

1 AN ACT Relating to transportation funding and appropriations;
2 amending RCW 46.12.630, 47.28.030, 81.53.281, 82.70.020, 82.70.040,
3 82.70.050, and 82.70.900; amending 2013 c 306 ss 101, 102, 103, 106,
4 107, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213,
5 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 301, 302, 303, 304,
6 305, 306, 307, 308, 309, 310, 311, 312, 401, 402, 404, 405, 406, 407,
7 517, 518, 519, 603, and 606 (uncodified); reenacting and amending RCW
8 46.68.340; adding new sections to chapter 306, Laws of 2013
9 (uncodified); making appropriations and authorizing expenditures for
10 capital improvements; providing contingent effective dates; providing
11 an expiration date; and declaring an emergency.

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

13 **2013-2015 FISCAL BIENNIUM**
14 **GENERAL GOVERNMENT AGENCIES--OPERATING**

15 **Sec. 101.** 2013 c 306 s 101 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION**
18 Motor Vehicle Account--State Appropriation ((\$435,000))

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

Sec. 102. 2013 c 306 s 102 (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account--State

Appropriation	((\$504,000))
	<u>\$514,000</u>

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

(1) \$10,000 of the grade crossing protective account--state appropriation is provided solely for the commission to study the safety of equipment, driver qualifications, insurance levels, safety of operations, and the past accidents of charter party carriers providing railroad crew transportation.

(2) The study must include a review of current practices regarding:

(a) Driver qualifications, including a driver's experience and skill, physical condition, type or class of license, and any license suspensions or revocations;

(b) Equipment safety;

(c) Safety of operations;

(d) Passenger safety;

(e) Insurance coverage levels, including liability coverage, uninsured and underinsured motorist coverage, and property damage coverage; and

(f) Safety complaints received by the commission.

(3) This study must also include examination of past accidents involving vehicles regulated under chapter 81.61 RCW. A railroad company, and any charter party carrier that owns or leases, operates, or maintains contract crew hauling vehicles in the state, must, at the request of the commission, provide data on such accidents, including the location, time of day, visibility, a description of the event, and

1 whether the accident caused any property damage or personal injuries.
2 The commission must make this data available upon request.

3 (4) The commission must provide a report to the legislature by
4 December 31, 2014, summarizing the findings to date, including
5 recommendations for avoiding accidents in the future and providing
6 recommended statutory changes that would enhance public safety.

7 **Sec. 103.** 2013 c 306 s 103 (uncodified) is amended to read as
8 follows:

9 **FOR THE OFFICE OF FINANCIAL MANAGEMENT**

10	Motor Vehicle Account--State Appropriation	((\$1,641,000))
11		<u>\$1,638,000</u>
12	Puget Sound Ferry Operations Account--State	
13	Appropriation	\$176,000
14	TOTAL APPROPRIATION	((\$1,817,000))
15		<u>\$1,814,000</u>

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

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

30 (2) \$70,000 of the Puget Sound ferry operations account--state
31 appropriation is provided solely for the state's share of the marine
32 salary survey.

33 **Sec. 104.** 2013 c 306 s 106 (uncodified) is amended to read as
34 follows:

35 **FOR THE DEPARTMENT OF AGRICULTURE**

36	Motor Vehicle Account--State Appropriation	((\$1,208,000))
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1 \$1,206,000

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

4 (1) \$351,000 of the motor vehicle account--state appropriation is
5 provided solely for costs associated with the motor fuel quality
6 program.

7 (2) \$857,000 of the motor vehicle account--state appropriation is
8 provided solely to test the quality of biofuel. The department must
9 test fuel quality at the biofuel manufacturer, distributor, and
10 retailer.

11 **Sec. 105.** 2013 c 306 s 107 (uncodified) is amended to read as
12 follows:

13 **FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE**

14 Motor Vehicle Account--State Appropriation ((~~\$529,000~~))
15 \$528,000

16 **TRANSPORTATION AGENCIES--OPERATING**

17 **Sec. 201.** 2013 c 306 s 201 (uncodified) is amended to read as
18 follows:

19 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

20 Highway Safety Account--State Appropriation ((~~\$3,017,000~~))
21 \$3,029,000

22 Highway Safety Account--Federal Appropriation ((~~\$40,699,000~~))
23 \$40,792,000

24 Highway Safety Account--Private/Local Appropriation ((~~\$50,000~~))
25 \$118,000

26 School Zone Safety Account--State Appropriation ((~~\$1,800,000~~))
27 \$1,700,000

28 TOTAL APPROPRIATION ((~~\$45,566,000~~))
29 \$45,639,000

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

32 (1) The commission shall develop and implement, in collaboration
33 with the Washington state patrol, a target zero team pilot program in
34 Yakima and Spokane counties. The pilot program must demonstrate the

1 effectiveness of intense, high visibility driving under the influence
2 enforcement in Washington state. The commission shall apply to the
3 national highway traffic safety administration for federal highway
4 safety grants to cover the cost of the pilot program.

5 (2) \$20,000,000 of the highway safety account--federal
6 appropriation is provided solely for federal funds that may be
7 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
8 2013-2015 fiscal biennium.

9 ((+4)) (3) The commission may continue to oversee pilot projects
10 implementing the use of automated traffic safety cameras to detect
11 speed violations within cities west of the Cascade mountains that have
12 a population over one hundred ninety-five thousand. For the purposes
13 of pilot projects in this subsection, no more than one automated
14 traffic safety camera may be used to detect speed violations within any
15 one jurisdiction.

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

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

23 (4)(a) The commission shall coordinate with counties to implement
24 and administer a statewide yellow dot program that will provide a
25 yellow dot window decal and yellow dot folder during the 2013-2015
26 fiscal biennium.

27 (b) The commission may utilize available federal dollars and state
28 dollars to implement and administer the program. The commission may
29 accept donations and partnership funds through the state's existing
30 donation process and deposit the funds to the highway safety account
31 for the start-up and continued support of the program.

32 (c) The commission, in conjunction with counties, shall maintain a
33 separate web page that allows a person to download the yellow dot form
34 to be placed in the yellow dot folder and lists the locations in which
35 a person may pick up the yellow dot window decal and folder. The
36 commission and counties may not collect any personal information. A
37 person using the program is responsible for maintaining the information
38 in the yellow dot folder, and that participation in the program does

1 not create any new or distinct obligation for emergency medical
2 responders or law enforcement personnel to determine if there is a
3 yellow dot folder in the motor vehicle or use the information contained
4 in the yellow dot folder.

5 (d) The commission may adopt rules necessary to implement this
6 subsection.

7 **Sec. 202.** 2013 c 306 s 202 (uncodified) is amended to read as
8 follows:

9 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

10 Rural Arterial Trust Account--State Appropriation	((\$945,000))
	<u>\$942,000</u>
12 Motor Vehicle Account--State Appropriation	((\$2,186,000))
	<u>\$2,200,000</u>
14 County Arterial Preservation Account--State	
15 Appropriation	((\$1,456,000))
	<u>\$1,450,000</u>
17 TOTAL APPROPRIATION	((\$4,587,000))
	<u>\$4,592,000</u>

19 **Sec. 203.** 2013 c 306 s 203 (uncodified) is amended to read as
20 follows:

21 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

22 Transportation Improvement Account--State	
23 Appropriation	((\$3,804,000))
	<u>\$3,909,000</u>

25 **Sec. 204.** 2013 c 306 s 204 (uncodified) is amended to read as
26 follows:

27 **FOR THE JOINT TRANSPORTATION COMMITTEE**

28 Motor Vehicle Account--State Appropriation	((\$1,330,000))
	<u>\$1,577,000</u>

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

32 (1)(a) \$325,000 of the motor vehicle account--state appropriation
33 is for a study of transportation cost drivers and potential
34 efficiencies to contain project costs and gain more value from
35 investments in Washington state's transportation system. The goal is

1 to enable the department of transportation to construct bridge and
2 highway projects more quickly and to build and operate them at a lower
3 cost, while ensuring that appropriate environmental and regulatory
4 protections are maintained and a quality project is delivered. The
5 joint transportation committee must convene an advisory panel to
6 provide study guidance and discuss potential efficiencies and
7 recommendations. The scope of the study must be limited to state-level
8 policies and practices relating to the planning, design, permitting,
9 construction, financing, and operation of department of transportation
10 roadway and bridge projects. The study must:

- 11 (i) Identify best practices;
- 12 (ii) Identify inefficiencies in state policy or agency practice
13 where changes may save money;
- 14 (iii) Recommend changes to improve efficiency and save money; and
- 15 (iv) Identify potential savings to be achieved by adopting changes
16 in practice or policy.

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

20 (2) The joint transportation committee shall coordinate a work
21 group comprised of the department of licensing, the department of
22 revenue, county auditors or other agents, and subagents to identify
23 possible issues relating to the administration of, compliance with, and
24 enforcement of the existing statutory requirement for a person to
25 provide an unexpired driver's license when registering a vehicle. The
26 work group shall provide recommendations on how administration and
27 enforcement may be modified, as needed, to address any identified
28 issues, including whether statutory changes may be needed. A report
29 presenting the recommendations must be presented to the house of
30 representatives and senate transportation committees by December 31,
31 2013.

32 (3) The joint transportation committee shall continue to convene a
33 subcommittee for legislative oversight of the I-5/Columbia river
34 crossing bridge replacement project. The Columbia river crossing
35 legislative oversight subcommittee must be made up of six members: Two
36 appointed by the cochairs of the senate transportation committee, two
37 appointed by the chair and ranking member of the house of
38 representatives transportation committee, one designee of the governor,

1 and one citizen jointly appointed by the four members of the joint
2 transportation executive committee. The citizen appointee must be a
3 Washington state resident of the area served by the bridge. At least
4 two of the legislative members must be from the legislative districts
5 served by the bridge. In addition to reviewing project and financing
6 information, the subcommittee must also coordinate with the Oregon
7 legislative oversight committee for the Columbia river crossing bridge.

8 (4) The joint transportation committee shall convene a work group
9 to identify and evaluate internal refinance opportunities for the
10 Tacoma Narrows bridge. The study must include a staff work group,
11 including staff from the office of financial management, the
12 transportation commission, the department of transportation, the office
13 of the state treasurer, and the legislative transportation committees.
14 The joint transportation committee shall issue a report of its findings
15 to the house of representatives and the senate transportation
16 committees by December 31, 2013.

17 (5) The joint transportation committee shall study and review the
18 use of surplus property proceeds to fund facility replacement projects,
19 and the possibility of using the north central region as a pilot. The
20 joint transportation committee shall consult with the department of
21 transportation and the office of financial management regarding the
22 department's current process for prioritizing and funding facility
23 improvement and replacement projects.

24 (6) \$250,000 of the motor vehicle account--state appropriation is
25 provided solely for the joint transportation committee to evaluate the
26 current status of electric vehicle charging stations in Washington, and
27 to report to the transportation committees of the legislature by
28 December 31, 2014, regarding potential business models to sustain
29 private sector vehicle charging networks and the best role for the
30 public sector in those business models, including the potential for
31 public funding, grant programs, and other incentives to encourage
32 installation of electric vehicle charging stations. In conducting the
33 study, the committee must coordinate with the department of
34 transportation and consult with local governments and stakeholders in
35 the electric vehicle industry. The committee may also consult with
36 users of electric vehicles and stakeholders representing manufacturers
37 and operators of electric vehicle charging stations.

1 (7) The joint transportation committee shall coordinate a work
2 group to review the existing titling and registration processes along
3 with policies that county auditors, subagents, and agents must comply
4 with when conducting title and registration transactions. The goal and
5 related outcomes of the work group review are to provide
6 recommendations to streamline processes, modernize policies, and
7 identify potential information technology opportunities. Members of
8 the work group shall only include county auditors, subagents, agents,
9 and the department of licensing. The work group shall submit a report
10 to the transportation committees of the legislature on or before
11 December 1, 2014.

12 **Sec. 205.** 2013 c 306 s 205 (uncodified) is amended to read as
13 follows:

14 **FOR THE TRANSPORTATION COMMISSION**

15	Motor Vehicle Account--State Appropriation	((\$2,947,000))
16		<u>\$3,520,000</u>
17	Multimodal Transportation Account--State	
18	Appropriation	\$112,000
19	TOTAL APPROPRIATION	((\$3,059,000))
20		<u>\$3,632,000</u>

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

23 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
24 during the 2013-2015 fiscal biennium, the legislature authorizes the
25 transportation commission to periodically review and, if necessary,
26 adjust the schedule of fares for the Washington state ferry system only
27 in amounts not greater than those sufficient to generate the amount of
28 revenue required by the biennial transportation budget. When adjusting
29 ferry fares, the commission must consider input from affected ferry
30 users by public hearing and by review with the affected ferry advisory
31 committees, in addition to the data gathered from the current ferry
32 user survey.

33 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
34 2015 fiscal biennium, the legislature authorizes the transportation
35 commission to periodically review and, if necessary, adjust the
36 schedule of toll charges applicable to the Tacoma Narrows bridge only
37 in amounts not greater than those sufficient to support (a) any

1 required costs for operating and maintaining the toll bridge, including
2 the cost of insurance, (b) any amount required by law to meet the
3 redemption of bonds and applicable interest payments, and (c) repayment
4 of the motor vehicle fund.

5 (3) Consistent with RCW 43.135.055 and 47.56.880, during the
6 2013-2015 fiscal biennium, the legislature authorizes the
7 transportation commission to set, periodically review, and, if
8 necessary, adjust the schedule of toll charges applicable to the
9 Interstate 405 express toll lanes.

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

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

1 (c) For the purposes of this subsection (~~((3))~~) (4), the commission
2 shall:

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

6 (ii) Develop the preferred operational concept or concepts that
7 reflect the preliminary policies;

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

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

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

20 (e) The commission shall submit a report of the business case to
21 the governor and the transportation committees of the legislature by
22 December 15, 2013. The report must also include a proposed budget and
23 work plan for fiscal year 2015. A progress report must be submitted to
24 the governor and the joint transportation committee by November 1,
25 2013, including a presentation to the joint transportation committee.

26 (~~((4))~~) (5) \$174,000 of the motor vehicle account--state
27 appropriation is provided solely for the voice of Washington survey
28 program. The funding must be utilized for continued program
29 maintenance and two transportation surveys for the 2013-2015 fiscal
30 biennium.

31 (6)(a) \$450,000 of the motor vehicle account--state appropriation
32 is provided solely for a work plan to further develop the concept of a
33 road usage charge system. The work plan must include: Refinement of
34 initial policy analysis and development, a concept of operations that
35 incorporates refined policy inputs, and a financial analysis evaluating
36 the operational concept. The refinement of initial policy analysis and
37 development funded under this subsection must be supplemented by the
38 products of complementary policy refinement tasks delegated to the

1 department of transportation in section 214 of this act and the office
2 of the state treasurer in section 705 of this act. It is the intent of
3 the legislature that consideration for potential planning for a pilot
4 project and any risk analysis occur in the 2015 legislative session.

5 (b)(i) For the purposes of the refinement of initial policy
6 analysis and development, the work plan must consider phasing and
7 staging of how a road usage charge would be implemented as it relates
8 to the types of vehicles that would be subject to a road usage charge
9 and the nature and manner of a transition period.

10 (ii) For the purposes of this subsection (6)(b), the legislature
11 intends that the commission focus its analysis by assuming that the
12 exemptions under a road usage charge would be the same as those under
13 the motor vehicle fuel and special fuel taxes. In addition, the
14 commission must engage the road usage charge steering committee, which
15 was reauthorized in chapter 306, Laws of 2013 for fiscal year 2014 and
16 is hereby reauthorized in this act with the same membership, to
17 continue in its role and, at a minimum, to guide the work specified in
18 (a) of this subsection, including the following: Assessing and
19 recommending the type of vehicles that would be subject to the road
20 usage charge, and assessing and recommending the options for the timing
21 and duration of the transition period. The steering committee shall
22 report its findings and guidance to the commission by December 1, 2014.

23 (c)(i) For the purposes of the development of the concept of
24 operations, the development must incorporate the products of (b) of
25 this subsection, and, to the extent practicable, the products of work
26 conducted by the department of transportation in section 214 of this
27 act and the office of the state treasurer in section 705 of this act.

28 (ii) To reduce system development and operational costs, for road
29 user charge options that rely on in-vehicle devices to record mileage,
30 the work plan must recommend how the state can utilize the technology
31 and back-office platforms that are scheduled to be provided by
32 commercial account managers under the Oregon road usage charge program.

33 (iii) In addition to a time permit and an odometer charge, the
34 concept of operations recommendation must be developed to include a
35 means for periodic payments based on mileage reporting utilizing
36 methods other than onboard diagnostic in-vehicle devices.

37 (d) The work plan and recommendations, along with a proposed work

1 plan and budget for the 2015-2017 fiscal biennium, must be submitted by
2 the commission to the transportation committees of the legislature by
3 January 15, 2015.

4 (7) Within existing resources, the commission shall undertake a
5 study of the urban and rural financial and equity implications of a
6 potential road usage charge system in Washington. The commission shall
7 work with the department of transportation and the department of
8 licensing to conduct this analysis. For any survey work that is
9 considered, the commission should utilize the existing voice of
10 Washington survey panel and budget to inform the study. The results
11 must be presented to the governor and the legislature by January 15,
12 2015.

13 (8) \$125,000 of the motor vehicle account--state appropriation is
14 provided solely for the commission to update the statewide
15 transportation plan with the required federal elements to bring the
16 plan into federal compliance. The legislature intends that a single,
17 statewide long-range transportation policy plan required under RCW
18 47.01.071(4) will fulfill both the state and federal planning
19 requirements.

20 **Sec. 206.** 2013 c 306 s 206 (uncodified) is amended to read as
21 follows:

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

23 Motor Vehicle Account--State Appropriation ((\$904,000))
24 \$882,000

25 **Sec. 207.** 2013 c 306 s 207 (uncodified) is amended to read as
26 follows:

27 **FOR THE WASHINGTON STATE PATROL**

28 State Patrol Highway Account--State
29 Appropriation ((\$370,354,000))
30 \$368,093,000

31 State Patrol Highway Account--Federal
32 Appropriation ((\$11,137,000))
33 \$11,096,000

34 State Patrol Highway Account--Private/Local
35 Appropriation ((\$3,591,000))
36 \$3,580,000

1 Highway Safety Account--State Appropriation ((\$19,429,000))
 2 \$19,283,000
 3 Multimodal Transportation Account--State
 4 Appropriation \$273,000
 5 Ignition Interlock Device Revolving Account--State
 6 Appropriation ((\$573,000))
 7 \$569,000
 8 TOTAL APPROPRIATION ((\$405,357,000))
 9 \$402,894,000

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

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

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

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

28 (4) \$573,000 of the ignition interlock device revolving account--
 29 state appropriation is provided solely for the ignition interlock
 30 program at the Washington state patrol to provide funding for two staff
 31 to work and provide support for the program in working with
 32 manufacturers, service centers, technicians, and participants in the
 33 program.

34 (5) \$370,000 of the state patrol highway account--state
 35 appropriation is provided solely for costs associated with the pilot
 36 program described under section 216(~~(+6)~~) (5) of this act. The
 37 Washington state patrol may incur costs related only to the assignment
 38 of cadets and necessary computer equipment and to the reimbursement of

1 the department of transportation for contract costs. The appropriation
2 in this subsection must be funded from the portion of the automated
3 traffic safety camera infraction fines deposited into the state patrol
4 highway account; however, if the fines deposited into the state patrol
5 highway account from automated traffic safety camera infractions do not
6 reach three hundred seventy thousand dollars, the department of
7 transportation shall remit funds necessary to the Washington state
8 patrol to ensure the completion of the pilot program. The Washington
9 state patrol may not incur overtime as a result of this pilot program.
10 The Washington state patrol shall not assign troopers to operate or
11 deploy the pilot program equipment used in roadway construction zones.

12 (6) The cost allocation for any costs incurred for the facilities
13 at the Olympia, Washington airport used for the Washington state patrol
14 aviation section must be split evenly between the state patrol highway
15 account and the general fund.

16 (7) The Washington state patrol shall work with the state
17 interoperability executive committee to compile a list of recent
18 studies evaluating the potential savings and benefits of consolidating
19 law enforcement and emergency dispatching centers and report to the
20 joint transportation committee by December 1, 2014, on the findings and
21 recommendations of those studies. As part of this study, the
22 Washington state patrol must look for potential efficiencies within
23 state government.

24 (8) It is the intent of the legislature to increase the
25 competitiveness of entry-to-mid-level Washington state patrol trooper
26 base salaries. In order to make progress in this area, the agency
27 shall prioritize efforts during labor negotiations to assist in
28 attracting and retaining troopers.

29 (9) The Washington state patrol shall coordinate and support local
30 law enforcement in Pierce county in providing traffic control on the
31 highways and other activities within current budget during the United
32 States open national golf championship in June 2015.

33 **Sec. 208.** 2013 c 306 s 208 (uncodified) is amended to read as
34 follows:

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

1	Motorcycle Safety Education Account--State	
2	Appropriation	((\$4,409,000))
3		<u>\$4,401,000</u>
4	State Wildlife Account--State Appropriation	((\$885,000))
5		<u>\$873,000</u>
6	Highway Safety Account--State Appropriation	((\$156,679,000))
7		<u>\$159,130,000</u>
8	Highway Safety Account--Federal Appropriation	((\$4,392,000))
9		<u>\$4,375,000</u>
10	Motor Vehicle Account--State Appropriation	((\$76,819,000))
11		<u>\$81,727,000</u>
12	Motor Vehicle Account--Federal Appropriation	\$467,000
13	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
14	Ignition Interlock Device Revolving Account--State	
15	Appropriation	((\$2,656,000))
16		<u>\$4,350,000</u>
17	Department of Licensing Services Account--State	
18	Appropriation	((\$5,959,000))
19		<u>\$5,990,000</u>
20	TOTAL APPROPRIATION	((\$253,844,000))
21		<u>\$262,891,000</u>

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

24 (1) \$1,235,000 of the highway safety account--state appropriation
25 is provided solely for the implementation of chapter . . . (Substitute
26 House Bill No. 1752), Laws of 2013 (requirements for the operation of
27 commercial motor vehicles in compliance with federal regulations). If
28 chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not
29 enacted by June 30, 2013, the amount provided in this subsection
30 lapses.

31 (2) \$1,000,000 of the highway safety account--state appropriation
32 is provided solely for information technology field system
33 modernization.

34 (3) \$5,286,000 of the highway safety account--state appropriation
35 is provided solely for business and technology modernization.

36 (4) \$2,355,000 of the motor vehicle account--state appropriation is
37 provided solely for replacing prorated and fuel tax computer systems

1 used to administer interstate licensing and the collection of fuel tax
2 revenues.

3 (5) \$1,491,000 of the highway safety account--state appropriation
4 is provided solely for the implementation of an updated central
5 issuance system.

6 (6) \$201,000 of the motor vehicle account--state appropriation is
7 provided solely for the implementation of chapter . . . (Substitute
8 Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license
9 plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of
10 2013 is not enacted by June 30, 2013, the amount provided in this
11 subsection lapses.

12 ((+4)) (7) \$425,000 of the highway safety account--state
13 appropriation is provided solely for the implementation of chapter
14 . . . (Substitute Senate Bill No. 5182), Laws of 2013 (vehicle owner
15 information). If chapter . . . (Substitute Senate Bill No. 5182), Laws
16 of 2013 is not enacted by June 30, 2013, the amount provided in this
17 subsection lapses.

18 ((+5)) (8) \$172,000 of the highway safety account--state
19 appropriation is provided solely for the implementation of chapter
20 . . . (Senate Bill No. 5775), Laws of 2013 (veterans/drivers'
21 licenses). If chapter . . . (Senate Bill No. 5775), Laws of 2013 is
22 not enacted by June 30, 2013, the amount provided in this subsection
23 lapses.

24 ((+6)) (9) \$652,000 of the motor vehicle account--state
25 appropriation is provided solely for the implementation of chapter
26 . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013
27 (license plates). If chapter . . . (Engrossed Substitute Senate Bill
28 No. 5785), Laws of 2013 is not enacted by June 30, 2013, the amount
29 provided in this subsection lapses.

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

37 ((+8)) (11) The appropriation in this section reflects the

1 department charging an amount sufficient to cover the full cost of
2 providing the data requested under RCW 46.12.630(1)(b).

3 ~~((+9))~~ (12)(a) The department must convene a work group to examine
4 the use of parking placards and special license plates for persons with
5 disabilities and develop a strategic plan for ending any abuse. In
6 developing this plan, the department must work with the department of
7 health, disabled citizen advocacy groups, and representatives from
8 local government.

9 (b) The work group must be composed of no more than two
10 representatives from each of the entities listed in (a) of this
11 subsection. The work group may, when appropriate, consult with any
12 other public or private entity in order to complete the strategic plan.

13 (c) The strategic plan must include:

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

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

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

34 (e) By December 1, 2013, the work group must deliver to the
35 legislature and the appropriate legislative committees the strategic
36 plan required under this subsection, together with its findings,
37 recommendations, and any necessary draft legislation in order to
38 implement the strategic plan.

1 (~~(10)~~) (13) \$3,082,000 of the highway safety account--state
2 appropriation is provided solely for exam and licensing activities,
3 including the workload associated with providing driver record
4 abstracts, and is subject to the following additional conditions and
5 limitations:

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

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

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

18 (14) \$292,000 of the motor vehicle account--state appropriation is
19 provided solely for the implementation of chapter . . . (Engrossed
20 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
21 replacement). If chapter . . . (Engrossed Second Substitute House Bill
22 No. 1129), Laws of 2014 is not enacted by June 30, 2014, the amount
23 provided in this subsection lapses.

24 (15) \$384,000 of the motor vehicle account--state appropriation is
25 provided solely for the implementation of chapter . . . (Engrossed
26 Second Substitute House Bill No. 1902), Laws of 2014 (intermittent-use
27 trailer license plates). If chapter . . . (Engrossed Second Substitute
28 House Bill No. 1902), Laws of 2014 is not enacted by June 30, 2014, the
29 amount provided in this subsection lapses.

30 (16) \$62,000 of the motor vehicle account--state appropriation is
31 provided solely for the implementation of chapter . . . (House Bill No.
32 2100), Laws of 2014 (Seattle University license plates). If chapter
33 . . . (House Bill No. 2100), Laws of 2014 is not enacted by June 30,
34 2014, the amount provided in this subsection lapses.

35 (17) \$66,000 of the motor vehicle account--state appropriation is
36 provided solely for the implementation of chapter . . . (House Bill No.
37 2700), Laws of 2014 (breast cancer awareness license plates). If

1 chapter . . . (House Bill No. 2700), Laws of 2014 is not enacted by
2 June 30, 2014, the amount provided in this subsection lapses.

3 (18) \$61,000 of the motor vehicle account--state appropriation is
4 provided solely for the implementation of chapter . . . (Engrossed
5 House Bill No. 2752), Laws of 2014 (Washington state tree license
6 plates). If chapter . . . (Engrossed House Bill No. 2752), Laws of
7 2014 is not enacted by June 30, 2014, the amount provided in this
8 subsection lapses.

9 (19) \$32,000 of the motor vehicle account--state appropriation is
10 provided solely for the implementation of chapter . . . (House Bill
11 No. 2741), Laws of 2014 (initial vehicle registration). If chapter
12 . . . (House Bill No. 2741), Laws of 2014 is not enacted by June 30,
13 2014, the amount provided in this subsection lapses.

14 (20) \$66,000 of the highway safety account--state appropriation is
15 provided solely for the implementation of chapter . . . (Substitute
16 House Bill No. 2518), Laws of 2014 (pilot identicard program). If
17 chapter . . . (Substitute House Bill No. 2518), Laws of 2014 is not
18 enacted by June 30, 2014, the amount provided in this subsection
19 lapses.

20 (21) Within existing resources, the department must convene a work
21 group that includes, at a minimum, representatives from the department
22 of transportation, the trucking industry, manufacturers of compressed
23 natural gas and liquefied natural gas, and any other stakeholders as
24 deemed necessary, for the following purposes:

25 (a) To evaluate the annual license fee in lieu of fuel tax under
26 RCW 82.38.075 to determine a fee that more closely represents the
27 average consumption of vehicles by weight and to make recommendations
28 to the transportation committees of the legislature by December 1,
29 2014, on an updated fee schedule; and

30 (b) To develop a transition plan to move vehicles powered by
31 liquefied natural gas and compressed natural gas from the annual
32 license fee in lieu of fuel tax to the fuel tax under RCW 82.38.030.
33 The transition plan must incorporate stakeholder feedback and must
34 include draft legislation and cost and revenue estimates. The
35 transition plan must be submitted to the transportation committees of
36 the legislature by December 1, 2015.

37 (22) \$125,000 of the motor vehicle account--state appropriation is
38 provided solely for the implementation of chapter . . . (Substitute

1 Senate Bill No. 5467), Laws of 2014 (vehicle owner list furnishment
2 requirements). If chapter . . . (Substitute Senate Bill No. 5467),
3 Laws of 2014 is not enacted by June 30, 2014, the amount provided in
4 this subsection lapses.

5 (23) The department must convene a work group to study the issue of
6 regulating tow truck operators that are not licensed as registered tow
7 truck operators under chapter 46.55 RCW. The work group must examine
8 the advisability of regulating such operators, including any potential
9 benefits to public safety, and possible methodologies for accomplishing
10 this regulation. The work group must include the department,
11 representatives of the Washington state patrol, organized groups of
12 registered tow truck operators, and automobile clubs. The work group
13 may also include hulk haulers, wreckers, transporters, and other
14 stakeholders relating to the issue of unregulated towing for monetary
15 compensation. The work group shall convene as necessary and report its
16 recommendations and draft legislation to the transportation committees
17 of the legislature by December 1, 2014.

18 **Sec. 209.** 2013 c 306 s 209 (uncodified) is amended to read as
19 follows:

20 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
21 **MAINTENANCE--PROGRAM B**

22	High-Occupancy Toll Lanes Operations Account--State	
23	Appropriation	(((\$1,851,000))
24		<u>\$1,966,000</u>
25	Motor Vehicle Account--State Appropriation	(((\$509,000))
26		<u>\$515,000</u>
27	State Route Number 520 Corridor Account--State	
28	Appropriation	(((\$32,419,000))
29		<u>\$35,104,000</u>
30	State Route Number 520 Civil Penalties Account--State	
31	Appropriation	(((\$4,169,000))
32		<u>\$4,163,000</u>
33	Tacoma Narrows Toll Bridge Account--State	
34	Appropriation	(((\$23,730,000))
35		<u>\$25,257,000</u>
36	Puget Sound Ferry Operations Account--State	
37	Appropriation	\$250,000

1 Interstate 405 Express Toll Lanes Operations

2 Account--State Appropriation \$2,019,000
3 TOTAL APPROPRIATION ((~~\$62,928,000~~))
4 \$69,274,000

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

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

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

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

1 management and the house of representatives and senate transportation
2 committees by October 15, 2013.

3 (2) (~~(\$10,482,000)~~) \$10,352,000 of the Tacoma Narrows toll bridge
4 account--state appropriation, (~~(\$17,056,000)~~) \$16,916,000 of the state
5 route number 520 corridor account--state appropriation, (~~(\$1,226,000)~~)
6 \$1,219,000 of the high-occupancy toll lanes operations account--state
7 appropriation, and (~~(\$509,000)~~) \$515,000 of the motor vehicle account--
8 state appropriation are provided solely for nonvendor costs of
9 administering toll operations, including the costs of: Staffing the
10 division, consultants and other personal service contracts required for
11 technical oversight and management assistance, insurance, payments
12 related to credit card processing, transponder purchases and inventory
13 management, facility operations and maintenance, and other
14 miscellaneous nonvendor costs.

15 (3) (~~(\$10,907,000)~~) \$11,265,000 of the Tacoma Narrows toll bridge
16 account--state appropriation, (~~(\$9,363,000)~~) \$9,730,000 of the state
17 route number 520 corridor account--state appropriation, and \$625,000 of
18 the high-occupancy toll lanes operations account--state appropriation
19 are provided solely for vendor-related costs of operating tolled
20 facilities, including the costs of: The customer service center; cash
21 collections on the Tacoma Narrows bridge; electronic payment
22 processing; and toll collection equipment maintenance, renewal, and
23 replacement.

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

35 (5) (~~(\$4,169,000)~~) \$4,163,000 of the state route number 520 civil
36 penalties account--state appropriation and \$1,039,000 of the Tacoma
37 Narrows toll bridge account--state appropriation are provided solely
38 for expenditures related to the toll adjudication process. The

1 department shall report on the civil penalty process to the office of
2 financial management and the house of representatives and senate
3 transportation committees by the end of each calendar quarter. The
4 reports must include a summary table for each toll facility that
5 includes: The number of notices of civil penalty issued; the number of
6 recipients who pay before the notice becomes a penalty; the number of
7 recipients who request a hearing and the number who do not respond;
8 workload costs related to hearings; the cost and effectiveness of debt
9 collection activities; and revenues generated from notices of civil
10 penalty.

11 (6) The Tacoma Narrows toll bridge account--state appropriation in
12 this section reflects reductions in management costs of \$1,235,000.

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

19 (8) The department shall make detailed quarterly reports to the
20 governor and the transportation committees of the legislature on the
21 use of consultants in the tolling program. The reports must include
22 the name of the contractor, the scope of work, the type of contract,
23 timelines, deliverables, any new task orders, and any extensions to
24 existing consulting contracts.

25 (9)(a) \$250,000 of the Puget Sound ferry operations account--state
26 appropriation is provided solely for the development of a plan to
27 integrate and transition customer service, reservation, and payment
28 systems currently provided by the marine division to ferry users into
29 the statewide tolling customer service center.

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

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

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

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

37 (D) Transitioning existing and planned ferry reservation system

1 support from the marine division to the statewide tolling customer
2 service center.

3 (ii) The plan must be provided to the office of financial
4 management and the transportation committees of the legislature by
5 January 14, 2014.

6 (10) \$2,019,000 of the Interstate 405 express toll lanes operations
7 account--state appropriation is provided solely for operating and
8 maintenance costs, including staff costs related to operating an
9 additional toll facility, consulting support for operations, purchase
10 of transponders, costs related to adjudication, credit card fees,
11 printing and postage, and the customer service center support. Of the
12 amount provided in this subsection, \$519,000 of the Interstate 405
13 express toll lanes operations account--state appropriation must be
14 placed in unallotted status by the office of financial management until
15 tolling commences.

16 (11) \$2,458,000 of the state route number 520 corridor account--
17 state appropriation, \$122,000 of the high-occupancy toll lanes
18 operations account--state appropriation, and \$1,301,000 of the Tacoma
19 Narrows toll bridge account--state appropriation is provided solely for
20 replacement of the customer service center operator and supporting toll
21 systems required for billing. Included in the amounts provided within
22 this subsection is funding for an expert review panel to oversee the
23 development and implementation of the procurement process. Of the
24 amounts provided in this subsection, \$906,000 of the state route number
25 520 corridor account--state appropriation, \$45,000 of the high-
26 occupancy toll lanes operations account--state appropriation, and
27 \$480,000 of the Tacoma Narrows toll bridge account--state appropriation
28 must be placed in unallotted status by the office of financial
29 management until a procurement plan is finalized and approved by the
30 office of financial management.

31 **Sec. 210.** 2013 c 306 s 210 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
34 **C**

35	Transportation Partnership Account--State	
36	Appropriation	\$1,460,000
37	Motor Vehicle Account--State Appropriation	((\$68,773,000))

1 \$10,169,000

2 The appropriations in this section are subject to the following
3 conditions and limitations: (~~(\$3,500,000)~~)

4 (1) \$4,065,000 of the aeronautics account--state appropriation is
5 provided solely for airport investment studies and the airport aid
6 grant program, which provides competitive grants to public airports for
7 pavement, safety, maintenance, planning, and security.

8 (2) \$102,000 of the aeronautics account--state appropriation is
9 provided solely for the aviation emergency services program.

10 **Sec. 213.** 2013 c 306 s 213 (uncodified) is amended to read as
11 follows:

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

14	Motor Vehicle Account--State Appropriation	((\$47,607,000))
15		<u>\$47,408,000</u>
16	Motor Vehicle Account--Federal Appropriation	\$500,000
17	Multimodal Transportation Account--State	
18	Appropriation	\$250,000
19	TOTAL APPROPRIATION	((\$48,357,000))
20		<u>\$48,158,000</u>

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

23 (1) \$4,423,000 of the motor vehicle account--state appropriation is
24 provided solely for the department's compliance with its national
25 pollution discharge elimination system permit.

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

29 (3) The legislature recognizes that the Dryden pit site (WSDOT
30 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
31 property under the jurisdiction of the department, and that the public
32 would benefit significantly from the complete enjoyment of the natural
33 scenic beauty and recreational opportunities available at the site.
34 Therefore, pursuant to RCW 47.12.080, the legislature declares that
35 transferring the property to the department of fish and wildlife for
36 recreational use and fish and wildlife restoration efforts is
37 consistent with the public interest in order to preserve the area for

1 the use of the public and the betterment of the natural environment.
2 The department shall work with the department of fish and wildlife and
3 transfer and convey the Dryden pit site to the department of fish and
4 wildlife as-is for an adjusted fair market value reflecting site
5 conditions, the proceeds of which must be deposited in the motor
6 vehicle fund. The department is not responsible for any costs
7 associated with the cleanup or transfer of this property. This
8 subsection expires June 30, 2014.

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

27 (5) The legislature recognizes that the SR 20/Cook Road realignment
28 and extension project in the city of Sedro-Woolley will enhance the
29 state and local highway systems by providing a more direct route from
30 state route number 20 and state route number 9 to Interstate 5, and
31 will reduce traffic on state route number 20 and state route number 9,
32 improving the capacity of each route. Furthermore, the legislature
33 declares that certain portions of the department's property held for
34 highway purposes located primarily to the north and west of state route
35 number 20, between state route number 20 to the south and F and S Grade
36 Road to the north, in the incorporated limits of Sedro-Woolley in
37 Skagit county, can help facilitate completion of the project.
38 Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it

1 is the intent of the legislature that the department sell, transfer, or
2 lease, as appropriate, to the city of Sedro-Woolley only those portions
3 of the property necessary to construct the project, including necessary
4 staging areas. However, any staging areas should revert to the
5 department within three years of completion of the project.

6 (6) Within the amounts provided in this section, the department
7 shall create a quality assurance position. This position must provide
8 independent project quality assurance validation and ensure that
9 quality assurance audit functions are accountable at the highest level
10 of the organization.

11 (7) To maximize available resources, the department's efforts to
12 eliminate fish passage barriers caused by state roads and highways must
13 be based on the principle of maximizing habitat recovery through a
14 coordinated investment strategy that, to the maximum extent practical
15 and allowable, prioritizes opportunities: To correct multiple fish
16 barriers in whole streams rather than through individual, isolated
17 projects; to coordinate with other entities sponsoring barrier
18 removals, such as regional fisheries enhancement groups, in a manner
19 that achieves the greatest cost savings to all parties; and to
20 eliminate barriers located furthest downstream in a stream system. The
21 department must also recognize that many of the barriers owned by the
22 state are located in the same stream systems as barriers that are owned
23 by cities and counties with limited financial resources for correction
24 and that state/local partnership opportunities should be sought to
25 address these barriers.

26 **Sec. 214.** 2013 c 306 s 214 (uncodified) is amended to read as
27 follows:

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

30 Motor Vehicle Account--State Appropriation ((\$570,000))
31 \$590,000

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

34 (1) The legislature finds that the efforts started in the 2011-2013
35 fiscal biennium regarding the transition to a road usage charge system
36 represent an important first step in the policy and conceptual
37 development of potential alternative systems to fund transportation

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

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

24 (3) The department, in collaboration with the transportation
25 commission, shall work with the office of the state treasurer and the
26 state's bond counsel to explore legal approaches for ensuring that any
27 reduction, refunding, crediting, or repeal of the motor vehicle fuel
28 tax, in whole or in part, can be accomplished without unlawfully
29 impairing the legal rights of motor vehicle fuel tax bond holders. The
30 results of this work must be shared with the transportation committees
31 of the legislature and the office of financial management by September
32 1, 2014.

33 (4) \$21,000 of the motor vehicle account--state appropriation is
34 provided solely as matching funds for the department to partner with
35 other transportation agencies located in the western region of North
36 America to develop strategies and methods for reporting, collecting,
37 crediting, and remitting road usage charges resulting from inter-
38 jurisdictional travel. At least one partnering jurisdiction must share

1 a common border with Washington. The results of this work must be
2 reported to the governor, the transportation commission, and the
3 transportation committees of the legislature by September 1, 2014.

4 **Sec. 215.** 2013 c 306 s 215 (uncodified) is amended to read as
5 follows:

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

7 Highway Safety Account--State Appropriation	\$10,000,000
8 Motor Vehicle Account--State Appropriation	((\$390,040,000))
9	<u>\$393,861,000</u>
10 Motor Vehicle Account--Federal Appropriation	\$7,000,000
11 TOTAL APPROPRIATION	((\$407,040,000))
12	<u>\$410,861,000</u>

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

15 (1) (~~(\$377,779,000 of the motor vehicle account state~~
16 ~~appropriation and \$10,000,000 of the highway safety account state~~
17 ~~appropriation are provided solely for the maintenance program to~~
18 ~~achieve specific levels of service on the thirty maintenance targets~~
19 ~~listed by statewide priority in LEAP Transportation Document 2013-4 as~~
20 ~~developed April 23, 2013. Beginning in February 2014, the department~~
21 ~~shall report to the legislature annually on its updated maintenance~~
22 ~~accountability process targets and whether or not the department was~~
23 ~~able to achieve its targets.~~

24 (2) ~~(\$8,450,000))~~ \$10,910,000 of the motor vehicle account--state
25 appropriation is provided solely for the department's compliance with
26 its national pollution discharge elimination system permit.

27 ((~~3~~)) ~~(\$1,305,000))~~ (2) \$3,926,000 of the motor vehicle account--
28 state appropriation is provided solely for utility fees assessed by
29 local governments as authorized under RCW 90.03.525 for the mitigation
30 of storm water runoff from state highways.

31 ((~~4~~)) (3) The department shall submit a budget decision for the
32 2014 legislative session package that details all costs associated with
33 utility fees assessed by local governments as authorized under RCW
34 90.03.525.

35 ((~~5~~)) (4) \$50,000 of the motor vehicle account--state
36 appropriation is provided solely for clearing and pruning dangerous

1 trees along state route number 542 between mile markers 43 and 48 to
2 prevent safety hazards and delays.

3 ((+6)) (5) \$2,277,000 of the motor vehicle account--state
4 appropriation is provided solely to replace or rehabilitate critical
5 equipment needed to perform snow and ice removal activities and roadway
6 maintenance. These funds may not be used to purchase passenger cars as
7 defined in RCW 46.04.382.

8 **Sec. 216.** 2013 c 306 s 216 (uncodified) is amended to read as
9 follows:

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

12	Motor Vehicle Account--State Appropriation	((\$50,504,000))
13		<u>\$50,223,000</u>
14	Motor Vehicle Account--Federal Appropriation	\$2,050,000
15	Motor Vehicle Account--Private/Local Appropriation	\$250,000
16	TOTAL APPROPRIATION	((\$52,804,000))
17		<u>\$52,523,000</u>

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

20 (1) \$6,000,000 of the motor vehicle account--state appropriation is
21 provided solely for low-cost enhancements. The department shall give
22 priority to low-cost enhancement projects that improve safety or
23 provide congestion relief. The department shall prioritize low-cost
24 enhancement projects on a statewide rather than regional basis. By
25 September 1st of each even-numbered year, the department shall provide
26 a report to the legislature listing all low-cost enhancement projects
27 prioritized on a statewide rather than regional basis completed in the
28 prior year.

29 (2) \$9,000,000 of the motor vehicle account--state appropriation is
30 provided solely for the department's incident response program.

31 (3) During the 2013-2015 fiscal biennium, the department shall
32 continue a pilot program that expands private transportation providers'
33 access to high occupancy vehicle lanes. Under the pilot program, when
34 the department reserves a portion of a highway based on the number of
35 passengers in a vehicle, the following vehicles must be authorized to
36 use the reserved portion of the highway if the vehicle has the capacity
37 to carry eight or more passengers, regardless of the number of

1 passengers in the vehicle: (a) Auto transportation company vehicles
2 regulated under chapter 81.68 RCW; (b) passenger charter carrier
3 vehicles regulated under chapter 81.70 RCW, except marked or unmarked
4 stretch limousines and stretch sport utility vehicles as defined under
5 department of licensing rules; (c) private nonprofit transportation
6 provider vehicles regulated under chapter 81.66 RCW; and (d) private
7 employer transportation service vehicles. For purposes of this
8 subsection, "private employer transportation service" means regularly
9 scheduled, fixed-route transportation service that is offered by an
10 employer for the benefit of its employees. Nothing in this subsection
11 is intended to authorize the conversion of public infrastructure to
12 private, for-profit purposes or to otherwise create an entitlement or
13 other claim by private users to public infrastructure.

14 (4) The department shall work with the cities of Lynnwood and
15 Edmonds to provide traffic light synchronization on state route number
16 524.

17 ~~((+6+))~~ (5) The department, in consultation with the Washington
18 state patrol, must continue a pilot program for the state patrol to
19 issue infractions based on information from automated traffic safety
20 cameras in roadway construction zones on state highways. For the
21 purpose of this pilot program, during the 2013-2015 fiscal biennium, a
22 roadway construction zone includes areas where public employees or
23 private contractors may be present or where a driving condition exists
24 that would make it unsafe to drive at higher speeds, such as, when the
25 department is redirecting or realigning lanes on any public roadway
26 pursuant to ongoing construction. The department shall use the
27 following guidelines to administer the program:

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

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

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

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

7 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
8 infractions detected through the use of automated traffic safety
9 cameras are not part of the registered owner's driving record under RCW
10 46.52.101 and 46.52.120. Additionally, infractions generated by the
11 use of automated traffic safety cameras must be processed in the same
12 manner as parking infractions for the purposes of RCW 3.50.100,
13 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
14 fine issued under this subsection (~~((+6))~~) (5) for an infraction
15 generated through the use of an automated traffic safety camera is one
16 hundred thirty-seven dollars. The court shall remit thirty-two dollars
17 of the fine to the state treasurer for deposit into the state patrol
18 highway account; and

19 (f) If a notice of infraction is sent to the registered owner and
20 the registered owner is a rental car business, the infraction must be
21 dismissed against the business if it mails to the patrol, within
22 fourteen days of receiving the notice, a declaration under penalty of
23 perjury of the name and known mailing address of the individual driving
24 or renting the vehicle when the infraction occurred. If the business
25 is unable to determine who was driving or renting the vehicle at the
26 time the infraction occurred, the business must sign a declaration
27 under penalty of perjury to this effect. The declaration must be
28 mailed to the patrol within fourteen days of receiving the notice of
29 traffic infraction. Timely mailing of this declaration to the issuing
30 agency relieves a rental car business of any liability under this
31 section for the notice of infraction. A declaration form suitable for
32 this purpose must be included with each automated traffic safety camera
33 infraction notice issued, along with instructions for its completion
34 and use.

35 (~~((+7))~~) (6) \$102,000 of the motor vehicle account--state
36 appropriation is provided solely to replace or rehabilitate critical
37 equipment needed to perform traffic control. These funds may not be
38 used to purchase passenger cars as defined in RCW 46.04.382.

1 **Sec. 217.** 2013 c 306 s 217 (uncodified) is amended to read as
2 follows:

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

5	Motor Vehicle Account--State Appropriation	((\$27,281,000))
6		<u>\$27,204,000</u>
7	Motor Vehicle Account--Federal Appropriation	((\$30,000))
8		<u>\$280,000</u>
9	Multimodal Transportation Account--State	
10	Appropriation	((\$973,000))
11		<u>\$1,131,000</u>
12	TOTAL APPROPRIATION	((\$28,284,000))
13		<u>\$28,615,000</u>

14 The appropriations in this section are subject to the following
15 conditions and limitations: \$200,000 of the motor vehicle account--
16 state appropriation is provided solely for enhanced disadvantaged
17 business enterprise outreach to increase the pool of disadvantaged
18 businesses available for department contracts. The department must
19 submit a status report on disadvantaged business enterprise outreach to
20 the transportation committees of the legislature by November 15, 2014.

21 **Sec. 218.** 2013 c 306 s 218 (uncodified) is amended to read as
22 follows:

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

25	Motor Vehicle Account--State Appropriation	((\$20,109,000))
26		<u>\$19,955,000</u>
27	Motor Vehicle Account--Federal Appropriation	((\$24,885,000))
28		<u>\$27,385,000</u>
29	Multimodal Transportation Account--State	
30	Appropriation	\$662,000
31	Multimodal Transportation Account--Federal	
32	Appropriation	\$2,809,000
33	Multimodal Transportation Account--Private/Local	
34	Appropriation	\$100,000
35	TOTAL APPROPRIATION	((\$48,565,000))
36		<u>\$50,911,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: ((+1)) Within available resources, the
3 department must collaborate with the affected metropolitan planning
4 organizations, regional transportation planning organizations, transit
5 agencies, and private transportation providers to develop a plan to
6 reduce vehicle demand, increase public transportation options, and
7 reduce vehicle miles traveled on corridors affected by growth at Joint
8 Base Lewis-McChord.

9 **Sec. 219.** 2013 c 306 s 219 (uncodified) is amended to read as
10 follows:

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

13	Motor Vehicle Account--State Appropriation	((\$81,628,000))
14		<u>\$74,209,000</u>
15	Motor Vehicle Account--Federal Appropriation	\$400,000
16	Multimodal Transportation Account--State	
17	Appropriation	((\$40,000))
18		<u>\$3,069,000</u>
19	TOTAL APPROPRIATION	((\$82,068,000))
20		<u>\$77,678,000</u>

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

26 **Sec. 220.** 2013 c 306 s 220 (uncodified) is amended to read as
27 follows:

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

30	State Vehicle Parking Account--State Appropriation	((\$452,000))
31		<u>\$754,000</u>
32	Regional Mobility Grant Program Account--State	
33	Appropriation	((\$49,948,000))
34		<u>\$51,111,000</u>
35	Rural Mobility Grant Program Account--State	
36	Appropriation	\$17,000,000

1 incentives for employers to increase employee vanpool use. The grant
2 program for public transit agencies will cover capital costs only;
3 operating costs for public transit agencies are not eligible for
4 funding under this grant program. Additional employees may not be
5 hired from the funds provided in this section for the vanpool grant
6 program, and supplanting of transit funds currently funding vanpools is
7 not allowed. The department shall encourage grant applicants and
8 recipients to leverage funds other than state funds.

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

11 (c) \$520,000 of the amount provided in this subsection is provided
12 solely for the purchase of additional vans for use by vanpools serving
13 ~~((soldiers and civilian employees at))~~ or traveling through the Joint
14 Base Lewis-McChord I-5 corridor between mile post 116 and 127.

15 (4) ~~((\$9,948,000))~~ \$11,111,000 of the regional mobility grant
16 program account--state appropriation is reappropriated and provided
17 solely for the regional mobility grant projects identified in LEAP
18 Transportation Document ~~((2013-2))~~ 2014-2 ALL PROJECTS - Public
19 Transportation - Program (V) as developed ~~((April 23, 2013))~~ February
20 27, 2014.

21 (5)(a) \$40,000,000 of the regional mobility grant program account--
22 state appropriation is provided solely for the regional mobility grant
23 projects identified in LEAP Transportation Document ~~((2013-2))~~ 2014-2
24 ALL PROJECTS - Public Transportation - Program (V) as developed ~~((April~~
25 ~~23, 2013))~~ February 27, 2014. The department shall review all projects
26 receiving grant awards under this program at least semiannually to
27 determine whether the projects are making satisfactory progress. Any
28 project that has been awarded funds, but does not report activity on
29 the project within one year of the grant award, must be reviewed by the
30 department to determine whether the grant should be terminated. The
31 department shall promptly close out grants when projects have been
32 completed, and any remaining funds must be used only to fund projects
33 identified in the LEAP transportation document referenced in this
34 subsection. The department shall provide annual status reports on
35 December 15, 2013, and December 15, 2014, to the office of financial
36 management and the transportation committees of the legislature
37 regarding the projects receiving the grants. It is the intent of the
38 legislature to appropriate funds through the regional mobility grant

1 program only for projects that will be completed on schedule. A
2 grantee may not receive more than (~~twenty-five~~) thirty percent of the
3 amount appropriated in this subsection. The department shall not
4 approve any increases or changes to the scope of a project for the
5 purpose of a grantee expending remaining funds on an awarded grant.

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

10 (i) "private transportation provider" means: An auto transportation
11 company regulated under chapter 81.68 RCW; a passenger charter carrier
12 regulated under chapter 81.70 RCW, except marked or unmarked stretch
13 limousines and stretch sport utility vehicles as defined under
14 department of licensing rules; a private nonprofit transportation
15 provider regulated under chapter 81.66 RCW; or a private employer
16 transportation service provider; and (ii) "private employer
17 transportation service" means regularly scheduled, fixed-route
18 transportation service that is offered by an employer for the benefit
19 of its employees.

20 (6) Funds provided for the commute trip reduction (CTR) program may
21 also be used for the growth and transportation efficiency center
22 program.

23 (7) (~~(\$6,122,000)~~) \$6,424,000 of the total appropriation in this
24 section is provided solely for CTR grants and activities. Of this
25 amount:

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

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

34 (c) (~~(\$452,000)~~) \$754,000 of the state vehicle parking account--
35 state appropriation is provided solely for CTR-related expenditures,
36 including all expenditures related to the guaranteed ride home program
37 and the STAR pass program.

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

4 (9) \$200,000 of the multimodal transportation account--state
5 appropriation is contingent on the timely development of an annual
6 report summarizing the status of public transportation systems as
7 identified under RCW 35.58.2796.

8 (10) \$300,000 of the multimodal transportation account--state
9 appropriation is provided solely for the continuation of state support
10 for the Whatcom smart trips commute trip reduction program.

11 (11) \$160,000 of the motor vehicle account--federal appropriation
12 is provided solely for King county metro to study demand potential for
13 a state route number 18 and Interstate 90 park and ride location, to
14 size the facilities appropriately, to perform site analysis, and to
15 develop preliminary design concepts. When studying potential park and
16 ride locations pursuant to this subsection, King county metro must take
17 into consideration the effect of the traffic using the weigh station at
18 the Interstate 90 and state route number 18 interchange at exit 25 and,
19 to the maximum extent practicable, choose a park and ride location that
20 minimizes traffic impacts for the Interstate 90 and state route number
21 18 interchange and the weigh station.

22 **Sec. 221.** 2013 c 306 s 221 (uncodified) is amended to read as
23 follows:

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

25	Puget Sound Ferry Operations Account--State	
26	Appropriation	(((\$485,076,000))
27		<u>\$484,695,000</u>
28	Puget Sound Ferry Operations Account--Private/Local	
29	Appropriation	\$121,000
30	TOTAL APPROPRIATION	(((\$485,197,000))
31		<u>\$484,816,000</u>

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

34 (1) The office of financial management budget instructions require
35 agencies to recast enacted budgets into activities. The Washington
36 state ferries shall include a greater level of detail in its 2013-2015
37 supplemental and 2015-2017 omnibus transportation appropriations act

1 requests, as determined jointly by the office of financial management,
2 the Washington state ferries, and the transportation committees of the
3 legislature. This level of detail must include the administrative
4 functions in the operating as well as capital programs.

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

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

13 (4) (~~(\$112,342,000)~~) \$113,157,000 of the Puget Sound ferry
14 operations account--state appropriation is provided solely for auto
15 ferry vessel operating fuel in the 2013-2015 fiscal biennium, which
16 reflect cost savings from a reduced biodiesel fuel requirement and,
17 therefore, are contingent upon the enactment of section 701 (~~(of this~~
18 ~~act)~~), chapter 306, Laws of 2013. The amount provided in this
19 subsection represent the fuel budget for the purposes of calculating
20 any ferry fare fuel surcharge. The department shall develop a fuel
21 reduction plan to be submitted as part of its 2014 supplemental budget
22 proposal. The plan must include fuel saving proposals, such as vessel
23 modifications, vessel speed reductions, and changes to operating
24 procedures, along with anticipated fuel saving estimates.

25 (5) \$100,000 of the Puget Sound ferry operations account--state
26 appropriation is provided solely for the department's compliance with
27 its national pollution discharge elimination system permit.

28 (6) When purchasing uniforms that are required by collective
29 bargaining agreements, the department shall contract with the lowest
30 cost provider.

31 (7) \$3,049,000 of the Puget Sound ferry operations account--state
32 appropriation is provided solely for the operating program share of the
33 \$7,259,000 in lease payments for the ferry division's headquarters
34 building. Consistent with the 2012 facilities oversight plan, the
35 department shall strive to consolidate office space in downtown Seattle
36 by the end of 2015. The department shall consider renewing the lease
37 for the ferry division's current headquarters building only if the
38 lease rate is reduced at least fifty percent and analysis shows that

1 this is the least cost and risk option for the department.
2 Consolidation with other divisions or state agencies, or a reduction in
3 leased space, must also be considered as part of any headquarters lease
4 renewal analysis.

5 (8) \$5,000,000 of the Puget Sound ferry operations account--state
6 appropriation is provided solely for the purchase of a 2013-2015 marine
7 insurance policy. Within this amount, the department is expected to
8 purchase a policy with the lowest deductible possible, while
9 maintaining at least existing coverage levels for ferry vessels, and
10 providing coverage for all terminals.

11 (9) Within the amounts provided in this section, and with the goal
12 of maximizing the on-time sailing of fully loaded ferries, the
13 department must increase the staffing levels for ferry terminal traffic
14 control at the Fauntleroy ferry terminal.

15 (10) Within existing resources, the department must evaluate the
16 feasibility of using re-refined used motor oil processed in Washington
17 state as a ferry fuel source. The evaluation must include, but is not
18 limited to, research on existing entities currently using the process
19 for re-refined fuel, any required combustible engine modifications,
20 additional needed equipment on the vessels or fueling locations, cost
21 analysis, compatibility with B-5 blended diesel, and meeting engine
22 performance specifications. The department must establish an
23 evaluation group that includes, but is not limited to, persons
24 experienced in the re-refined motor oil industry. The department must
25 deliver a report containing the results of the evaluation to the
26 transportation committees of the legislature and the office of
27 financial management by December 1, 2014.

28 (11) \$71,000 of the Puget Sound ferry operations account--state
29 appropriation is provided solely for one traffic attendant for ferry
30 terminal traffic control at the Fauntleroy ferry terminal.

31 **Sec. 222.** 2013 c 306 s 222 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING**
34 Multimodal Transportation Account--State
35 Appropriation ((\$32,924,000))
36 \$46,134,000

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

3 (1) (~~(\$27,319,000)~~) \$40,289,000 of the multimodal transportation
4 account--state appropriation is provided solely for (~~(the Amtrak~~
5 ~~service contract and Talgo maintenance contract associated with~~
6 ~~providing)~~) operating and maintaining state-supported passenger rail
7 service. In recognition of the increased costs the state is expected
8 to absorb due to changes in federal law, the department is directed to
9 analyze the Amtrak contract proposal and find cost saving alternatives.
10 The department shall report to the transportation committees of the
11 legislature before the 2014 regular legislative session on its
12 revisions to the Amtrak contract, including a review of the appropriate
13 costs within the contract for concession services, policing, host
14 railroad incentives, and station services and staffing needs. Within
15 thirty days of each annual cost/revenue reconciliation under the Amtrak
16 service contract, the department shall report any changes that would
17 affect the state subsidy amount appropriated in this subsection.
18 Through a competitive process, the department may contract with a
19 private entity for services related to operations and maintenance of
20 the Amtrak Cascades route, including, but not limited to, concession
21 services.

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

23 (3) The department shall continue a pilot program by partnering
24 with the travel industry on the Amtrak Cascades service between
25 Vancouver, British Columbia, and Seattle to test opportunities for
26 increasing ridership, maximizing farebox recovery, and stimulating
27 private investment. The pilot program must run from December 31, 2013,
28 to December 31, 2014, and evaluate seasonal differences in the program
29 and the effect of advertising. The department may offer to Washington
30 universities an opportunity for business students to work as interns on
31 the analysis of the pilot program process and results. The department
32 shall report on the results of the pilot program to the office of
33 financial management and the legislature by January 31, 2015.

34 (4) \$250,000 of the multimodal transportation account--state
35 appropriation is provided solely for the department to develop an
36 inventory of short line rail infrastructure that can be used to support
37 a data-driven approach to identifying system needs. The department
38 shall work with short line rail owners and operators within the state,

1 provide status updates periodically to the joint transportation
 2 committee, submit a progress report of its findings to the
 3 transportation committees of the legislature and the office of
 4 financial management by December 15, 2014, and submit a final report to
 5 the transportation committees of the legislature and the office of
 6 financial management by June 30, 2015.

7 **Sec. 223.** 2013 c 306 s 223 (uncodified) is amended to read as
 8 follows:

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

11	Motor Vehicle Account--State Appropriation	((\$8,737,000))
12		<u>\$8,704,000</u>
13	Motor Vehicle Account--Federal Appropriation	\$2,567,000
14	TOTAL APPROPRIATION	((\$11,304,000))
15		<u>\$11,271,000</u>

16 **TRANSPORTATION AGENCIES--CAPITAL**

17 **Sec. 301.** 2013 c 306 s 301 (uncodified) is amended to read as
 18 follows:

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

20	Freight Mobility Investment Account--State	
21	Appropriation	\$11,794,000
22	Freight Mobility Multimodal Account--State	
23	Appropriation	\$9,736,000
24	Freight Mobility Multimodal Account--Private/Local	
25	Appropriation	\$1,320,000
26	Highway Safety Account--State Appropriation	((\$2,450,000))
27		<u>\$2,606,000</u>
28	Motor Vehicle Account--State Appropriation	\$84,000
29	Motor Vehicle Account--Federal Appropriation	((\$3,250,000))
30		<u>\$5,750,000</u>
31	TOTAL APPROPRIATION	((\$28,634,000))
32		<u>\$31,290,000</u>

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

1 section, the total appropriation in this section is provided solely for
2 the implementation of chapter . . . (Substitute House Bill No. 1256),
3 Laws of 2013 (addressing project selection by the freight mobility
4 strategic investment board). If chapter . . . (Substitute House Bill
5 No. 1256), Laws of 2013 is not enacted by June 30, 2013, the amounts
6 provided in this section lapse.

7 **Sec. 302.** 2013 c 306 s 302 (uncodified) is amended to read as
8 follows:

9 **FOR THE WASHINGTON STATE PATROL**

10 State Patrol Highway Account--State Appropriation . . . ((~~\$1,926,000~~)
11 \$2,661,000)

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

14 (1) \$200,000 of the state patrol highway account--state
15 appropriation is provided solely for unforeseen emergency repairs on
16 facilities.

17 (2) \$426,000 of the state patrol highway account--state
18 appropriation is provided solely for the replacement of the roofs of
19 the Marysville district office and vehicle inspection building and
20 Spokane East office.

21 (3) \$450,000 of the state patrol highway account--state
22 appropriation is provided solely for upgrades to scales at Ridgefield
23 Port of Entry, Dryden, South Pasco, Deer Park, and Kelso required to
24 meet current certification requirements.

25 (4) (~~\$850,000~~) \$1,200,000 of the state patrol highway account--
26 state appropriation is provided solely for the replacement of the
27 damaged and unrepairable scale house at the Everett southbound I-5
28 weigh scales, including equipment, weigh-in-motion technology, and an
29 ALPR camera.

30 (5) The Washington state patrol, in cooperation with the Washington
31 state department of transportation, must study the federal funding
32 options available for weigh station construction and improvements on
33 the national highway system. A study report must be provided by July
34 1, 2014, to the office of financial management and the transportation
35 committees of the legislature with recommendations on utilizing federal
36 funds for weigh station projects.

1 **Sec. 303.** 2013 c 306 s 303 (uncodified) is amended to read as
2 follows:

3 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

4	Rural Arterial Trust Account--State	
5	Appropriation	((\$35,894,000))
6		<u>\$55,894,000</u>
7	Highway Safety Account--State Appropriation	\$10,000,000
8	Motor Vehicle Account--State Appropriation	\$706,000
9	County Arterial Preservation Account--State	
10	Appropriation	\$30,000,000
11	TOTAL APPROPRIATION	((\$76,600,000))
12		<u>\$96,600,000</u>

13 **Sec. 304.** 2013 c 306 s 304 (uncodified) is amended to read as
14 follows:

15 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

16	Small City Pavement and Sidewalk Account--State	
17	Appropriation	((\$3,500,000))
18		<u>\$5,000,000</u>
19	Highway Safety Account--State Appropriation	\$10,000,000
20	Transportation Improvement Account--State	
21	Appropriation	((\$174,225,000))
22		<u>\$226,851,000</u>
23	TOTAL APPROPRIATION	((\$187,725,000))
24		<u>\$241,851,000</u>

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

- 28 (1) The arterial preservation program to help low tax-based,
- 29 medium-sized cities preserve arterial pavements;
- 30 (2) The small city pavement program to help cities meet urgent
- 31 preservation needs; and
- 32 (3) The small city low-energy street light retrofit demonstration
- 33 program.

34 **Sec. 305.** 2013 c 306 s 305 (uncodified) is amended to read as
35 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITIES--PROGRAM D--**
 2 **(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

3 Transportation Partnership Account--State

4	Appropriation	((\$13,425,000))
5		<u>\$14,390,000</u>
6	Motor Vehicle Account--State Appropriation	((\$8,106,000))
7		<u>\$11,435,000</u>
8	TOTAL APPROPRIATION	((\$21,531,000))
9		<u>\$25,825,000</u>

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

12 (1) The legislature recognizes that the Marginal Way site (King
 13 county parcel numbers 3024049182 & 5367202525) is surplus state-owned
 14 real property under the jurisdiction of the department and that the
 15 public would benefit significantly if this site is used to provide
 16 important social services. Therefore, the legislature declares that
 17 committing the Marginal Way site to this use is consistent with the
 18 public interest.

19 Pursuant to RCW 47.12.063, the department shall work with the owner
 20 of King county parcel number 7643400010, which abuts both parcels of
 21 the Marginal Way site, and shall convey the Marginal Way site to that
 22 abutting property owner for the appraised fair market value of the
 23 parcels, the proceeds of which must be deposited in the motor vehicle
 24 fund. The conveyance is conditional upon the purchaser's agreement to
 25 commit the use of the Marginal Way site to operations with the goal of
 26 ending hunger in western Washington. The department may not make this
 27 conveyance before September 1, 2013, and may not make this conveyance
 28 after January 15, 2014.

29 The Washington department of transportation is not responsible for
 30 any costs associated with the cleanup or transfer of the Marginal Way
 31 site.

32 (2) ((~~\$13,425,000~~)) \$14,390,000 of the transportation partnership
 33 account--state appropriation is provided solely for the construction of
 34 a new traffic management and emergency operations center on property
 35 owned by the department on Dayton Avenue in Shoreline (project
 36 100010T). Consistent with the office of financial management's 2012
 37 study, it is the intent of the legislature to appropriate no more than
 38 \$15,000,000 for the total construction costs. The department shall

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

6 **Sec. 306.** 2013 c 306 s 306 (uncodified) is amended to read as
7 follows:

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

9	Multimodal Transportation Account--State	
10	Appropriation	\$1,000,000
11	Transportation Partnership Account--State	
12	Appropriation	((\$1,536,032,000))
13		<u>\$1,313,555,000</u>
14	Motor Vehicle Account--State Appropriation	((\$61,508,000))
15		<u>\$69,478,000</u>
16	Motor Vehicle Account--Federal Appropriation	((\$473,359,000))
17		<u>\$516,181,000</u>
18	Motor Vehicle Account--Private/Local Appropriation	((\$208,452,000))
19		<u>\$166,357,000</u>
20	Transportation 2003 Account (Nickel Account)--State	
21	Appropriation	((\$242,253,000))
22		<u>\$325,778,000</u>
23	State Route Number 520 Corridor Account--State	
24	Appropriation	((\$737,205,000))
25		<u>\$880,111,000</u>
26	State Route Number 520 Corridor Account--Federal	
27	Appropriation	\$300,000,000
28	Special Category C Account--State Appropriation	\$124,000
29	TOTAL APPROPRIATION	((\$3,559,933,000))
30		<u>\$3,572,584,000</u>

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

33 (1) Except as provided otherwise in this section, the entire
34 transportation 2003 account (nickel account) appropriation and the
35 entire transportation partnership account appropriation are provided
36 solely for the projects and activities as listed by fund, project, and
37 amount in LEAP Transportation Document ((2013-1)) 2014-1 as developed

1 (~~April 23, 2013~~) February 27, 2014, Program - Highway Improvement
2 Program (I). However, limited transfers of specific line-item project
3 appropriations may occur between projects for those amounts listed
4 subject to the conditions and limitations in section (~~603~~) 601 of
5 this act.

6 (2) Except as provided otherwise in this section, the entire motor
7 vehicle account--state appropriation and motor vehicle account--federal
8 appropriation are provided solely for the projects and activities
9 listed in LEAP Transportation Document (~~2013-2~~) 2014-2 ALL PROJECTS
10 as developed (~~April 23, 2013~~) February 27, 2014, Program - Highway
11 Improvement Program (I). (~~It is the intent of the legislature to~~
12 ~~direct~~)The department (~~to give first priority of~~) shall apply any
13 federal funds gained through efficiencies or the redistribution process
14 in an amount up to \$27,200,000 for cost overruns related to the pontoon
15 design errors on the SR 520 Bridge Replacement and HOV project
16 (8BI1003) as described in subsection (12)(f) of this section. Any
17 federal funds gained through efficiencies or the redistribution process
18 that are in excess of \$27,200,000 must then be applied to the remainder
19 of the "Contingency (Unfunded) Highway Preservation Projects" as
20 identified in LEAP Transportation Document 2013-2 ALL PROJECTS as
21 developed April 23, 2013, Program - Highway Preservation Program (P).
22 However, no additional federal funds may be allocated to the I-
23 5/Columbia River Crossing project (400506A).

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

28 (4) The transportation 2003 account (nickel account)--state
29 appropriation includes up to (~~(\$217,604,000)~~) \$260,999,000 in proceeds
30 from the sale of bonds authorized by RCW 47.10.861.

31 (5) The transportation partnership account--state appropriation
32 includes up to (~~(\$1,156,217,000)~~) \$791,357,000 in proceeds from the
33 sale of bonds authorized in RCW 47.10.873.

34 (6) The motor vehicle account--state appropriation includes up to
35 \$30,000,000 in proceeds from the sale of bonds authorized in RCW
36 47.10.843.

37 (~~(+8)~~) (7)(a) (~~(\$5,000,000)~~) \$6,174,000 of the motor vehicle
38 account--federal appropriation and (~~(\$200,000)~~) \$269,000 of the motor

1 vehicle account--state appropriation are provided solely for the I-90
2 Comprehensive Tolling Study and Environmental Review project (100067T).
3 The department shall prepare a detailed environmental impact statement
4 that complies with the national environmental policy act regarding
5 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
6 purposes of both managing traffic and providing funding for the
7 construction of the unfunded state route number 520 from Interstate 5
8 to Medina project. As part of the preparation of the statement, the
9 department must review any impacts to the network of highways and roads
10 surrounding Lake Washington. In developing this statement, the
11 department must provide significant outreach to potential affected
12 communities. The department may consider traffic management options
13 that extend as far east as Issaquah.

14 (b)(i) As part of the project in this subsection (~~(+8+)~~) (7), the
15 department shall perform a study of all funding alternatives to tolling
16 Interstate 90 to provide funding for construction of the unfunded state
17 route number 520 and explore and evaluate options to mitigate the
18 effect of tolling on affected residents and all other users of the
19 network of highways and roads surrounding Lake Washington including,
20 but not limited to:

21 (A) Allowing all Washington residents to traverse a portion of the
22 tolled section of Interstate 90 without paying a toll. Residents may
23 choose either (I) the portion of Interstate 90 between the easternmost
24 landing west of Mercer Island and the westernmost landing on Mercer
25 Island, or (II) the portion of Interstate 90 between the westernmost
26 landing east of Mercer Island and the easternmost landing on Mercer
27 Island;

28 (B) Assessing a toll only when a driver traverses, in either
29 direction, the entire portion of Interstate 90 between the easternmost
30 landing west of Mercer Island and the westernmost landing east of
31 Mercer Island; and

32 (C) Allowing affected residents to choose one portion of the tolled
33 section of Interstate 90 upon which they may travel without paying a
34 toll. Residents may choose either (I) the portion of Interstate 90
35 between the easternmost landing west of Mercer Island and the
36 westernmost landing on Mercer Island, or (II) the portion of Interstate
37 90 between the westernmost landing east of Mercer Island and the
38 easternmost landing on Mercer Island.

1 (ii) The department may also consider any alternative mitigation
2 options that conform to the purpose of this subsection (~~((+8))~~) (7).

3 (iii) For the purposes of this subsection (~~((+8))~~) (7), "affected
4 resident" means anyone who must use a portion of Interstate 90 west of
5 Interstate 405 upon which tolling is considered in order to access
6 necessary medical services, such as a hospital.

7 (~~((+9)---\$541,901,000))~~) (8) \$490,796,000 of the transportation
8 partnership account--state appropriation, (~~((+10))~~) \$156,979,000
9 of the motor vehicle account--federal appropriation, (~~((+11))~~)
10 \$132,191,000 of the motor vehicle account--private/local appropriation,
11 and (~~((+12))~~) \$123,305,000 of the transportation 2003 account
12 (nickel account)--state appropriation are provided solely for the SR
13 99/Alaskan Way Viaduct - Replacement project (809936Z). The department
14 may enter into a new agreement with King county for the purpose of
15 public transportation mitigation. However, amounts appropriated in
16 this subsection solely for the SR 99/Alaskan Way Viaduct - Replacement
17 project (809936Z) may not be spent for the purpose of public
18 transportation mitigation, except pursuant to an agreement or
19 agreements between the department and King county as that agreement or
20 agreements existed on January 1, 2013. Should the department enter
21 into such an agreement, the department must report to the
22 transportation committees of the legislature the amount and source of
23 the funds.

24 (~~((+10))~~) (9) The department shall reconvene an expert review panel
25 of no more than three members as described under RCW 47.01.400 for the
26 purpose of updating the work that was previously completed by the panel
27 on the Alaskan Way viaduct replacement project and to ensure that an
28 appropriate and viable financial plan is created and regularly
29 reviewed. The expert review panel must be selected cooperatively by
30 the chairs of the senate and house of representatives transportation
31 committees, the secretary of transportation, and the governor. The
32 expert review panel must report findings and recommendations to the
33 transportation committees of the legislature, the governor's Alaskan
34 Way viaduct project oversight committee, and the transportation
35 commission annually until the project is operationally complete. This
36 subsection takes effect if chapter ... (Substitute House Bill No.
37 1957), Laws of 2013 is not enacted by June 30, 2013.

1 (~~(11)~~ \$7,408,000)) (10) \$7,103,000 of the transportation
2 partnership account--state appropriation, (~~(\$14,594,000)~~) \$22,774,000
3 of the transportation 2003 account (nickel account)--state
4 appropriation, (~~(\$3,730,000 of the motor vehicle account state~~
5 ~~appropriation,)~~) \$1,000,000 of the multimodal transportation account--
6 state appropriation, and (~~(\$41,395,000)~~) \$51,712,000 of the motor
7 vehicle account--federal appropriation are provided solely for the US
8 395/North Spokane Corridor projects (600010A & 600003A). Any future
9 savings on the projects must stay on the US 395/Interstate 90 corridor
10 and be made available to the current phase of the North Spokane
11 corridor projects or any future phase of the projects.

12 (~~(12)~~ \$114,369,000)) (11) \$129,952,000 of the transportation
13 partnership account--state appropriation and (~~(\$53,755,000)~~)
14 \$58,583,000 of the transportation 2003 account (nickel account)--state
15 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
16 2 - Widening project (8BI1002). This project must be completed as soon
17 as practicable as a design-build project. Any future savings on this
18 project or other Interstate 405 corridor projects must stay on the
19 Interstate 405 corridor and be made available to either the I-405/SR
20 167 Interchange - Direct Connector project (140504C) or the I-405
21 Renton to Bellevue project.

22 (~~(13)~~)) (12)(a) The SR 520 Bridge Replacement and HOV project
23 (~~(0BI1003)~~)) (8BI1003) is supported over time from multiple sources,
24 including a \$300,000,000 TIFIA loan, (~~(\$819,524,625)~~) \$923,000,000 in
25 Garvee bonds, toll revenues, state bonds, interest earnings, and other
26 miscellaneous sources.

27 (b) The state route number 520 corridor account--state
28 appropriation includes up to (~~(\$668,142,000)~~) \$814,784,000 in proceeds
29 from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

30 (c) The state route number 520 corridor account--federal
31 appropriation includes up to \$300,000,000 in proceeds from the sale of
32 bonds authorized in RCW 47.10.879 and 47.10.886.

33 (d) (~~(\$153,124,000)~~) \$165,175,000 of the transportation partnership
34 account--state appropriation, \$300,000,000 of the state route number
35 520 corridor account--federal appropriation, and (~~(\$737,205,000)~~)
36 \$880,111,000 of the state route number 520 corridor account--state
37 appropriation are provided solely for the SR 520 Bridge Replacement and
38 HOV project (~~(0BI1003)~~)) (8BI1003). Of the amounts appropriated in

1 this subsection (~~((13))~~) (12)(d), (~~((105,085,000))~~) \$84,001,000 of the
2 state route number 520 corridor account--federal appropriation and
3 (~~((227,415,000))~~) \$354,411,000 of the state route number 520 corridor
4 account--state appropriation must be put into unallotted status and are
5 subject to review by the office of financial management. The director
6 of the office of financial management shall consult with the joint
7 transportation committee prior to making a decision to allot these
8 funds.

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

13 (f) The legislature finds that the most appropriate way to pay for
14 the cost overruns related to change orders, additional sales tax, and
15 future risks associated with pontoon design errors is for the state to
16 issue triple pledge bonds in the 2015-2017 fiscal biennium resulting in
17 \$110,961,000 in proceeds, and use efficiencies, including the use of
18 least cost planning or practical design, and favorable bids in the
19 highway construction program to generate an additional \$61,066,000
20 towards paying for the estimated project overruns. Of this additional
21 \$61,066,000, \$33,866,000 should come from the transportation
22 partnership account--state appropriation and \$27,200,000 should come
23 from federal funds, with the expenditure from federal funds to come
24 first. The legislature assumes that issuing bonds to complete this
25 project as listed in LEAP Transportation Document 2014-1 as developed
26 February 27, 2014, does not require a comprehensive financial plan for
27 a project that completes the state route number 520 corridor to
28 Interstate 5.

29 (g) The department's 2014 supplemental budget allotment submittal
30 must include a project-specific plan detailing how the department will
31 achieve the mandatory budget savings in (f) of this subsection,
32 including the use of least cost planning or practical design as a means
33 to generate savings, as referenced in subsection (22) of this section.
34 The use of least cost planning or practical design may result in a
35 reduction of project cost, but not a reduction of functional scope.
36 The director of financial management shall notify the transportation
37 committees of the legislature in writing seven days prior to approving
38 any allotment modifications under this subsection.

1 (~~(14)~~ \$1,100,000)) (13) \$1,062,000 of the motor vehicle account--
2 federal appropriation is provided solely for the 31st Ave SW Overpass
3 Widening and Improvement project (L1100048).

4 (~~(15)~~ \$22,602,000)) (14) \$25,243,000 of the motor vehicle
5 account--state appropriation is provided solely to advance the design,
6 preliminary engineering, and rights-of-way acquisition for the priority
7 projects identified in LEAP Transportation Document (~~(2013-3)~~) 2014-3
8 as developed (~~(April 23, 2013)~~) February 27, 2014. Funds must be used
9 to advance the emergent, initial development of these projects for the
10 purpose of expediting delivery of the associated major investments when
11 funding for such investments becomes available. Funding may be
12 reallocated between projects to maximize the accomplishment of design
13 and preliminary engineering work and rights-of-way acquisition,
14 provided that all projects are addressed. It is the intent of the
15 legislature that, while seeking to maximize the outcomes in this
16 section, the department shall provide for continuity of both the state
17 and consulting engineer workforce, while strategically utilizing
18 private sector involvement to ensure consistency with the department's
19 business plan for staffing in the highway construction program in the
20 current fiscal biennium.

21 (~~(16)~~)) (15) If a planned roundabout in the vicinity of state
22 route number 526 and 84th Street SW would divert commercial traffic
23 onto neighborhood streets, the department may not proceed with
24 improvements at state route number 526 and 84th Street SW until the
25 traffic impacts in the vicinity of state route number 526 and 40th
26 Avenue West are addressed.

27 (~~(17)~~)) (16) The legislature finds that there are sixteen
28 companies involved in wood preserving in the state that employ four
29 hundred workers and have an annual payroll of fifteen million dollars.
30 Prior to the department's switch to steel guardrails, ninety percent of
31 the twenty-five hundred mile guardrail system was constructed of
32 preserved wood and one hundred ten thousand wood guardrail posts were
33 produced annually for state use. Moreover, the policy of using steel
34 posts requires the state to use imported steel. Given these findings,
35 where practicable, and until June 30, 2015, the department shall
36 include the design option to use wood guardrail posts, in addition to
37 steel posts, in new guardrail installations. The selection of posts

1 must be consistent with the agency design manual policy that existed
2 before December 2009.

3 ~~((+18+))~~ (17) The legislature finds that "right-sizing" is a lean,
4 metric-based approach to determining project investments. This concept
5 entails compromise between project cost and design, incorporating local
6 community needs, desired outcomes, and available funding. Furthermore,
7 the legislature finds that the concepts and principles the department
8 has utilized in the safety analyst program have been effective tools to
9 prioritize projects and reduce project costs. Therefore, the
10 department shall establish a pilot project on the SR 3/Belfair Bypass
11 - New Alignment (300344C) to begin implementing the concept of
12 "right-sizing" in the highway construction program.

13 ~~((+19+))~~ (18) For urban corridors that are all or partially within
14 a metropolitan planning organization boundary, for which the department
15 has not initiated environmental review, and that require an
16 environmental impact statement, at least one alternative must be
17 consistent with the goals set out in RCW 47.01.440.

18 ~~((+20+))~~ (19) The department shall itemize all future requests for
19 the construction of buildings on a project list and submit them through
20 the transportation executive information system as part of the
21 department's 2014 budget submittal. It is the intent of the
22 legislature that new facility construction must be transparent and not
23 appropriated within larger highway construction projects.

24 ~~((+21)---\$28,963,000))~~ (20) \$19,513,000 of the motor vehicle
25 account--state appropriation ~~((is))~~ and \$9,450,000 of the motor vehicle
26 account--federal appropriation are provided solely for improvement
27 program support activities (095901X). \$18,000,000 of this amount must
28 be held in unallotted status until the office of financial management
29 certifies that the department's 2014 supplemental budget request
30 conforms to the terms of subsection ~~((+20+))~~ (19) of this section.

31 ~~((+23+))~~ (21) Any new advisory group that the department convenes
32 during the 2013-2015 fiscal biennium must be representative of the
33 interests of the entire state of Washington.

34 (22) Practical design offers targeted benefits to a state
35 transportation system within available fiscal resources. This delivers
36 value not just for individual projects, but for the entire system.
37 Applying practical design standards will also preserve and enhance
38 safety and mobility. The department shall implement a practical design

1 strategy for transportation design standards. By June 30, 2015, the
2 department shall report to the governor and the house of
3 representatives and senate transportation committees on where practical
4 design has been applied or is intended to be applied in the department
5 and the cost savings resulting from the use of practical design.

6 (23) The department of transportation shall accept transfer to the
7 state highway system of Quarry Road (also known as the Granite Falls
8 Alternate Route) as a partially controlled limited access facility,
9 consistent with the right-of-way and limited access plan adopted by
10 Snohomish county and the city of Granite Falls in 2008. The department
11 of transportation shall defend any and all claims related to access and
12 challenges to the limited access designation. This subsection takes
13 effect ninety days after the date the governor signs this act if an
14 agreement between the department of transportation and Snohomish county
15 has not been signed by this act's effective date.

16 **Sec. 307.** 2013 c 306 s 307 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
19 Transportation Partnership Account--State

20	Appropriation	((\$36,480,000))
21		<u>\$34,966,000</u>
22	Highway Safety Account--State Appropriation	\$10,000,000
23	Motor Vehicle Account--State Appropriation	((\$58,503,000))
24		<u>\$59,796,000</u>
25	Motor Vehicle Account--Federal Appropriation	((\$580,062,000))
26		<u>\$595,604,000</u>
27	Motor Vehicle Account--Private/Local Appropriation	((\$11,270,000))
28		<u>\$11,827,000</u>
29	Transportation 2003 Account (Nickel Account)--State	
30	Appropriation	((\$2,285,000))
31		<u>\$2,650,000</u>
32	<u>Tacoma Narrows Toll Bridge Account--State Appropriation</u>	<u>\$120,000</u>
33	TOTAL APPROPRIATION	((\$698,600,000))
34		<u>\$714,963,000</u>

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) appropriation and the
3 entire transportation partnership account appropriation are provided
4 solely for the projects and activities as listed by fund, project, and
5 amount in LEAP Transportation Document ((2013-1)) 2014-1 as developed
6 ((April 23, 2013)) February 27, 2014, Program - Highway Preservation
7 Program (P). However, limited transfers of specific line-item project
8 appropriations may occur between projects for those amounts listed
9 subject to the conditions and limitations in section ((603)) 601 of
10 this act.

11 (2) Except as provided otherwise in this section, the entire motor
12 vehicle account--state appropriation and motor vehicle account--federal
13 appropriation are provided solely for the projects and activities
14 listed in LEAP Transportation Document ((2013-2)) 2014-2 ALL PROJECTS
15 as developed ((April 23, 2013)) February 27, 2014, Program - Highway
16 Preservation Program (P). ((It is the intent of the legislature to
17 direct)) The department ((to give first priority of)) shall apply any
18 federal funds gained through efficiencies or the redistribution process
19 in an amount up to \$27,200,000 for cost overruns related to the pontoon
20 design errors on the SR 520 Bridge Replacement and HOV project
21 (8BI1003) as described in subsection (12)(f) of this section. Any
22 federal funds gained through efficiencies or the redistribution process
23 that are in excess of \$27,200,000 must then be applied to the remainder
24 of the "Contingency (Unfunded) Highway Preservation Projects" as
25 identified in LEAP Transportation Document 2013-2 ALL PROJECTS as
26 developed April 23, 2013, Program - Highway Preservation Program (P).
27 However, no additional federal funds may be allocated to the I-
28 5/Columbia River Crossing project (400506A).

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

33 (4) ((~~\$27,278,000~~)) \$26,610,000 of the motor vehicle account--
34 federal appropriation, \$51,000 ((~~and \$1,141,000~~)) of the motor vehicle
35 account--state appropriation, and \$769,000 of the highway safety
36 account--state appropriation are provided solely for the SR
37 167/Puyallup River Bridge Replacement project (316725A). This project
38 must be completed as a design-build project. The department must work

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

7 (5) The department shall examine the use of electric arc furnace
8 slag for use as an aggregate for new roads and paving projects in high
9 traffic areas and report back to the legislature on its current use in
10 other areas of the country and any characteristics that can provide
11 greater wear resistance and skid resistance in new pavement
12 construction.

13 **Sec. 308.** 2013 c 306 s 308 (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	((\$3,194,000))
18		<u>\$4,915,000</u>
19	Motor Vehicle Account--Federal Appropriation	((\$7,959,000))
20		<u>\$9,152,000</u>
21	<u>Motor Vehicle Account--Private/Local Appropriation</u>	<u>\$200,000</u>
22	TOTAL APPROPRIATION	((\$11,153,000))
23		<u>\$14,267,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations: ((~~\$694,000~~)) \$195,000 of the motor vehicle
26 account--state appropriation is provided solely for project 000005Q as
27 state matching funds for federally selected competitive grants or
28 congressional earmark projects. These moneys must be placed into
29 reserve status until such time as federal funds are secured that
30 require a state match.

31 **Sec. 309.** 2013 c 306 s 309 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
34 **CONSTRUCTION--PROGRAM W**

35	Puget Sound Capital Construction Account--State	
36	Appropriation	((\$53,036,000))

1 account--state appropriation are provided solely for the Mukilteo ferry
2 terminal (project 952515P). To the greatest extent practicable, the
3 department shall seek additional federal funding for this project.
4 Within the multimodal transportation account--state appropriation
5 amount provided in this subsection, the department shall lease to the
6 city in which the project is located a portion of the department's
7 property associated with this project to provide safe, temporary public
8 access from the easterly terminus of First Street to the vicinity of
9 Front Street. The department shall provide the lease at no cost in
10 recognition of the impacts of this project to the city and require
11 appropriate liability and maintenance coverage in the terms of the
12 lease. Public access must be installed and removed at no cost to the
13 state prior to construction of the multimodal terminal project.

14 (5) (~~(\$4,000,000)~~) \$4,935,000 of the Puget Sound capital
15 construction account--state appropriation is provided solely for
16 emergency capital repair costs (project 999910K). Funds may only be
17 spent after approval by the office of financial management.

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

24 (7) (~~(\$3,800,000)~~) \$4,026,000 of the Puget Sound capital
25 construction account--state appropriation is provided solely for the
26 reservation and communications system projects (L200041 & L200042).

27 (8) \$4,210,000 of the Puget Sound capital construction account--
28 state appropriation is provided solely for the capital program share of
29 \$7,259,000 in lease payments for the ferry division's headquarters
30 building. Consistent with the 2012 facilities oversight plan, the
31 department shall strive to consolidate office space in downtown Seattle
32 by the end of 2015. The department shall consider renewing the lease
33 for the ferry division's current headquarters building only if the
34 lease rate is reduced at least fifty percent and analysis shows that
35 this is the least cost and risk option for the department.
36 Consolidation with other divisions or state agencies, or a reduction in
37 leased space, must also be considered as part of any headquarters lease
38 renewal analysis.

1 (9) (~~(\$21,950,000)~~) \$23,737,000 of the total appropriation is for
2 preservation work on the Hyak super class vessel (project 944431D),
3 including installation of a power management system and more efficient
4 propulsion systems, that in combination are anticipated to save up to
5 twenty percent in fuel and reduce maintenance costs. Upon completion
6 of this project, the department shall provide a report to the
7 transportation committees of the legislature on the fuel and
8 maintenance savings achieved for this vessel and the potential to save
9 additional funds through other vessel conversions.

10 (10) The transportation 2003 account (nickel account)--state
11 appropriation includes up to \$50,000,000 in proceeds from the sale of
12 bonds authorized in RCW 47.10.861.

13 (11) \$50,000,000 of the transportation 2003 account (nickel
14 account)--state appropriation is provided solely for the acquisition of
15 one 144-car vessel (project ONRC017). If chapter . . . (Engrossed
16 Second Substitute House Bill No. 1129), Laws of 2014 (ferry vessel
17 replacement) is not enacted by June 30, 2014, the amount provided in
18 the subsection lapses.

19 (12) If the department pursues a conversion of the existing diesel
20 powered Issaquah class fleet to a different fuel source or engine
21 technology, the department must use a design-build procurement process.

22 **Sec. 310.** 2013 c 306 s 310 (uncodified) is amended to read as
23 follows:

24 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

25 Essential Rail Assistance Account--State	
26 Appropriation	((\$861,000))
27	<u>\$1,020,000</u>
28 Transportation Infrastructure Account--State	
29 Appropriation	((\$8,582,000))
30	<u>\$9,190,000</u>
31 Multimodal Transportation Account--State	
32 Appropriation	((\$33,156,000))
33	<u>\$44,085,000</u>
34 Multimodal Transportation Account--Federal	
35 Appropriation	((\$333,881,000))
36	<u>\$426,859,000</u>
37 <u>Multimodal Transportation Account--Private/Local</u>	

1	<u>Appropriation</u>	<u>\$409,000</u>
2	TOTAL APPROPRIATION	((\$376,480,000))
3		<u>\$481,563,000</u>

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

6 (1)(a) Except as provided otherwise in this section, the entire
7 appropriations in this section are provided solely for the projects and
8 activities as listed by project and amount in LEAP Transportation
9 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
10 February 27, 2014, Program - Rail Capital Program (Y).

11 (b) Within the amounts provided in this section, ((~~\$7,332,000~~))
12 \$7,669,000 of the transportation infrastructure account--state
13 appropriation is for low-interest loans through the freight rail
14 investment bank program identified in the LEAP transportation document
15 referenced in (a) of this subsection. The department shall issue
16 freight rail investment bank program loans with a repayment period of
17 no more than ten years, and only so much interest as is necessary to
18 recoup the department's costs to administer the loans.

19 (c) Within the amounts provided in this section, ((~~\$2,439,000~~))
20 \$2,440,000 of the multimodal transportation account--state
21 appropriation, \$1,250,000 of the transportation infrastructure
22 account--state appropriation, and \$311,000 of the essential rail
23 assistance account--state appropriation are for statewide emergent
24 freight rail assistance projects identified in the LEAP transportation
25 document referenced in (a) of this subsection.

26 (2) Unsuccessful 2012 freight rail assistance program grant
27 applicants may be awarded freight rail investment bank program loans,
28 if eligible. ((~~If any funds remain in the freight rail investment bank~~
29 ~~or freight rail assistance program reserves (projects F01001A and~~
30 ~~F01000A), or any approved grants or loans are terminated,)) The
31 department shall issue a call for projects for the freight rail
32 investment bank loan program and the freight rail assistance grant
33 program, and shall evaluate the applications in a manner consistent
34 with past practices as specified in section 309, chapter 367, Laws of
35 2011. By November 1, ((~~2013~~)) 2014, the department shall submit a
36 prioritized list of recommended projects to the office of financial
37 management and the transportation committees of the legislature.~~

1 (3) (~~(\$314,647,000)~~) (a) \$421,066,000 of the multimodal
2 transportation account--federal appropriation and (~~(\$4,867,000)~~)
3 \$10,658,000 of the multimodal transportation account--state
4 appropriation are provided solely for expenditures related to passenger
5 high-speed rail grants. Except for the Mount Vernon project (P01101A),
6 the multimodal transportation account--state appropriation funds
7 reflect one and one-half percent of the total project funds, and are
8 provided solely for expenditures that are not eligible for federal
9 reimbursement.

10 (b) \$31,500,000 of the multimodal transportation account--federal
11 appropriation is provided solely for the purchase of two new train sets
12 for the state-supported intercity passenger rail service. The
13 department must apply for any federal waivers required to purchase the
14 new train sets, as allowable under existing competitive bidding
15 practices, and seek federal funds in addition to those available from
16 the high-speed rail grants.

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

22 (5) The department shall provide quarterly reports to the office of
23 financial management and the transportation committees of the
24 legislature regarding applications that the department submits for
25 federal funds and the status of such applications.

26 (6)(a) (~~(\$550,000)~~) \$709,000 of the essential rail assistance
27 account--state appropriation, \$241,000 of the transportation
28 infrastructure account--state appropriation, and \$1,893,000 of the
29 multimodal transportation account--state appropriation are provided
30 solely for the purpose of rehabilitation and maintenance of the Palouse
31 river and Coulee City railroad line (project F01111B). The department
32 shall complete an evaluation and assessment of future maintenance needs
33 on the line to ensure appropriate levels of state investment.

34 (b) Expenditures from the essential rail assistance account--state
35 appropriation in this section may not exceed the combined total of:

36 (i) Revenues deposited into the essential rail assistance account
37 from leases and sale of property pursuant to RCW 47.76.290; and

1 (ii) Revenues transferred from the miscellaneous program account to
2 the essential rail assistance account, pursuant to RCW 47.76.360, for
3 the purpose of sustaining the grain train program by maintaining the
4 Palouse river and Coulee City railroad line.

5 ~~(7) ((\$31,500,000 of the multimodal transportation account—federal~~
6 ~~appropriation is provided solely for the purchase of two new train sets~~
7 ~~for the state supported intercity passenger rail service.—The~~
8 ~~department must apply for any federal waivers required to purchase the~~
9 ~~new train sets, as allowable under existing competitive bidding~~
10 ~~practices, and seek federal funds in addition to those available from~~
11 ~~the high-speed rail grants))~~ (a) When the department identifies a
12 prospective rail project that may have strategic significance for the
13 state, or at the request of a proponent of a prospective rail project
14 or a member of the legislature, the department shall evaluate the
15 prospective project according to the cost-benefit methodology developed
16 during the 2008 interim using the legislative priorities specified in
17 (b) of this subsection. The department shall report its cost-benefit
18 evaluation of the prospective rail project, as well as the department's
19 best estimate of an appropriate construction schedule and total project
20 costs, to the office of financial management and the transportation
21 committees of the legislature.

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

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

26 (ii) Self-sustaining economic development that creates family-wage
27 jobs;

28 (iii) Preservation of transportation corridors that would otherwise
29 be lost;

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

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

34 (vi) Mitigation of impacts of increased rail traffic on
35 communities.

36 **Sec. 311.** 2013 c 306 s 311 (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	(Freight Mobility Investment Account--State	
7	Appropriation	\$11,794,000)
8	Transportation Partnership Account--State	
9	Appropriation	((\$7,214,000))
10		<u>\$9,236,000</u>
11	Highway Safety Account--State Appropriation	((\$11,255,000))
12		<u>\$8,915,000</u>
13	Motor Vehicle Account--State Appropriation	((\$6,918,000))
14		<u>\$2,201,000</u>
15	Motor Vehicle Account--Federal Appropriation	((\$28,413,000))
16		<u>\$34,581,000</u>
17	(Freight Mobility Multimodal Account--State	
18	Appropriation	\$9,736,000
19	Freight Mobility Multimodal Account--Private/Local	
20	Appropriation	\$1,320,000)
21	Multimodal Transportation Account--State	
22	Appropriation	((\$13,913,000))
23		<u>\$18,740,000</u>
24	TOTAL APPROPRIATION	((\$92,372,000))
25		<u>\$75,482,000</u>

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

28 (1) Except as provided otherwise in this section, the entire
29 appropriations in this section are provided solely for the projects and
30 activities as listed by project and amount in LEAP Transportation
31 Document ((~~2013-2~~)) 2014-2 ALL PROJECTS as developed ((~~April 23, 2013~~))
32 February 27, 2014, Program - Local Programs (Z).

33 (2) With each department budget submittal, the department shall
34 provide an update on the status of the repayment of the twenty million
35 dollars of unobligated federal funds authority advanced by the
36 department in September 2010 to the city of Tacoma for the Murray
37 Morgan/11th Street bridge project. The department may negotiate with
38 the city of Tacoma an agreement for repayment of the funds over a

1 period of up to twenty-five years at terms agreed upon by the
2 department and the city. The funds previously advanced by the
3 department to the city are not to be considered a general obligation of
4 the city but instead an obligation payable from identified revenues set
5 aside for the repayment of the funds.

6 (3) The amounts identified in the LEAP transportation document
7 referenced under subsection (1) of this section for pedestrian
8 safety/safe routes to school are as follows:

9 (a) (~~(\$12,160,000)~~) \$16,543,000 of the multimodal transportation
10 account--state appropriation, (~~(\$6,824,000)~~) \$8,724,000 of the
11 transportation partnership account--state appropriation, and \$62,000 of
12 the motor vehicle account--federal appropriation are provided solely
13 for pedestrian and bicycle safety program projects.

14 (b) \$11,700,000 of the motor vehicle account--federal
15 appropriation(~~(, —\$5,200,000—of—the motor vehicle account—state~~
16 ~~appropriation,)~~) and \$6,750,000 of the highway safety account--state
17 appropriation are provided solely for newly selected safe routes to
18 school projects, and (~~(\$3,400,000)~~) \$6,503,000 of the motor vehicle
19 account--federal appropriation and (~~(\$2,055,000)~~) \$2,165,000 of the
20 highway safety account--state appropriation are reappropriated for safe
21 routes to school projects selected in the previous biennia. The amount
22 provided for new projects is consistent with federal funding levels
23 from the 2011-2013 omnibus transportation appropriations act and the
24 intent of the fee increases in chapter 74, Laws of 2012 and chapter 80,
25 Laws of 2012. (~~(The motor vehicle account—state appropriation in this~~
26 ~~subsection (3)(b) is the amount made available by the repeal of the~~
27 ~~deduction from motor vehicle fuel tax liability for handling losses of~~
28 ~~motor vehicle fuel, as identified in chapter . . . (Substitute House~~
29 ~~Bill No. 2041), Laws of 2013 (handling losses of motor vehicle fuel).~~
30 ~~If chapter . . . (Substitute House Bill No. 2041), Laws of 2013 is not~~
31 ~~enacted by June 30, 2013, the motor vehicle account—state~~
32 ~~appropriation in this subsection (3)(b) lapses.))~~

33 (4) (~~(\$84,000 of the motor vehicle account—state appropriation,~~
34 ~~\$3,250,000 of the motor vehicle account—federal appropriation,~~
35 ~~\$2,450,000 of the highway safety account—state appropriation,~~
36 ~~\$11,794,000 of the freight mobility investment account—state~~
37 ~~appropriation, \$9,736,000 of the freight mobility multimodal account—~~
38 ~~state appropriation, and \$1,320,000 of the freight mobility multimodal~~

1 ~~account--private/local appropriation are provided solely for the~~
2 ~~projects and activities as listed by project and amount in LEAP~~
3 ~~Transportation Document 2013-B as developed April 23, 2013. If chapter~~
4 ~~... (Substitute House Bill No. 1256), Laws of 2013 is enacted by June~~
5 ~~30, 2013, the amounts provided in this subsection lapse.~~

6 (+5)) The department may enter into contracts and make expenditures
7 for projects on behalf of and selected by the freight mobility
8 strategic investment board from the amounts provided in section 301 of
9 this act.

10 ((+6)) (5) The department shall submit a report to the
11 transportation committees of the legislature by December 1, 2013, and
12 December 1, 2014, on the status of projects funded as part of the
13 pedestrian safety/safe routes to school grant program (OLP600P). The
14 report must include, but is not limited to, a list of projects selected
15 and a brief description of each project's status.

16 ((+7)) (6) \$50,000 of the motor vehicle account--state
17 appropriation is provided solely for the installation of a guard rail
18 on Deer Harbor Road in San Juan county (L2220054).

19 **Sec. 312.** 2013 c 306 s 312 (uncodified) is amended to read as
20 follows:

21 **ANNUAL REPORTING REQUIREMENTS FOR CAPITAL PROGRAM**

22 (1) As part of its budget submittal for the ((2014 supplemental))
23 2015 biennial budget, the department of transportation shall provide an
24 update to the report provided to the legislature in 2013 that: (a)
25 Compares the original project cost estimates approved in the 2003 and
26 2005 project lists to the completed cost of the project, or the most
27 recent legislatively approved budget and total project costs for
28 projects not yet completed; (b) identifies highway projects that may be
29 reduced in scope and still achieve a functional benefit; (c) identifies
30 highway projects that have experienced scope increases and that can be
31 reduced in scope; (d) identifies highway projects that have lost
32 significant local or regional contributions that were essential to
33 completing the project; and (e) identifies contingency amounts
34 allocated to projects.

35 (2) As part of its budget submittal for the ((2014 supplemental))
36 2015 biennial budget, the department of transportation shall provide an

1 annual report on the number of toll credits the department has
2 accumulated and how the department has used the toll credits.

3 **TRANSFERS AND DISTRIBUTIONS**

4 **Sec. 401.** 2013 c 306 s 401 (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 SALES DISCOUNTS AND**
8 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
9 **REVENUE**

10	Transportation Partnership Account--State	
11	Appropriation	(((\$10,406,000))
12		<u>\$2,552,000</u>
13	Motor Vehicle Account--State Appropriation	(((\$450,000))
14		<u>\$187,000</u>
15	State Route Number 520 Corridor Account--State	
16	Appropriation	\$3,866,000
17	Highway Bond Retirement Account--State	
18	Appropriation	(((\$1,074,580,000))
19		<u>\$982,559,000</u>
20	Ferry Bond Retirement Account--State Appropriation	\$31,824,000
21	Transportation Improvement Board Bond Retirement	
22	Account--State Appropriation	\$16,267,000
23	Nondebt-Limit Reimbursable Bond Retirement Account--State	
24	Appropriation	\$25,825,000
25	Toll Facility Bond Retirement Account--State	
26	Appropriation	\$52,050,000
27	((Toll Facility Bond Retirement Account--Federal	
28	 Appropriation	(\$64,982,000))
29	Transportation 2003 Account (Nickel Account)--State	
30	Appropriation	(((\$1,958,000))
31		<u>\$682,000</u>
32	((Special Category C Account--State Appropriation	(\$2,000))
33	TOTAL APPROPRIATION	(((\$1,282,210,000))
34		<u>\$1,115,812,000</u>

1 motor vehicle fuel tax refunds and statutory
2 transfers ((~~\$1,235,491,000~~))
3 \$1,242,728,000

4 **Sec. 406.** 2013 c 306 s 406 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

7 Motor Vehicle Account--State Appropriation: For motor
8 vehicle fuel tax refunds and transfers ((~~\$138,627,000~~))
9 \$138,494,000

10 **Sec. 407.** 2013 c 306 s 407 (uncodified) is amended to read as
11 follows:

12 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**

13 (1) Recreational Vehicle Account--State
14 Appropriation: For transfer to the Motor Vehicle
15 Account--State \$1,300,000

16 (2) Multimodal Transportation Account--State
17 Appropriation: For transfer to the Puget Sound
18 Ferry Operations Account--State \$13,000,000

19 (3) Rural Mobility Grant Program Account--State
20 Appropriation: For transfer to the Multimodal
21 Transportation Account--State \$3,000,000

22 (4) Motor Vehicle Account--State
23 Appropriation: For transfer to the Special Category C
24 Account--State \$1,500,000

25 (5) Capital Vessel Replacement Account--State
26 Appropriation: For transfer to the Transportation 2003
27 Account (Nickel Account)--State ((~~\$7,702,000~~))
28 \$7,571,000

29 (6) Multimodal Transportation Account--State
30 Appropriation: For transfer to the Public Transportation
31 Grant Program Account--State \$26,000,000

32 (7) Motor Vehicle Account--State Appropriation:
33 For transfer to the Puget Sound Ferry Operations
34 Account--State \$28,000,000

35 (8) Motor Vehicle Account--State Appropriation:
36 For transfer to the Puget Sound Capital Construction

1 Account--State \$28,000,000
2 (9) State Route Number 520 Civil Penalties
3 Account--State Appropriation: For transfer to the
4 State Route Number 520 Corridor Account--State \$886,000
5 (10) Multimodal Transportation Account--State
6 Appropriation: For transfer to the Highway Safety
7 Account--State \$10,000,000
8 (11) Motor Vehicle Account--State Appropriation:
9 For transfer to the State Patrol Highway
10 Account--State \$27,000,000
11 (12) Highway Safety Account--State Appropriation:
12 For transfer to the Puget Sound Ferry Operations
13 Account--State \$42,000,000
14 (13) Advanced Environmental Mitigation Revolving
15 Account--State Appropriation: For transfer to the Motor
16 Vehicle Account--State \$2,000,000
17 (14) Advanced Right-of-Way Revolving Fund--State
18 Appropriation: For transfer to the Motor Vehicle
19 Account--State \$6,000,000
20 (15) Tacoma Narrows Toll Bridge Account--State
21 Appropriation: For transfer to the Motor Vehicle
22 Account--State \$950,000
23 (16) License Plate Technology Account--State
24 Appropriation: For transfer to the Highway Safety
25 Account--State \$3,000,000
26 (17) Motor Vehicle Account--State Appropriation:
27 For transfer to the Transportation Equipment
28 Fund--State \$3,915,000
29 (18) (~~Multimodal Transportation Account--State~~
30 ~~Appropriation: For transfer to the Motor Vehicle~~
31 ~~Account--State \$10,000,000~~))
32 (a) Capital Vessel Replacement Account--State
33 Appropriation: For transfer to Transportation 2003
34 Account (Nickel Account)--State \$11,128,000
35 (b) If chapter . . . (Engrossed Second Substitute House Bill No.
36 1129), Laws of 2014 (ferry vessel replacement) is not enacted by June
37 30, 2014, the amount transferred in (a) of this subsection lapses.

1 **COMPENSATION--REPRESENTED EMPLOYEES OUTSIDE SUPER COALITION--INSURANCE**
2 **BENEFITS**

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

6 (1)(a) The monthly employer funding rate for insurance benefit
7 premiums, public employees' benefits board administration, and the
8 uniform medical plan must not exceed (~~(\$809)~~) \$782 per eligible
9 employee for fiscal year 2014. For fiscal year 2015, the monthly
10 employer funding rate must not exceed \$820 per eligible employee.

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

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

23 (2) The health care authority, subject to the approval of the
24 public employees' benefits board, shall provide subsidies for health
25 benefit premiums to eligible retired or disabled public employees and
26 school district employees who are eligible for medicare, pursuant to
27 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
28 \$150.00 per month.

29 **Sec. 503.** 2013 c 306 s 519 (uncodified) is amended to read as
30 follows:

31 **COMPENSATION--NONREPRESENTED EMPLOYEES--INSURANCE BENEFITS**

32 Appropriations for state agencies in this act are sufficient for
33 nonrepresented state employee health benefits for state agencies,
34 including institutions of higher education, and are subject to the
35 following conditions and limitations:

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

1 uniform medical plan must not exceed (~~(\$809)~~) \$782 per eligible
2 employee for fiscal year 2014. For fiscal year 2015, the monthly
3 employer funding 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 shall require any of the
6 following: Employee premium copayments; increases in point-of-service
7 cost sharing; the implementation of managed competition; or make 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 **IMPLEMENTING PROVISIONS**

23 **Sec. 601.** 2013 c 306 s 603 (uncodified) is amended to read as
24 follows:

25 **FUND TRANSFERS**

26 (1) The transportation 2003 projects or improvements and the 2005
27 transportation partnership projects or improvements are listed in the
28 LEAP list titled (~~(2013-1)~~) 2014-1 as developed (~~(April 23, 2013)~~)
29 February 27, 2014, which consists of a list of specific projects by
30 fund source and amount over a ten-year period. Current fiscal biennium
31 funding for each project is a line-item appropriation, while the outer
32 year funding allocations represent a ten-year plan. The department is
33 expected to use the flexibility provided in this section to assist in
34 the delivery and completion of all transportation partnership account
35 and transportation 2003 account (nickel account) projects on the LEAP

1 transportation documents referenced in this act. However, this section
2 does not apply to the I-5/Columbia River Crossing project (400506A).
3 For the 2011-2013 and 2013-2015 project appropriations, unless
4 otherwise provided in this act, the director of financial management
5 may authorize a transfer of appropriation authority between projects
6 funded with transportation 2003 account (nickel account)
7 appropriations, or transportation partnership account appropriations,
8 in order to manage project spending and efficiently deliver all
9 projects in the respective program under the following conditions and
10 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, without the approval of
33 the director of the office of financial management, by the department
34 of transportation until the transfer amount by project exceeds two
35 hundred fifty thousand dollars, or ten percent of the total project,
36 whichever is less. These transfers must be reported quarterly to the
37 director of financial management and the chairs of the house of
38 representatives and 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 **Sec. 602.** 2013 c 306 s 606 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION**

17 As part of its (~~2014 supplemental~~) 2015 biennial budget
18 submittal, the department shall provide a report to the legislature and
19 the office of financial management that:

20 (1) Identifies, by capital project, the amount of state funding
21 that has been reappropriated from the (~~2011-2013~~) 2013-2015 fiscal
22 biennium into the (~~2013-2015~~) 2015-2017 fiscal biennium; and

23 (2) Identifies, for each project, the amount of cost savings or
24 increases in funding that have been identified as compared to the
25 (~~2013~~) 2014 enacted omnibus transportation appropriations act.

26 NEW SECTION. **Sec. 603.** A new section is added to 2013 c 306
27 (uncodified) to read as follows:

28 (1) The appropriations to the department of transportation in this
29 act must be expended for the programs and in the amounts specified in
30 this act, except as expressly provided in sections 601 and 306(12) of
31 this act and in subsection (2) of this section after approval by the
32 director of financial management.

33 (2)(a) To the extent that it allows for the more efficient use of
34 federal moneys, unless specifically prohibited by this act, the
35 department of transportation may transfer state and federal motor
36 vehicle account appropriations among programs I, M, P, T, and Z,

1 provided that a program's total motor vehicle account appropriation may
2 not change due to this transfer. The department may likewise transfer
3 state and federal moneys that are provided for a specified purpose in
4 programs I, M, P, T, and Z, so long as the total motor vehicle account
5 appropriation associated with that specified purpose does not change.

6 (b) The department shall not transfer funds, and the director of
7 financial management shall not approve the transfer, unless the
8 transfer is consistent with, to the maximum extent possible, the
9 objectives of using federal moneys efficiently and conserving the
10 expenditure of state funds. The director of financial management shall
11 notify the transportation committees of the legislature in writing
12 seven days prior to approving any allotment modifications or transfers
13 under this section. The written notification must include a narrative
14 explanation and justification of the changes, along with expenditures
15 and allotments by budget unit and appropriation, both before and after
16 any allotment modification or transfers.

17 **MISCELLANEOUS 2013-2015 FISCAL BIENNIUM**

18 **Sec. 701.** RCW 46.12.630 and 2013 c 306 s 702 are each amended to
19 read as follows:

20 In addition to any other authority which it may have, the
21 department of licensing may furnish lists of registered and legal
22 owners of motor vehicles only for the purposes specified in this
23 section to:

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

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

30 (ii) During the 2011-2013 fiscal biennium, in research activities,
31 and in producing statistical reports, as long as the personal
32 information is not published, redisclosed, or used to contact
33 individuals; or

1 (b) During (~~fiscal year 2014~~) the 2013-2015 fiscal biennium, an
2 entity that is an authorized agent of a motor vehicle manufacturer, for
3 purposes of using lists of registered and legal owner information to
4 conduct research activities and produce statistical reports, as long as
5 the entity does not allow personal information received under this
6 section to be published, redisclosed, or used to contact individuals.
7 The department must charge an amount sufficient to cover the full cost
8 of providing the data requested under this subsection (1)(b). Full
9 cost of providing the data includes the information technology,
10 administrative, and contract oversight costs;

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

18 (3) A commercial parking company requiring the names and addresses
19 of registered owners to notify them of outstanding parking violations.
20 Subject to the disclosure agreement provisions of RCW 46.12.635 and the
21 requirements of Executive Order 97-01, the department may provide only
22 the parts of the list that are required for completion of the work
23 required of the company;

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

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

31 (6) A company or its agents operating a toll facility under chapter
32 47.46 RCW or other applicable authority requiring the names, addresses,
33 and vehicle information of motor vehicle registered owners to identify
34 toll violators.

35 Where both a mailing address and residence address are recorded on
36 the vehicle record and are different, only the mailing address will be
37 disclosed. Both addresses will be disclosed in response to requests

1 for disclosure from courts, law enforcement agencies, or government
2 entities with enforcement, investigative, or taxing authority and only
3 for use in the normal course of conducting their business.

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

11 **Sec. 702.** RCW 46.68.340 and 2013 2nd sp.s. c 35 s 14 and 2013 2nd
12 sp.s. c 4 s 986 are each reenacted and amended to read as follows:

13 The ignition interlock device revolving account is created in the
14 state treasury. All receipts from the fee assessed under RCW
15 46.20.385(6) must be deposited into the account. Moneys in the account
16 may be spent only after appropriation. Expenditures from the account
17 may be used only for administering and operating the ignition interlock
18 device revolving account program ~~((and))~~ implementing effective
19 strategies to reduce motor vehicle-related deaths and serious injuries,
20 such as those found in the Washington state strategic highway safety
21 plan: Target Zero, and during the 2013-2015 fiscal biennium, ~~((the~~
22 ~~legislature may appropriate moneys from the ignition interlock device~~
23 ~~revolving account for))~~ substance abuse programs for offenders. If
24 amounts appropriated from the account during the 2013-2015 fiscal
25 biennium exceed amounts available for expenditure in the account during
26 the 2013-2015 fiscal biennium, expenditures from the account must first
27 be used to support the ignition interlock device revolving account
28 program.

29 **Sec. 703.** RCW 47.28.030 and 2011 c 367 s 710 are each amended to
30 read as follows:

31 (1)(a) A state highway shall be constructed, altered, repaired, or
32 improved, and improvements located on property acquired for
33 right-of-way purposes may be repaired or renovated pending the use of
34 such right-of-way for highway purposes, by contract or state forces.
35 The work or portions thereof may be done by state forces when the

1 estimated costs thereof are less than fifty thousand dollars and
2 effective July 1, 2005, sixty thousand dollars.

3 (b) When delay of performance of such work would jeopardize a state
4 highway or constitute a danger to the traveling public, the work may be
5 done by state forces when the estimated cost thereof is less than
6 eighty thousand dollars and effective July 1, 2005, one hundred
7 thousand dollars.

8 (c) When the department of transportation determines to do the work
9 by state forces, it shall enter a statement upon its records to that
10 effect, stating the reasons therefor.

11 (d) To enable a larger number of small businesses and veteran,
12 minority, and women contractors to effectively compete for department
13 of transportation contracts, the department may adopt rules providing
14 for bids and award of contracts for the performance of work, or
15 furnishing equipment, materials, supplies, or operating services
16 whenever any work is to be performed and the engineer's estimate
17 indicates the cost of the work would not exceed eighty thousand dollars
18 and effective July 1, 2005, one hundred thousand dollars.

19 (2) The rules adopted under this section:

20 (a) Shall provide for competitive bids to the extent that
21 competitive sources are available except when delay of performance
22 would jeopardize life or property or inconvenience the traveling
23 public; and

24 (b) Need not require the furnishing of a bid deposit nor a
25 performance bond, but if a performance bond is not required then
26 progress payments to the contractor may be required to be made based on
27 submittal of paid invoices to substantiate proof that disbursements
28 have been made to laborers, material suppliers, mechanics, and
29 subcontractors from the previous partial payment; and

30 (c) May establish prequalification standards and procedures as an
31 alternative to those set forth in RCW 47.28.070, but the
32 prequalification standards and procedures under RCW 47.28.070 shall
33 always be sufficient.

34 (3) The department of transportation shall comply with such goals
35 and rules as may be adopted by the office of minority and women's
36 business enterprises to implement chapter 39.19 RCW with respect to
37 contracts entered into under this chapter. The department may adopt

1 such rules as may be necessary to comply with the rules adopted by the
2 office of minority and women's business enterprises under chapter 39.19
3 RCW.

4 (4)(a) For the period of March 15, (~~(2010)~~) 2014, through June 30,
5 (~~(2013)~~) 2015, work for less than one hundred twenty thousand dollars
6 may be performed on ferry vessels and terminals by state forces.

7 (b) The department shall hire a disinterested, third party to
8 conduct an independent analysis to identify methods of reducing out-of-
9 service times for vessel maintenance, preservation, and improvement
10 projects. The analysis must include options that consider
11 consolidating work while vessels are at shipyards by having state
12 forces perform services traditionally performed at Eagle Harbor at the
13 shipyard and decreasing the allowable time at shipyards. The analysis
14 must also compare the out-of-service vessel times of performing
15 services by state forces versus contracting out those services which in
16 turn must be used to form a recommendation as to what the threshold of
17 work performed on ferry vessels and terminals by state forces should
18 be. This analysis must be presented to the transportation committees
19 of the senate and house of representatives by December 1, 2010.

20 (c) The department shall develop a proposed ferry vessel
21 maintenance, preservation, and improvement program and present it to
22 the transportation committees of the senate and house of
23 representatives by December 1, 2010. The proposed program must:

24 (i) Improve the basis for budgeting vessel maintenance,
25 preservation, and improvement costs and for projecting those costs into
26 a sixteen-year financial plan;

27 (ii) Limit the amount of planned out-of-service time to the
28 greatest extent possible, including options associated with department
29 staff as well as commercial shipyards; and

30 (iii) Be based on the service plan in the capital plan, recognizing
31 that vessel preservation and improvement needs may vary by route.

32 (d) In developing the proposed ferry vessel maintenance,
33 preservation, and improvement program, the department shall consider
34 the following, related to reducing vessel out-of-service time:

35 (i) The costs compared to benefits of Eagle Harbor repair and
36 maintenance facility operations options to include staffing costs and
37 benefits in terms of reduced out-of-service time;

1 (ii) The maintenance requirements for on-vessel staff, including
2 the benefits of a systemwide standard;

3 (iii) The costs compared to benefits of staff performing
4 preservation or maintenance work, or both, while the vessel is
5 underway, tied up between sailings, or not deployed;

6 (iv) A review of the department's vessel maintenance, preservation,
7 and improvement program contracting process and contractual
8 requirements;

9 (v) The costs compared to benefits of allowing for increased costs
10 associated with expedited delivery;

11 (vi) A method for comparing the anticipated out-of-service time of
12 proposed projects and other projects planned during the same
13 construction period;

14 (vii) Coordination with required United States coast guard dry
15 dockings;

16 (viii) A method for comparing how proposed projects relate to the
17 service requirements of the route on which the vessel normally
18 operates; and

19 (ix) A method for evaluating the ongoing maintenance and
20 preservation costs associated with proposed improvement projects.

21 **Sec. 704.** RCW 81.53.281 and 2003 c 190 s 3 are each amended to
22 read as follows:

23 There is hereby created in the state treasury a "grade crossing
24 protective fund" to carry out the provisions of RCW 81.53.261,
25 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or
26 subsidies to public, private, and nonprofit entities for rail safety
27 projects authorized or ordered by the commission; and for personnel and
28 associated costs related to supervising and administering rail safety
29 grants and/or subsidies. During the 2013-2015 fiscal biennium, funds
30 in this account may also be used to conduct the study required by
31 section 102 of this act. The commission shall transfer from the public
32 service revolving fund's miscellaneous fees and penalties accounts
33 moneys appropriated for these purposes as needed. At the time the
34 commission makes each allocation of cost to said grade crossing
35 protective fund, it shall certify that such cost shall be payable out
36 of said fund. When federal-aid highway funds are involved, the
37 department of transportation shall, upon entry of an order by the

1 commission requiring the installation or upgrading of a grade crossing
2 protective device, submit to the commission an estimate for the cost of
3 the proposed installation and related work. Upon receipt of the
4 estimate the commission shall pay to the department of transportation
5 the percentage of the estimate specified in RCW 81.53.295, as now or
6 hereafter amended, to be used as the grade crossing protective fund
7 portion of the cost of the installation and related work.

8 The commission may adopt rules for the allocation of money from the
9 grade crossing protective fund.

10 NEW SECTION. **Sec. 705.** A new section is added to 2013 c 306
11 (uncodified) to read as follows:

12 The office of the state treasurer shall explore the fiscal
13 implications with respect to outstanding motor vehicle fuel
14 transportation bonds and to future transportation bond sales, relating
15 to any reduction, refunding, crediting, or repeal of the motor vehicle
16 fuel tax, in whole or in part, that may occur in a transition to a
17 potential road usage charge by which transportation activities may be
18 funded in the future. The exploration of fiscal implications must
19 examine possible effects on the state credit rating, interest rates,
20 and other factors that affect the cost of financing transportation
21 projects. The draft report of this work must be shared with the
22 transportation committees of the legislature, the transportation
23 commission, and the office of financial management by September 1,
24 2014. A final report must be provided to the transportation committees
25 of the legislature, the transportation commission, and the office of
26 financial management by December 31, 2014.

27 **Sec. 706.** RCW 82.70.020 and 2013 c 306 s 718 are each amended to
28 read as follows:

29 (1) Employers in this state who are taxable under chapter 82.04 or
30 82.16 RCW and provide financial incentives to their own or other
31 employees for ride sharing, for using public transportation, for using
32 car sharing, or for using nonmotorized commuting before July 1,
33 ((2014)) 2015, are allowed a credit against taxes payable under
34 chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of
35 employees for ride sharing in vehicles carrying two or more persons,

1 for using public transportation, for using car sharing, or for using
2 nonmotorized commuting, not to exceed sixty dollars per employee per
3 fiscal year.

4 (2) Property managers who are taxable under chapter 82.04 or 82.16
5 RCW and provide financial incentives to persons employed at a worksite
6 in this state managed by the property manager for ride sharing, for
7 using public transportation, for using car sharing, or for using
8 nonmotorized commuting before July 1, (~~2014~~) 2015, are allowed a
9 credit against taxes payable under chapters 82.04 and 82.16 RCW for
10 amounts paid to or on behalf of these persons for ride sharing in
11 vehicles carrying two or more persons, for using public transportation,
12 for using car sharing, or for using nonmotorized commuting, not to
13 exceed sixty dollars per person per fiscal year.

14 (3) The credit under this section is equal to the amount paid to or
15 on behalf of each employee multiplied by fifty percent, but may not
16 exceed sixty dollars per employee per fiscal year. No refunds may be
17 granted for credits under this section.

18 (4) A person may not receive credit under this section for amounts
19 paid to or on behalf of the same employee under both chapters 82.04 and
20 82.16 RCW.

21 (5) A person may not take a credit under this section for amounts
22 claimed for credit by other persons.

23 **Sec. 707.** RCW 82.70.040 and 2013 c 306 s 719 are each amended to
24 read as follows:

25 (1)(a)(i) The department shall keep a running total of all credits
26 allowed under RCW 82.70.020 during each fiscal year. The department
27 shall not allow any credits that would cause the total amount allowed
28 to exceed two million seven hundred fifty thousand dollars in any
29 fiscal year. This limitation includes any deferred credits carried
30 forward under subsection (2)(b)(i) of this section from prior years.

31 (ii) During the 2013-2015 fiscal biennium, the department shall not
32 allow any credits that would cause the total amount allowed to exceed
33 one million five hundred thousand dollars in any fiscal year. This
34 limitation includes any deferred credits carried forward under
35 subsection (2)(b)(i) of this section from prior years.

36 (b) If the total amount of credit applied for by all applicants in
37 any year exceeds the limit in this subsection, the department shall

1 ratably reduce the amount of credit allowed for all applicants so that
2 the limit in this subsection is not exceeded. If a credit is reduced
3 under this subsection, the amount of the reduction may not be carried
4 forward and claimed in subsequent fiscal years.

5 (2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess
6 of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

7 (b)(i) Through June 30, 2005, a person with taxes equal to or in
8 excess of the credit under RCW 82.70.020, and therefore not subject to
9 the limitation in (a) of this subsection, may elect to defer tax
10 credits for a period of not more than three years after the year in
11 which the credits accrue. No credits deferred under this subsection
12 (2)(b)(i) may be used after June 30, 2008. A person deferring tax
13 credits under this subsection (2)(b)(i) must submit an application as
14 provided in RCW 82.70.025 in the year in which the deferred tax credits
15 will be used. This application is subject to the provisions of
16 subsection (1) of this section for the year in which the tax credits
17 will be applied. If a deferred credit is reduced under subsection
18 (1)(b) of this section, the amount of deferred credit disallowed
19 because of the reduction may be carried forward as long as the period
20 of deferral does not exceed three years after the year in which the
21 credit was earned.

22 (ii) For credits approved by the department after June 30, 2005,
23 the approved credit may be carried forward to subsequent years until
24 used. Credits carried forward as authorized by this subsection are
25 subject to the limitation in subsection (1)(a) of this section for the
26 fiscal year for which the credits were originally approved.

27 (3) No person shall be approved for tax credits under RCW 82.70.020
28 in excess of two hundred thousand dollars in any fiscal year. This
29 limitation does not apply to credits carried forward from prior years
30 under subsection (2)(b) of this section.

31 (4) No person may claim tax credits after June 30, (~~(2014)~~) 2015.

32 (5) Credits may not be carried forward other than as authorized in
33 subsection (2)(b) of this section.

34 (6) No person is eligible for tax credits under RCW 82.70.020 if
35 the additional revenues for the multimodal transportation account
36 created by Engrossed Substitute House Bill No. 2231 are terminated.

1 state government and its existing public institutions, and takes effect
2 immediately.

(End of Bill)

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