$649,000 of the motor vehicle account--
7 federal appropriation and ~~((13,000))~~ \$16,000 of the motor vehicle
8 account--state appropriation are provided solely for the SR
9 906/Travelers Rest - Building Renovation project (090600A).

10 ~~((12) The department shall submit a renewal and rehabilitation
11 plan for the new state route number 16 Tacoma Narrows bridge as a
12 decision package as part of its 2013-2015 biennial budget submittal.))~~

13 **Sec. 906.** 2012 c 86 s 307 (uncodified) is amended to read as
14 follows:

15 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
16 **CAPITAL**

17 Motor Vehicle Account--State Appropriation	((8,779,000))
	<u>\$8,801,000</u>
19 Motor Vehicle Account--Federal Appropriation	((7,283,000))
	<u>\$7,184,000</u>
21 TOTAL APPROPRIATION	((16,062,000))
	<u>\$15,985,000</u>

23 The appropriations in this section are subject to the following
24 conditions and limitations: ~~((1,000,000))~~ \$371,000 of the motor
25 vehicle account-- state appropriation for project 000005Q is provided
26 solely for state matching funds for federally selected competitive
27 grants or congressional earmark projects. These moneys must be placed
28 into reserve status until such time as federal funds are secured that
29 require a state match.

30 **Sec. 907.** 2012 c 86 s 308 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
33 **CONSTRUCTION--PROGRAM W**

34 Puget Sound Capital Construction Account--State	
35 Appropriation	((61,965,000))
	<u>\$61,956,000</u>

1	Puget Sound Capital Construction Account--Federal	
2	Appropriation	((\$61,736,000))
3		<u>\$56,587,000</u>
4	Puget Sound Capital Construction Account--Private/Local	
5	Appropriation	((\$200,000))
6		<u>\$356,000</u>
7	Transportation 2003 Account (Nickel Account)--State	
8	Appropriation	((\$119,928,000))
9		<u>\$150,215,000</u>
10	Transportation Partnership Account--State	
11	Appropriation	\$12,838,000
12	Multimodal Transportation Account--State	
13	Appropriation	((\$27,527,000))
14		<u>\$27,283,000</u>
15	TOTAL APPROPRIATION	((\$284,194,000))
16		<u>\$309,235,000</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 appropriations in this section are provided solely for the projects and
21 activities as listed in LEAP Transportation Document ((~~2012-1~~)) 2013-2
22 ALL PROJECTS as developed ((~~March 8, 2012~~)) April 2, 2013, Program -
23 Washington State Ferries Capital Program (W).

24 (2) The department shall work with the department of archaeology
25 and historic preservation to ensure that the cultural resources
26 investigation is properly conducted on all large ferry terminal
27 projects. These projects must be conducted with active archaeological
28 management.

29 (3) The multimodal transportation account--state appropriation
30 includes up to ((~~\$27,527,000~~)) \$27,283,000 in proceeds from the sale
31 of bonds authorized in RCW 47.10.867.

32 (4) The Puget Sound capital construction account--state
33 appropriation includes up to \$45,000,000 in proceeds from the sale of
34 bonds authorized in RCW 47.10.843.

35 (5) ((~~\$17,970,000~~)) \$17,370,000 of the transportation 2003 account
36 (nickel account)--state appropriation is provided solely for the
37 acquisition of new Kwa-di-tabil class ferry vessels (project 944470A)
38 subject to the conditions of RCW 47.56.780.

1 (6) \$25,404,000 of the multimodal transportation account--state
2 appropriation, \$1,000,000 of the Puget Sound capital construction
3 account--federal appropriation, \$11,500,000 of the transportation
4 partnership account--state appropriation, and (~~(\$85,924,000)~~)
5 \$76,917,000 of the transportation 2003 account (nickel account)--state
6 appropriation are provided solely for the acquisition of one 144-car
7 vessel (project L2200038). The department shall use as much already
8 procured equipment as practicable on the 144-car vessel. The vendor
9 must present to the joint transportation committee and the office of
10 financial management, by August 15, 2011, a list of options that will
11 result in significant cost savings changes in terms of construction or
12 the long-term maintenance and operations of the vessel. The vendor
13 must allow for exercising the options without a penalty. If neither
14 chapter ... (Engrossed Substitute Senate Bill No. 5742), Laws of 2011
15 nor chapter ... (House Bill No. 2083), Laws of 2011 is enacted by June
16 30, 2011, \$75,000,000 of the transportation 2003 account (nickel
17 account)--state appropriation in this subsection lapses.

18 (7) (~~(\$5,749,000)~~) \$5,569,000 of the total appropriation is
19 provided solely for continued permitting work on the Mukilteo ferry
20 terminal (project 952515P). The department shall seek additional
21 federal funding for this project. Prior to beginning terminal
22 improvements, the department shall report to the legislature on the
23 final environmental impact statement by December 31, 2012. The report
24 must include an overview of the costs and benefits of each of the
25 alternatives considered, as well as an identification of costs and a
26 funding plan for the preferred alternative.

27 (8) The department shall review all terminal project cost estimates
28 to identify projects where similar design requirements could result in
29 reduced preliminary engineering or miscellaneous items costs. The
30 department shall report to the legislature by September 1, 2011. The
31 report must use programmatic design and include estimated cost savings
32 by reducing repetitive design costs or miscellaneous costs, or both,
33 applied to projects.

34 (9) (~~(\$3,000,000)~~) \$6,000,000 of the Puget Sound capital
35 construction account--state appropriation is provided solely for
36 emergency capital repair costs (project 999910K). Funds may be spent
37 only after approval from the office of financial management.

1 (10) (~~(\$4,851,000)~~) \$4,552,000 of the Puget Sound capital
2 construction account--state appropriation is provided solely for the
3 reservation and communications system projects (L200041 & L200042).

4 (11) \$1,000,000 of the Puget Sound capital construction account--
5 state appropriation is provided solely for security and operational
6 planning as a first step in introducing liquid natural gas (LNG) to the
7 Washington ferry fleet, including the issuance of a request for
8 proposals (RFP). \$750,000 is provided solely for the department to
9 work with appropriate agencies of the state and federal government to
10 amend the state's current alternative security plan to account for the
11 use of LNG as a propulsion fuel in the ferry fleet, and to begin public
12 outreach efforts. \$250,000 is provided solely to issue an RFP for a
13 design-build contract to fully convert the existing diesel powered
14 Issaquah class fleet to be solely powered by LNG. The successful
15 bidder must be awarded the \$250,000 appropriation and must be able to
16 offer detailed design services, attain coast guard approval regarding
17 vessel safety and any other requirements pertaining to design, acquire
18 engines with LNG as a sole fuel source, provide public outreach and
19 education regarding the conversion of ferry vessels to LNG, perform all
20 conversion work, and supply dependable and suitable quantities of LNG.
21 The RFP must include incentives for proposals that include alternative
22 financing arrangements, such as a delayed payment plan based on fuel
23 savings. To the extent allowable under current law, the bidder awarded
24 the design-build contract for converting the Issaquah fleet to LNG
25 under this subsection must be given bidding preferences in any future
26 LNG-related ferry proposals or projects. The RFP referenced in this
27 subsection must be issued by the department by August 1, 2012. The
28 department must provide a report to the joint transportation committee
29 on the development of the RFP in July 2012 and an update report again
30 in September 2012.

31 (12) (~~(\$500,000)~~) \$1,200,000 of the Puget Sound capital
32 construction account--state appropriation is provided solely for the
33 ADA visual paging project (L2200083). If any new federal grants are
34 received by the department that may supplant the state funds in this
35 appropriation, the state funds in this appropriation must be placed in
36 unallotted status.

37 (13) Consistent with RCW 47.60.662, which requires the Washington
38 state ferry system to collaborate with passenger-only ferry and transit

1 providers to provide service at existing terminals, the department
2 shall ensure that multimodal access, including for passenger-only
3 ferries and transit service providers, is not precluded by any future
4 modifications at the terminal.

5 (14) The transportation 2003 account (nickel account)--state
6 appropriation includes up to \$47,759,000 in proceeds from the sale of
7 bonds authorized in RCW 47.10.861.

8 **Sec. 908.** 2012 c 86 s 309 (uncodified) is amended to read as
9 follows:

10	FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL	
11	Essential Rail Assistance Account--State	
12	Appropriation	\$1,565,000
13	Transportation Infrastructure Account--State	
14	Appropriation	((\$5,693,000))
15		<u>\$5,018,000</u>
16	Multimodal Transportation Account--State	
17	Appropriation	((\$58,220,000))
18		<u>\$31,124,000</u>
19	Multimodal Transportation Account--Federal	
20	Appropriation	((\$236,597,000))
21		<u>\$110,725,000</u>
22	Multimodal Transportation Account--Private/Local	
23	Appropriation	((\$1,010,000))
24		<u>\$1,096,000</u>
25	TOTAL APPROPRIATION	((\$303,085,000))
26		<u>\$149,528,000</u>

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

29 (1)(a) Except as provided otherwise in this section, the entire
30 appropriations in this section are provided solely for the projects and
31 activities as listed by project and amount in LEAP Transportation
32 Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed ((~~March 8, 2012~~))
33 April 2, 2013, Program - Rail Capital Program (Y).

34 (b) Within the amounts provided in this section, ((~~\$4,757,000~~))
35 \$4,507,000 of the transportation infrastructure account--state
36 appropriation is for low-interest loans through the freight rail
37 investment bank program for specific projects listed as recipients of

1 these loans in the LEAP transportation document identified in (a) of
2 this subsection, except that funding for the city of Richland - loop
3 track (project 721410A) is removed from the document. The department
4 shall issue freight rail investment bank program loans with a repayment
5 period of no more than ten years, and only so much interest as is
6 necessary to recoup the department's costs to administer the loans.

7 (c) Within the amounts provided in this section, (~~(\$2,047,000)~~)
8 \$2,201,000 of the multimodal transportation account--state
9 appropriation, (~~(\$10,000)~~) \$96,000 of the multimodal transportation
10 account--private/local appropriation, and \$1,000,000 of the essential
11 rail assistance account--state appropriation are for statewide emergent
12 freight rail assistance projects identified in the LEAP transportation
13 document identified in (a) of this subsection.

14 (2)(a) The department shall issue a call for projects for the
15 freight rail investment bank (FRIB) loan program and the emergent
16 freight rail assistance program (FRAP) grants, and shall evaluate the
17 applications according to the cost-benefit methodology developed during
18 the 2008 interim using the legislative priorities specified in (c) of
19 this subsection. Unsuccessful FRAP grant applicants should be
20 encouraged to apply to the FRIB loan program, if eligible. By November
21 1, 2012, the department shall submit a prioritized list of recommended
22 projects to the office of financial management and the transportation
23 committees of the legislature.

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

35 (c) The legislative priorities to be used in the cost-benefit
36 methodology are, in order of relative importance:

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

- 1 (ii) Self-sustaining economic development that creates family-wage
2 jobs;
- 3 (iii) Preservation of transportation corridors that would otherwise
4 be lost;
- 5 (iv) Increased access to efficient and cost-effective transport to
6 market for Washington's agricultural and industrial products;
- 7 (v) Better integration and cooperation within the regional,
8 national, and international systems of freight distribution; and
- 9 (vi) Mitigation of impacts of increased rail traffic on
10 communities.

11 (3) The department is directed to expend unallocated federal rail
12 crossing funds in lieu of or in addition to state funds for eligible
13 costs of projects in program Y.

14 (4) The department shall provide quarterly reports to the office of
15 financial management and the transportation committees of the
16 legislature regarding applications that the department submits for
17 federal funds and the status of such applications.

18 (5) The multimodal transportation account--state appropriation
19 includes up to \$12,103,000 in proceeds from the sale of bonds
20 authorized in RCW 47.10.867.

21 (6) The Burlington Northern Santa Fe Skagit river bridge is an
22 integral part of the rail system. Constructed in 1916, the bridge does
23 not meet current design standards and is at risk during flood events
24 that occur on the Skagit river. The department shall work with
25 Burlington Northern Santa Fe and local jurisdictions to secure federal
26 funding for the Skagit river bridge and to develop an appropriate
27 replacement plan and schedule.

28 (7) (~~(\$218,341,000)~~) \$103,993,000 of the multimodal transportation
29 account--federal appropriation and (~~(\$3,639,000)~~) \$1,815,000 of the
30 multimodal transportation account--state appropriation are provided
31 solely for expenditures related to passenger high-speed rail grants.
32 At one and one-half percent of the total project funds, the multimodal
33 transportation account--state funds are provided solely for
34 expenditures that are not federally reimbursable. Funding in this
35 subsection is the initial portion of multiyear high-speed rail program
36 grants awarded to Washington state for high-speed intercity passenger
37 rail investments. Funding will allow for two additional round trips
38 between Seattle and Portland and other rail improvements.

1 (8) \$750,000 of the multimodal transportation account--state
2 appropriation is provided solely for the Port of Royal Slope
3 rehabilitation project (L1000053). Funding is contingent upon the
4 project completing the rail cost-benefit methodology process developed
5 during the 2008 interim using the legislative priorities outlined in
6 subsection (2)(c) of this section.

7 (9) As allowable under federal rail authority rules and existing
8 competitive bidding practices, when purchasing new train sets, the
9 department shall give preference to bidders that propose train sets
10 with characteristics and maintenance requirements most similar to those
11 currently owned by the department.

12 (10) Funds generated by the grain train program are solely for
13 operating, sustaining, and enhancing the grain train program including,
14 but not limited to, operations, capital investments, inspection,
15 developing business plans for future growth, and fleet management. Any
16 funds deemed by the department, in consultation with relevant port
17 districts, to be in excess of current operating needs or capital
18 reserves of the grain train program may be transferred from the
19 miscellaneous program account to the essential rail assistance account
20 for the purpose of sustaining the grain train program through
21 maintaining the Palouse river and Coulee City railroad line, on which
22 the grain train program operates.

23 (11) \$500,000 of the essential rail assistance account--state
24 appropriation is provided solely for the purpose of rehabilitation and
25 maintenance of the Palouse river and Coulee City railroad line.
26 Expenditures from this appropriation may not exceed the combined total
27 of:

28 (a) The revenues deposited into the essential rail assistance
29 account from leases and sale of property pursuant to RCW 47.76.290; and

30 (b) Revenues transferred from the miscellaneous program account for
31 the purpose of sustaining the grain train program through maintaining
32 the Palouse river and Coulee City railroad line.

33 (12) \$200,000 of the multimodal transportation account--state
34 appropriation is provided solely for the Clark county chelatchie
35 prairie rail road (project L2200085).

36 **Sec. 909.** 2012 c 86 s 310 (uncodified) is amended to read as
37 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--	
2	CAPITAL	
3	((Highway Infrastructure Account--State Appropriation	\$207,000
4	Highway Infrastructure Account--Federal	
5	Appropriation	\$1,602,000))
6	Motor Vehicle Account--State Appropriation	((\$4,179,000))
7		<u>\$2,511,000</u>
8	Motor Vehicle Account--Federal Appropriation	((\$37,935,000))
9		<u>\$19,759,000</u>
10	<u>Highway Safety Account--State Appropriation</u>	<u>\$852,000</u>
11	Freight Mobility Investment Account--State	
12	Appropriation	((\$11,278,000))
13		<u>\$5,044,000</u>
14	Transportation Partnership Account--State	
15	Appropriation	((\$7,181,000))
16		<u>\$3,967,000</u>
17	Freight Mobility Multimodal Account--State	
18	Appropriation	((\$15,668,000))
19		<u>\$11,868,000</u>
20	Freight Mobility Multimodal Account--Local	
21	Appropriation	((\$2,834,000))
22		<u>\$960,000</u>
23	Multimodal Transportation Account--State	
24	Appropriation	((\$22,575,000))
25		<u>\$13,262,000</u>
26	Passenger Ferry Account--State Appropriation	\$1,115,000
27	TOTAL APPROPRIATION	((\$104,574,000))
28		<u>\$59,338,000</u>

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

31 (1) \$1,115,000 of the passenger ferry account--state appropriation
32 is provided solely for near and long-term costs of capital improvements
33 and operating expenses that are consistent with the business plan
34 approved by the governor for passenger ferry service.

35 (2) The department shall apply for surface transportation program
36 enhancement funds to be expended in lieu of or in addition to state
37 funds for eligible costs of projects in local programs, program
38 Z--capital.

1 (3) Federal funds may be transferred from program Z to programs I
2 and P and state funds must be transferred from programs I and P to
3 program Z to replace those federal funds in a dollar-for-dollar match.
4 Fund transfers authorized under this subsection shall not affect
5 project prioritization status. Appropriations must initially be
6 allotted as appropriated in this act. The department may not transfer
7 funds as authorized under this subsection without approval of the
8 office of financial management. The department shall submit a report
9 on those projects receiving fund transfers to the office of financial
10 management and the transportation committees of the legislature by
11 December 1, 2011, and December 1, 2012.

12 (4) The city of Winthrop may utilize a design-build process for the
13 Winthrop bike path project.

14 (5) ~~((\$14,813,000 of the multimodal transportation account—state
15 appropriation, \$12,804,000 of the motor vehicle account—federal
16 appropriation, and \$6,241,000 of the transportation partnership
17 account—state appropriation are provided solely for the pedestrian and
18 bicycle safety program projects and safe routes to schools program
19 projects identified in: LEAP Transportation Document 2011-A,
20 pedestrian and bicycle safety program projects and safe routes to
21 schools program projects, as developed April 19, 2011; LEAP
22 Transportation Document 2009-A, pedestrian and bicycle safety program
23 projects and safe routes to schools program projects, as developed
24 March 30, 2009; LEAP Transportation Document 2007-A, pedestrian and
25 bicycle safety program projects and safe routes to schools program
26 projects, as developed April 20, 2007; and LEAP Transportation Document
27 2006-B, pedestrian and bicycle safety program projects and safe routes
28 to schools program projects, as developed March 8, 2006. Projects must
29 be allocated funding based on order of priority. The department shall
30 review all projects receiving grant awards under this program at least
31 semiannually to determine whether the projects are making satisfactory
32 progress. Any project that has been awarded funds, but does not report
33 activity on the project within one year of the grant award must be
34 reviewed by the department to determine whether the grant should be
35 terminated. The department shall promptly close out grants when
36 projects have been completed, and identify where unused grant funds
37 remain because actual project costs were lower than estimated in the
38 grant award.~~

1 ~~(6)~~) Except as provided otherwise in this section, the entire
2 appropriations in this section are provided solely for the projects and
3 activities as listed by project and amount in LEAP Transportation
4 Document (~~(2012-1)~~) 2013-2 ALL PROJECTS as developed (~~(March 8, 2012)~~)
5 April 2, 2013, Program - Local Program (Z).

6 ~~((7))~~ (6) For the 2011-2013 project appropriations, unless
7 otherwise provided in this act, the director of the office of financial
8 management may authorize a transfer of appropriation authority between
9 projects managed by the freight mobility strategic investment board and
10 may also advance projects in future biennia, as identified in LEAP
11 Transportation Document (~~(2012-1)~~) 2013-2 ALL PROJECTS as developed
12 (~~(March 8, 2012)~~) April 2, 2013, into the current biennium in order for
13 the board to manage project spending and efficiently deliver all
14 projects in the respective program.

15 ~~((8))~~ (7) With each department budget submittal, the department
16 shall provide an update on the status of the repayment of the twenty
17 million dollars of unobligated federal funds authority advanced by the
18 department in September 2010 to the city of Tacoma for the Murray
19 Morgan/11th Street bridge project.

20 ~~((9))~~ (8) If funding is specifically designated in this act for
21 main street projects, the department shall prepare a list of projects
22 that is consistent with chapter 257, Laws of 2011, for approval in the
23 2013-2015 fiscal biennium.

24 ~~((10) \$267,000)~~ (9) \$50,000 of the motor vehicle account--state
25 appropriation and (~~(\$2,859,000)~~) \$50,000 of the motor vehicle account--
26 federal appropriation are provided solely for completion of the US 101
27 northeast peninsula safety rest area and associated roadway
28 improvements east of Port Angeles at the Deer Park scenic view point
29 (3LP187A). The department must surplus any right-of-way previously
30 purchased for this project near Sequim. Approval to proceed with
31 construction is contingent on surplus of previously purchased right-of-
32 way.

33 ~~((11))~~ (10) Up to (~~(\$3,702,000)~~) \$2,680,000 of the motor vehicle
34 account--federal appropriation and (~~(\$75,000)~~) \$55,000 of the motor
35 vehicle account--state appropriation are provided solely to reimburse
36 the cities of Kirkland and Redmond for pavement and bridge deck
37 rehabilitation on state route number 908 (1LP611A). These funds may
38 not be expended unless the cities sign an agreement stating that the

1 cities agree to take ownership of state route number 908 in its
2 entirety and agree that the payment of these funds represents the
3 entire state commitment to the cities for state route number 908
4 expenditures.

5 ~~((+12))~~ (11) \$225,000 of the multimodal transportation account--
6 state appropriation is provided solely for the Shell Valley emergency
7 road and bicycle/pedestrian path (L1000036).

8 ~~((+13))~~ (12) \$188,000 of the motor vehicle account--state
9 appropriation is provided solely for flood reduction solutions on state
10 route number 522 caused by the lower McAleer and Lyon creek basins
11 (L1000041).

12 ~~((+14) \$896,000))~~ (13) \$293,000 of the multimodal transportation
13 account--state appropriation is provided solely for realignment of
14 Parker Road and construction of secondary access off of state route
15 number 20 (L2200040).

16 ~~((+15) An additional \$2,500,000 of the motor vehicle account--
17 federal appropriation is provided solely for the Strander Blvd/SW 27th
18 St Connection project (1LP902F), which amount is reflected in the LEAP
19 transportation document identified in subsection (6) of this section.
20 These funds may only be committed if needed, may not be used to
21 supplant any other committed project partnership funding, and must be
22 the last funds expended.~~

23 ~~(+16) \$500,000))~~ (14) \$30,000 of the motor vehicle account--federal
24 appropriation is provided solely for safety improvements at the
25 intersection of South Wapato and McDonald Road (L1000052).

26 ~~((+17) \$2,000,000))~~ (15) 850,000 of the multimodal transportation
27 account--state appropriation is provided solely for the state route
28 number 432 rail realignment and highway improvements project
29 (L1000056).

30 ~~((+18))~~ (16) \$100,000 of the motor vehicle account--federal
31 appropriation is provided solely for state route number 164 and Auburn
32 Way South pedestrian improvements (L1000057).

33 ~~((+19))~~ (17) \$115,000 of the motor vehicle account--federal
34 appropriation is provided solely for median street lighting on state
35 route number 410 (L1000058).

36 ~~((+20))~~ (18) \$60,000 of the multimodal transportation account--
37 state appropriation is provided solely for a cross docking study for
38 the port of Douglas county (L1000060).

1 ~~((+21+))~~ (19) \$100,000 of the motor vehicle account--federal
2 appropriation is provided solely for city of Auburn - 8th and R Street
3 NE intersection improvements (L2200043).

4 ~~((+22+))~~ (20) \$65,000 of the multimodal transportation account--
5 state appropriation is provided solely for the Puget Sound regional
6 council to further the implementation of multimodal concurrency
7 practice through a transit service overlay zone implemented at the
8 local level (L1000061). This approach will improve the linkage of land
9 use and transportation investment decisions, improve the efficiency of
10 transit service by encouraging transit-supportive development, provide
11 incentives for developers, and support integrated regional growth,
12 economic development, and transportation plans. In carrying out this
13 work, the council shall involve representatives from cities and
14 counties, developers, transit agencies, and other interested
15 stakeholders, and shall consult with other regional transportation
16 planning organizations across the state. The council shall report the
17 results of their work and recommendations to the joint transportation
18 committee by December 2011, with a final report to the transportation
19 committees of the legislature by January 31, 2012.

20 ~~((+23) \$1,750,000))~~ (21) \$650,000 of the motor vehicle account--
21 federal appropriation is provided solely for the SR 522
22 Improvements/61st Avenue NE and NE 181st Street project (L1000055).

23 ~~((+24+))~~ (22) The department shall implement a call for projects
24 eligible for the bicycle and pedestrian grant program similar to the
25 call for projects conducted in 2010, although the department may adjust
26 the criteria to include mobility and connectivity. The department
27 shall include a list of prioritized bicycle and pedestrian grant
28 projects for approval in the 2013-2015 biennial transportation budget.

29 ~~((+25+))~~ (23) \$100,000 of the multimodal transportation account--
30 state appropriation is provided solely for the design of a stand-alone
31 ADA accessible bicycle/pedestrian bridge across the Sultan river in the
32 city of Sultan (L1100044).

33 ~~((+26) \$445,000))~~ (24) \$30,000 of the motor vehicle account--
34 federal appropriation is provided solely for pedestrian lighting on the
35 main span of the Chehalis river bridge in Aberdeen (L1100046).

36 ~~((+27) \$500,000))~~ (25) \$80,000 of the motor vehicle account--
37 federal appropriation is provided solely for resurfacing Alder Avenue
38 in the city of Sultan (L1100047).

1 ((~~(28)~~ \$800,000)) (26) \$550,000 of the motor vehicle account--
2 federal appropriation is provided solely for rights-of-way acquisition
3 on state route number 516 from Jenkins creek to 185th (L2000017).

4 (~~(29)~~ \$1,100,000 of the motor vehicle account federal
5 appropriation is provided solely for traffic analysis, right-of-way,
6 and design work on the 31st Avenue Southwest overpass on Puyallup's
7 South Hill (L1100048).

8 ~~(30)~~ \$2,000,000)) (27) \$250,000 of the motor vehicle account--
9 federal appropriation is provided solely for environmental
10 documentation and preliminary engineering for the Scott Avenue
11 Reconnection Project in the city of Woodland (L1100049).

12 (~~(31)~~ \$350,000 of the motor vehicle account federal appropriation
13 is provided solely for preliminary engineering and rights-of-way on the
14 Slater Road Bridge project (L2200089).

15 ~~(32)~~ \$380,000)) (28) \$40,000 of the motor vehicle account--federal
16 appropriation is provided solely for rehabilitation work for
17 156th/160th Avenue in the city of Covington (L2200088).

18 ((~~(33)~~)) (29) \$380,000 of the motor vehicle account--federal
19 appropriation is provided solely for improvements to Penney Avenue in
20 the town of Naches (L2200090).

21 ((~~(34)~~)) (30) \$450,000 of the motor vehicle account--federal
22 appropriation is provided solely for preliminary engineering on NW
23 Friberg Street and Goodwin Road in the city of Camas (L2200091).

24 (31) \$650,000 of the highway safety account--state appropriation is
25 provided solely to the freight mobility strategic investment board for
26 grants to meet urgent freight corridor improvement and preservation
27 needs that meet the board's criteria, as identified in the LEAP
28 transportation document referenced under subsection (5) of this
29 section.

30 (32) \$202,000 of the highway safety account--state appropriation is
31 provided solely for safe routes to school grant program projects, as
32 identified in the LEAP transportation document referenced under
33 subsection (5) of this section.

34 **TRANSFERS AND DISTRIBUTIONS**

1 \$18,283,000
2 TOTAL APPROPRIATION ((~~\$1,015,913,000~~))
3 \$1,001,748,000

4 **Sec. 1002.** 2012 c 86 s 402 (uncodified) is amended to read as
5 follows:

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

9 State Route Number 520 Corridor Account--State
10 Appropriation ((~~\$960,000~~))
11 \$1,826,000

12 Transportation Partnership Account--State
13 Appropriation ((~~\$587,000~~))
14 \$352,000

15 Motor Vehicle Account--State Appropriation ((~~\$58,000~~))
16 \$28,000

17 Transportation 2003 Account (Nickel Account)--State
18 Appropriation ((~~\$255,000~~))
19 \$152,000

20 (~~Transportation Improvement Account--State Appropriation \$5,000~~)

21 Multimodal Transportation Account--State
22 Appropriation ((~~\$23,000~~))
23 \$14,000

24 TOTAL APPROPRIATION ((~~\$1,888,000~~))
25 \$2,372,000

26 **Sec. 1003.** 2012 c 86 s 404 (uncodified) is amended to read as
27 follows:

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

29 Motor Vehicle Account--State Appropriation for motor
30 vehicle fuel tax distributions to cities and
31 counties ((~~\$470,701,000~~))
32 \$465,681,000

33 **Sec. 1004.** 2012 c 86 s 405 (uncodified) is amended to read as
34 follows:

1 **FOR THE STATE TREASURER--TRANSFERS**

2 Motor Vehicle Account--State Appropriation: For
3 motor vehicle fuel tax refunds and statutory
4 transfers ((~~\$1,227,005,000~~))
5 \$1,213,253,000

6 **Sec. 1005.** 2012 c 86 s 406 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

9 Motor Vehicle Account--State Appropriation: For
10 motor vehicle fuel tax refunds and transfers . . . ((~~\$151,870,000~~))
11 \$147,557,000

12 **Sec. 1006.** 2012 c 86 s 407 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**

15 (1) Motor Vehicle Account--State Appropriation:
16 For transfer to the Puget Sound Ferry Operations
17 Account--State ((~~\$45,500,000~~))
18 \$39,000,000

19 (2) Recreational Vehicle Account--State
20 Appropriation: For transfer to the Motor Vehicle
21 Account--State \$1,150,000

22 (3) License Plate Technology Account--State
23 Appropriation: For transfer to the Highway Safety
24 Account--State \$3,000,000

25 (4) Multimodal Transportation Account--State
26 Appropriation: For transfer to the Puget Sound
27 Ferry Operations Account--State ((~~\$42,000,000~~))
28 \$39,000,000

29 ~~(5) ((Highway Safety Account--State Appropriation:
30 For transfer to the Motor Vehicle Account--State \$23,000,000~~

31 ~~(+6)) Advanced Right-of-Way Revolving Fund: For
32 transfer to the Motor Vehicle Account--State \$5,000,000~~

33 ~~((+7)) (6) Rural Mobility Grant Program Account--State
34 Appropriation: For transfer to the Multimodal
35 Transportation Account--State \$3,000,000~~

36 ~~((+8)) (7) Motor Vehicle Account--State~~

1 Appropriation: For transfer to the State Patrol
2 Highway Account--State (~~(\$16,000,000)~~)
3 \$18,000,000
4 ((+9)) (8) State Route Number 520 Corridor
5 Account--State Appropriation: For transfer to the
6 Motor Vehicle Account--State \$58,000
7 ((+10)) (9) Motor Vehicle Account--State
8 Appropriation: For transfer to the Special Category C
9 Account--State \$2,500,000
10 ((+11)) (10) Regional Mobility Grant Program
11 Account--State Appropriation: For transfer to the
12 Multimodal Transportation Account--State \$1,000,000
13 ((+12)) (11) State Patrol Highway Account--State
14 Appropriation: For transfer to the Vehicle
15 Licensing Fraud Account--State \$100,000
16 ((+13)) (12) Capital Vessel Replacement Account--State
17 Appropriation: For transfer to the Transportation 2003
18 Account (Nickel Account)--State (~~(\$6,367,000)~~)
19 \$6,221,000
20 ((+14)) (13) Multimodal Transportation Account--State
21 Appropriation: For transfer to the Public Transportation
22 Grant Program Account--State for the purposes of
23 distributions of \$3,000,000 on each of the last
24 working days of December, March, and June in fiscal
25 year 2013 \$9,000,000

26 (14) The transfers identified in this section are subject to the
27 following conditions and limitations:

28 (a) The transfer in subsection ((+9)) (8) of this section
29 represents the repayment of an amount equal to subprogram B5
30 expenditures that occurred in the motor vehicle account in the
31 2009-2011 fiscal biennium.

32 (b) The amount transferred in subsection (2) of this section shall
33 not exceed the expenditures incurred from the motor vehicle account--
34 state for the recreational vehicle sanitary disposal systems program.

35 **MISCELLANEOUS 2011-2013 FISCAL BIENNIUM**

1 NEW SECTION. **Sec. 1101.** The appropriations to the department of
2 transportation in chapter 86, Laws of 2012 and this act must be
3 expended for the programs and in the amounts specified in this act.
4 However, after May 1, 2013, unless specifically prohibited, the
5 department may transfer state appropriations for the 2011-2013 fiscal
6 biennium among operating programs after approval by the director of the
7 office of financial management. However, the department shall not
8 transfer state moneys that are provided solely for a specific purpose.
9 The department shall not transfer funds, and the director of the office
10 of financial management shall not approve the transfer, unless the
11 transfer is consistent with the objective of conserving, to the maximum
12 extent possible, the expenditure of state funds and not federal funds.
13 The director of the office of financial management shall notify the
14 appropriate transportation committees of the legislature prior to
15 approving any allotment modifications or transfers under this section.
16 The written notification must include a narrative explanation and
17 justification of the changes, along with expenditures and allotments by
18 program and appropriation, both before and after any allotment
19 modifications or transfers.

20 NEW SECTION. **Sec. 1102.** The following acts or parts of acts are
21 each repealed:

- 22 (1) 2012 c 86 s 701 (uncodified);
- 23 (2) 2012 c 86 s 702 (uncodified);
- 24 (3) 2012 c 86 s 703 (uncodified);
- 25 (4) 2012 c 86 s 704 (uncodified);
- 26 (5) 2012 c 86 s 705 (uncodified);
- 27 (6) 2012 c 86 s 706 (uncodified);
- 28 (7) 2012 c 86 s 707 (uncodified);
- 29 (8) 2012 c 86 s 708 (uncodified);
- 30 (9) 2012 c 86 s 709 (uncodified);
- 31 (10) 2012 c 86 s 710 (uncodified);
- 32 (11) 2012 c 86 s 711 (uncodified);
- 33 (12) 2012 c 86 s 712 (uncodified);
- 34 (13) 2012 c 86 s 713 (uncodified);
- 35 (14) 2012 c 86 s 714 (uncodified);
- 36 (15) 2012 c 86 s 715 (uncodified); and
- 37 (16) 2012 c 86 s 716 (uncodified).

1

MISCELLANEOUS

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NEW SECTION. **Sec. 1201.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

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NEW SECTION. **Sec. 1202.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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